

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Date and Time:- Friday, 31 March 2017 at 9.00 a.m.
Venue:- Town Hall, Moorgate Street, Rotherham.
Membership:- Councillors Albiston, Allcock, Clark, Cowles, Mallinder, Price, Sansome, Short, Steele (Chair) , Julie Turner, Walsh and Wyatt

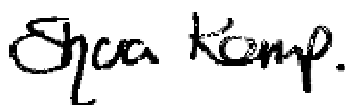
AGENDA

1. Apologies for Absence.
2. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Declarations of Interest
5. Questions from Members of the Public and the Press
6. Minutes of the previous meeting held on 17 March 2017 (Pages 1 - 6)

ITEMS FOR PRE-DECISION SCRUTINY

In accordance with the outcome of the Governance Review, the following item is submitted for pre-scrutiny ahead of the Cabinet and Commissioners' Decision Making Meeting on 10 April 2017. Members of the Overview and Scrutiny Management Board are invited to comment and make recommendations on the proposals contained within the report.

7. Review of Neighbourhood Working (Pages 7 - 23)
8. February Financial Monitoring Report 2016/17 (Pages 24 - 48)
9. Commissioning Intentions for Jointly Commissioned Services with Rotherham Clinical Commissioning Group (CCG) - Community Occupational Therapy Services (Pages 49 - 60)
10. Review of Petitions Scheme (Pages 61 - 81)
11. Date and time of next meeting
The next scheduled meeting is Friday 5 May 2017 at 9.00 a.m.



SHARON KEMP,
Chief Executive

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Friday, 17th March, 2017

Present:- Councillor Steele (in the Chair); Councillors Allcock, Clark, Cowles, Mallinder, Sansome, Short, Walsh and Wyatt.

Councillors Atkin, Lelliott and Read were in attendance at the invitation of the Chairman.

Apologies for absence:- Apologies were received from Councillors Albiston, Price and Julie Turner.

113. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

114. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

A member of the public asked the following question with regard to the South Yorkshire Fire and Rescue Integrated Risk Management Plan (IRMP):-

“We have been asking for the consultation period to be extended. Within the model IRMP planning procedures you can have a period from 2-12 weeks; because of the late feedback from the Service and on examining that feedback we have some other issues.

My original question submitted to 8th March Council meeting was around response times and whether the Councillors were aware of the impact of the proposals on second night time fire engine response times in Rotherham.”

Councillor Atkin, South Yorkshire Fire and Rescue Authority representative, stated that the consultation at the moment was on the IRMP going forward from this year for the next 4 years; the issue relating to the removal of the second pump on nights was part of the consultation that took place 4 years ago. There was extensive consultation at this time and the proposals were agreed, which are now being enacted.

Cllr Atkin apologised for not being at full Council on 8th March. He had to attend a conference in Newcastle as the Vice-Chair of the Fire Authority.

With regard to the consultation event at Parkgate on 7th March, I have spoken to Councillor Taylor, who was an ex-fire fighter, who attended who thought that it was unsatisfactory. I have raised it with our officers and awaiting feedback.

The Fire Authority have met with a full Brigade Committee to consult on the IRMP. There is a 6 week period for consultation because there are

few proposals in it and this will not vary. Cllr Atkin stated that the questions raised issues relating to a decision that was made 4 years ago.

Cllr Atkin explained that the removal of the night time pump at Rotherham will have an effect on turnout figures but suggested that it would be marginable.

The member of the public asked a supplementary question.

“You had just quoted about the negative impact on the response time but in the detailed response I got from the Service, this is not based on the impact of the 4 years’ worth of cuts to the Fire Service. These have impacted on the second pump response times and where the resilience pumps are coming from which they have collated the data to put into the new IRMP.

In terms of where we are with the last IRMP and the new IRMP, it is the job of Scrutiny to scrutinise the direction of travel in terms of primary calls, secondary calls, fire deaths throughout the period of that IRMP so an IRMP is not considered solely within a 3 year period but considered throughout that period and formulates part of the next IRMP. The difficulty is that the Service handled in 2012 around 20,000 calls; currently we are now handling about 30,000 calls. In 2012 we had 740 fire fighters but now 556. We are severely under strain and concerned about the resilience that is left in the system not just in Rotherham but in other areas and the response for Rotherham will come currently, under the latest proposals which are not contained in the last IRMP, from Birley Moor fire station in Sheffield which will significantly increase response times to your constituents in Rotherham.

Could Councillors consider in the light of what I have just informed you of an increase in the consultation and engagement period to allow us as a Fire Brigade Union to work with the employer to provide a balanced budget going forward?”

Councillor Atkin reported that the consultation would end on 27th March. There was to be an All Member seminar on Tuesday, 21st March. The proposals for the new IRMP did not reduce any fire cover and in fact in the day there would be 2 extra fire engines.

Resolved:- That a special meeting of the Overview and Scrutiny Management Board be held as soon as possible to discuss this issue.

115. COUNCILLOR PRICE

It was reported that Councillor Price had submitted his apologies for the meeting due to his wife having given birth to a baby the previous day.

The Select Commission congratulated Councillor Price and his wife on their new arrival.

116. BUDGET 2018-19 - CONSULTATION AND ENGAGEMENT APPROACH

In accordance with Minute No. ?(2) of 3rd February, 2017, the Leader and Leona Marshall, Interim Head of Communications and Marketing, presented a report on setting out the principles with which the consultation and engagement would be undertaken by the Council and the role of consultation as part of the budget setting process.

A strategy was to be developed once the budget process for 2018/19 was formally underway and which the Board would be consulted as part of finalising the approach.

The report set out the process for the consultation process for the 2017/18 budget process. Specific public consultation had ran from 1st December, 2016 to 3rd January, 2017 and resulted in a total of 31 responses by email and separate responses from the Council's partners recognising the difficulties the Council was facing and supporting the proposals put forward.

For the 2018/19 budget process it was the intention that:-

- All communications would be set in the context of the Council's Medium Term Financial Strategy as well as the Council's established strategic priorities as set out in the Corporate Plan;
- The Council would be looking to maximise its resources and engage with its target audiences to ensure representation from across the Borough via combination of online and more traditional offline channels
- In line with the Council's digital-first approach, the Council's consultation events alongside the use of Council and partner publications;
- It was important for all feedback and opinion to be captured by the Council and stored in one accessible central location in order to ensure that this could also be incorporated into the final decision making process and final budget setting report.

Discussion ensued on the report with the following issues raised/clarified:-

- Response rate was approximately 30 a year to the formal consultation
- Complexity of the budget and ability of the layperson to understand the implications for themselves
- Higher response rate to open consultation e.g. Learning Disability and Autism consultation with service users
- Vulnerable and minority groups should be included in the key

audiences

- Additional information had been included on the new Council Tax bills
- The use local radio and newspaper had been used to publicise the consultation
- Use of social media/digital technology - the Council's Facebook had been relaunched and would be used
- Piggybacking onto partner's events/meeting and increased work with voluntary and community sector partners
- Consult with key stakeholders about services that affected them
- Minimum period for consultation was 6 weeks – consultation around sensitive groups was much longer with face-to-face engagement taking place
- The Strategy would include consultation, engagement and communication
- Dedicated resources specifically for consultation v diverting resources to consult about budget cuts

Resolved:- (1) That the principles with which the consultation and engagement will be undertaken by the Council and the role of consultation as part of the budget seeing process for 2018/19 be noted.

(2) That it be noted that a consultation and engagement strategy would be developed once the budget process for 2018/98 was formally underway and submitted to the Overview and Scrutiny Management Board for consideration.

117. ISSUES REFERRED FROM THE AREA ASSEMBLIES

No issues had been referred.

118. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

Following a successful Children's Commissioner Take-Over Day, a report was being produced and expected in May.

119. WORK IN PROGRESS

Improving Lives Select Commission

Councillor Clark reported that at the last meeting the agenda had included:-

- Alternative models for CYPS – it was hoped that the findings would be reported at the end of April
- The next meeting was to focus on SEND with some Service users invited to attend

Health Select Commission

Councillor Sansome had nothing to report.

Improving Places Select Commission

Councillor Mallinder reported at the last meeting the agenda had included:-

- Presentation by RIDO on economic growth and the Town Centre
- Dignity – a visit had been made to Maltby Cemetery with a further visit to Rotherham Crematorium. There would then be a strategic meeting to discuss Dignity provision in Rotherham
- A report would be submitted in the next Municipal Year on the waste contract with Doncaster Council

120. CALL-IN ISSUES - TO CONSIDER ANY ISSUES REFERRED FOR CALL-IN

No issues had been referred.

121. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relating to the financial or business affairs of any particular person (including the authority holding that information)).

122. PURCHASE OF ADVANCED MANUFACTURING PARK TECHNOLOGY CENTRE

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, together with Simeon Leach (Economic Development Manager) and Jon Baggaley (Finance Manager), presented an update on the Council's purchase of the Advanced Manufacturing Park Technology Centre (AMPTC) using capital funding secured through the Sheffield City Region, subject to a satisfactory valuation of the building and securing the funding.

Purchase of the Advanced Manufacturing Park Technology Centre using Sheffield City Region capital funding would retain it within the public sector in the Sheffield City Region, without putting the Council at the financial risk of using its own funding.

The report had previously been considered at the Cabinet/Commissioners' Decision Making Meeting on 9th January, 2017 (Minute No. 146 refers).

Discussion ensued on the report with the following issues raised and appropriate responses given:-

- Repairs and maintenance/service charge

- Title Deeds
- Occupancy
- Ownership/management of the Centre
- Funding/cost of acquisition
- Risk

Resolved:- That the latest situation with regard to the Council's purchase of the AMPTC and the operation of the facility subsequent to the purchase be noted.

123. DATE AND TIME OF NEXT MEETING

Resolved:- That a further meeting be held on Friday, 31st March, 2017, commencing at 9.00 a.m.

Summary Sheet

Council Meeting:

Overview and Scrutiny Management Board – 31 March 2017

Cabinet and Commissioners Decision Making Meeting – 10 April 2017

Title

Review of Neighbourhood Working

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Anne-Marie Lubanski, Strategic Director of Adult Care & Housing

Report Author(s)

Tom Bell, Assistant Director of Housing and Neighbourhood Service.

Zafar Saleem, Neighbourhood Partnerships Manager.

Summary

Rotherham Council's Corporate Improvement Plan, "A Fresh Start", has a specific improvement theme of "strong, high impact partnerships". This includes "active ward Councillors working within neighbourhoods to build community and citizens' capacity".

The aim was to undertake a review which would herald the introduction of "a new model of citizen engagement and neighbourhood working linked to a review of Area Assemblies" to provide a focus on communities and introduce a new way of working.

The scope of the review comprised 3 elements:

1. creating a Council wide policy and approach to neighbourhood working
2. developing a multi-agency approach to neighbourhood working and
3. following the adoption of the new locality model, a review of the role and funding of the Neighbourhood Partnerships and Engagement Service.

A fourth connected element is agreeing a new "policy statement" on cohesion which is now also linked, in part, to the work of the Rotherham Together Partnership (RTP) and the new "Rotherham Plan" which will be launched in March 2017. This piece of policy work is being led by the Council's Head of Performance, Intelligence and Improvement. However, it is recognised that neighbourhood working plays a crucial role in contributing to this agenda whilst it is being developed.

An Elected Member Working Group was established, chaired by Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, comprising:

- Area Assembly Chairs/Vice Chairs
- A member of the Opposition Group and
- Supported by the Chief Executive and senior internal/external partners

There have been six meetings of the Elected Member Working Group. The first 4 were as follows:

- 11th July 2016 - scene setting and internal partner footprints.
- 26th July 2016 - external partner footprints.
- 24th August 2016- externally facilitated - pre-circulated desktop research and feedback from visits to other local authorities, and results of Member Survey – considered Vision/Working Principles.
- 5th September 2016 - approved a Vision/Working Principles.

The Elected Member Working Group then submitted a report to Cabinet on 10th October 2016. Cabinet approved the Vision/Working Principles put forward by the Working Group:

“Putting communities at the heart of everything we do by

- ***Councillors working with their communities on what matters to them,***
- ***Listening and working together to make a difference and***
- ***Supporting people from different backgrounds to get on well together . . . to help make people healthier, happier, safer and proud”***

Following Cabinet, there have been 2 further meetings of the Working Group:

- 18th October 2016 - considered three options for delivering the Vision
- 16th November 2016 - received officer presentation on a potential working model

At the meeting of the Working Group on 16th November 2016, there was support for a new neighbourhood working model which would result in the 21 electoral wards becoming the key building blocks for supporting Councillors in their community leadership role. A complimentary project has been initiated by the Council and Rotherham Together Partnership to examine locality working across the wider partnership. This presents an opportunity to bring together other stakeholders e.g. South Yorkshire Police (SYP), Health, voluntary and community sector, and other Council services to develop a holistic locality model.

The objective of this paper is to present a revised model of neighbourhood working, with more detail around ward level working, accountability and governance.

Recommendations

- 1.1 That the recommendations for a new model of Neighbourhood Working be approved.

- 1.2 That the removal of the current Area Assembly governance framework be agreed.
- 1.3 That the dissolution of the Area Assembly coordinating Groups be agreed.
- 1.4 That approval be given to the approach for each ward to be able to locally agree how to conduct citizen engagement in a flexible and innovative manner. Wards can still choose to hold meetings e.g. in response to specific issues and can tailor the approach to best engage their citizens.
- 1.5 That flexible clustering to allow wards to work together based on geography and common interest, where needed, be approved.
- 1.6 That a quarterly update from each ward be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.
- 1.7 That a requirement be introduced for ward plans to be produced and to publish outlining ward priorities and activities aligned to the Corporate Plan.
- 1.8 That a requirement be introduced for place profiles to be developed for each of the 21 wards detailing the demographics and community assets of the area; to be piloted in 4 wards.
- 1.9 That the Community Leadership Fund of £1,000 per elected member be continued, but be spent in line with ward plan priorities.
- 1.10 That the £30,000 currently allocated for Area Assembly Chairs from the Community Engagement budget in 2017/18 be distributed evenly to all 21 wards, which will equate to £1,428 per ward and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
- 1.11 That Council be recommended to add £210k to the Capital Programme in 2017/18, to be funded from capital receipts, and that this budget be reviewed as part of the overall corporate budget setting process for 2018/19.
- 1.12 That £10,000 capital investment funding be allocated to each ward from the £210k total allocation and that utilisation of this be determined by ward priorities.
- 1.13 That decision making be delegated to wards with spend approved by the Assistant Director of Housing and Neighbourhood Services.
- 1.14 That officers be required to explore the potential to provide support to members to secure additional funding both internally and externally.
- 1.15 That an Annual Report on Neighbourhood Working be submitted to both the Improving Places Select Commission (IPSC) and Council.
- 1.16 That approval be given to a 12 month transitional plan to phase-in the new neighbourhood approach.

1.17 That the review of staffing structure supporting neighbourhood working be noted and decisions arising from the review be taken under existing delegated powers.

1.18 That the Council be recommended to amend the Constitution to:

- Remove the reference to area assemblies in the heading of Part III of the Constitution and delete Article 12 of the Constitution [Area assemblies and area assembly co-ordinating groups]
- Remove references to Area Assemblies and Area Assembly Co-ordinating Groups from the Executive Procedure Rules
- Delete Rule 16(6),(7) and (8) [Conflicts of interest – membership of area assembly co-ordinating groups and overview and scrutiny committee] and references to “Chairs of Area Assemblies” and all other references to “area assemblies” in the Overview and Scrutiny Procedure Rules
- Delete references to area committees in the Access to Information Procedure Rules
- Delete references to area committees and area assembly coordinating groups in the Standing Orders.
- Delete references to area committees in the Code of Conduct for Members and Co-opted Members
- Delete the reference to Chair of Area Assembly in the Members’ Allowances Scheme
- Remove references to area assemblies from the Scheme of Delegation for Members and Officers

List of Appendices Included

Appendix 1 – Article 12

Appendix 2 and 2a - An example of a Manchester Council Ward Plan and Action Plan

Appendix 3 - the relevant section of Article 12 is produced in full

Background Papers

RMBC Corporate ‘Fresh Start’ Improvement Plan, 26th May 2015

(RMBC Cabinet Report), 23rd June 2016

Cabinet Report, 10th October, 2016 Review of Neighbourhood Working

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 31 March 2017

Council – 19 May 2017

Council Approval Required

Yes

Exempt from the Press and Public

No

Review of Neighbourhood Working

1. Recommendations

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- 1.5 That flexible clustering to allow wards to work together based on geography and common interest, where needed, be approved.
- 1.6 That a quarterly update from each ward be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.
- 1.7 That a requirement be introduced for ward plans to be produced and to publish outlining ward priorities and activities aligned to the Corporate Plan.
- 1.8 That a requirement be introduced for place profiles to be developed for each of the 21 wards detailing the demographics and community assets of the area; to be piloted in 4 wards.
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- 1.17 That the review of staffing structure supporting neighbourhood working be noted and decisions arising from the review be taken under existing delegated powers.
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2. Background

- 2.1 Rotherham Council’s Corporate Improvement Plan, “A Fresh Start”, includes a key theme, “strong, high impact partnerships”. The theme’s objective is to deliver “enhanced neighbourhood working to engage with communities on:
- Policy development and service change.
 - Community Safety.
 - Community Cohesion”
- 2.2 The action to address this objective is the “*Introduction of a new model of citizen engagement and neighbourhood working linked to a review of Area Assemblies*”.
- 2.3 To deliver this action, an Elected Member Working Group was established, chaired by Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, comprising:-

- Area Assembly Chairs/Vice Chairs.
- A member of the Opposition Group.
- Support by the Chief Executive and Senior Officers.

