



CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Monday, 16 October 2017

10.00 a.m.

**Council Chamber, Town Hall,
Moorgate Street, Rotherham. S60 2TH**

Cabinet Members:-

Leader of the Council
Deputy Leader of the Council
Adult Social Care and Health Portfolio
Corporate Services and Finance Portfolio
Housing Portfolio
Jobs and the Local Economy Portfolio
Neighbourhood Working & Cultural Services Portfolio
Waste, Roads and Community Safety Portfolio

Councillor Chris Read
Councillor Gordon Watson
Councillor David Roche
Councillor Saghir Alam
Councillor Dominic Beck
Councillor Denise Lelliott
Councillor Taiba Yasseen
Councillor Emma Hoddinott

Commissioners:-

Commissioner Patricia Bradwell
Commissioner Julie Kenny
Commissioner Mary Ney

CABINET AND COMMISSIONERS' DECISION MAKING MEETING

Venue: Town Hall, The Crofts,
Moorgate Street,
Rotherham. S60 2TH

Date: Monday, 16th October, 2017

Time: 10.00 a.m.

A G E N D A

1. Apologies for Absence.

To receive apologies of any Member or Commissioner who is unable to attend the meeting.

2. Declarations of Interest.

To invite Councillors and Commissioners to declare any disclosable pecuniary interests or personal interests they may have in any matter which is to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

3. Questions from Members of the Public.

To receive questions from members of the public who wish to ask a general question.

4. Minutes of the previous meeting held on 11 September 2017 (Pages 1 - 20)

To receive the record of proceedings of the Cabinet and Commissioners' Decision Making Meeting held on 11 September 2017.

5. Exclusion of the Press and Public.

Agenda Items 14 and 15 have exempt appendices. Therefore, if necessary when considering those items, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the 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 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

DECISION FOR COMMISSIONER BRADWELL

6. Child and Adolescent Mental Health Services (CAMHS) Section 75 Agreement (Pages 21 - 55)

Report of the Strategic Director of Children and Young People's Services

Cabinet Member: Councillor Watson (in advisory role)
Commissioner: Bradwell

Recommendations:

1. That a Section 75 agreement be established outlining commissioning arrangements and a pooled fund for the provision of Child and Adolescent Mental Health Services.
2. That authority be delegated to the Strategic Director for Children's Services to sign the Section 75 Agreement on behalf of the Rotherham Metropolitan Borough Council.
3. That approval be given to the Council's financial contribution into the pooled fund at the 2017/18 CAMHS budgeted cash limit.

DECISIONS FOR CABINET

7. Advice Services Review (Pages 56 - 68)

Report of the Assistant Chief Executive

Cabinet Member: Councillor Read
Commissioner: Ney (in advisory role)

Recommendations:

1. That the outcomes of the review be noted.
2. That approval be given to progress arrangements for advice services in Rotherham, including:
 - Co-design with voluntary sector organisations for services to be delivered by voluntary sector advice providers for three years commencing from April 2018;
 - That the scope of services to be delivered by the voluntary sector focus on provision in levels two and three of the advice model through core service level agreements to a total value of £240k per annum, with the provision for additional project based arrangements covering specific advice service demands and developments over the medium term;
 - Collaboration to produce an integrated model of advice provision across advice services including in-house provision effective from April 2019;

- Commissioning and funding model options that will best provide flexibilities for service development over the medium term through a consortium approach in the voluntary sector; and
 - Identify as part of the Council's Customer Services and Efficiency Programme, improvements to level one signposting and self-serve provision.
3. That, subject to the achievement of the objectives of this approach, service level agreement(s) be entered into with voluntary sector providers, including the expectation of leverage of external funds; adoption of priorities; and performance arrangements.
 4. That the detailed arrangements be subject to annual review and participation in the further alignment and other developments of advice services in Rotherham in 2019.

8. Special Educational Needs and Disability (SEND), Sufficiency and Increase in Educational Provision - Consultation (Pages 69 - 109)

Report of the Strategic Director of Children and Young People's Services

Cabinet Member: Councillor Watson
 Commissioner: Bradwell (in advisory role)

Recommendations:

1. That approval be given for a period of focused consultation on proposals to increase Special Education Needs and Disability (SEND) provision across the Borough.
2. That a further report be submitted in due course detailing the outcome of consultation and seeking approval of proposals.

9. Business Rates Discretionary Rate Relief for Small Businesses and Pubs (Pages 110 - 118)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam
 Commissioner: Ney (in advisory role)

Recommendations:

1. That approval be given to the implementation of the Supporting Small Businesses and Support for Pubs discretionary Business Rates schemes.
2. That the two schemes be implemented in accordance with guidance issued by the Department for Communities and Local Government.

10. Business Rates Discretionary Relief Application (Pages 119 - 123)

Report of the Strategic Director of Finance and Customer Services

Cabinet Member: Councillor Alam
Commissioner: Ney (in advisory role)

Recommendation:

That 100% discretionary rate relief be awarded to Chesterwood Trading Ltd for the period 1 April 2017 to 31 March 2018.

11. Rotherham Side by Side - Housing Related Support Review (Pages 124 - 160)

Report of the Strategic Director of Adult Care and Housing

Cabinet Member: Councillor Roche
Commissioner: Ney (in advisory role)

Recommendations:

1. That approval be given to the remodeling of the existing externally commissioned housing related support offer in Rotherham to deliver four Pathways of support to vulnerable people who are at risk of homelessness or are homeless as outlined in sections 4.0 to 4.2. The four pathways are;
 - Vulnerable Adults
 - Complex Need
 - Domestic Abuse
 - Young People and Young Parents
2. That approval be given to the redefinition of the existing offender, single homeless, homeless families, and mental health client groups as Vulnerable Adults to better meet multiple needs and redefine the age range across Vulnerable Adults' contracts to 21+ to prevent duplication of service.
3. That approval be given to further efficiencies within the Vulnerable Adults pathway through the merger of 3 floating support services, currently providing 205 units in total, into one service providing 220 units.
4. That approval be given to the creation of a pathway for people with Complex Needs based on a Housing First model to support 20 – 30 people with complex needs. To achieve this, it is proposed that the Council renegotiate existing contracts of dispersed accommodation. As outlined in sections 4.18 to 4.22.