2.4 The Cabinet Member and officers attended a national conference which examined the “State of neighbourhood and locality working”, and undertook desktop research and visited 4 other local authorities operating different neighbourhood models.

2.5 The local authority visits were to:-

- Trafford MBC (Wednesday 15th June 2016).
- Barnsley MBC (Tuesday 21st June 2016).
- Derby CC (Wednesday 29th June 2016).
- Doncaster MBC (Friday 15th June 2016).

2.6 There have been 7 meetings of the Elected Member Working Group:

- Tuesday 21st June 2016
- Wednesday 24th June 2016
- Monday 11th July 2016
- Tuesday 26th July 2016
- Monday 5th September 2016
- Wednesday 16th November 2016
- Monday 27th February 2017

3. Key Issues

3.1 The review sought to address a number of key issues originally raised by former Commissioner Manzie in the RMBC Corporate “Fresh Start” Improvement Plan (26th May 2015). These were to:

- Determine why working at a neighbourhood level is important
- Describe the outcomes of improved neighbourhood working
- Highlight the added value of a neighbourhood approach to locality Working

3.2 The expected outcomes of the review of neighbourhood working are to:

- Improve local democratic engagement and community leadership by describing the way in which Councillors, officers and partners will interact with the local community.
- Identify the support that could be expected by Elected Members from the Council and its key partners.
- Clarify the role of the Council and partners in addressing neighbourhood based issues.
- Determine how other services run by the Council and its partners can be tailored to and benefit from neighbourhood approaches.
- Highlight the role of the community, voluntary and faith sectors in supporting local based organisations to deliver services in neighbourhoods.

4. Options considered and recommended proposal

- 4.1 Outlined below is a new model of Citizen Engagement and Neighbourhood Working, the current operational model and further details on a potential new model of neighbourhood working which it is intended will start in Summer 2017.
- 4.2 Currently the Council operates a model of citizen engagement through 7 Area Assemblies which were introduced in 2000. The Council implemented a structure where no executive or non-executive functions would be delegated to the area level. The role was simply to create a consultative process through open public meetings. The Area Assembly meetings are part of the Council Constitution. Article 12 prescribes that each Area Assembly shall hold at least 4 public meetings a year. The relevant section of Article 12 is produced in full at **Appendix 1**.
- 4.3 In 2006, the 7 Area Assembly meetings were complemented by 7 coordinating Groups comprising all ward members in the area plus partners and community representatives. The coordinating groups represented a shift from consultation to more action planning. The coordinating Groups, like the Area Assemblies, are part of the Council Constitution (the relevant section of Article 12 is produced in full at **Appendix 3**).
- 4.4 The results of the Area Assembly Chairs/Vice Chairs' survey in August 2016 and the Working Group in December 2016 revealed support for neighbourhood working but little support for the current Area Assembly meetings. Members suggested a more flexible, innovative approach with wards determining their own approach. Members were positive about what they had seen as good practice on visits to other local authorities. There was support for a focus on building on the strengths of the community as opposed to problem raising, shifting from a "You Said, We Did" approach to another based on "Local People, Local Solutions", with an emphasis on "co-production", exploring joint solutions to deliver a community assets based approach.
- 4.5 The working group revealed support for ward based working. However, the issue of ward clustering created a lot of discussion in November 2016. The new approach will continue to enable wards to work together where there is the opportunity for more natural clustering by geography or common interest.

For example:

- In 2017, members from different wards and Area Assemblies will be working together to work on other important issues e.g. HS2 and Bassingthorpe Farm, which covers Rotherham North and Wentworth South.
- All Members from the Keppel and Rotherham West wards are currently working with senior officers and the local community on an environmental issue, Watson's Tip. A public meeting was recently arranged by Councillors and officers which was attended by 180 people.

- Wickersley, Maltby and Hellaby Wards undertook a Suicide Prevention project. Various awareness raising and training sessions have taken place.
- 4.6 Removing the prescribed framework of Co-ordinating Groups and Area Assembly meetings will free up time and resource to support Members in their community leadership role to build community and citizen's capacity, an aspiration of the Corporate Improvement Plan.
- 4.7 The new way of working, whilst delivering the universal offer, will also take into account local priorities, which may include specific issues, for example, areas of deprivation, which will then influence a wider Council and partnership response.
- 4.8 Each ward would benefit from a named dedicated Neighbourhood Support Officer (*title of post may change*) who will link into the wider Council and partners as a connector to other front line services in the locality, to provide the right response at the right time with the right people.

This way of working is flexible and will evolve over time as knowledge, understanding and confidence of the approaches that will work best in each ward grows.

- 4.9 Recent examples of good practice will continue and be built upon in the new model include:
- Helping the Friends of Greasbrough Park to secure £41k funding which enabled them to renew the children's play area.
 - Supporting Clifton Learning Partnership to obtain Eastwood Village Community Centre on a long-term lease from the Council. They are now developing activities for children, families and the broader community (including CSE awareness) through Community Development and Family Support Workers recruited and trained from the local (Roma) community.
 - Supporting Thurcroft "Big Local" to make the most of the opportunities of their £1m Lottery Funding.
 - Working in partnership with the Asset Management Team to support the Wath Town Hall Group in their bid to obtain an asset transfer for the now disused Wath Town Hall.
 - Partnership work with local communities, businesses and the Council to deliver the "Wellgate Together Plan" which supports activities to develop a safer, cleaner and greener Wellgate.

The Working Group Recommends that:

- Area Assemblies will cease in their current governance framework.
- Area Assembly coordinating Groups are disbanded.
- Wards will determine how to conduct citizen engagement and can be flexible and innovative in their approach. Wards can still choose to hold meetings e.g. in response to specific issues and can tailor the approach to best engage their citizens.

- Wards are encouraged to work together based on geography and common interest without any prescribed ward clustering, for example, the 3 wards within the current area assembly framework could still choose to meet.

Ward Based Place Plans

- 4.10 The desktop research and visits to other local authorities showed that the Electoral Ward is an important building block with regards to neighbourhood working and relationships with communities.
- 4.11 The findings from areas such as Barnsley, Sheffield, Kirklees and Manchester showed how ward based working can sit within a broader organisational and planning framework. In Manchester, annual Ward Plans support wider delivery by documenting the issues affecting the ward and the detailed actions required to address them. The Plans are developed by Ward Co-ordinators in partnership with members and partners. Progress is reviewed at quarterly meetings. The Plans feed into three larger Place Plans covering the North, South and Central areas of the city (an example of a Manchester Council Ward Plan and Action Plan is attached at **Appendix 2 & 2a**).
- 4.12 At the Elected Member Working Group on 16th November 2016, officers presented a proposal to introduce ward based plans in Rotherham with links to the Council's Corporate Plan and the Rotherham Together Partnership (RTP) priorities, in particular
- The Corporate Plan priority relating to strong communities in a clean, safe environment and
 - The RTP's priorities relating to Bringing People Together (Let's get Rotherham Talking) and Welcoming Places (Let's get Rotherham Cleaning) plus
 - A further priority is being considered around Building Stronger Communities as part of the forthcoming Rotherham Plan
 - The current focus on locality working will also support and identify Members as key community leaders which will strengthen the delivery of the local offer to communities

The Working Group Recommends that:

- A quarterly update be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the borough.
- Each of the 21 wards will be required to produce and publish a Ward Plan with agreed ward priorities and activities aligned to the Corporate Plan.
- Place profiles will be developed for each of the 21 wards providing demographics and the community assets of the area. However, initially, this new way of working will be piloted in 4 wards.

The Ward Plans will:

- Be informed by the place profile (local consultation and data)

- Influence the way other geographical funding streams are deployed e.g. Area Housing Panel funds
- Be informed via engagement with the local community e.g. Street surgeries, litter picks
- Be overseen by the Ward Councillors and Council Officers

An aggregated summary of the Ward Plans with narrative will be submitted to Improving Places Select Commission and Full Council as an Annual Report.

Devolved Budgets

- 4.13 There have been a number of questions in relation to devolved budgets. As well as whether to have a devolved budget, there were questions in relation to the source, the amount and allocation.
- 4.14 The desktop research and visits to other local authorities showed that most have retained a devolved budget to enable a shift to “Local People, Local Solutions”. Budgets are used to build capacity, change delivery and create more sustainable solutions.
- 4.15 The results of the Area Assembly Chairs / Vice Chairs survey in August 2016 revealed significant support for a flexible devolved budget, enabling Councillors to focus on issues in their ward, but without being tied into Council services.
- 4.16 In the current 2016/17 financial year a one off Area Assembly budget of £280k had been allocated. This comprised of £140k General Fund (Revenue) and £140k General Fund (Capital). Each Area Assembly received £40k, equivalent to every ward receiving around £13k.
- 4.17 The figures in other areas vary greatly from £2.1m in Barnsley (equivalent to every ward receiving £100k) to £80k in Trafford (equivalent to every ward receiving £4k). Manchester have recently introduced a “Neighbourhood Investment” Fund (NIF) to support their revised neighbourhood working model. Each ward receives £20k. The NIF is available to communities.
- 4.18 The desktop research and visits to other areas showed that Derby, Oxford and Great Yarmouth focus on their most deprived neighbourhoods only. Sheffield’s devolved budget is entirely based on the Indices of Multiple Deprivation (IMD).
- 4.19 We will continue to explore opportunities around a range of different resources including external funding streams as well as maximising existing community and council services. This will be developed over the transitional period.
- 4.20 At present the Area Assembly coordinating Groups determine the priorities for spending the budgets allocated to their Areas. Disbanding them would require an alternative approach.
- 4.21 In Haringey, each ward receives a £10k devolved budget and run the budget as they see fit. For example, some wards run an annual application round, some commission projects in response to local need, some run “dragons den” type events to build up community involvement and many will run a combination of these. Budgetary decisions are delegated to an Assistant Director. In Barnsley,

and other areas, all three or 2 out of the 3 Ward Councillors must agree any proposal which is then signed off by an officer.

4.22 Neighbourhood Working through Ward Plans will also influence the way mainstream funding and resources are deployed to maximise the response for local ward based issues, for example, deprivation. This will be from other Council services as well as partnerships within the ward.

The Working Group recommends that:

- The Community Leadership Fund will continue to be allocated to Ward Members in line with their Ward Plans of £1k per member, which equates to £3k per ward and £63k in total.
- The £30K currently allocated for Area Assembly Chairs from the Community Engagement budget will be apportioned to Wards, this will equate to £1,428 per ward. This budget is set for 2017/18, but will be reviewed as part of the overall corporate budget setting process for 2018/19 with consideration of the South Yorkshire Average allowance.
- There will be a £10k capital investment in each ward, totaling £210k which would give total funding of £1,428 for each ward.
- Decision making is delegated to wards and will be validated by an Assistant Director to ensure due diligence to support Members in their role.
- Subject to approval of a Neighbourhood Working Devolved Budget 2017/18, a process will be established for Members to allocate funding, in line with agreed policies and procedures, accounting regulations and the principles of transparency and good governance.
- Officers will continue to identify any other sources of funding to assist implementing Ward Plans and this would be subject to a further proposal outlining options available.
- The overall budget for Neighbourhood Working is not anticipated to be reduced, but the revenue/capital split will be considered as part of the budget setting process for future years.
- Officers will explore the potential to provide support to members to secure additional funds, both internally and externally.

Dedicated Ward Based Neighbourhood Support Officer

- The current staffing structure within Neighbourhood Partnerships and Engagement Service (22 FTE posts, of which 4 are vacant) has been built around the Area Assembly model of working. Arrangements will be put in place to ensure staff are allocated to specific Wards, allowing 2.5 days per week of dedicated officer time to be given to each Ward. This will be to support Ward Members in their community leadership role and act as connector and enabler, under the new operating model.
- However, the model will be sufficiently flexible to allow movement of staff between wards to meet changing ward needs/demand e.g. where a ward has not used their full officer time allocation. This will be a transitional arrangement until a comprehensive review of the staffing

structure can be carried out. The terms of reference for the review will be to ensure 'form follows function' i.e. under the new neighbourhood working arrangements we have the right people in the right place to deliver the new operating model.

- The Council's work alongside Parish Councils will be strengthened under a Ward based approach to ensure citizens are confident we are working together putting people and places first. There are significant opportunities to be realised by working together on shared priorities and in not duplicating effort e.g. community buildings and land assets for new development.

4.23 The recommendations in this report create a number of expectations linked to accountability and governance:

- Every ward to produce and publish a Place Plan based on local consultation and data tracking. The Place Plan will be delivered through a minimum of at least 2 officer and member meetings per year and by making the Place Plan available on the Council website.
- A quarterly update will be submitted to the portfolio Cabinet Member for Neighbourhood Working and Cultural Services to provide oversight across the Borough.
- Every ward will have a devolved budget to support their Ward Plan delivery.
- The Cabinet Portfolio Holder for Neighbourhoods will lead and have oversight and accountability for the governance of this model.

4.24 In addition, the governance review recommended that an Annual Report in respect of Neighbourhood Working be submitted to full Council outlining what is working effectively and what is not, so that successes and lessons can be learned. The first Annual Report will be a review of the new operating model. The Annual Review will also look at the annual resource allocation and aid the case for future investment.

The Working Group recommends that:

- An annual report on neighbourhood working be submitted to both the Improving Places Select Commission (IPSC) and full Council.

5. Consultation

5.1 Detailed consultation has taken place with Area Assembly Chairs and Vice Chairs. Community consultation will be incorporated into the ward plans during the transitional period.

6. Timetable and Accountability for Implementing this Decision

6.1 The proposed implementation timetable is as follows:

27 February 2017	Recommendations signed off by Elected Member Working Group
31 March 2017	OSMB Pre-Decision Scrutiny
10 April 2017	Cabinet and Commissioners' Decision Making Meeting
19 May 2017	Council

6.2 Subject to approval by Cabinet it is proposed that **transitional arrangements** be agreed for the new Neighbourhood Working model to allow a flexible and organic move towards ward based working over a 12 month period.

Areas of focus for the transitional period will be:

- Detailed statutory consultation will take place with staff on the proposed new way of working in Neighbourhoods resulting in a staffing restructure and implementation of the new model of working in September 2017.
- Agree and deliver community consultation to inform and develop the new neighbourhood approach.
- The governance arrangements for managing Neighbourhood Working budgets be clarified with Legal and Democratic Services and any associated model paperwork agreed with Legal, Finance and Audit.
- Wards plans be produced for each of the 21 wards.
- 4 Pilot Place Profiles will be produced for Wingfield, Boston Castle, Brinsworth and Catcliffe, and Rother Vale wards so that learning and evaluation can be built into the final model template for Place Plans.
- Provide links to partners e.g. police and other bodies e.g. Area Housing Panel, Case Identification Meetings.
- Parish and Town Councils to consider Place Plans where appropriate.

7. Financial and Procurement Implications

7.1 In 2016/17, the Council decided to allocate the Area Assemblies a one-off Devolved Budget of £280k. This was made up of £140k revenue and £140k capital, therefore, an allocation of £20k revenue and £20k capital to each Area Assembly.

7.2 In 2017/18, the revenue budget available is £30k Special Responsibility Allowance for Area Assembly Chairs from the Community Engagement Budget and £63k Community Leadership Fund. In addition, it is proposed that £10k capital investment be made in each ward for 2017/18, to be determined by ward priorities, totaling £210k, and that this be added to the approved Capital Programme. This funding is to be utilised from available capital receipts not already allocated. The apportionment is outlined in recommendations 1.1.10 and 1.1.12 of this report.

7.3 Future years' budgets will be considered as part of the 2018/19 budget setting process.

8. Legal Implications

8.1 The recommendations in this report would require amendments to the Council's Constitution in order to remove references to Areas Assemblies, Area Assembly Co-ordinating Groups and Chairs of Area Assemblies from the Constitution. Amendments to the Constitution are a matter for the Council and the necessary recommendation to Council forms part of the recommendations of this report.

9. Human Resources Implications

9.1 In terms of the original scope of this work, the third element referred to a fundamental review of the structure, role, skills mix and funding of the Neighbourhood Partnerships and Engagement Service. Currently each of the 7 Area Assemblies has a small team aligned to support the function. This breaks down to approximately 1 Neighbourhood Development Officer and one Neighbourhood Support officer per Area Assembly. The review will be undertaken in line with appropriate HR processes.

9.2 Members have requested that a named "Lead Officer" be appointed to support every ward 2.5 days per week. It is proposed that as part of the review outlined above all Elected Members will have a named single point of contact drawn from the Neighbourhood Partnerships service to support them in their community leadership role, and act as a connector, enabler and a link to other Council services.

9.3 It is recognised that the transition to a new model of working and structure will take time and therefore, an interim offer will be delivered through the current staffing structure until a full review of services can be undertaken.

10. Implications for Children and Young People and Vulnerable Adults

10.1 The Elected Member Working Group received presentations on the locality plans and geographical service footprint from both Adult Care and Children and Young Peoples' directorates. The proposed Vision Statement and Principles support the Council's Corporate Plan priorities "Every child making the best start in life" and "Every adult secure, responsible and empowered".

11 Equalities and Human Rights Implications

11.1 The proposals to enhance and support neighbourhood working should improve the Council's ability to respond to the specific needs of Rotherham's increasingly diverse communities. The needs and requirements of the citizens, businesses and communities in each ward are different and the new approach allows the flexibility to respond to these needs by making the ward the building block for community engagement. Additionally the production of Place Plans will enable a targeted response to community concerns and priorities. An Equality Assessment will be completed in line with the Council's Equality & Diversity Strategy.

12. Implications for Partners and Other Directorates

12.1 This review is part of a much wider strategic review of how the whole Council engages with its citizens and customers in localities, including a review of the Council's Estate.

12.2 In terms of the original scope of this work, the second element referred to developing a multi-agency approach to neighbourhood working.

12.3 Following a recent meeting of the RTP's Chief Executive Officers' Group (CEOG), work has begun to develop a locality working model based on a number of principles to be agreed by partner agencies. Workshops were held in February and March to explore, amongst other things, approaches to integrated place-based working with the objective of approving a model way of working by the end of March 2017.

12.4 Manchester is an example where ward based working supports wider delivery. Ward Plans feed into 3 larger multi-agency Place Plans covering the North, South and Central areas of the city.

13. Risks and Mitigation

13.1 At present the Neighbourhood Partnerships and Engagement Service sits in the Adult Care and Housing Directorate. The service is funded 60%/40% Housing Revenue Account / General Fund respectively which is reflected in the Service Plan.

13.2 The Service Plan focusses on 4 areas:

1. improving tenant and resident engagement as part of the "Local Offer" to those living in Council accommodation
2. leading on community development
3. supporting the "crime and grime"/public realm agenda and
4. leading on neighbourhood working arrangements.

13.3 Resourcing multi-agency locality working – in particular (2), (3) and (4) above - would be at risk if the Housing Revenue Account contribution to area based services was reduced but not replaced by other funding.

14. Accountable Officer(s)

Anne Marie Lubanski, Strategic Director of Adult Care & Housing

Approvals Obtained from:-

Strategic Director of Finance and Customer Services: Judith Badger

Assistant Director of Legal Services: Dermot Pearson

Head of Procurement (if appropriate):- not relevant

Head of HR: Odette Stringwell

This report is published on the Council's website or can be found at:-
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Summary Sheet

Cabinet and Commissioners' Decision Making Meeting – 10 April 2017

Title

February Financial Monitoring Report 2016/17

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Judith Badger – Strategic Director of Finance and Customer Services

Report Author(s)

Pete Hudson – Chief Finance Manager, Finance & Customer Services

Email: peter.hudson@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

This report sets out the financial position for the Revenue Budget at the end of February 2017 and is based on actual costs and income for the first eleven months of the financial year and forecast costs and income for the remaining one month of 2016/17.

The revenue position, compared with the revised budget approved by Council on 7th December 2016, shows a forecast overspend of £2.017m. This forecast overspend has reduced by £526k since the December monitoring report to Cabinet.

It is currently anticipated that this level of forecast overspend could be funded from a combination of in year capital receipts and capitalisation of some spend in relation to Highways.

The additional budget approval is to be funded from reserves and the extent to which in year revenue spend across the whole Council can or cannot be reduced, will affect the eventual call on reserves. The above expected position is positive in that the expected call on reserves is lower than that which was reported within the December financial monitoring report.

To help further mitigate the potential impact on reserves the robust procurement and recruitment controls remain in place.

The majority of the approved budget savings for 2016/17 have or are being achieved, the main exception being the £1m saving from the review of staff terms and conditions of employment agreed by Council in March 2016 which will not now be delivered in 2016/17. Positive, constructive discussions with the Trade Unions have been taking place about how this saving can be achieved and it is expected that the £2m FYE savings will be achieved from April 2017. The non-delivery of the 2016/17 £1m saving is reflected in the forecast outturn in this report.

There is also a significant forecast overspend (£5.375m) on the Dedicated Schools Grant (DSG), split between the High Needs Block £5.292m and the Schools Block of £0.083m. Whilst this overspend doesn't directly affect the Council's financial position at this time, this position must be addressed to avoid any risk to the Council in the future. The pressure on the High Needs block was presented to the Schools Forum meeting on March 17th, which also considered the draft SEND Sufficiency Strategy and Financial Plan which will address the remaining deficit and future level of provision. In 2017/18 the forecast deficit carry forward will be partially mitigated by the transfer of £3m from the Schools Block into the High Needs Block, leaving an estimated £2.3m deficit, which will need to be met from an expected re-basing and uplift for Rotherham of the High Needs Budget from 2018/19 following implementation of the new High Needs national Funding Formula.

Clifton Community School is now scheduled to convert to a sponsored Academy on 1st May (it was reported previously that the conversion would take place first in February and then in March 2017). The school has an estimated deficit of £1.2m. A reserve of £1.2m was created in finalising the 2015/16 accounts specifically to mitigate deficit balances falling on the Council as a result of sponsored academy conversions during 2016/17.

In response to reduced Government funding, the Council needed to find savings of £24m in 2017/18 and then needs to identify around a further £42m savings in the following two years. A robust budget for 2017/18 including £24m of savings was approved by Council on 8th March 2017.

Control over spending is critical to a robust medium term financial strategy as unplanned spending impacts on reserves levels which are the bedrock of a financially stable organisation and unplanned spending depletes reserves.

Appendix 1 to this report shows the detailed reasons for forecast revenue under and over spends by Directorate.

Recommendations

That Cabinet:

- Notes the current 2016/17 forecast overspend of £2.017m after the allocation of additional in year budget and that the Council anticipates a balanced outturn position will be achieved through a combination of continued management actions, use of in-year capital receipts and capitalisation of highways spend. (Paragraphs 3.2 -3.3)

- Notes that a detailed Dedicated Schools Grant (DSG) High Needs Sufficiency Strategy and Financial Plan to address the remaining deficit and future level of service provision were discussed and consulted upon at the 17^h March 2017 Schools Forum meeting. (Paragraph 3.15).
- Notes the approved capital programme is forecast to underspend by £9.038m in 2016/17. Underspends in the Children & Young People's Service, Regeneration & Environment and Finance and Customer Services Directorates will in the majority of cases be re-profiled into 2017/18, however the underspend in the Adult Care & Housing Directorate is the result of changes to Government policy leading to a reduction in available funding which has required a review of HRA investment. (Paragraph 3.40)

List of Appendices Included

Appendix 1 – Detailed Directorate analysis of revenue forecast under and overspends

Background Papers

Revenue Budget and Council Tax Setting Report for 2016/17 to Council – 2 March 2016

December 2016/17 Financial Monitoring Report to Cabinet – 13 February 2017

MTFS Update Report to Cabinet and Council - 14 November and 7 December 2016 respectively

Consultation with Strategic Directors

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Yes – Overview and Scrutiny Management Board

Council Approval Required

No

Exempt from the Press and Public

No

February Financial Monitoring Report 2016/17

1. Recommendations

That Cabinet:

- 1.1 Notes the current 2016/17 forecast overspend of £2.017m after the allocation of additional in year budget and that the Council anticipates a balanced outturn position will be achieved through a combination of continued management actions, use of in-year capital receipts and capitalisation of highways spend. (Paragraphs 3.2-3.3)
- 1.2 Notes that a detailed Dedicated Schools Grant (DSG) High Needs Sufficiency Strategy and Financial Plan to address the remaining deficit and future level of service provision were discussed and consulted upon at the 17^h March 2017 Schools Forum meeting. (Paragraph 3.15)
- 1.3 Notes the approved capital programme is forecast to underspend by £9.038m in 2016/17. Underspends in the Children & Young People's Service, Regeneration & Environment and Finance and Customer Services Directorates will in the majority of cases be re-profiled into 2017/18, however the underspend in the Adult Care & Housing Directorate is the result of changes to Government policy leading to a reduction in available funding which has required a review of HRA investment. (Paragraph 3.40)

2. Background

- 2.1 As part of its performance and control framework the Council is required to produce regular reports for the Strategic Leadership Team and Cabinet to keep them informed of financial performance on a timely basis such that where necessary, actions can be agreed and implemented to bring spend in line with the approved budget for the financial year.
- 2.2 Delivery of the Council's Revenue Budget and Medium Term Financial Strategy, and Capital Programme within the parameters agreed by Council is essential if the objectives of the Council's Policy Agenda are to be achieved. Financial performance is a key element within the assessment of the Council's overall performance framework.
- 2.3 This report sets out the financial position at the end of February and is based on actual costs and income for the first eleven months of the financial year and forecast costs and income for the remaining one month of 2016/17.
- 2.4 The current position shows a forecast revenue overspend of £2.107m after taking account of the allocation of additional budget by Council on 7th December 2016 and after currently identified management actions. It is anticipated that this overspend can be met by flexible use of in-year capital receipts and capitalisation of highways spend. There is also a significant overspend on DSG which has now reached over £5.3m, although this forecast overspend has slightly improved by £300k since the December report.

- 2.5 The additional 2016/17 budget approval has to be funded and the extent to which in-year revenue spend across the whole Council cannot be reduced, will inevitably impact the Council's reserves and future financial sustainability.
- 2.6 The majority of the approved budget savings for 2016/17 are being achieved, the main exception being the £1m saving from the review of staff terms and conditions of employment agreed by Council in March which will not now be delivered in 2016/17. Positive, constructive discussions with the Trade Unions have been taking place about how this saving can be achieved and it is expected that the £2m full year effect saving for 2017/18 will be achieved. The non-delivery of the £1m saving in the current year is reflected in the forecast outturn in this report.
- 2.7 To further reduce the requirement to call on reserves the robust procurement and recruitment controls remain in place.
- 2.8 All actions implemented will have due regard for the safeguarding of vulnerable children and adults, the needs of clients and the potential impact on the citizens of Rotherham.
- 2.9 There is also a significant forecast overspend (£5.375m) on the Dedicated Schools Grant (DSG) High Needs Block. There is also a significant forecast overspend (£5.375m) on the Dedicated Schools Grant (DSG), split between the High Needs Block £5.292m and the Schools Block of £0.083m. This is a forecast increase in the High Needs overspend of £4.3m in an eleven month period. Options for consultation regarding addressing the High Needs overspend were taken to Schools Forum on the 9th December.
- 2.10 Clifton Community School is now scheduled to convert to a sponsored Academy on 1st May (it was reported previously that the conversion would take place first in February and then in March 2017). The school has an estimated deficit of £1.2m. A reserve of £1.2m was created in finalising the 2015/16 accounts specifically to mitigate deficit balances falling on the Council as a result of sponsored academy conversions during 2016/17.
- 2.11 In response to reduced Government funding, the Council needs to reduce its net spending by around £42m for the two years 2018/19 and 2019/20. It also has to deliver savings of £24m in 2017/18. A robust budget for 2017/18 was approved by Council on 8th March. Control over spending is critical to a robust medium term financial strategy as unplanned spending impacts on reserves levels which are the bedrock of a financially stable organisation and unplanned spending depletes reserves.
- 2.12 Appendix 1 to this report shows the detailed reasons for forecast under and over spends by Directorate.

3. Key Issues

Revenue

- 3.1 Table 1 below shows the summary forecast revenue outturn position by Directorate. The table shows the forecast outturn position after any management actions which have already been quantified and implemented. The annual budgets have been updated to include the additional Council budget approvals, agreed 7th December 2016 and the Adult Social Care budget includes the £1m social care contingency budget which transferred from Central Services following Cabinet approval on 12th December. A more detailed analysis of each of the Directorate's forecast under and overspends is included in Appendix 1.
- 3.2 Table 1 below also shows the change in forecast outturn by Directorate/Service between the December and February budget monitoring cycles.

Table 1: February Cumulative - Forecast Revenue Outturn 2016/17

Directorate / Service	Revised Annual Budget 2016/17	Forecast Outturn 2016/17	Forecast Variance (over (+) / under (-) spend) AFTER management actions	Change in Variance Dec to Feb (- = better / + = worse)
	£'000	£'000	£'000	£'000
Children & Young People's Services	63,120	64,850	+1,730	+150
Adult Care & Housing	68,212	71,501	+3,289	-223
Regeneration & Environment Services	46,427	44,883	-1,544	-267
Finance & Customer Services	14,790	14,217	-573	-153
Assistant Chief Executive	5,229	5,099	-130	-33
Capital Financing, Levies and Central Services	10,199	9,444	-755	0
SUB TOTAL	207,977	209,994	+2,017	-526
<i>LESS:</i>				
Use of Capital Receipts Flexibilities	0	-- 817	-817	+526
Highways Capitalisation	0	-1,200	-1,200	0
TOTAL (after adjustments)	207,977	207,977	0	0
Public Health (Specific Grant)	17,157	17,157	0	0
Dedicated Schools Grant (Non Delegated)	20,440	25,815	+5,375	-299
Housing Revenue Account (HRA)	83,584	77,415	-6,169	-1,799

- 3.3 It should be noted the above position is after the proposed use of up to £8.456m of reserves for 2016/17 as agreed by Council in December, the utilisation of in-year capital receipts flexibilities and the capitalisation of £1.2m Highways related spend. Within the final outturn position, the Council will seek to maximise the use of capital receipts flexibilities and capitalisation options, in order that the final call on reserves can be reduced as much as possible. This approach will allow the Council to achieve optimum protection of its current levels of reserves to support delivery of the approved 2017/18 budget and the Medium Term Financial Strategy to 2019/20. The following sections (paragraphs 3.4 to 3.37) provide key reasons for the forecast level of annual revenue under or overspend within Directorates. More detailed information is included in Appendix 1.

Children & Young People's Directorate (+£1,730k forecast overspend)

- 3.4 The February revenue full year forecast is £1.730m over revised budget. The forecast overspend has increased by £150k since the December Cabinet report principally due to the increased cost of placements although this has been partially mitigated by additional grant income.
- 3.5 The in-year budgetary position for Children's Services has been challenging and reflects the national picture of growing looked after children (LAC) numbers. The original LAC budget would support approximately 400 placements, 86 less than Rotherham's total of 486 LAC as at 28th February 2017. Throughout the year there has been a requirement to engage a significant number of agency social workers and team managers to fill vacant posts and to secure the right knowledge, skills and leadership and reduce average caseloads to a reasonable level. The staffing budget pressure will gradually reduce as new social care employees are appointed and allocated appropriate caseloads.
- 3.6 First Response, which includes Rotherham's Multi-Agency Safeguarding Hub (The MASH), and the Child Sexual Exploitation Team (EVOLVE) are examples of services that have had to engage additional agency staff over the approved social care establishment budget. These services alongside other pressure areas such as locality social work teams, Safeguarding and Social Care Management have largely been addressed through the additional funding for demand cost pressures ratified by Council on 7th December. Alongside this additional investment, Children's Services have been proactively pursuing a number of bids for external resources, a number of which have proved successful. E.g. 'Immediate Need Funding' from the Department for Education's Child Protection and Safeguarding Unit (£243k) and 'Life Chances Fund' Development Grant from the Big Lottery Fund (£38k).

- 3.7 The Children in Care Service is projecting an over spend of £2.326m. The adverse budget variation is due to additional staffing costs for reasons outlined above and the continuing pressure on the LAC placements budget which includes the cost of Independent Fostering Placements, Out of Authority provision and Fostering Allowances. Although numbers are slightly lower than previously reported there has been, in some cases, the need to move existing clients to more expensive provision to meet specialist care needs requirements. If numbers rise or existing clients are assessed as needing more expensive specialist provision there will be further pressure on social care budgets and a risk that the reported position will worsen.
- 3.8 At the end of September with actual LAC numbers at 448, the service and finance agreed a forward projection up to 460 by the end of March 2017 based on demand over the preceding period. There has been a significant increase in demand beyond the level forecast – the current number of LAC is 486 (28th February). This forecast outturn has been re-modelled to include a phased growth to 500 LAC by the end of the financial year. Current budget proposals seek to address the growing number of LAC and change the proportion of placement settings in favour of in-house foster care.
- 3.9 Expenditure on Leaving Care allowances has doubled over the last two years. Remedial action has been put in place to address the rising costs and includes: reviewing placements to ensure provision is appropriate; providing lower cost accommodation for over 18s through a transitional landlord scheme and in partnership with Housing; and increasing lower cost provision via new providers.
- 3.10 The forecast outturn on the Special Educational Needs and Disabilities (SEND) budget, within Education and Skills, is now an under spend of £269k. There remains a forecast overspend on School Effectiveness due to reduced income assumptions (£160k) although this is offset by savings arising from vacancy management within Children’s centres (-£258k).

CYPS Recovery Strategy Update

- 3.11 The service is committed to implementing management actions to mitigate the impact of the pressures reported above and has identified further in-year savings which includes a further vacancy freeze (£89k), placing on hold planned spend on publicity (£10k) and transferring further allowable expenditure to DSG (£162k).
- 3.12 Excellent progress has been made in highly effective recruitment to permanent positions this year through the success of the CYPS Resourcing Team who have brought new and innovative methods to the search for the best social care professionals. There can often be a period of between two and four months from the end of the recruitment process to a new officer starting in post. The Social Care Service aim to release agency staff within two weeks of a permanent employee’s start date. Recruitment activity was particularly successful over the summer and into the latter part of the financial year.

Dedicated Schools Grant

3.13 The Directorate is forecasting an over spend on the Dedicated Schools Grant (DSG) of £5.375m:

- Early Years Block: £0.000m Balanced
- Schools Block: £0.083m Overspend
- High Needs Block: £5.292m Overspend

3.14 The latest High Needs position, a pressure of £5.292m, was presented to Schools Forum on the 17th March 2017. The meeting also discussed the draft SEND Sufficiency Strategy and Financial Plan which will address the remaining deficit and future level of provision.

3.15 The forecast deficit carry forward will be partially mitigated in 2017/18 following the decision to transfer £3m of funding from the Schools Block into the High Needs Block. This will leave an estimated £2.3m revised deficit position which will need to be met from an expected re-basing, and uplift for Rotherham, of the High Needs Budget from 2018/19 following implementation of the new High Needs National Funding Formula.