5. That approval be given to the Domestic Abuse Pathway as a priority and that current funding will be protected, at this stage, as outlined in sections 4.23 to 4.34 and to extend the Rotherham Rise refuge contract for 18 months under an exemption from Contract Procedure Rules.
6. That the joint commissioning of the Young People Pathway with the designated lead for Children and Young People and designated Adult Care and Housing commissioning lead be approved, as outlined in section 4.35 to 4.40 and the YWCA Yorkshire Fleming Gardens contract be extended for 18 months under an exemption from Contract Procedure Rules.
7. That subject to the remaining efficiencies from the Vulnerable Adults Pathway being forthcoming an exemption from Contract Procedure Rules be granted for up to 18 months for the contracts currently provided by South Yorkshire Housing Association at Browning Court and Action Housing & Support Ltd at Elliott House. Further information relating to this approach is outlined in section 4.7 and Table 7.
8. That the proposal to transfer the governance and ownership of the Learning Disabilities contract with KeyRing to the remit of the Head of Service for Learning Disabilities, following conclusion of recommended savings activity as outlined in section 5.1, be approved.
9. That the existing Outcomes Framework for Housing Related Support be adapted as outlined in section 6 to better reflect the nature of the Pathways.

12. Out of Area Cross Charging Policy for Sexual Health Services - Update 2017 (Pages 161 - 169)

Report of the Director of Public Health

Cabinet Member: Councillor Roche
Commissioner: Ney (in advisory role)

Recommendation:

That the changes to the out of area cross charging policy, which is based on the agreed regional approach endorsed by the Yorkshire and Humber Directors of Public Health Network be approved.

13. Transport for the North (Pages 170 - 177)

Report of the Strategic Director of Regeneration and Environment

Cabinet Member: Councillor Lelliott
Commissioner: Kenny (in advisory role)

Recommendation:-

That Rotherham Metropolitan Borough Council formally consent under Section 102J of the Local Transport Act 2008 to the making by the Secretary of State of Regulations to establish Transport for the North (TfN) as a Sub-National Transport Body and giving TfN concurrent highway powers.

14. Swinton Town Centre Redevelopment - Development Brief and Acquisition of Integral Site (Pages 178 - 202)

Report of the Strategic Director of Regeneration and Environment
(Exempt Appendices)

Cabinet Member: Councillor Lelliott
Commissioner: Kenny (in advisory role)

Recommendations:

1. That the content of the Development Brief for Swinton Town Centre and the proposed submission to developers with a view to obtaining design submissions be approved.
2. That Council be recommended to approve the acquisition of the integral site forming part of the redevelopment site on the basis outlined in Exempt Appendix E, subject to the agreement of satisfactory terms, and that this acquisition is added to the Council's Capital Programme 2017/18.
3. That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the terms of the acquisition outlined in Appendix E.
4. That the Assistant Director of Legal Services be authorised to complete the necessary documentation relating to the acquisition of the integral site.

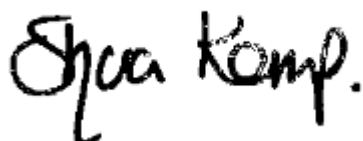
15. Residential development of Millfold House, Sheffield Road car park and the former Henley's Garage site (Pages 203 - 217)

Report of the Strategic Director of Adult Care and Housing
(Exempt Appendices)

Cabinet Member: Councillor Beck
Commissioner: Kenny (in advisory role)

Recommendations:

1. That approval be given for the Council act as the strategic housing enabler to develop Sheffield Road car park, Millfold House and the former Henley's garage on Wellgate into residential accommodation.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to purchase additional land, as set out in exempt appendices 3 and 4, to improve the scale of development potential.
3. That expenditure on these acquisitions be capped at the limit set out in appendix 2, and be funded from resources allocated to the town centre regeneration programme.
4. That officers be authorised to explore further possible acquisitions, to maximise the regenerative impact of these residential development schemes.
5. That a further report be submitted setting out a detailed financial business case and development proposals.



SHARON KEMP,
Chief Executive.

**CABINET/COMMISSIONERS'
DECISION MAKING MEETING
Monday, 11th September, 2017**

Present:- Councillor Read (in the Chair); Commissioner Kenny, Councillors Alam, Beck, Hoddinott, Lelliott, Roche and Yasseen.

Also in attendance was Councillor Steele, Chairman of the Overview and Scrutiny Management Board, Ward Members Allen, R. Elliott and Williams for Minute No. 35 and Councillor B. Cutts.

Apologies for absence were received from Commissioners Bradwell and Ney and Councillor Watson.

29. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

30. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) A member of the public asked would you please explain why RMBC invited expressions of interest for Greasbrough Public Hall in October, 2016 only to inform the four parties who had submitted interests in December, 2016 that a complete U turn had been made and decided to retain ownership and demolish the building to make way for a traffic congestion programme.