Adult Services (+£4.130m forecast overspend) & Housing (-£841k forecast underspend)

3.16 The Directorate is currently forecasting an overspend of £3.289m across the two main functions of Adult Care and Housing after mitigating actions agreed by the Directorate Management Team. This position also reflects the allocation of the £1 million Social Care contingency budget to Adult Social Care as approved by Cabinet on 12th December 2016. This latest forecast shows a reduction in overspend of £223k compared to that reported in December.

3.17 Adult Care Services are currently forecasting an overall overspend of £4.130m after mitigating actions. The main budget pressures continue to be in respect of Direct Payments and Managed Accounts, Residential and Domiciliary care across all client groups.

3.18 The main budget pressure within the Directorate continues to be the increased demand for Direct Payments and Managed Accounts (£3.1m). This forecast pressure includes the full year impact in 2016/17 of the 29% increase in clients receiving a Direct Payment in 2015/16. The increase in client base is due to a mixture of demographic pressures and clients moving from a domiciliary care contract. In total this has seen 180 new clients in 2015/16, plus an additional net increase of 24 (+1.9%) new clients since April 2016.

- 3.19 A task group established to review Direct Payments is still in place and continues to analyse high cost care packages to ensure they are appropriately aligned to client need and to review the processes and procedures associated with assessment to ensure they are fit for purpose. An action plan is being developed by senior managers to address the ongoing issues, which includes reviewing Managed Accounts and capacity within the service to carry out the reviews. Assumptions around the financial impact of this are reflected in the forecast outturn.
- 3.20 There are also pressures on the residential and nursing care budgets across all client groups as a result of an increase in the average cost of placements and lower than forecast 'Continuing Health Care' income contributions against the approved budget (forecast overspend of £2.4m across all client groups). The Assistant Director of Commissioning is providing oversight on the review of Learning Disability high cost placements.
- 3.21 There is also a forecast budget pressure of £1.2m in respect of the provision of Domiciliary Care across all client groups due to an increase in the number of clients (119) and an 11% increase in the number of commissioned and delivered hours plus a recurrent income pressure on fees and charges (£300k).
- 3.22 The above forecast overspends are being partially reduced by projected underspends within Learning Disability Day Care Services and Supported Living provision due to higher than anticipated staff turnover and underspends on contracts (-£1.2m) and higher than anticipated staff turnover across social work teams (-£590k). Further underspends are forecast within Enabling and Older People Day Care and Community Support (-£256k) due to vacancies and savings on transport plus a review of the training programme delaying some training into 2017/18 (-£85k). There are also underspends within Commissioning and Performance (-£124k) due to vacancies pending the implementation of a new structure and higher than anticipated staff turnover within Safeguarding services (-£233k).
- 3.23 Neighbourhood services' (Housing) latest forecast is an underspend of -£841k mainly due to the recruitment to staff vacancies being put on hold pending the outcome of a review of the Neighbourhood Partnerships service plus further additional income from the Furnished Homes scheme. The overall forecast also includes an underspend of £41k in respect of the Member's Community Leadership Budget which may be requested for carry-forward into 2017/18 in line with previous years.

Adult Care & Housing – Recovery Strategy Update

- 3.24 The demand for residential placements is reducing however budget pressures remain due to the increasing cost of care packages. However, the demand for domiciliary care and direct payments is increasing. There are also underlying budget pressures from unachieved budget savings from previous years, for example, Continuing Health Care funding and a reduction in the level of client contributions to services after financial assessment. A number of management actions have been put in place to reduce the forecast overspend within the Adult Care and Housing Directorate.

- 3.25 The continued review of out of area and high cost care packages across all services to identify opportunities to reduce costs and rigorously pursue all Continuing Health Care funding applications with the Clinical Commissioning Group remains operational. Weekly budget meetings are held with senior managers to review in detail the budget forecasts, monitor demographic pressures and identify further savings opportunities and mitigate the pressures. All spend is now being authorised by Heads of Service and above. Further progress continues on the delivery of the Adult Services Development Programme to improve the outcomes for service users and this is largely on track to deliver the 2016/17 approved savings included in the budget setting process.
- 3.26 Other management actions include the introduction of a Practice Challenge Group (PCG) which meets bi-weekly to review and challenge all care assessments prior to discussion with users and carers.
- 3.27 Further investment was approved by Council in December for a brokerage team and additional resources to review Direct Payments and Managed Accounts, which should lead to further reductions in expenditure in the new financial year.

Public Health (Forecast balanced outturn)

- 3.28 The forecast outturn is to spend to budget at this stage including a transfer to the Public Health Reserve. This forecast outturn takes into account the Government's 2016/17 reduction in grant funding which has largely been mitigated through the use of the balance on the Public Health grant reserve.

Regeneration and Environment Services (-£1.544m forecast underspend)

- 3.29 The Regeneration and Environment Directorate Management Team have reviewed the forecast outturn position following the February monitoring cycle. The Directorate is now reporting a forecast underspend of -£1.544m. This is a further improvement of £267k on the position reported in December and now includes a forecast pressure on winter maintenance (+£141k). Previously this had only been reported as a risk.
- 3.30 Detailed information on the key forecast variances that make up the overall underspend of £1.544m is included in Appendix 1. This net underspend consists of a number of overspends and underspends; in summary, the main forecast overspends within the Directorate remain within Estates (£162k), Street Scene Services (£82k), Planning and Building Control (£63k), and Community Safety and Streetscene Corporate Accounts (£62k). These forecast overspends are fully mitigated by forecast underspends in other areas such as Facilities Management (-£711k), Rotherham Investment and Development Office (RIDO) (-£290k), Safer Neighbourhoods (-£265k), Facilities Services (-£218k), Theatres (-£130k) and the Business Unit (-£101k). Savings of £140k in Customer Services and Libraries (£167k) are fully mitigating the balance of savings that have not been realised in Culture and Customer Services in 2016/17.

- 3.31 The current Directorate forecast underspend includes a forecast pressure on the Winter Maintenance budget of +£141k. Without this pressure the Directorate would be forecasting an underspend of -£1.685m.

Finance & Customer Services (-£573k forecast underspend)

- 3.32 Overall the Directorate is forecasting an underspend of -£573k. This is an improvement of £153k since the December monitoring report and is largely as a result of the spend moratorium. The main pressures relate to a forecast overspend on statutory and planning notices (£45k) and unachievable income targets within central and planned print within the Business Unit.

- 3.33 The above Directorate pressures are fully mitigated by underspends within Electoral Services (-£25k), staffing underspends within Procurement due to vacant posts (-£111k), reduced pension charges and training budget underspends (-£23k), staffing savings from vacancies within Internal Audit (-£35k), Financial Services (-£140k), Customer, Information and Digital Services (CIDS) (-£56k) and an underspend in the Revenues and Benefits service from vacant posts and maximising flexibility in the use of grant funding (-£267k).

Assistant Chief Executive (-£130k forecast underspend)

- 3.34 Overall the Directorate is forecasting to deliver an underspend of -£130k; a further improvement of £33k since the December report. However, there are various forecast pressures and savings within this that should be noted. The main forecast pressure in Communications and Media of £112k is in respect of additional staff costs (£56k), subscription and system costs (£37k) and reduced income generation within the Design Studio (£19k). There are also increased staff cost pressures due to increased management support arrangements (£34k).

- 3.35 These pressures are fully mitigated by staff cost savings within Policy and Partnerships -£129k which includes additional one year funding from Local Government Association (LGA) -£31k and reduced costs relating to members including Member Allowances -£164k, vacant posts within the HR and Payroll service and from a number of management actions agreed across the Directorate to ensure spend is minimised where it is appropriate to do so.

Corporate & Central Services (-£755k forecast underspend)

- 3.36 The Corporate and Central services forecast assumes that a £755k underspend will be delivered, and will be used to help mitigate the Council's overall financial position.

This net forecast underspend includes key components:

- Non-delivery in 2016/17 of the budgeted savings in relation to changes in staff terms & conditions of £1m;
- Cost of legal investigations (£140k);
- A forecast £1.4m underspend on the capital financing budget as a result of the Council being able to reschedule a market loan, changing interest rate forecasts post-Brexit Referenda, and a reduced borrowing need in year;
- Less superannuation payments to the South Yorkshire Pensions Fund than budgeted creating a forecast saving of £338k this financial year;

- The cost of the Integrated Transport Authority and Coroners levies are less than budgeted by £244k; and
- £304k forecast reduction in the level for Education Support Grant from the Department for Education due to the increased number of schools now expecting to convert to academies by the year end. (The grant is scaled back each quarter as further schools convert).

Housing Revenue Account (HRA) – (Forecast -£6.169m underspend)

- 3.37 The Housing Revenue Account is a statutory ring-fenced account that the Council has to maintain in respect of the income and expenditure incurred in relation to its council dwellings and associated assets. The forecast for the HRA is a transfer to reserves of -£6.169m mainly due to delays in the strategic acquisitions programme (-£2.7m) until 2017/18. There is also a forecast underspend in respect of housing repairs (-£0.9m) in respect of empty homes due to faster void turnaround, supervision and management (-£0.5m) due to higher than expected staff turnover and underspends on non-pay budgets, lower than anticipated HRA capital financing costs (-£231k), and a forecast underspend on the provision for bad debts (-£296k). There is also forecast additional rental income due to more property acquisitions than budgeted plus a reduction in loss of income through void properties (-£950k) plus additional income from charges for services and facilities in respect of the Furnished Homes Scheme (-£0.4m).

Capital Programme

Background

- 3.37 The Council's Capital Strategy and Capital Programme (2016-2021) were approved by Council on the 2nd March 2016. Further updates to the Capital Programme were approved by the Cabinet/Commissioners Decision Making Meeting of the 11th April 2016 in relation to the Housing Investment Programme 2016/17 and the CYPs Capital Programme 2016-2018. In addition, Cabinet/Commissioners Decision Making Meeting of the 11th July 2016 approved carry forwards totalling £4.363m from 2015/16 into the 2016/17 Capital Programme. In year financial monitoring reports have included requests for variations to the Capital Programme which have been approved by Council.
- 3.38 The Council's Capital Strategy (2016-2021) has now been the subject of a review and refresh, with the Capital Strategy (2017-2022) approved by full Council on the 8th March 2017. Council approved a total Capital Strategy of £280.240m. This requires prudential borrowing of £49.636m to fund non-HRA schemes over the five year period, for which provision has been made in the revenue budget for the associated financing costs.

Current Summary Position

- 3.39 The table below shows the estimated outturn position for the approved Capital Programme (2016-2017) by Directorate. This is showing a forecast underspend of £9.038m in 2016/17. The underspend in the Adult Care & Housing Directorate follows a review of current and future years HRA investment as a result of changes to Government policy leading to a reduction in available funding. Underspends in 2016/17 in the Regeneration & Environment, Children & Young People's Services and Finance and Customer Services Directorates will in the majority of cases be re-profiled into 2017/18. The key reasons for the underspends are identified in the Directorate commentaries below.

Table 2: February Cumulative - Forecast Capital Outturn 2016/17

Directorate	Current Year		
	Budget £	Forecast £	Variance £
Children & Young Peoples Services	7,970,598	6,863,579	-1,107,019
Adult Care & Housing	31,184,956	29,256,119	-1,928,837
Regeneration & Environment	20,328,169	14,951,134	-5,377,035
Finance & Customer Services	6,413,039	5,788,295	-624,744
Total	65,896,762	56,859,127	-9,037,635

Directorate Programme Area Commentaries

Children and Young People's Services (CYPS) Capital Programme

- 3.40 The CYPS Capital Team's priorities for the available capital grant funding are;
- Schools to be kept safe, dry and warm for all its pupils;
 - Sufficient pupil places for a rising population.
- 3.41 There are two main grant funding streams available, the details of which are below:
- **School Condition Allocation** is a grant fund that is devolved to local authorities to improve the infrastructure of the school estate in line with the local asset management plans. It places the emphasis on the local authority to prioritise essential building condition work within their school estate; which includes primary schools, secondary schools, special schools, City Learning Centres and Children's Centres. The projects which will benefit from this grant funding over the period are the capital maintenance projects. A budget is allocated each year and the individual school priorities are assessed according to need and the priority of keeping schools safe, dry and warm.

- **Basic Need** grant funding enables local authorities to provide additional school places to cope with growing numbers. This grant is allocated by the Department for Education (DfE) over 3 years and is in recognition of the unprecedented increase in pupil numbers being experienced by many local authorities.

3.42 The CYPS programme forecast outturn for 2016/17 is £6.864m, which represents a forecast underspend of £1.107m. The key underspends within the Directorate are as follows. A re-profiling of expenditure on the Special Educational Needs provision of £450,000 into 2017/18, an underspend of £185,000 on the capitalisation of Schools PFI lifecycle expenditure, following the provision of information on actual spend by the PFI contractor and a re-profiling of expenditure of £125,000 on the Hutton Park scheme into 2017/18.

Adult Care and Housing (ACH) Capital Programme

3.43 The key element of the ACH programme is the Annual Housing Investment programme to maintain decency, carry out stock improvements, aids and adaptations and new stock provision, energy efficiency and environmental works to our 21,000 Council homes. These properties currently meet Rotherham decent homes plus standards and we continue to improve access and reduce CO2 emissions.

3.44 There have been significant national policy changes since the original Housing Investment Programme was set for 2016-17. These include a rent reduction of 1% per year for the period 2016-17 to 2019-20 and the introduction of a High Value Property Levy. As a result of these changes, there has already been a significant reduction in forecast income to the HRA. The pressures on HRA budgets will increase further once the Council has been informed from government how the High Value Property Levy will be calculated. Based on information published to date this may result in a charge of up to £3.5m per annum.

3.45 The policy changes in the Housing and Planning Bill and Welfare reform bill, will potentially also increase Right to Buy sales. Although this will generate capital receipts, over the longer term income to the HRA will reduce. This will mean there are fewer resources to invest in Council housing throughout the borough. As a result the Housing Investment Programme for 2016-17 and 2017/18 has been reduced to reflect this. Alongside the review of capital costs the Housing Service are also embarking on a review of HRA revenue costs.

3.46 The Adult Care and Housing (ACH) Capital Programme 2016/17 forecast programme outturn is £29.256m, which represents a projected underspend of £1.929m. The majority of the underspend relates to Aids and Adaptations (£695,000), Strategic Acquisitions (£501,000), External Insulation (£238,000) and Major Voids (£265,000).

Regeneration and Environment

3.47 The key themes for capital expenditure within the Regeneration and Environment (R&E) Directorate include:

- Investment in Highways infrastructure projects and maintenance. This includes £2m investment in 2016/17 in the Borough's unclassified roads network, as part of a programme to permanently repair 50km of the network, building on the £3m investment in 2015/16 with works being clearly targeted at maximising the improvement to the durability and condition of the network.
- Works focussed on maintaining the operational functionality of Council-owned buildings such as office spaces, schools, markets, libraries and museums. This includes works to CYPs properties (£900,000).

3.48 The R&E forecast programme outturn is £14.951m, which represents an underspend of £5.377m. The majority of this spend will be re-profiled into 2017/18. The underspends are across the programme as a whole, the main underspends being as follows.

- Issues with the SCR approval processes in respect of the Sustainable Transport Exemplar Programme (STEP 2), have led to delays in projects commencing. A forecast underspend of £732,000 on the programme in 2016/17 will be carried forward into 2017/18.
- The £499,000 allocation for Brinsworth Library will be re-profiled into 2017/18.
- A number of projects within the Corporate Property Unit have not yet commenced. These include the Maltby Library Relocation (£275,000), Rother Valley Country Park Replacement Heating (£250,000) and further works at Bailey House (£295,000).
- In addition, there has been a saving on the acquisition of Forge Island of £277,000 as the result of the letting of the demolition contract, the cost of which was significantly reduced by income from the salvage of materials. Further, properties at Riverside Precinct have not yet been acquired.

Finance and Customer Services

3.49 The Finance and Customer Services programme 2016/17 forecast outturn is £5.788m, which represents a forecast underspend of £625,000. Projects within this Directorate relate to the Council's ICT and Digital Strategy. The underspend relates to the Computer Refresh Programme (£440,000) and the Replacement of Server Equipment (£145,000). Both of these budgets will be re-profiled into 2017/18. The forecast outturn position includes £2.3m of transformational expenditure, funded by capital receipts, using the Government's capital receipts flexibilities.

3.50 The following additional Projects are not yet included in the Capital Programme:

- Acquisition of Advanced Manufacturing Park Technology Centre – A paper to approve Sheffield City Region funding for this acquisition is due to go to a meeting of the Combined Authority on the 22nd March. Subject to this approval and finalisation of the due diligence being undertaken by this Council, the acquisition, fully funded by grant, is expected to take place by the 31st March 2017.

- Capitalisation opportunities – It is currently anticipated that £1.2m of Highways expenditure will be capitalised. This will be finalised as part of the closedown of the Council's accounts. Other capitalisation opportunities that are not currently reflected in the monitoring position may also be considered as part of the year end process.

Funding of the Capital Programme

3.51 The table below shows the current forecast outturn position for the funding of the approved Capital Programme (2016/17) by Directorate. This reflects the forecast underspend of £9.038m in 2016/17.

Table 3 February forecast outturn for Capital Funding

Funding Stream	Current Year		
	Budget £'000	Forecast £'000	Variance £'000
Grants And Contributions	17,629	16,223	-1,406
Major Repairs Allowance	20,739	19,906	-833
Prudential Borrowing	14,376	10,841	-3,535
Revenue Contribution	5,797	4,739	-1,058
Usable Capital Receipts	7,356	5,150	-2,206
Total	65,897	56,859	-9,038

Collection Fund

3.52 The Collection Fund is the technical term for the statutory fund into which Council Tax and Business Rates income and costs are accounted for. It is forecast that the budgeted level of Council Tax and Business Rates will both be achieved.

4. Options considered and recommended proposal

4.1 With regard to the current forecast revenue overspend, significant management actions have been implemented (as referred to in paragraph 2.7) and the impact of these will be included in future financial monitoring reports to Cabinet.

4.2 It is inevitable that, to the extent that expenditure cannot be reduced in year or be legitimately capitalised, there will be an impact on the Council's reserves.

5. Consultation

- 5.1 Budget Managers, Holders and Operators across the Council and the Strategic Leadership Team (SLT). Regular budget challenge meetings are taking place to review the forecast positions for each Directorate before they are finalised with the aim of improving the Council's overall forecast position. These involve each Directorate Management Team, the relevant Cabinet Members, the Cabinet Member for Finance and the Assistant Director of Finance.
- 5.2 The continuing approach to treasury management has been discussed with the Council's External Treasury Management Advisors, Capita Asset Services, who have confirmed that this is a prudent approach given current market conditions.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Strategic Directors, Managers and Budget Holders will ensure continued close management and scrutiny of spend for the remainder of the financial year.

7. Financial and Procurement Implications

- 7.1 There is currently a projected overspend of £2.017m and specific financial details and implications of this overspend and plans to deal with it are set out within section 3 of this report. It is imperative that robust controls remain in place to minimise the required call on reserves.
- 7.2 The Council needs to deliver savings and cost reductions of £24m in 2017/18 and around a further £42m in the following two financial years.. .

8. Legal Implications

- 8.1 No direct implications.

9. Human Resources Implications

- 9.1 No direct implications.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 This report includes reference to the cost pressures on both Children's and Adults Social care and also refers to investments in those services.

11. Equalities and Human Rights Implications

- 11.1 No direct implications.

12. Implications for Partners and Other Directorates

- 12.1 No direct implications. As management actions are developed some of these may impact Partners. Timely and effective communication will therefore be essential in these circumstances.

13. Risks and Mitigation

- 13.1 At a time of economic difficulty and tight financial constraints, managing spend in line with the Council's Budget is paramount. Careful scrutiny of expenditure and income across all services and close budget monitoring therefore remain a top priority if the Council is to deliver both its annual and medium term financial plans while sustaining its overall financial resilience.
- 13.2 Any potential further cost of CSE claims over and above that already provided for in the 2015/16 accounts or identified in-year to date is not included in this report.
- 13.3 There is a risk that the costs falling on the Council for sponsored academy conversions in- year may exceed the funding set aside for this purpose.
- 13.4 Although both Council Tax and Business Rates collection levels are on target there is a minimal risk that this could change during the remaining months of the year.
- 13.5 The Council's 2016/17 Budget included a requirement to fund the first £2m of severance costs from in-year capital receipts. The actual level of capital receipts for 2016/17 for the first eleven months of 2016/17 is £2.320m. It is unlikely that there will be further significant capital receipts in the final month of 2016/17. The in-year receipts are planned to be used to help mitigate some of the forecast overspend in this report and to reduce the extent to which the Council needs to use reserves to deliver a balanced financial outturn for 2016/17.

14. Accountable Officer(s)

Pete Hudson – Chief Finance Manager

Approvals Obtained from:-

Strategic Director of Finance and Customer Services:- Judith Badger

Assistant Director of Legal Services:- Dermot Pearson

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DIRECTORATE Children and Young People's Services

Budget Monitoring Period: Forecast Outturn as at February 2017

Service description	Forecast:		Nature of under/overspend: (eg. Staffing, Supplies & Services, income, etc)	Reason(s) for forecast under/overspend
	Overspend (+) £'000	Underspend (-) £'000		
Child Sexual Exploitation team (EVOLVE)	9		Staffing, Grant income	Costs of initial team, including agency staff to check and screen enquiries from ongoing/active investigations. Costs of agency staff & interims over & above the slippage on vacant posts (£252k). This has broadly been offset by income from DfE bid for Immediate Need Funding (£243k)
First response	34		Staffing, supplies & services	Costs of agency staff & interims over & above the slippage on vacant posts
Locality Social Work teams	70		Direct payments	Pressure on Direct Payments from an increase in numbers and from clients who have more complex educational and disability needs
Children's Rights Team, Safeguarding Board, Operational Safeguarding Unit		-8	Staffing, supplies & services	Slippage on vacant posts partially offset by costs of agency staff
Directorate and Social Care Management	129		Staffing, supplies & services	Interim costs and additional temporary recruitment of staff, recruitment agency costs and additional management support costs
Children in Care staffing, Fostering allowances, Fostering placements, Adoption placements	2,837		Placements, allowances, supplies & services	Residential Out of Authority placements (£1,847k), Independent Fostering Placements (£840k). These forecasts allow for LAC numbers to be at 500 as at March 2017 and provide for more higher cost 16+ placements (£150k). Any increase above the current estimate of 500 or the transfer of existing placements to a more expensive provision will result in a further pressure on social care budgets.
Education, Health and Care assessment and processing, Special Educational Needs and Disability (SEND)		-269	Placements	Social care contribution towards Complex Needs placements. The realignment of costs has resulted in savings.
Rockingham PDC, School Music Service, School Effectiveness, School planning, admission and appeals	160		Income	Reduced income assumptions from traded activities
Training budget		-35	Staffing, supplies & services	Reduction in use of training development budget to mitigate overspend position
Residential homes		-750	Various	Savings expected to achieve in year including the saving from the closure of St Edmunds. To be used to offset pressure on LAC placements budgets
Early Help Localities, Children's Centres		-258	Staffing, supplies & services	In year savings against Children's Centres. Forecast savings due to vacancy management
Locality Social Work (staff), Children in Care (consultation & publicity)		-89	Staffing, supplies & services	In year mitigations, vacancy freeze and savings on consultation & publicity expenditure
Early Years		-100	Various	Review of expenditure transferred to Early Years DSG Block
	3,239	-1,509		
		1,730		

DIRECTORATE
Budget Monitoring Period:Adult Care and Housing
Forecast Outturn as at February 2017

Service	Forecast:		Nature of under/overspend: (eg. Staffing, Supplies & Services, income, etc)	Reason(s) for forecast under/overspend
	Overspend (+) £'000	Underspend (-) £'000		
Adult Social Care				
Adults General		-9	Supplies & Services	Employment contracted extended to end December 2016 plus additional recharge for management support offset by planned training deferred until 2017/18 and savings from recruitment to senior management posts.
Older People				
Independent Residential Care	610		Third Party Payments	Budget pressure due to reduction in Care Act funding, plus Continuing Health Care budget shortfall (£260k). Number of placements continues to reduce since April, however, average net cost per client is increasing.
Direct Provision residential Care	18		Supplies & Services	Income pressure as beds have been converted to intermediate care provision and are no longer eligible to be charged to clients plus reduction in full cost paying clients.
Enabling/Domiciliary Care	1,069		Third Party Payments	Continued increase in average weekly cost of Domiciliary Care due to additional demand (+119 clients, +12%), impact of national living wage plus recurrent budget pressure in respect of income from fees and charges (charges are based on financial assessments and currently 58% of clients do not pay towards the cost of their care).
Assessment & Care Management		-550	Staffing & Income	Non recurrent Health Funding brought forward from 2015/16 plus higher than anticipated staff turnover, fully reflects the restructure.
Direct Payments	1,771		Third Party Payments	Full year impact of 46% increase in clients in 2015/16, reduced by non recurrent Better Care Funding (£500k). Increase in client base is due to a mixture of demographic pressures and clients moving from a Domiciliary Care Contract, in total this has seen 168 new clients. Action being taken to review packages & reduce overall costs.
Extra Care/Day Care/Transport		-175	Staffing & Income	Higher than anticipated staff turnover. Forecast additional Income from the increase in charges from 1 January 2017 plus savings on review of non essential spend.
Client Community Support Services		-18	Staffing	Higher than anticipated staff turnover & delayed implementation of Advocacy Contract plus review of non essential spend.
Learning Disabilities				
Supported Living		-523	Staffing	Higher than anticipated staff turnover & Carers costs lower on Shared Lives schemes due to lower than anticipated take up.
Residential Care	560		Third Party Payments & Income	Includes anticipated outcome of the review of high cost placements, the current forecast overspend is based on actual expenditure and activity less the calculated impact of service review and an increase in the level of Continuing Health Care Income recoverable by the service. Additional investment has been agreed to fund the demographic pressures in respect of the cost of transitional placements from Children's (£250k). Also included is the non achievement of the budget saving on in-house residential and respite care (£183k).
Day Care		-240	Staffing	Current Transport provision £110k pressure offset by higher than anticipated staff turnover plus efficiency savings on non essential spend. Service under review as part of Adults Development Programme including consultation with service users and carers. Additional investment has been agreed to fund the demographic pressures in respect of the cost of transitional placements from Children's (£100k).
Direct Payments		-180	Third Party Payments	Full year impact of 30% increase in clients in 2015/16 offset by additional budget allocation. Additional 25 service users since April 2016 (+11%).
Domiciliary Care/ community support		-8	Third Party Payments	Decline in demand for community support services
Health Authority Supported Living		-491	Third Party Payments	Savings from the change in provision from residential care to supported living schemes.
Assessment & Care Management	99		Staffing	Additional cost of agency staff to undertake review of high cost care packages
Mental Health				
Independent Residential Care	749		Third Party Payments	Full year impact of high cost placements in 2015/16, including transfer of cost of a Rotherham resident placement by a Neighbouring Authority and loss of Continuing Health Care funding for another placement.
Direct Payments	406		Third Party Payments	Full impact of 12% increase in demand in 2015/16 plus loss of one -off funding from Public Health.
Day Care/Community Support		-17	Staffing & Third Party	Contract Efficiency Savings & Higher than anticipated staff turnover
Assessment & Care Management		-140	Staffing	Higher than anticipated staff turnover
Physical & Sensory				
Direct Payments	1,166		Third Party Payments	Full impact of 3% increase in demand in 2015/16 plus additional increase of 14 clients since April 2016 (+4.5%).
Independent Residential Care	518		Third Party Payments	Full year impact of significant increase in client numbers in 2015/16 (12 placements - 5 new clients plus loss of CHC for 7 clients).
Domiciliary Care	50		Third Party Payments	Initial decrease in client numbers (-7%) but steady increase starting to emerge from September onwards, also an increase in the average cost of package.
Day Care/Equipment/Advice & Information		-250	Third Party Payments/Supplies and	Reduction in demand for Independent Day Care including transport plus savings from alternative provision of some day care services
Safeguarding				
		-233	Staffing & income	Higher than anticipated staff turnover & additional income from partners and fee income from administration of Court of Protection
Supporting People	72		Supplies and Services	Forecast shortfall in achieving 2016/17 budget savings on service contracts.
Commissioning & Performance		-124	Staffing, Supplies & Services	Higher than anticipated staff turnover & savings on advocacy contract.
Housing				

Strategic Housing Investment	6	Staffing	Small forecast overspend due to lower than anticipated staff turnover Delay in recruitment to vacant post plus increase in fee income in respect of Furnished homes scheme Review of non essential spend plus small savings on insurance and pension costs Recruitment to staff vacancies on hold pending review of Area Assembly and Community Cohesion services plus underspend on Community Leadership Fund pending request to carry forward
Housing Options	-676	Staffing/Income	
Central	-9	Supplies and Services	
Neighbourhood Partnerships	-162	Staffing	
Total	7,094	-3,805	
Net Under/Overspend	3,289		

	Overspend (+) / Underspend (-)		(eg. Staffing, Supplies & Services, income, etc)	
	£'000	£'000		
Business Unit				Service Total (-£101k) underspend
Business Unit		-101	Staffing	Reduced training budget spend particularly in relation to the Health & Safety training programme -£79k. Reduced non-pay spend due to the moratorium -£19k. Small saving on pension costs -£3k.
Community Safety & Street Scene				Service Total (-£300k) underspend
Network Management		-54	Staffing, Supplies and Services & Income	Street Lighting -£63k mainly from reduced energy bills following improvement works, additional Parking income -£17k, and staff savings due to vacant posts and some deferred expenditure in Streetworks -£12k. There are some small pressures totalling +£38k across the rest of Network Management. Winter Maintenance is shown below.
Street Scene Services	82		Staffing, Supplies and Services & Income	Corporate Transport Unit has an overspend +£135k, due to delayed implementation of the savings proposals within the Corporate Transport Unit (CTU) +£43k, and Home to School Transport +£81k due to changes in demand. The net position on Cleansing and Grounds Services is an underspend of -£53k. This is made up of staff savings on the overheads account -£24k, Cleansing Services +£32k on Street Cleansing environment, based on the average of work undertaken to date on graffiti and fly tipping, this is being mitigated by savings across the rest of the Cleansing budgets -£55k. Grounds Maintenance small saving -£6k. A review of waste services is being undertaken therefore reporting a break even position.
CSS Corporate Accounts	62		Staffing	Staff cost pressure in relation to the delay in implementing a staffing restructure plus additional management support costs.
Community Safety		-64	Staffing	Staff savings and additional one-off grant income within Community Safety.
Business Regulation	23		Staffing	The service has operated for a large part of the year with significant vacancies, approval to fill vacant posts has been agreed so this will be non-recurrent. A review of income forecasts together with additional legal costs have caused an increased pressure resulting in a net +£23k overspend this month.
Safer Neighbourhoods		-265	Staffing & Supplies and Services	Predominantly staff budget savings through vacant posts.
EP & Health & Safety		-84	Staffing	Vacant posts and reduced in year spending in Emergency Planning (-£25k) and in Health & Safety (-£60k).
Culture, Sport & Tourism				Service Total (-£360k) underspend
Green Spaces	48		Premises & Income	Key pressure on Green Spaces is under recovery of income at RVCP, which is being partly mitigated across the rest of Green Spaces.
Sports Development		-4		Savings made on non pay budgets are mitigating small pressures on staffing and income.
Leisure Facilities	0	0		
Trees & Woodlands		-33	Staffing & Income	Staff savings -£14k, non-pay -£11k and -£8k over recovery of income.
Landscape Design	4		Income	Income projections have been amended to reflect changes made causing delays delivering service.
Leisure, Tourism & Green Spaces - General Management		-24	Staffing	A decision taken to capitalise some Green Spaces expenditure has freed up some revenue funding allocated for this purpose, showing an improved position.
Tourism & Marketing		-76	Staffing	Staff saving due to vacant posts, -£56k, which allows recruitment of a consultant to undertake a key piece of work related to Rotherham Show. Additional savings are due to an Events Budget not delivering a full programme in year. A request for carry forward budget is recommended.
Libraries		-167	Staffing & Supplies and Services	Staffing underspends whilst being in the consultation period -£67k and savings on non pay budgets -£100k, including a reduced spend on books and materials forecast at this stage in the financial year.
Cultural Services Management	213		Supplies and Services	This account is now showing the balance of the savings for 2016/17 which have not yet been allocated across Culture and Customer Services.
Customer Services		-140	Staffing, Supplies & Services and Income	Staff savings -£130k, a review of non pay budgets -£48k and income forecasts have been updated to reflect reduced funding from HRA and grants +£38k.
Heritage Service		-2		A small variance on budget is currently reported, this is dependent on HLF monies.
Theatres		-130	Staffing, Supplies and Services & Income	Vacant posts for part of the year and a small over recovery of income.
Museum, Galleries & Archives		-33	Staffing & Supplies and Services	Mainly due to staff savings by non filling of vacant posts, with reduced spend on non pay budgets resulting from recent reviews.
Culture, Sport & Tourism Management		-16	Staffing & Supplies and Services	Staff savings due to post holder commencing employment mid-October, partially offset by additional management support costs, and some unbudgeted staff costs.
Planning, Regeneration & Transportation				Service Total (-£923k) underspend
Estates	162		Staffing & Income	Estates Team under recovery of income +£283K which is a direct result of the current vacant Principal post and resulting inability to secure external work and an increase in non-fee earning work. The under recovery of income is partially off set by the vacancy -£58k and underspending on non pay -£63K.