The Strategic Director for Regeneration and Environment explained it was an unfortunate situation when expressions of interest had been invited for the acquisition of Greasbrough Public Hall through private venture or asset transfer. Unfortunately, staff were unaware that colleagues in Transport were also looking at this area as part of the Bassingthorpe Farm development and potential solutions for the traffic requirements to alleviate the current congestion and traffic management following the development of housing on this site. The options being considered both required the land adjacent to the roundabout to do the improvements necessary. The timing was unfortunate as the service at the time were not aware of the potential traffic management solutions when the expressions were invited.

(2) A member of the public asked if the demolition proceeds Greasbrough would be left without a public hall. Could a new public hall be built as part of the Bassingthorpe Farm development under Section 106 of the Town and Country Planning Act 1990 thereby reducing the impact on the community, the cost of which could be recovered from the developers. This would resolve the problem and replace the public hall. In light of this could the Council please advise if the Greasbrough could expect to see a new public hall.

The Strategic Director for Regeneration and Environment advised it was too early to predict what the development would look like and how viable, subject to a business case and viability assessments as part of housing proposal. However, the member of the public was correct there was the possibility of using Section 106 monies, which was replaced by the Community Infrastructure Levy, which does allow the use of funding where it was able to be determined it was a viable proposition and there was enough money to contribute to the infrastructure needs with monies set aside for community use. A number of reasons would come into play around the community size, which in theory could potentially be the case due to number of houses planned, but this would come down to viability as the Council could not insist on something being built that rendered the development non-viable. So, yes potentially funds could be set aside, but there was still a way to go before this could be determined.

The Chair confirmed this was a fair challenge and this would be carefully monitored to see what could be done.

(3) A member of the public asked in these days of austerity where the Government was urging people to be more involved with communities, what consideration did RMBC give to Greasbrough Public Hall Community Trust's market research, which was compiled with help of views of local people where 90% of those interviewed expressed their support and interest in keeping the public hall as a community hub for the village of Greasbrough.

The Strategic Director for Regeneration and Environment confirmed a number of discussions had taken place with Ward Members and members of the Community Trust regarding the sensitive subject of a removal of a hall which had been a community facility for some time. Under normal circumstances asset transfer could take place to community groups unless there was a strategic requirement. In this case there was a strategic requirement for highway infrastructure that overrode the benefit of transfer to a community group.

The Assistant Director for Planning, Regeneration and Transport confirmed the market research document had been received and the detail considered in meetings with Ward Councillors, the Cabinet Member and members of the Community Trust. The document was well put together, contained lots of information about the hall and potential uses. This led onto further discussions about what elements of the hall could potentially be kept and salvaged for reuse and forms part of the report on the agenda for today's meeting.

(4) A member of the public asked, in light of growing problems of social isolation especially in economically deprived areas, could you explain how RMBC believe that local residents and community groups would experience greater benefits from the hall's demolition from it being used as a much needed resource for local people.

The Strategic Director for Regeneration and Environment explained that as a result of the removal of the hall for public use as to requirements or future provision, this was a discussion that could take place with developers to see if there was demand or need for a facility. Failing this a look would need to be made at other assets in the area that may be utilised, such as Greasbrough library and whether it could be used more appropriately for public use. The public hall has been redundant for some time and there was now a strategic requirement need to improve the access arrangements at that junction which overrode the need for the public hall.

(5) A member of the public asked would you explain why it was that Rotherham Borough Council considered only the public hall junction to be of primary importance when the Church Street and Cinder Bridge Road junctions were of secondary importance, when improvements to all three junctions should be carried out as all three junctions were equally as important in alleviating the traffic congestion throughout Greasbrough.

The Strategic Director for Regeneration and Environment explained all the junctions have been looked at and whatever happened at the roundabout would impact on the other junctions. The options that have been explored up to now did consider all the junctions including the Church Street area. The final design solution had not yet been agreed and would be something that would be discussed further as the proposal emerged.

Ward Councillors were invited to give their view on the proposals for Greasbrough Public Hall.

Councillor R. Elliott described how Greasbrough Town Hall was built in 1926 by public subscription in a prominent position in the heart of the village, the first building seen on the approach from Potters Hill and a beautiful backdrop to a vibrant village.

He explained how Greasbrough Town Hall was a vibrant well used facility, used daily by the public for a variety of classes and groups and a popular venue for birthdays, presentations and weddings. All of which brought economic benefit to the village. Suddenly RMBC increased the high charge to an incredible amount, resulting in the hall being too expensive to hire and unused. Cynically it was thought this was the result the Council had wanted and with hindsight something should have done by Ward Members at the time.

Speaking as a resident of Greasbrough and a past hirer of the hall Councillor Elliott shared the frustration and anger of residents and with the development of Bassingthorpe Farm no one from RMBC seemed to listen. Despite consultations, signatures and discussions public opinion appeared to count for nothing. The end result no matter what RMBC would prevail.

Councillor Elliott, therefore, urged the Council to save the hall as the junction was not needed and Councillor Williams would explain further. He asked let the people of Greasbrough have the hall as those residents present today had an excellent business plan that would breathe new life into the hall and provide a new hub for the community. This supported the new mantra for RMBC and Ward Councillors' locality working for the community.

Councillor Williams offered his thanks for the opportunity to speak today and also to the Chief Executive and officers who had met with Ward Members and members of the Community Trust about the concerns.

He described how Greasbrough Public Hall was considered an Iconic local building, which was part of community and local heritage and the much loved heart of the village. In fact he had his own fond memories of birthday parties and attendance at events, which would be a similar situation for people not just from the area, but across the borough.

From his election in 2016 Councillor Williams described his proud involvement with the Community Trust and their hard efforts and dedication which was highlighted and reflected in the documents. He expressed his disappointment and frustration that it had reached this point.

Describing what he believed to be main justification for the demolition of the hall with a road congestions scheme, he was concerned that whilst tackling the congestion that existed there were other pinch points in the system that required action. Action which should be taken before the demolition of Greasbrough Public Hall.