Facilities Management		-711	Premises & Income	Land and Property Bank -£294k due to the reduced estate, and Facilities Management Team -£105k staff vacancies, Corporate Property Portfolio -£194k underspend. An approval to capitalise some works is now reflected on premises related costs -£157k. A pressure due to unrealised savings on Community Buildings +£39k due to the delay in the planned closure programme.
Building Design and Corporate Projects	10		Staffing & Income	Staff saving -£43k, and small non pay pressure +£3k with +£50k forecast under recovery of income, which has been revised to reflect known work and probable work to be instructed.
Corporate Environmental Team	14		Staffing & Supplies and Services	£7k overspend Carbon Reduction Commitment - payment higher than budgeted, £4k staff cost pressure, £3K overspend subscriptions.
Children's Capital Team		-43	Staffing	Income from Academy Schools for building officers support.
Corporate Property Management	39		Staffing	Staff cost pressure ,increased insurance costs and unfunded costs (+£30k) regarding Dearne Valley Eco-Vision Project.
CYPS Property		-22	Premises related costs	High levels of reactive maintenance and increased costs of building cleaning, offset by savings on closed properties and reduced forecast on caretaking costs.
R&E Property	21		Premises related costs	Increased costs due to reactive works.
ACH Property	10		Premises related costs	Increased costs due to reactive works.
Regeneration/Economic Development		-14	Income	Economic Development +£73k, due to Westgate Chambers now expected to remain with RMBC until March 17 therefore costs have been forecast to year end (£23K pressure) also included is (+£31K) re-payment to HCA Riverside Precinct (+£22K) unachievable rental income budget. Forge Island (+£7K) overspend Legals for purchase. RERF -£87K under after capitalisation of (£85K) Pit House West site investigations and cessation of any further expenditure.
Managed Workspace (Business Centres) Management	23		-7 Staffing	Represents the value to be transferred to the reserve. Increased costs on Employer Liability Insurance and contribution to increased management support costs.
Markets	33		Staffing & Supplies and Services & Ir	Overspend primarily due to higher than expected CEC charges, Estates Team Fees and non pay costs +£17k, staffing costs +£23k and improved income -£6k partly mitigating the total pressure
Planning & Building Control	63		Supplies & Services and Income	Under recovery of income +£20k for both Planning & Building Control has been reduced this month. Non pay costs are over budget by +£100k. These are being partially mitigated by some staff savings -£57k.
Rotherham Investment & Development Office (RIDO)		-290	Income	DMT Star Chamber 3/8/16 - decision taken to adjust the forecast to use reserves and funding from Department of Business, Energy and Industrial Strategy (BEIS).
Transportation	37		Staffing and income	Highways +£56K pressure due to under recovery of fees due in turn to vacancy and sickness. Position improved from last month due to release of fees from A618/A57 scheme. Transportation net -£19k variance improved by £64K due to revised income forecast. Income forecast includes amounts to be capitalised relating to work undertaken by AW (£42K).
Facilities Services		-218	Staffing and income	Living wage increase lower than anticipated. Charges set on basis of higher living wage. The School Catering Service overspend is expected to be offset by use of the reserve and the figures reflect this adjustment.
School Crossing Patrol		-30	Staffing	Service making use of relief staff and minimal cover, on a risk assessment basis, rather than recruiting to vacant posts, in anticipation of future years savings.
Total	844	-2,528		
Net Under/Overspend (excludes Winter)		-1,685		

Clarification on how the pressure for Winter Service should be reported has been provided, and the figure will now be reported within R&E, as from February 2017.

The current forecast above budget is £141k.

R&E Revised Under/Overspend	-1,544
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expected to be at this point in the calendar year.
Comparative data from the last 5 years suggests a further £236,467 will be spent in Feb/Mar, however spend is highly weather dependent - for example in 2012/13 an additional £590k was spent during Feb/Mar.

With a budget of £459k, the projected call on Central resources is forecast to be £141,000

DIRECTORATE Finance & Customer & Corporate Services
Budget Monitoring Period: Forecast Outturn as at February 2017

Service	Forecast:	Nature of under/overspend:	Reason(s) for forecast under/overspend
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	Overspend	Underspend	(e.g., Staffing, Supplies & Services, income, etc)	
	(+) £'000	(-) £'000		
Legal Services		-8	Staffing & Supplies & Services	Additional pressures on non staffing costs - printing/postages/staff advertisement offset by overachieved income and vacancy control.
Elections		-25	Staffing & Supplies & Services	
Statutory Costs	45		Supplies and services	Forecast overspend due to volume of statutory notices/planning notices and Local Plan Inquiry.
Business Unit	18		Staffing, Supplies & Services & Income	Unachievable income target relating to Central Print and Planned Print partly offset by lower than budgeted costs for printing £65k, underspend in staffing due to vacant posts/maternity leave/reduction to contracted hours -£21k, renegotiation of contract rates for post room resulting in projected saving of -
CIDS		-56	Staffing	Forecast underspend due to vacancy control.
Procurement		-97	Staffing, Supplies & Services & Income	Underspend on salaries due to vacancies within the team less cost of advertising -£111k, costs associated with service review £25k additional income relating to System Management Fee -£5k and grant towards Improvement and Development -£6k
Financial Services		-155	Staffing, Supplies & Services & Income	Underspend on staffing due to vacancy control -£140k, lower than anticipated pension charges (former employees) -£16k and underspend on training budget -£7k, projected overspend on supplies & services budgets including postages and insurance £8k.
Revenues & Benefits		-267	Staffing, Supplies & Services & Income	Forecast underspend due to vacancy control -£236k, overspend on non staffing budgets throughout the accounts £30k, lower than anticipated one-off grant allocations £14k, and lower than anticipated costs relating to the Cost of Collection account -£75k.
Internal Audit		-34	Staffing, Supplies & Services & Income	Staff underspend due to vacant posts -£35k and unbudgeted income and recharges -£29k, pressures within contracted services £30k
Strategic Dir of F&CS	6		Supplies & Services	Pressures on printing, training
Total	69	-642		
Net Under/Overspend		-573		

DIRECTORATE

Assistant Chief Executive

Budget Monitoring Period:

Forecast Outturn as at February 2017

Service	Outturn Variance 2016/17		Nature of under/overspend: (e.g., Staffing, Supplies & Services, income, etc)	Reason(s) for forecast under/overspend
	Overspend (+) £'000	Underspend (-) £'000		
Communications and Media	112		Staffing & Supplies & Services, income	Unfunded Systems & Subscription costs £37k, staff pressures due to maternity leave/contract extension £56k. There is also an under achievement on income from Design studio £19k.
Democratic Services		-122	Staffing, supplies & services, income & Members allowances	Additional staff cost pressure £29k, estimated under achieved Town Hall Catering income £13k, pressures on supplies & services budgets £5k, offset by savings on members allowances and national insurance/pension payments and projected underspend on room hire/hospitality/travel/development costs for members -£164k, projected underspend on Town Twinning Events -£5k.
Human Resources (HR) & Payroll - Corporate Services		-2	Staffing, supplies & services, income	There are staff pressures due to interim management arrangements, maternity cover costs and costs relating to Trade Union staff, cost of advertising Head of HR post totalling £76k, a loss of income from schools £52k. However these pressures are offset by forecast additional income on the council's salary sacrifice schemes and recharges on staff advertisement -£118k and a delay in the Employee survey and underspends against supplies and services -£12k.
HR & Payroll - Service Centre		-35	Staffing, supplies & services, income	Loss of traded income from schools and VAT reclaim from mileage receipts £14k and loss of income due to drop in demand for DBS checks £13k. Pressures on the printing/postages and contracted services budgets including costs for system upgrade/training £90k. This is offset by underspends on salaries due to vacant posts, maternity leave and staff working less than contracted hours -£152k.
Policy and Partnerships		-129	Staffing, supplies & services, income	Staff underspend due to vacant posts -£87k, and use of additional 1 year funding from the Local Government Association (LGA) -£31K, projected underspend on Infr & Corporate Initiatives budget -£11k.
Chief Executives Office	12		Staffing, Supplies & services	Additional pressures relating to printing, subsistence, transport costs
Management Support	34		Staffing	Additional staff pressure due to management support arrangements.
Total	158	-288		
Net Under/Overspend		-130		

Summary Sheet

Council Report:

Cabinet and Commissioner Decision Making Meeting – 10 April 2017

Title:

Commissioning Intentions for Jointly Commissioned Services with Rotherham
Clinical Commissioning Group (CCG) – Community Occupational Therapy Services

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Anne Marie Lubanski, Strategic Director of Adult Care and Housing

Report Author(s)

Karen Smith, Joint Commissioning Officer, Adult Care and Housing

Ward(s) Affected

All Wards

Executive Summary

The Community Occupational Therapy (COT) service is a jointly commissioned service between the Council and the Rotherham Clinical Commissioning Group (CCG), via a pooled budget arrangement under a Section 75 agreement covering the Better Care Fund (BCF).

The COT Service is currently delivered under a block contract agreement by The Rotherham Foundation Trust (TRFT). The current contract expires on 31st March, 2017.

The service provides assessments for adults, older people and children who are permanently or substantially disabled and their carers. The overall cost of COT services in 2016/17 is £746,000 per annum, with the Council contributing £372,000 towards the service and the CCG contributing £374,000 per annum. The Council is the lead commissioner for this service and is accountable to the Health and Well Being Board and the Better Care Fund Executive Group.

A formal review has recently been completed by the Council and CCG in order to:

- (a) Ensure that the service is meeting the needs of customers and their carers
- (b) Reduce the waiting times for assessment
- (c) Reduce the number of customers being referred to the service by signposting them to alternative services at the first point of contact
- (d) Carry out analysis of performance data to predict demand and capacity of service

- (e) Carry out analysis and evaluation of customer and carer satisfaction rates and outcomes
- (f) Examine whether the service promotes Value for Money.

The review demonstrated that the COT service was carrying out assessments for low level/single need customers and that resources need to be diverted towards providing assessments to support complex needs (e.g. moving and handling techniques to support carers, prescribing major adaptations). In addition to this, it was identified that Assistant Practitioners/OT Assessment Officers (formerly known as Technical Officers/Social Services Officers) could be upskilled to carry out assessments for level access showers, straight stair-lifts and ramps and that the level of paperwork completed was onerous and needed to be streamlined.

It is, therefore, recommended that the contract for the Community Occupational Therapy Service be extended for one further year to allow alignment with the Adult Care Development Programme (including the BCF Work Programme) and the evolving Specialist Housing Strategy. Within the extended period to April 2018, providers will be expected to achieve all recommendations highlighted in the COT review report and to work with the Council and the CCG to implement new models of service delivery.

The Lead Commissioner arrangements for the Community Occupational Therapy Service are proposed to be assigned to the Clinical Commissioning Group (CCG) as they have the largest financial stake and greater capacity to lead this activity. The Better Care Fund Section 75 agreement with Rotherham CCG allows for the assignment of the Lead Commissioner responsibilities, which has been approved by the Better Care Fund Executive Group.

Extension of the current contracts for a period of up to 12 months will ensure that services can be redesigned, will allow time for the purpose and nature of future preventative services to be agreed in line with the Council's and CCG's Transformation programmes, Corporate Plan, Health and Wellbeing Strategy and the Better Care Fund Plan 2017/19. It will also ensure appropriate commissioning actions are taken to streamline services and ensure funding streams are appropriately placed prior to commencing a competitive tender process.

Recommendations

1. That the Clinical Commissioning Group be designated as Lead Commissioner for the Community Occupational Therapy Service.
2. That the proposal to extend the contract for the Community Occupational Therapy Service for a period of up to 12 months from the 1 April 2017, for the reasons identified in Section 3 of this document, be noted.

List of Appendices Included

None

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

No

Title: Commissioning Intentions for Jointly Commissioned Services with Rotherham Clinical Commissioning Group (CCG) – Community Occupational Therapy Services

1. Recommendation

- 1.1 That the Clinical Commissioning Group be designated as Lead Commissioner for the Community Occupational Therapy Service.
- 1.2 That the proposal to extend the contract for the Community Occupational Therapy Service for a period of up to 12 months from the 1 April 2017, for the reasons identified in Section 3 of this document, be noted.

2. Background

- 2.1 The Community Occupational Therapy (COT) service is a jointly commissioned service between the Council and the Rotherham Clinical Commissioning Group (CCG), via a pooled budget arrangement under a Section 75 agreement to facilitate the Better Care Fund (BCF)
- 2.2 The COT Service is currently delivered under a block contract agreement by The Rotherham Foundation Trust (TRFT). The current contract expires on 31st March, 2017.
- 2.3 The service provides assessments for adults, older people and children who are permanently or substantially disabled and their carers.
- 2.4 The overall cost of the COT services in 2016/17 was £746,000 per annum, with the Council contributing £372,000 towards the service and the CCG contributing £374,000 per annum. The Council is the lead commissioner for this service and is accountable to the Health and Well Being Board and the BCF Executive Group.
- 2.5 There are 3 FTE OT Assessment Officers (formerly known as Social Services Officers) employed by the Council and funded from the adult care budget. These posts are currently part of the COT service and carry out assessments for customers with low/moderate needs who require equipment and minor adaptations and perform the same duties as The Rotherham Foundation Trust Assistant Practitioners (formerly known as Technical Officers). The costs of these posts amounted to £93,350 in 2016/17.
- 2.6 The client groups served are as follows:
 - Older People (65 years and over)
 - Adults with Physical Disabilities (18 to 64 years)
 - Mental Health (18 to 64 years)
 - Learning Disabilities (18 to 64 years)
 - Children's (0 to 17 years)
- 2.7 The service is commissioned to assess 3,500 customers (plus or minus 5%) which amounts to between 3,325 and 3,675 assessment per annum. The service completed 3,294 assessments in 2015/16 and 2,133 between April

and November 2016 (8 months), which amounts to a predicted 3,200 assessments for 2016/17. Therefore, this is slightly under the target set for 2016/17.

- 2.8 From April 2015 to November 2016, the COT service carried out a total of 171 assessments for children and a total of 176 home visits. 34 children were in the age group 0 to 4 years, 56 aged between 5 to 9 years, 59 aged between 10 to 15 years and 22 aged between 16 to 17 years.
- 2.9 The service has struggled to meet the increasing demand due to the number of contacts received in Year 1 which amounted to 3,491 which increased to 4,056 in Year 5 of the contract, thus resulting in the OT backlog increasing. This amounts to a 16% increase in the referral rate or 565 additional customers per annum. This increase in referral rates is predominantly due to the increasing demographics of older people (42,700 in Year 1 of the contract [2011/12] to 50,800 in Year 5 of the contract [2016/17], with a further predicted increase to 54,200 by the year 2020)¹. The commissioning of the social care prescribing service has also impacted on the referral rate to the COT service over the last two years in terms of an additional pathway for referrals to the service.
- 2.10 In 2015/16 there were a total of 550 contacts terminated – 71 admitted to hospital, 192 terminated by customer, 105 by carer, 127 by adult care, 58 died and 1 moved to another area. The majority of these customers where their assessment has been terminated will have received some telephone input/support from the COT service to provide information and advice around alternative services available in the community to provide support.
- 2.11 The average waiting times for assessment significantly increased to 51.06 days in April 2016, against an agreed maximum target of 95% of assessments carried out within a maximum of 28 calendar days. An OT backlog group was established in June 2017 as the number of customers waiting for an assessment had increased to a total of 599, with a maximum of 22 weeks for a qualified OT assessment and 10 weeks for an Assistant Practitioner (AP)/OT Assessment Officer (OTAO) assessment.
- 2.12 The OT Backlog Group and Joint Commissioning Performance Group, consisting of key stakeholders from the Council and CCG, collectively agreed the following actions to reduce the OT backlog:
- (a) Single Point of Access and Housing Repairs teams to directly issue low level types of equipment
 - (b) Upskilling APs/OTAOs to carry out assessments for level access showers, ramps (up to 2 steps) and straight stairlifts, under the close supervision of a suitably qualified OT
 - (c) Streamlining the number of referral forms completed by amalgamating the minor fixings and minor adaptations forms.
 - (d) Reduced the amount of inputting on the assessment document within the Liquidlogic case management system according to individual needs/ complexities.

¹ Projecting Older People Population Information System - POPPI

Further actions identified within the review will be completed during the months of April to July 2017 as follows:

- (a) Allocate 1 x WTE OT post to the Single Point of Access team on a 3 months trial period to assist with signposting customers to alternative services
- (b) Work more closely with adult social care to look at new care packages with the aim of reducing costs
- (c) To continue to work in partnership with the Learning Disability Occupational Therapy team to assess clients living at Cranworth and find suitable alternative accommodation, including the provision of equipment and adaptations to support complex needs
- (d) Develop an options appraisal to inform future commissioning arrangements

2.12 Following the implementation of these agreed actions, the OT backlog has now reduced to 147 in March 2017, with a maximum waiting time for assessment standing at 8 weeks for a qualified OT and 3.5 weeks for an AP/OTAO assessment. It is predicted that the COT will be able to achieve all contractual targets by May 2017, as the service is continually reducing the backlog by around 60 to 70 assessments per month.

2.13 The outcomes from services provided to the client groups served by the Programme demonstrate its usefulness and effectiveness in preventing onward progression into health and social care. It is a cornerstone of Rotherham's integration and BCF Programme, critical for compliance with Care Act principles around devolution of decision-making to customers, and achieving a diverse and rich care and support marketplace.

2.14 Given the need to fundamentally change the Adult Care offer and to move forward to the service working more closely together, the service delivery model will need to develop and change and it would not be prudent to tie the Council into new three year block contract arrangements at this time.

2.15 It is proposed instead that the contracts for the services be extended for one further year to allow alignment with the Adult Care Development Programme (including the BCF Programme), the Children and Young People Service (CYPS)-led Transitions Review and the evolving Housing Strategy. In the extended period to April 2018, providers will be expected to work with the Council and the CCG to implement new models of service delivery.

2.16 This will also ensure appropriate commissioning actions are taken to streamline services and ensure funding streams are appropriately placed prior to any consideration of a tender process taking place.