The current congestion problems were not just around the roundabout near the hall, but on Main Street and Church Street with no proper lanes to filter traffic which also caused tailbacks and queues. The location at the Wince at the junction of Cinder Bridge Road also caused problems with traffic from Rawmarsh and Parkgate.

The concerns had been raised at meetings with officers and community groups and it was suggested the traffic congestion at these two locations should be tackled first before the demolition of the hall. Even if a new road scheme was installed at the location of the public hall it was felt this would still not tackle the congestion as Greasbrough was a village with village type roads on the approaches and would prevent any proper solution to the congestion that existed today.

The proposed demolition of the public hall was a sad reflection of the current economic times. However, the Government's austerity measures and budget cuts were preventing local councils from providing community facilities in local buildings. Demolition of Greasbrough Public Hall would not only be a loss of a community facility it was also a loss of a local asset and heritage.

Councillor Williams was deeply saddened by the decision today and the possible demolition of a much loved iconic building and even at that this late stage urged the Council to pursue all other options that would tackle congestion and protect a much loved local building as well.

Councillor Allen echoed the comments by Councillor Williams at being given the opportunity to speak and the discussions that had taken place with officers and particularly thanked Greasbrough Public Hall Community Trust for sticking with the proposals here today.

She shared advised she had received from a Baptist Minister that the process was often far more important than the outcome, which was why she was so disappointed in the way the process had unfolded in relation to Greasbrough Town Hall.

As had already been indicated expressions of interests were invited by one section of the Directorate which was then nullified by another section and the requirement for the land for a traffic improvement scheme. It was highly regrettable that expectations were raised and cruelly dashed and unfortunate. If demolition was agreed this would leave a gap in community provision in Greasbrough.

Being pragmatic work had been taking place with officers looking at replacement facilities and identification of these was now available. As a result it was likely that proposals would be submitted back to the Cabinet for a community campus which would capitalise on existing facilities, which it was hoped would be supported as recognition of the loss of the hall.

Councillor Allen indicated she was keen to be genuinely involved in the asset management process to ensure no other community had to endure such an unacceptable and painful process as here today.

(6) A member of the public referred to an item on today's agenda relating to the "Introduction of a Public Spaces Protection Order for Rotherham Town Centre" and his disappointment at the consultation process. A drop in session for the 10th August, 2017 between 10.00 a.m. and 3.00 p.m. was advertised on the 21st July, 2017, with a consultation end date of 16th August, 2017.

The member of the public reiterated his dissatisfaction with the consultation process, the lack of appropriate information to fully understand what the Protection Order entailed, whether this was borough wide or restricted to the town centre, the limited information that was available and the impact this would have on unsuspecting vulnerable members of the public and communities who received £80.00 fines for littering, often only for a discarded cigarette butt.

He described the role of private security companies like Kingdom and their disregard for equal opportunities in the pursuit of profit fining victims, which was a fundamental change. It was for these reasons he regarded the consultation process as being flawed, did not bring people in and affected communities more due to not following guidelines issued by the Local Government Association about consultation duration and holiday periods, unlike Newcastle who had allowed a two month period of consultation prior to the implementation of their Protection Orders.

The member of the public, therefore, asked if he was approached by a member of a private sector firm was it not the case that he did not have to reply, could just walk away and nothing could be done. This would cost the Council more in the future. The legislation indicated these Orders should not be used unless it was absolutely necessary taking into account the difficult and delicate position Rotherham was in.

The Chair summarised the member of the public's question which appeared to be in two parts; the first about the consultation process and the number of people engaged, how that was run and whether it was an equitable process and secondly, who was doing the enforcement and the role of Kingdom.

Councillor Hoddinott, Cabinet Member for Waste, Road and Community Safety, confirmed a formal consultation process had been undertaken and the feedback and reasons received for doing it were not uncommon. As part of the consultation a number of roadshows had taken place across Rotherham, with discussions at Rotherham Show and as part of the Town Centre Masterplan. The main feedback was around safety in the town centre and the need to address the concerns and the behaviours of the minority who were spoiling it for the rest.

94% of the public and 99% of business agreed with the proposals, which was very high by public sector standards and this was one tool that could demonstrate that inappropriate behaviour in the town centre was not acceptable.

In terms of the role of Kingdom this was on a pilot basis as part of enforcement working closely with the Police and existing Council. This already had had an impact as part of the enhanced enforcement.

The Strategic Director for Regeneration and Environment confirmed the consultation process was a month long and compliant with current legislation. This was not just undertaken online, but involved the local media, the Council's website, Member seminars, Overview and Scrutiny visits, drop in sessions, attendance at the national citizen scheme, Youth Cabinet, visits to businesses along with consultation with the Clifton Park Friends Group and the Police. Comprehensive survey statistics were so high in support of action being taken, when compared with performance on footfall in town centre which was down.

In addition, it was noted that littering was an offence across the U.K. not just in Rotherham Town Centre, and those individuals that chose to walk away from officers could possibly face obstruction offences.

Councillor Yasseen as Ward Councillor confirmed this had raised a huge amount of debate in the ward, especially around the inclusion of Clifton Park, the need to combat the undesirable behaviours and the engagement of the public during holiday periods.

(7) A member of the public confirmed he had attended the consultation at Riverside House, which he described as not adequate. He believed a further period of consultation was warranted given the constraints being placed on dog walkers in Clifton Park, when often for pensioners this was the only time they came out of the house.

The Chair advised changes had been recommended following feedback about keeping dogs on a leash in Clifton Park.

Councillor Hoddinott, Cabinet Member for Waste, Road and Community Safety, confirmed having listened to the consultation a number of changes had been made since the original proposals. The proposal was now for dog exercise areas to be designated on the green space areas to allow walkers to allow their dogs off leash. However, the water and play areas accessed by adults and children required dogs in these areas to be kept on leads and kept under control.

31. MINUTES OF THE PREVIOUS MEETINGS HELD ON 26 JUNE AND 10 JULY 2017

Resolved:- That the minutes of the Cabinet and Commissioners' Decision Making Meetings held on 26th June and 10th July, 2017, be agreed as a true and correct record of the proceedings.

32. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under section 100(A) of the Local Government Act 1972, the Public be excluded from the meeting should the appendices be discussed for Minute Nos. 45 and 46 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to information) (Variation) Order 2006.

33. DETERMINATION OF ASSET TRANSFER REQUESTS

Consideration was given to the report which sought approval for the granting of three Asset Transfer Policy lease agreements without break options which was a departure from the current adopted policy and, therefore, could not be approved under the existing Officer Scheme of Delegation.

Canklow Depot – A request for the term of the lease agreement to be extended to twenty-five years without any break options, in order to secure grant funding with plans to secure a further £300,000 to invest into the former depot and create local jobs as well as improve the infrastructure. As part of the negotiations of the proposed terms the necessary safeguards would be included within the lease in the event that funding was not secured, such as the re-instatement of break clauses.

Ulley Recreation Ground – A request for a new 50 year lease under the Council's Adopted Asset Transfer Policy without the break options. The benefits would provide a long term commitment and protect the long term future of the recreation ground for the residents of Ulley with the Parish Council continuing to be responsible for the ongoing maintenance liabilities and responsibilities.

Chislett Community Centre - A twenty-one year Asset Transfer lease on the youth and community centre had been granted without break options to secure funding to extend/develop and refurbish the community centre which resulted in securing grant funding of £486,000. Following the completion of the works a request had been received to the existing term of the lease to extend to ninety-nine years to secure the long term future of the Community Centre so that the benefits of refurbishment works and the community services delivered by the building were continued in the long term. As part of the negotiations of the proposed term extension the necessary safeguards would be included within the lease should the centre cease to operate and no longer deliver the community benefits.

Commissioner Kenny agreed:- (1) That all three requests for Asset Transfer Policy lease agreements as detailed within the report be approved.

(2) That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate the terms of the requests.

(3) That the Assistant Director of Legal Services be authorised to complete the necessary documentation.

34. ADOPTION OF LAND ADJACENT SALES POLICY AND PROCEDURES

Consideration was given to the report which sought approval for the adoption and implementation of a new policy and procedure for dealing with enquiries to purchase small plots of land adjacent to the enquirer's property.

Appendix 1 (Procedures for dealing with small land sales) set out the basic streamlined procedure for dealing with these applications and included set tables to work out land values based on the size of the land and its proposed use.

Should any enquirers wish to proceed then an initial administration charge of £250 would be payable at the point of application, to cover the cost of obtaining planning and legal advice. If the application was successful then this payment would be deducted from any additional amount due in respect of Council's fees. If the applicant failed to complete then this administration charge was to be retained.

It was suggested that the new policy, if approved, could be advertised on the Council's website so anyone considering applying to purchase land could work out the likely costs of purchase (or renting) and then if they still wished to apply could do so by downloading and printing off an online application form to fill in.

Having a set minimum disposal value from the outset should ensure that abortive work was not undertaken as a result of applicants withdrawing from the process once an offer was made to them in terms of the purchase price.

Commissioner Kenny agreed:- (1) That the proposals contained in the report considering the adoption of new policy and procedures for dealing with land adjacent sales be approved.

(2) That the Assistant Director of Planning, Regeneration and Transport be authorised under delegated powers to approve qualifying disposals and that the Assistant Director of Legal Services be authorised to complete the necessary legal documentation.

(3) That a minimum value threshold of £2,000 plus fees be set for all disposals that arise through applications to purchase.

(4) That an administration charge of £250 be payable at the point of application which will be refunded if the application proceeds to completion.

(5) That any applications to purchase areas of land which are dedicated as public open space are not part of the delegated authority or considered as part of the policy.

35. GREASBROUGH PUBLIC HALL FUTURE OPTIONS

Consideration was given to the report which set out details and how Greasbrough Public Hall was declared surplus to the operational requirements of the Council following the "Review of Directly Managed Community Centres" undertaken in 2014. The hall was formally closed as a Community Centre following the review and the building had remained vacant ever since.

A number of options were initially considered for the hall following a marketing period inviting "expressions of interest". However, the Council's Transportation and Highways Team have now identified a requirement for

the site of the building for the delivery of a Highway Improvement Scheme at the junction of Main Street/Coach Road in Greasbrough.

The use of the site to facilitate a Highways Improvement Scheme should significantly reduce traffic congestion in the immediate area and would also support the delivery of the Bassingthorpe Farm development.

The Strategic Director for Regeneration and Environment confirmed a strategic requirement had been identified for the site and whilst it was regrettable some “expressions of interest” had been received, use of the site by the Transportation and Highways Team was the favoured option. This junction would not be considered in isolation, but along with other junctions in the locality to combat congestion.

It was also noted the building had attracted anti-social behaviour of late and recently been the subject of a number of vandalism attacks, including a number of thefts from the building (leadwork flashings and valleys from the roof). An issue also raised by Ward Members.

The Greasbrough Public Hall Community Trust had also objected to the demolition of the building, but the stone façade of the building was to be salvaged as part of the demolition works and retained for future use.

Other options to support community groups in the locality were to be explored.

Commissioner Kenny agreed:- (1) That the proposed demolition of Greasbrough Public Hall be approved and the cleared site be then retained in Council ownership for the delivery of the highway improvement scheme.