3. Key Issues

3.1 The proposals contained in this paper contribute towards the statutory functions of Adult Care and the 4 aims of the Rotherham Joint Health and Well-Being Strategy (2015/19) which includes:

- (a) All children get the best start in life
 - (b) Children and young people achieve their potential and have a healthy adolescence and adulthood
 - (c) All Rotherham people enjoy the best possible mental health and wellbeing and have a good quality of life
 - (d) Healthy life expectancy is improved for all Rotherham people and the gap in life expectancy is reducing
- 3.2 The service also contributes to the jointly agreed metrics of the Better Care Fund (2017/19) and the Rotherham CCG Annual Commissioning Plan (2016/19) in reducing permanent admissions to residential and nursing care and avoidable hospital admissions. The BCF metrics scorecard reveals that the number of admissions to residential care (by end of November 2016) rate is significantly lower than the target and the performance for non-elective hospital admissions is currently under target and within contract plans.
- 3.3 The service also contributes to the Adult Social Care Outcomes Framework (ASCOF2B) in enabling customers to remain in the community for longer than may be possible if they did not receive the input from the COT service.
- 3.4 The service contributes towards the Rotherham Community Transformation programme which aims to achieve savings and efficiencies, whilst service the local community with the same standard of care.
- 3.5 Reductions to budgets and changes to funding streams make the future of the current services uncertain and the purpose and nature of future preventative services needs to be agreed and aligned with the Council's and CCG's transformation programmes.
- 3.6 Failure to appropriately assess service provision, analyse need/demand and suitably manage risk/impact to customers will lead to inappropriate services that bring further cost implications to the Council through Adult Care, CCG, Children and Young People's services and Housing.
- 3.7 A new service model needs to be developed to address projected increased need, but this needs to be delivered within the same financial envelope in 2018/19. The current model of provision may not be affordable in the future in terms of delivering on key performance targets such as responding to assessments within 28 calendar days. A future options appraisal will need to consider how these issues are addressed so that we can meet the needs of the local population in a timely manner.
- 3.8 The recent review has highlighted a potential cost pressure associated with the service of £141,098 per annum relating to the management and contribution costs. Rotherham CCG, as part of their 2017/18 NHS Standard Contract with TRFT, have requested a comprehensive review of the community services management and contributions funding across community services to determine whether this is actual or perceived.
- 3.9 A soft market testing exercise was carried out between August and October 2016 which revealed that the market for specialist OT services currently is

under-developed and there is a risk no suitable provider is identified to deliver the new service model within the existing financial envelope. For example, all COT services within the Yorkshire and Humber region (Sheffield, Barnsley, Doncaster, Derbyshire, Bradford, Leeds, Calderdale) are provided by NHS Foundation Trusts or Councils.

- 3.10 Extending the contract for a period of one year from April 2017, will allow for a further review of the current service model, which is part of the BCF work programme. This will also allow for commissioners to understand projected future needs by 2018/19.

4. Care Act and BCF Implications

- 4.1 The key drivers of the Better Care Fund plan is to move towards integrated commissioning and the development of integrated health and social care services, through the use of either pooled budgets and/or partnership agreements.
- 4.2 The BCF long-term plan sets out the vision that health and social care teams will work in an increasingly integrated way under a common set of objectives. Commissioning plans will be aligned to the Health and Well Being Strategy to achieve maximum efficiencies, maintain service quality and also to drive forward the prevention agenda. The COT service will become part of the whole system commissioning model to ensure that the service becomes person centred, promotes value for money and is able to provide integrated care which supports people with complex needs to remain independent in the community.
- 4.3 The introduction of the Care Act has resulted in an increase in demand for OT assessments as carers have a legal entitlement to an assessment and for information, advice and support and also the impact of the social care prescribing service playing their preventative role in the community.
- 4.4 The COT service will be expected to arrange and make available services that prevent, delay or reduce the need for higher levels of care and support. The Act places responsibility of identifying people in the local area who might have care and support needs that are not being met which will also increase the workload of therapy staff.

5. Recommended Proposal

- 5.1 Our recommendation is to assign the Lead Commissioner arrangement for the Community Occupational Therapy Service to the Clinical Commissioning Group (CCG).

The Better Care Fund Section 75 agreement with Rotherham CCG allows for the assignment of the Lead Commissioner responsibilities, which has met with approval from the Better Care Fund Executive Group. Therefore, there is a need to change commissioning arrangements and the requirement to develop a new service specification prior to tender.

The Clinical Commissioning Group will publish a Voluntary Ex-Ante Transparency (VEAT) notice in the Official Journal of the European Community (OJEU).

Cabinet approval	Paper to Cabinet outlining the intentions	Karen Smith/ LA and CCG Commissioning Team	April 2017
CCG to complete VEAT Notice	VEAT Notice to be published on OJEU website	CCG Commissioning Team	April 2017
Continue to monitor and oversee actions contained within the COT review report to ensure the backlog achieves and remains with contractual obligations	Closely monitor performance data through the Joint Commissioning Performance Group and BCF Executive Group	Karen Smith/ CCG Commissioning and LA Performance Team	April to July 2017
Analysis of current provision (increased need/demand/gap analysis)	Closely monitor performance data through the Joint Commissioning Performance Group and BCF Executive Group	Karen Smith/ CCG Commissioning and LA Performance Team	April to July 2017
Consultation with service users, current providers and partners	Focus groups, face to face interviews, surveys	Karen Smith/ RMBC Performance Team	April to September 2017
Carry out an options appraisal to inform commissioning arrangements for joint funding of services with the CCG, including options to tender the service. A new service model will need to be developed within the same financial envelope.	Considering reconfiguration of existing model or procurement	Karen Smith/ LA and CCG Commissioning Team	August to September 2017
New service specification and contract developed	Review of current provision and develop new service specifications	Karen Smith/ LA and CCG Commissioning Team	September 2017
Implementation of new model	Dependent on outcomes of options appraisal	Karen Smith/ LA and CCG Commissioning Team	October to March 2017

This recommendation allows the Council and CCG the opportunity to carry out a thorough consultation programme with the existing provider (TRFT) and other key stakeholders, including customers and carers, comparator authorities and other interdependencies which would ensure that a robust

commissioning exercise is completed to provide the best model of service delivery which is fit for the future, sustainable and promotes value for money.

The Council and the CCG will develop a new service specification which will incorporate a proposed new model of provision which will focus on delivering on the Care Act's "Prevent, Reduce and Delay" agenda and will closely tie in with the re-ablement, assistive technology and equipment offer so that this becomes a more preventative type service, rather than a re-active service in future. The new service specification will be signed and agreed by the Better Care Fund Executive Group.

6. Consultation

- 6.1 Consultation needs to be finalised with existing providers, current and previous customers and partners to identify any gaps in the current provisions prior to building the new specifications.
- 6.2 A tender that includes Council and The Rotherham Foundation Trust employees requires a period of formal consultation with Trade Unions and staff as this process may result in a TUPE transfer to a new provider. Early notification of this service going out to tender needs to be communicated to Trade Unions and staff.

7. Timetable and Accountability for Implementing this Decision

- 7.1 The timescales for this piece of work will be around 12 months in order to facilitate a successful conclusion.

8. Financial and Procurement Implications

- 8.1 The current total annual contract values for the COT contract is £746,000 for 2016/17, which is financed by the Better Care Fund under a Section 75 pooled budget arrangement with the CCG.
- 8.2 There are 3 x FTE OT Assessment Officers employed by the Council funded from the adult care budget. These posts are currently part of the COT service and carry out assessments for customers with low/moderate needs who require equipment and minor adaptations and perform the same duties as the TRFT Assistant Practitioners. The costs of these posts amounted to £93,350 in 2016/17.
- 8.3 Consideration needs to be given as to whether all funding will come under one service specification and contract. This would give the contract a total value of £839,350 per annum which would cover both the Council and The Rotherham Foundation Trust elements of the service.

9. Legal Implications

- 9.1 To assign the Lead Commissioner arrangements for the Community Occupational Therapy Service to the Clinical Commissioning Group (CCG). The Better Care Fund Section 75 agreement with Rotherham CCG allows for

the assignment of the Lead Commissioner responsibilities, which has been approved by the Better Care Fund Executive Group.

9.2 The Clinical Commissioning Group will publish a Voluntary Ex-Ante Transparency (VEAT) notice in the Official Journal of the European Community (OJEU)

9.3 To mitigate the above risks, in 2017/18 there will be a full review and options appraisal for reconfiguration or tender of the process based on a robust benchmarking and engagement with customers/carers exercise

10. Human Resources Implications

10.1 The proposal affects Council employees (as well as TRFT employees) as there are 3 FTE OT Assessment Officers posts that are part of the COT service carrying out the same function as the Rotherham Foundation Trust Assistant Practitioners by providing assessments for equipment and minor adaptations.

10.2 If the existing contracts are not extended, the proposal will have redundancy or TUPE implications for the current providers (The Rotherham Foundation Trust and the Council) should both elements of the service be decommissioned or the service is awarded to an alternative provider following the competitive tender.

11. Implications for Children and Young People and Vulnerable Adults

11.1 The Community Occupational Therapy Service will work with children from 0 to 17 years and vulnerable adults from age 18 upwards.

11.2 Failure to appropriately assess service provision, analyse need/demand and suitably manage risk/impact to customers will lead to inappropriate services that bring further cost implications to the Council through Adult Care, CCG, Children and Young People's services and Housing.

12. Implications for Partners and Other Directorates

12.1 There is a need for careful consideration to be given to services as this will have a direct impact on the Housing Directorate (adaptations function), CCG, The Rotherham Foundation Trust and Rotherham, Doncaster and South Humber NHS Foundation Trust as the service provides assessments for all client groups.

12.2 There is a need to establish at an early stage with regard to future commissioning intentions from our partner organisations. This will have implications for any new service specification and/or tender process. The new service specification may need to include identifying suitable alternative therapy services to pick up on the workload. This process will include consultation with customers and their carers to determine an appropriate outcomes framework and new service model.

12.3 The contracts contribute towards the BCF Programme and Health and Wellbeing Strategy with Rotherham CCG.

12.4 The BCF Programme contributes to statutory provision of services to meet the Council's duty of complying with the Care Act's "Prevent, Reduce and Delay" agenda.

13. Risks and Mitigation

13.1 If the contracts terms are not extended the Adult Care Development/ Transformation Team, the Council and Rotherham CCG will be unable to link successfully with partners and Directorate colleagues to deliver on their strategic programmes and achieve the efficiencies identified.

13.2 The current contract has a 6 month notice period which does not give us sufficient opportunity to carry out the level of work and timeframes required for an appropriate tender process, a robust customer and carer engagement exercise and benchmarking exercise, for the existing provider to complete all actions identified within the COT review report and to ensure that services are value for money and appropriately meet the needs of the people who access them in the future.

14. Accountable Officer(s)

Approvals Obtained from:-

Strategic Director of Adult Care and Housing: Anne-Marie Lubanski

Assistant Director of Strategic Commissioning: Nathan Atkinson

Finance Manager: Mark Scarrott

Principal Officer/Contracts Solicitor (Legal): Ian Gledhill/Kavita Ladva

Senior Category Manager (Procurement): Lorna Byne

Human Resources Business Partner: Odette Stringwell

Karen Smith, Joint Contracts Officer, Adult Care and the CCG

Claire Smith, Head of Long Term Conditions and Urgent Care, CCG

Summary Sheet

Overview and Scrutiny Management Board – 31 March 2017

Title

Review of the Council's Petitions Scheme

Is this a Key Decision and has it been included on the Forward Plan?

Yes, this is a key decision and has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author

James McLaughlin, Democratic Services Manager
01709 822477 or james.mclaughlin@rotherham.gov.uk

Ward(s) Affected

All wards

Summary

The Council adopted a petitions scheme in May 2010 in accordance with the Local Democracy, Economic Development and Construction Act 2009. This scheme was subject to a subtle changes following the review of Standing Orders in 2014. However, a more fundamental review of the scheme is required as part of the wider review of governance in the Council and this report sets out opportunities to amend the scheme to improve its operation and its wider understanding amongst Members, officers and the public.

Recommendations

1. That the existing Petitions Scheme be replaced with guidance on petitions (as set out in Appendix B)
2. That a log of petitions be maintained on the Council's website detailing the nature of the petition, the directorate referred to, the response provided to the lead petitioner and the action taken.
3. That a period of up to 15 minutes be allocated at the beginning of Council meetings for members of the public to formally present their petitions to the Mayor.

4. That associated constitutional changes be incorporated within the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers.

List of Appendices Included

Appendix A – Current Petition Scheme

Appendix B – Draft Petition Guidance

Background Papers

Report to Council – 21 May 2010 – ‘Local Government Reform – duty to respond to petitions: commencement and Council scheme’

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Constitution Working Group – 17 March 2017

Council – 19 May 2017

Council Approval Required

Yes

Exempt from the Press and Public

No

Review of the Council's Petitions Scheme

1. Recommendations

- 1.1 That the existing Petitions Scheme be replaced with guidance on petitions (as set out in Appendix B)
- 1.2 That a log of petitions be maintained on the Council's website detailing the nature of the petition, the directorate referred to, the response provided to the lead petitioner and the action taken.
- 1.3 That a period of up to 15 minutes be allocated at the beginning of Council meetings for members of the public to formally present their petitions to the Mayor.
- 1.4 That associated constitutional changes be incorporated within the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers.

2. Background

- 2.1 The Local Democracy, Economic Development and Construction Act 2009 introduced a duty for local authorities to adopt a scheme setting out how it would manage and respond to petitions submitted as calls for action. The legislation also introduced a requirement for local authorities to host a system for citizens to submit e-petitions to increase participation in local democracy.
- 2.2 The requirements of the duty set out that the Council had the flexibility to determine the details of the scheme subject to meeting the following minimum requirements:
 - Anyone who lives, works or studies in Rotherham, including under 18's, can sign or organise a petition and trigger a response;
 - Petitions must be acknowledged within a time period specified by the Council;
 - Among the many possible steps that the Council may choose to take in response to a petition, the following steps must be included in the scheme:
 - Taking the action requested in the petition;
 - Considering the petition at a meeting of the Council;
 - Holding an inquiry;
 - Holding a public meeting;
 - Commissioning research;
 - A written response to the petition organiser setting out the Council's views on the request in the petition; and
 - Referring the petition to scrutiny.
 - Petitions with a significant level of support trigger a debate of the full council. The Council will determine this threshold locally but it must be no higher than 5 per cent of the local population;

- Petitions with a requisite level of support, set by the Council, trigger a senior local government officer to give evidence at a meeting of the authority's overview and scrutiny committee. The committee may also require the relevant Cabinet Member, or other member as appropriate to attend; and
 - Petition organisers can prompt a review of the Council's response if the response is felt to be inadequate.
- 2.3 In May 2010, the Council adopted a petition scheme which included all of the provisions required by statute. The current scheme is appended to this report (Appendix A). The petitions scheme was reviewed by Members in 2014 as part of a wider review of Standing Orders.
- 2.4 The Localism Act 2011 repealed Chapter 2 of Part 1 of the Local Democracy, Economic Development and Construction Act 2009, which made petitions schemes a statutory requirement for local authorities. The Localism Act specifically removed:
- the need for the Council to make a scheme for the handling of petitions which are made to the authority (with the exception of those petitions made under another enactment, such as one asking for a referendum on an elected mayor).
 - the need for the Council to be able to accept petitions electronically.
 - the need for Council to comply with its own petition scheme.
 - the need to publish the Councils petition scheme on its website.
 - the need to acknowledge petitioners, tell petitioners what we intend to do with their petitions or place their petitions on the Councils website.
 - the need for the Council to do one of the list of the required steps when considering a petition.
 - the need for the Council to have thresholds to determine how to process petitions, for those thresholds to be reasonable and the requirement for petitions reaching those thresholds to be debated at Council and or Overview and Scrutiny.
 - the power of review by the Secretary of State, to review the Council's scheme if we do not receive any petitions that the Council has to debate.
 - the specified reasons for the rejection of a petition

3. Key Issues

- 3.1 The petition scheme has been reviewed once since it was adopted by the Council. It is timely to review the scheme in the context of the wider review of the Constitution and following anecdotal feedback from Members and officers regarding the lack of awareness and understanding of the provisions of the scheme.

3.2 The key aspects of the petitions scheme are:

- 2000 signatures are needed for a petition to be debated at a Council meeting
- Where a petition is debated at a Council meeting, the lead petitioner has five minutes to address the meeting and a further 15 minutes is allocated for councillors to debate the call for action within the petition.
- 750 signatures are needed to require a Member or a senior officer to give evidence to Overview and Scrutiny

3.3 There has not been an occasion since the adoption of the petitions scheme in Rotherham where a petition has been debated at a Council meeting or where a Member or senior officer have been required to give evidence to Overview and Scrutiny. The fact that neither threshold has been met does not itself imply that there is an issue with the scheme, but has led to some questions in respect of the value of petitions.

3.4 Petitions schemes were introduced in statute because the Government had identified that local people felt that they could not influence decision making or get things done in their local area. The Government White Paper *Communities in Control* very much focused on the need to provide formal routes for calls for action to be submitted and responded to. Whilst the statutory provision no longer exists, the need to give local people the opportunity to make a call for action through a petition remains an important pillar of robust local democracy.

3.5 The advancement of social media and digital technology has changed the way that residents interact with the Council and councillors. Whilst traditional methods of petitioning remain for organised groups, many individuals lobby for action or change through social media campaigns, directly lobbying councillors and partner organisations. This trend has not reduced the number of petitions, but it should be recognised that petitions are not the only avenue for valid concerns or calls for action to be raised with the Council or councillors.

3.6 The formal provisions of the existing petitions scheme cover what was previously required by the law, but neither the scheme or the Council's Constitution adequately set out what the authority will do when it receives a petition that does not meet the threshold for a debate at Council. Conventional practice is that a petition will be referred to the relevant Strategic Directorate for consideration and a response to be sent to the lead petitioner and ward councillors, where appropriate. This practice works in the sense that a petitioner receives a response, but the process fails to acknowledge the democratic call for action, aside from limited reporting of the receipt of petitions to Council meetings, and the potential for debate on matters of policy, which would capture the public interest in an issue and consequently invigorate Council meetings.