(2) That the façade and stone from the Greasbrough Public Hall be salvaged and retained for potential future use and the detail of what is to be retained be agreed in partnership with the Greasbrough Public Hall Community Trust.

(3) That the required funding for the project be taken from unallocated operational building maintenance capital funding.

36. COUNCIL PLAN 2017/18 QUARTER 1 PERFORMANCE REPORT

Consideration was given to a report which detailed the Performance Report and Performance Scorecard (Appendices A and B) which provided an analysis of the Council's current performance against fourteen key delivery outcomes and seventy-two measures.

At the end of this first quarter (April to June 2017) twenty-seven measures had either met or exceeded the target set in the Council Plan. Although this represented only 37.5% of the total number of measures in the Plan, it equated to **47.4%** of the total number of indicators where data was

available or where targets have been set. A total of sixteen (**27.6%** of those measured in the quarter) performance measures have not hit their target for the year (22.2% overall).

Cabinet Members provided an update in accordance with current performance for service areas:-

Councillor Beck, Cabinet Member for Housing, reported on the number of new homes being delivered and new and challenging target to ensure at least 10% more new homes would be built in the borough.

It was also pointed out 93% of privately rented properties were compliant with Selective Licensing, which was slightly below the year-end target of 95%. Work was in progress to increase property compliance during the current year.

Councillor Roche, Cabinet Member for Adult Social Care and Health, also reported on the continuing commission of specialist stop smoking in pregnancy services. Work was also taking place with partners and G.P's looking at best practice in terms of drug treatment. The service was currently out to tender.

In terms of Adult Social Care the direction of travel was positive for the nine measures rated against targets; four were on target, one progressing satisfactorily, two off target and two measures not applicable.

Ian Thomas, Strategic Director for Children and Young People's Services, reported on the good progress against the improvement plan and one measure of success was around Early Help, and the offer that would reduce over time as families were offered supported at an earlier point.

He also referred to the numbers of children subject to a child protection plan, which continued to increase as had the proportion of children on a repeat child protection plan. This would need further improvement and work continued. He explained further, when questioned, that a further report on this issue giving more detail and what action had been taken would be provided in due course.

In terms of education Rotherham's current data for early years was strong with good progress being made in KS1 and KS2 with a slight dip in KS4. Work was taking place with secondary group leaders to understand the reasons for the drop in performance.

Councillor Alam, Cabinet Member for Corporate Services and Finance, reported on how council tax collection rates had been maintained at the same level as last year whilst the collection rate for non-domestic rates had been improved upon.

The pre-decision scrutiny process was now well embedded in the decision-making process and had been positive to date.

The Council's response rate for complaints had also decreased below the target of 85% and would be subject to further monitoring.

Sickness was also on a downward trend with a reduction of 3.5% on last year's outturn, which had been achieved by the end of the first quarter.

Councillor Hoddinott, Cabinet Member for Waste, Road and Community Safety, referred to the positive increase in the reporting of hate crime, outcome measures for the successful support for people at risk of domestic abuse, the strong commitment to tackle flytipping and enviro-crime and the number of fixed penalty notices issued, new measure for public perception of anti-social behaviour and the release of up-to-date information from the Police.

In terms of measure 3.B3 it was noted the next report would provide more up-to-date information in terms of complaints about litter, but the position would be closely monitored.

Councillor Yasseen, Cabinet Member for Neighbourhood Working and Cultural Services, also highlighted the changes to some indicators, one of which included borrowing books, which was a poor reflection on the drive and participation in culture and leisure services.

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, was pleased to report on the statutory function of delivering determinations on planning applications and the achievement of 10% in all three categories of determination.

Footfall in the town centre had decreased and the reasons for this were being explored.

The Business Incubation Centred had another strong quarter with the average occupancy level of the four centres at 86%.

Commissioner Kenny agreed:- (1) That the overall position and direction of travel in relation to performance be noted.

(2) That consideration be given to measures which have not progressed in accordance with the target set and the actions required to improve performance, including future performance clinics

(3) That the performance reporting timetable for 2017/18 be noted.

37. INTRODUCTION OF A PUBLIC SPACES PROTECTION ORDER (PSPO) FOR ROTHERHAM TOWN CENTRE

Consideration was given to the report which set out in detail the Powers introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 which created the provision for local authorities to implement Public

Space Protection Orders (PSPO). These orders were designed to address anti-social behaviour in local areas and were, therefore, adaptable to meet local need. This meant that prohibitions or requirements could be made at a local level in response to complaints from a range of sources including the public, business and Councillors.

Following analysis and initial consultation with stakeholders, the Council had undertaken a statutory consultation on a proposed Public Space Protection Order. In excess of 500 views were gathered, across a variety of forums and methods, and a significant majority (93.7%) of respondents supported the introduction of a Public Space Protection Order. Further consultation had also taken place with partners and greater consideration had been given as to the impact of the proposed conditions which had led to the removal of some and the evolution of others.

This report, therefore, sought the approval to implement a Public Space Protection Order, in Rotherham Town Centre, in order to prohibit the following activity:-

- A. Behaving in such a way or using language that causes, or is likely to cause, harassment, alarm or distress to another person.
- B. Making unsolicited approaches, in the open air, for the purposes of face-to-face fundraising and marketing of commercial products, carried out by organisations without prior written permission from the Council.
- C. Failing to keep a dog on a leash and under control (otherwise than within the designated area within Clifton Park, where dogs may be off leads but must remain under control, see attached maps)
- D. Littering
- E. Urinating or defecating in a public place, other than within designated public toilets.
- F. Spitting saliva or any other product from the mouth
- G. Consuming alcohol other than on licensed premises or at a licensed event

The Council's Monitoring Officer also clarified points raised specifically around civil liberties and the loose definition of anti-social behaviour, but it was believed the above behavioural boundaries were considered necessary to support the Council and its partners in developing and supporting the town centre experience.

Following the period of consultation it was proposed that changes to the draft Order around the use or carrying controlled drugs otherwise than in accordance with a valid prescription not be included at this time along with the use of a vehicle to cause a nuisance by gathering in groups, playing loud music or otherwise impacting the quality of life in the locality and that further work be undertaken

Due to the case made by respondents to the public consultation, officers have recommended that dogs be allowed off leash within a designated zone in Clifton Park and be otherwise under control on leash in public areas such as the water play areas and playground.

Cabinet Member supported the proposals for the introduction of a Public Spaces Protection Order.

The Chairman of the Overview and Scrutiny Management Board confirmed this report had been considered on the 6th September, 2017. The Board were in broad agreement with the recommendations, subject to the two insertions relating to the use of a vehicle to cause a nuisance being included in the order and that a single code of practice in respect of enforcement activity be adopted. It was also suggested that this Order be closely monitored and progress be reported back to Overview and Scrutiny Management Board in twelve months' time.

In response to the Chairman of the Overview and Scrutiny Management Board Councillor Hoddinott welcomed the implementation of a single code of practice, but suggested that the use of a vehicle to cause a nuisance be subject to information gathering and reviewed for inclusion in six to twelve months' time.

Commissioner Kenny agreed:- (1) That approval be given to the Public Spaces Protection Order, for a period of three years, following consideration of the public consultation and relevant legal requirements.

(2) That a 12 month review, post implementation of the order be undertaken to assess impact and make variations, adjustments or new orders as necessary and for this to be considered by the Overview and Scrutiny Management Board.

(3) That a single code of practice in respect of enforcement activity and issuing of penalties be adopted by the Council or any external body undertaking these functions on behalf of the Council.

38. APPOINTMENT OF THE ACADEMY SPONSOR FOR THE PROPOSED PRIMARY SCHOOL ON THE WAVERLEY DEVELOPMENT SITE

Consideration was given to the report which detailed the progress of the Waverley development site and following the construction and occupation of 550 dwellings, the Local Authority (LA) had a responsibility to ensure an education sponsor is appointed for the first primary school proposed for the site.

This report, therefore, detailed the appointment of Aston Community Education Trust (ACET) as sponsor for the proposed first primary school, as procedures commenced to establish a primary school on the site.

Resolved:- That the appointment of Aston Community Education Trust (ACET) as sponsor for the first proposed primary school at the Waverley development site be noted.

39. JULY 2017/18 FINANCIAL MONITORING REPORT

Consideration was given to the report which set out the financial position for the Revenue and Capital Budgets at the end of July 2017 and was based on actual costs and income for the first four months of 2017/18 and forecasted for the remainder of the financial year.

As at July 2017 the Council had a forecast overspend on the General Fund of £3.4m. The majority of the £24m budget savings approved within the 2017/18 budget were being achieved. £11.9m of those savings were Directorate budget savings, however, in addition to those budget savings, Directorates also have to achieve £5.4m of budget savings in 2017/18 which were agreed in previous budgets. Total Directorate savings for 2017/18 were, therefore, £17.3m. The current position was that around £5.2m of those total savings were at risk of not being achieved in this financial year in the manner approved by Council when the 2017/18 was set (and were reflected in the current overspend projection along with the impact of mitigating actions).

A significant in-year pressure of £6.460m on the Dedicated Schools Grant (DSG) High Needs Block continues. A recovery strategy set in place last year would, however, resolve £3m of the deficit and mitigate the in-year pressure through a series of measures including: a revised Special School funding model; a review of high cost out of authority education provision with a view to reducing cost and moving children back into Rotherham provision where possible; and a review of inclusion services provided by the Council. Whilst this pressure did not directly affect the Council's financial position at this time it was imperative that the recovery strategy is implemented which clearly set out how this position would be resolved and to avoid any risk to the Council in the future.

Control over spending was critical to maintaining a robust Medium Term Financial Strategy and avoiding unplanned spending impact on the Council's reserves. All Services continue to develop mitigating actions and alternative savings to compensate for financial pressures and delays in delivering the full amount of savings. The financial impact of the mitigating actions that have been identified and implemented to date were reflected in the current forecast outturn.

The July revenue full year forecast for Children's and Young People's Services was £2.592m over budget. The service continued to face a range of pressures. Further actions to mitigate the budget pressures were being developed by the service.

It was confirmed, in relation to query raised, that support was available for victims of child sexual exploitation, but that Government intervention for a

statutory review of funding for those at risk of significant harm was still awaited.

It was also noted the HRA forecast outturn and budgeted use of reserves would now be less than planned, but a revision position would be submitted to the Cabinet in due course.

Resolved:- (1) That the current forecast overspend for 2017/18 of £3.4m be noted.

(2) That the management actions continuing to be developed to address areas of overspend be noted and any alternative and additional savings to mitigate shortfalls in achieving planned savings in 2017/18 be identified.

(3) That a detailed Dedicated Schools Grant (DSG) Recovery Strategy which will transfer £3m in 2017/18 to reduce the forecast High Needs Block deficit and mitigate the in-year pressure through a series of measures has been set in place be noted.

(4) That the current forecast outturn position on the approved Capital Programme for 2017/18 and 2018-2022 be noted.