- 3.7 In order to attach greater value to petitions and calls for action, consideration should be given to how the Council can demonstrate how it encourages and responds to petitions. Presently, the minutes of Council meetings detail the receipt of petitions, but there is no follow up to detail what has happened as a result of the petition or call for action. Some authorities publish a log of petitions received and report on the action taken in response. This capability exists within the existing Modern.Gov software that manages the democratic content on the Council's website. To demonstrate the value of petitions, it is proposed that this software be better utilised to detail:
- The receipt of a petition
 - The department referred to
 - The response provided
 - The action taken
- 3.8 Other local authorities dedicate a period of time at the beginning of Council meetings for members of the public to hand in their petitions to the Mayor or Chairman of the Council. This is not a practice currently in operation in Rotherham and is one which may again contribute to improving confidence in the Council. The reality of any such approach is that the Mayor would receive the petition from the lead petitioner and give an assurance that the petition would be referred to the relevant Strategic Directorate for response. This would require little effort, but would demonstrate that the Council is open to receiving calls for action from its residents.
- 3.9 The petitions scheme itself is a detailed document which is not particularly user friendly. Any member of the public wanting to consult it for guidance on how to submit a petition or understand its provisions would currently find it difficult to locate and then subsequently not be clear in respect of what actions would be necessary to comply with the scheme. Consideration should therefore be given to replacing the existing scheme with guidance written in plain English and easily accessible on the Council's website. Draft guidance is appended to this report (Appendix B).
- 3.10 The Constitution's provisions in respect of the handling of petitions are set out in Standing Orders 8A and 8B. If the Council is minded to dispense with the current petitions scheme and introduce guidance, more detailed Standing Orders in respect of petitions will be required. This report is not concerned with recommending constitutional amendments, but rather with reviewing the current practice of how petitions are handled by the Council. Any associated amendments to Standing Orders can be incorporated within the external review of the Constitution which is being undertaken by the Association of Democratic Services Officers.

4. Options considered and recommended proposal

- 4.1 As the statutory provisions concerning the operation of a petitions scheme have been repealed, the Council has the discretion to manage petitions in any way it considers appropriate, including having no provision at all. Given that strengthening governance and public trust and confidence in the Council are key areas of the authority's improvement journey, the option of removing provision for petitions is not recommended.

- 4.2 This report has identified that the Council’s approach to handling petitions can be improved in a procedural sense and also in terms of the wider trust and confidence held in the Council by the residents of the borough. It is recommended that the current petitions scheme be replaced by guidance which provides clearer advice to citizens on how to submit a petition and what to expect after submission to the Council.

5. Consultation

- 5.1 This report has been submitted to the Constitution Working Group for review. Members considered the thresholds, potential changes and minimum numbers, verification processes for e-petitions and the numbers that would determine what constituted a petition.
- 5.2 The Constitution Working Group recommended that the thresholds for petitions be set at:

20 signatures	For a call for action to be regarded as a formal petition and presented to the Mayor at Council
600 signatures	For an officer to be required to give evidence to Overview and Scrutiny
2,000 signatures	For a petition to be debated at a Council meeting

- 5.3 Members also welcomed the recommendation to include relevant Ward Members in the response to a lead petitioner. It was also recommended that the Chair of Overview and Scrutiny Management Board vacate the chair for any debate on a petition that might directly affect their ward.
- 5.4 It was considered appropriate to remove reference to calling a referendum within paragraph 15 of the existing Petitions Scheme.

6. Timetable and Accountability for Implementing this Decision

- 6.1 If the preferred approach detailed in paragraph 4.2 were to be agreed by the Constitution Working Group and the Cabinet for recommendation to the Council, then the final decision will be made at the Annual Meeting on 19 May 2017. In order to give effect to the proposed change, amendments will be required to Standing Orders which would require the approval of Council. These amendments will be proposed as part of the wider review of Standing Orders being undertaken by the Association of Democratic Services Officers and on the recommendation of the Constitution Working Group.
- 6.2 Accountability for implementing the decision will rest with the Assistant Director of Legal Services and the Democratic Services Manager, who will also be responsible for the ongoing operation of the petitions process.

7. Financial and Procurement Implications

- 7.1 There are no financial or procurement implications associated with this report.

8. Legal Implications

8.1 The legal implications are detailed within the main body of the report.

9. Human Resources Implications

9.1 There are no Human Resources implications associated with this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 There are no implications for children and young people or vulnerable adults arising from this report.

11 Equalities and Human Rights Implications

11.1 Public Authorities must ensure that decisions are made in such a way which minimises unfairness, and without a disproportionately negative effect on people in respect of nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation. It is important that Councillors are aware of this duty before they take any decision.

11.2 Enabling petitions to be submitted both as paper documents and electronically through the Council's website enables people from all groups and backgrounds to petition the Council about matters which concern them.

12. Communications Implications

12.1 Highlight any communications implications arising from your report, and outline any communications advice provided.

13. Implications for Partners and Other Directorates

13.1 If the proposals within the report require input or action from other directorates or partner organisations in the Borough, you should set out specifically what the implications are and what consultation has taken place.

14. Child Centred Borough Implications

14.1 There are no implications which directly impact on the Council's ambition to become a Child Centred Borough.

15. Risks and Mitigation

15.1 There are no strategic or specific risks associated with this report.

16. Accountable Officers

Assistant Director of Legal Services – Dermot Pearson
Democratic Services Manager – James McLaughlin

Approvals Obtained from:-

	Named Officer	Date
Strategic Director of Finance & Customer Services		
Assistant Director of Legal Services		
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		

Report Author:

James McLaughlin, Democratic Services Manager
01709 822477 or james.mclaughlin@rotherham.gov.uk

This report is published on the Council's website or can be found at:-
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Scheme for handling Petitions

1. The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt.
2. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.
3. Paper petitions can be sent to:

**Democratic Services
Rotherham Town Hall
Moorgate Street
Rotherham
S60 2TH**

4. Or be created, signed and submitted [online](#).
5. Petitions can also be presented to a meeting of the council. These meetings take place approximately every **six weeks**, dates and times can be found [here](#). If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact **James McLaughlin, Democratic Services Manager** on **(01709) 822477** at least 10 working days before the meeting and they will talk you through the process. **A petition to be presented to the Council will require the support of 2,000 or more signatories.** If your petition has received signatures **equivalent to 5% or more of the population of the Borough** it will also be scheduled for a council debate and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council.

What are the guidelines for submitting a petition?

6. Petitions submitted to the council must include:
 - a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
 - the name and address and signature of any person supporting the petition.
7. Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.
8. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

9. Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the council do when it receives my petition?

10. An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.
11. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.
12. If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available here **[insert links]**
13. We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.
14. To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

How will the council respond to petitions?

15. Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
 - taking the action requested in the petition
 - considering the petition at a council meeting

- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

*Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

16. In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples.

Petition Subject	Appropriate Steps
Alcohol related crime and disorder	If your petition is about crime or disorder linked to alcohol consumption, the council will, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a designated public place order or, as a last resort, imposing an alcohol disorder zone. When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The council's response to your petition will set out the steps we intend to take and the reasons for taking this approach.
Anti-social behaviour (ASB)	As the elected representatives of your local area, as social landlord and licensing authority, the council plays a significant role to play in tackling anti-social behaviour. The council, in conjunction with our partners in the local crime and disorder partnership have set out how we deal with issues of anti-social behaviour; you can find more

	<p>details here.</p> <p>When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as social landlord and licensing authority. For example, we will work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider identifying a dedicated contact within the council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, we will alert the crime and disorder reduction partnership and crime and disorder overview and scrutiny committee to the issues highlighted in the petition.</p>
Under-performing schools	<p>We will consider, in consultation with local partners, all the options available to us when working with schools to secure their improvement. For example, on our behalf, the school improvement partner will play a pivotal role, challenging and brokering support for poorly performing schools. Where a school is under performing we will consider whether it is appropriate in the circumstances to issue a warning notice outlining expectations and a timeframe for the school to improve its performance standards. Other measures available to us, where schools fail to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures including; appointing additional governors, establishing an interim executive board, removal of the school's delegated budgets, requiring the school to enter into a formal contract</p>

	or partnership or, only if the school is in special measures, closure.
Under-performing health services	We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role Healthwatch might have in reviewing and feeding back on the issue (Healthwatch's role to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The Health Select Commission will also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue will be referred to them to consider for review.

17. If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of [local partners](#) and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible [here](#).
18. If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full council debates

19. If a petition contains **2000** signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given **five minutes** to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of **15 minutes**. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the council

executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

20. Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.
21. If your petition contains at least **750** signatures, the relevant senior officer will give evidence at a public meeting of the council's Overview and Scrutiny Management Board. Senior staff that may be called upon to give evidence includes all of the Council's Senior Leadership Team. You should be aware that the Overview and Scrutiny Management Board may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Overview and Scrutiny Management Board may also decide to call the relevant councillor to attend the meeting. Board members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the Board by contacting **James McLaughlin, Democratic Services Manager (01709) 822477 or james.mclaughlin@rotherham.gov.uk** up to three working days before the meeting.

E-Petitions

22. The council welcomes e-petitions which are created and submitted through our [website](#). E-petitions must follow the same guidelines as paper petitions **set out in paragraphs 6 – 9 of the Scheme for handling petitions**. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.
23. When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.
24. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.
25. When an e-petition has closed for signature, it will automatically be submitted to the Democratic Services Manager. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the council, please contact James

McLaughlin, Democratic Services Manager (01709 822477 or james.mclaughlin@rotherham.gov.uk) within 10 working days of receipt of the acknowledgement.

26. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

How do I 'sign' an e-petition?

27. You can see all the e-petitions currently available for signature [here](#)
28. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

What can I do if I feel my petition has not been dealt with properly?

29. If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's Overview and Scrutiny Management Board review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.
30. The Overview and Scrutiny Management Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.
31. Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

Guidelines for submitting a petition

1.1 Petitions to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- The subject matter of the petition must relate to a function of the Council, or its partner authorities if the petition relates to an improvement in the economic, social or environmental well being of the District which a partner authority could contribute to. Petitions may also relate to matters which are sub-regional and cross-authority.
- The petition should contain the name, address and signature of at least 20 people who either are resident, work or study in the borough of Rotherham. This includes under 18 year olds.

1.2 Petitions should be accompanied by the contact details of the lead petitioner, including an address and/or telephone/email details. This is the person the Council will contact to explain the process for considering petitions. The contact details of the lead petitioner or any of the petitioners will not be published by the Council. If the petition does not identify a lead petitioner, we will contact signatories to the petition to agree who should act as the lead petitioner.

1.3 If the petition does not follow the guidelines set out above a letter will be sent to the lead petitioner explaining that the guidelines have not been met and that the petition has been forwarded to the appropriate Strategic Director for consideration.

2. How the petition will be dealt with

2.1 The petition will normally be acknowledged in writing within 5 working days of receipt although there may be a delay if it is not clear from the petition who the lead petitioner is.

2.2 The lead petitioner will need to confirm how he/she would prefer the petition to be dealt with and assistance will be provided by Democratic Services to help the lead petitioner decide which is the most appropriate route. Petitions will be progressed in one of the following ways:

Officer (relevant Strategic Director)

On receipt the petition will be forwarded to the relevant Strategic Director who has responsibility for the subject matter of the petition. The Strategic Director will nominate a Named Senior Officer to deal with the petition and the Named Senior Officer will contact the lead petitioner within 3 weeks to inform them of what action will be taken on the petition. As a lead petitioner you will be informed within the 3 week period if action has already been taken on the matter before the petition was received, or is in the process of being taken.

The Named Senior Officer will consult with the councillor who is the Member of the Cabinet holding the relevant portfolio for the service area, and if the

subject matter of the petition is concerned with a particular locality, the ward councillors, to determine the action to be taken. The lead petitioner will be notified of the outcome in writing. However, it may be appropriate for the Named Senior Officer to take a report to a meeting of the Cabinet or another council committee. The lead petitioner and local ward councillors will be informed of the date of the meeting with an invitation to attend. After the meeting the Named Senior Officer will confirm the outcome to the lead petitioner, local ward councillors and any other relevant Member in writing within 10 working days.

Meetings of Full Council

Petitions can be presented to a meeting of Council. All 63 of the Councillors on the Metropolitan Borough Council of Rotherham are Members of Council, so attending one of these meetings will provide the opportunity for the views in the petition to reach all Councillors.

The ordinary meetings of Council are held approximately every six weeks, and as a limit of 5 petitions are considered at each meeting, the lead petitioner should contact Democratic Services at the earliest opportunity. If there are more than 5 petitions then it will be necessary to consider the petitions that were received latest at the next meeting. At the Council meeting, a representative of the petitioners may speak on the subject matter of the petition for 5 minutes after presenting their petition to the Mayor. Council will not debate the petition but can refer the petition to the appropriate committee, panel or officer for response. Further details can be obtained by contacting Democratic Services on 01709 822054 or emailing petitions@rotherham.gov.uk.

Full Council debates

If a petition contains more than 2,000 signatures it will be debated at a meeting of Council. Normally the petition will be considered at the next ordinary meeting of the Council, although on some occasions this may not be possible and consideration will then take place at the following meeting. A representative of the petitioners will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The Council will then decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for the reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the Council's Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will be sent written confirmation of this decision within 10 working days. This confirmation will also be published on the Council's website.

Calling an Officer to account

A petition may ask for a senior council officer to give evidence at a public meeting about a service for which the officer is responsible as part of their job. For example, the petition may ask a senior council officer to explain progress

on an issue or to explain the advice given to elected members to enable them to make a particular decision.

If the petition contains at least 600 signatures, then the relevant senior officer will give evidence at the Overview and Scrutiny Management Board. A relevant senior officer would be the Chief Executive or a Strategic Director or Assistant Director. The officer called to give evidence may be supported by other officers who have been involved in the matter. If the officer named in the petition is unavailable – for instance if the named officer has changed jobs – the Overview and Scrutiny Management Board may need to decide to call another senior officer. The Overview and Scrutiny Management Board may also decide to call a relevant councillor to attend the meeting such as the member of the Cabinet who holds the portfolio for the service mentioned in the petition.

A report will be presented to a meeting of the Overview and Scrutiny Management Board setting out the background to the matter. The lead petitioner will be able to attend the meeting to present the petition for up to 5 minutes. At the meeting the senior officer will be questioned by the Committee members. If the public is to be excluded during any part of the meeting under the provisions of Part 5A of the Local Government Act 1972 this will be set out in the attendance notification to the lead petitioner. The Committee will then make recommendations in accordance with the Council's delegation scheme. It may be necessary for the Committee to defer making the recommendations to a future meeting, for instance, if further information is requested. When the Committee has finalised its recommendations written notification will be sent to the lead petitioner within 10 working days and be published on the Council's website

3. Matters excluded from the Petitions Scheme

3.1 A petition cannot be dealt with through this scheme if it addresses or includes:

- a planning or licensing application for which other arrangements are in place.
- Matters subject to prescribed statutory requirements, e.g. an elected mayor.
- Matters where there is already an existing right of appeal, such as council tax banding and non-domestic rates, where other procedures apply.
- Repetitive or vexatious correspondence
- Potentially libellous, false or defamatory statements.
- Material which is commercially sensitive
- Material generated by local political parties
- The names of individuals in relation to criminal accusations or information which easily identifies an individual
- Statements which contravene equalities and anti-discrimination legislation

- Matters subject to appeal processes or legal actions, e.g. enforcement action.
- Refers to a particular official of a public body
- Material which is vexatious, abusive or is deemed otherwise inappropriate

- 3.2 If the petition contains any of the above the lead petitioner will be informed of the reason for not accepting the petition in writing.
- 3.3 If the petition is about a matter over which the Council has no direct control your petition will be forwarded to the relevant organisation. However, if the petition relates to a partner organisation the Council will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. The lead petitioner will be informed of any action the Council has taken to progress the petition.

Please consult with Democratic Services if clarification is required.

4. The Council's response to petitions

- 4.1 The Council's response to a petition will depend upon what the petition is asking for and which of the options is taken for dealing with the petition, but the response will include one or more of the following:
- Writing to the lead petitioner and relevant Ward Councillors setting out the Council's views about the request in the petition
 - Taking the action requested in the petition
 - Commissioning research on the matter
 - Holding a consultation
 - Holding a meeting with petitioners
 - Holding a public meeting
 - Undertaking a referendum in a locality
 - An inquiry
 - Referring the petition for consideration by the Cabinet or relevant Scrutiny Committee (committees responsible for scrutinising the work of the Council and holding the decision makers to account)
 - Discussing the petition with other relevant organisations
 - Publish notification on the Council's website on how the petition is being dealt with.

5. Review

- 5.1 If the lead petitioner feels that the Council has not dealt with the petition properly, the lead petitioner has the right to make a request to the Assistant Director of Legal Services that the Council's Overview and Scrutiny Management Board review the steps that the Council has taken in response to the petition. The lead petitioner will be asked to provide a short explanation

in writing of the reasons why the Council's response is not considered to be adequate.

- 5.2 The Overview and Scrutiny Management Board will endeavour to consider the request at its next meeting, although on some occasions this may not be possible, and consideration will take place at the following meeting. The lead petitioner will be invited to attend the Committee and make verbal representations for up to 5 minutes. Should the Committee determine that the petition has not been dealt with adequately it may instigate an investigation and make recommendations to the relevant officer or the Council's Cabinet.
- 5.3 The Overview and Scrutiny Management Board may also decide that the authority's response to the petition should be discussed at a meeting of the Council.
- 5.4 Once the appeal has been considered the lead petitioner will be informed of the result within 10 working days.

6. E-petitions

- 6.1 The council welcomes petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions as outlined above. The petition organiser will need to provide us with their name and email address. You will also need to decide how long you would like your petition to be open for signing.
- 6.2 When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for the public to sign. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain why. You will then be able to change and re-submit your petition if you wish.
- 6.3 When an e-petition has closed for signing, it will automatically be submitted to Democratic Services in the same way as a paper petition, you will receive an acknowledgement within five working days. It will ask you how you prefer to progress the petition in line with the Council's petition scheme. Assistance will be provided to help you decide which is the most appropriate route.