40. COUNCIL TAX DISCOUNT FOR CARE LEAVERS

Consideration was given to the report which detailed how the Council had the discretion to reduce the Council Tax liability for individuals or prescribed groups. The Council exercised this discretion in accordance with section 13A of the Local Government Finance Act 1992, in respect of the local Council Tax Reduction scheme, for ad hoc cases of extreme financial hardship or by determining a class of case for which the charge should be reduced.

It was proposed that the Council exercise its discretionary powers to award a 100% Council Tax discount for all Rotherham's care leavers aged between 18 and 21 years and up to the age of 25 for those in full-time education who resided within the Borough boundaries and were liable for Council Tax. It was further proposed that the Council Tax owed by eligible care leavers who resided outside of the Rotherham area be paid by Rotherham Council.

This proposal had been developed to help improve the life chances of looked after children and support care leavers in making an effective social and financial transition from Local Authority care to independent living.

It was proposed that the discount be awarded as part of the Council Tax Reduction scheme. However, changes to the scheme could only be implemented from 1st April, 2018, following a review and public consultation and it was, therefore, proposed that a local discount be awarded under Section 13A (1)(c) for the period from the relevant date at

the end of the formal call in period following decision (likely to be 22nd September) for the period to 31st March, 2018.

Resolved:- (1) That a 100% Council Tax discount be awarded for Council Tax liability arising from the relevant date at the end of the formal call in period following decision for the period to 31st March, 2018, under Section 13A (1)(c), to Rotherham care leavers between the ages of 18 to 21 and up to the age of 25 for care leavers in full-time education, who reside in the borough based on the principles set out in this report.

(2) That for those care leavers from Rotherham living outside of the Borough, Rotherham Council will pay 100% of Council Tax liability arising from the relevant date at the end of the formal call in period following decision based on the principles set out in this report.

(3) That a full review of the Council Tax Reduction scheme be undertaken, including public consultation, to consider potential changes to the scheme for 2018 including the incorporation of the care leavers discount into the scheme.

41. NEW APPLICATIONS FOR BUSINESS RATES DISCRETIONARY RATE RELIEF

Consideration was given to the report detailing applications from two organisations for the award of a discretionary business rate relief in accordance with the Council's Discretionary Business Rates Relief Policy (approved 12th December, 2016).

Resolved:- (1) That 100% discretionary rate relief be awarded to SYTT Riverside Ltd reducing to 20% discretionary rate relief once the organisation becomes a registered charity.

(2) That 100% discretionary rate relief be awarded to Dext Skatepark (Yorkshire) Ltd from 8th March, 2017 when they occupied the new premises.

42. CONSULTATION ON CHANGES TO POLICY FOR HOME TO SCHOOL TRANSPORT

Consideration was given to the report which sought approval to carry out consultation on the Home to School Transport Policy for Rotherham, including post-16 students and children with Special Educational Needs or Disability (SEND). A number of policy options were put forward for consultation including:-

- To develop and promote Independent Travel Training as a central service in Rotherham and apply it in particular at transitional stages (e.g. the Year 6 to Year 7 transfer).
- To consider whether to make transport support dependent on the parents/carers agreeing to an assessment of the young person's

suitability for Independent Travel Training.

- To consider whether the Council should offer and promote alternative options to compliment transport arrangements, such as bicycle loans or grants, walking buses and bus passes.

It was proposed to report back to Cabinet with the results at the December, 2017 Cabinet Meeting as it was recognised that some children would not be suitable for some of the policy options, but this would be considered in full following the consultation period.

The Council was currently facing significant financial challenges as a consequence of Central Government's austerity measures and grant funding reductions. The Council's financial strategy required the identification of significant savings across the provision of services.

The report had been considered by the Overview and Scrutiny Management Board at its meeting on the 6th September, 2017 and the Chairman reported the Board were generally in support, but asked that any proposals for change to the policy be resubmitted back to the Board prior to its submission to Cabinet for decision.

Resolved:- (1) That approval be given to carry out a consultation on all aspects of home to school transport in Rotherham.

(2) That a further report be submitted to the Cabinet meeting in December 2017 detailing the outcome of the consultation exercise and presenting the recommended policy options for approval.

(3) That any proposals for change to the policy for Home to School Transport be submitted to the Overview and Scrutiny Management Board for consideration prior to submission of the report to the Cabinet for decision.

43. PLANNING SERVICE: PLANNING ENFORCEMENT PLAN

Consideration was given to the report which detailed the period of consultation on the draft Planning Enforcement Plan, which described the range of powers available to remedy breaches of planning control; how decisions would be made; and the details of the enforcement process.

The Plan set out how planning enforcement would be managed and when direct action could be taken to ensure that Councillors, officers, external agencies and the community have clear information about the process and the action that could be taken to resolve issues in relation to development.

This report, therefore, sought approval to adopt the plan.

Resolved:- That the Planning Enforcement Plan be approved and adopted.

44. ROTHERHAM TOWN CENTRE MASTERPLAN

Consideration was given to the report which detailed how a Masterplan had been produced for Rotherham Town Centre, which included viability and deliverability analysis, and an Implementation Plan to help to turn the vision and plans into reality. The Masterplan identified early delivery of redevelopment on Forge Island as an essential catalyst to wider regeneration.

This report sought the approval of Cabinet and Commissioners to adopt the recently completed Town Centre Masterplan. It also sought agreement to go out to the market to secure a development partner to redevelop Forge Island, which was identified in the Masterplan as a major component of a re-invigorated Town Centre offer and a catalyst for the regeneration of adjacent sites. The Masterplan's proposals for a major leisure destination were consistent with the Supplementary Planning Document which identifies Forge Island as a strategic development site and a variety of options moving forward were considered.

Cabinet Members welcomed the adoption of the Masterplan alongside the introduction of housing in the town centre.

Resolved:- (1) That the Rotherham Town Centre Masterplan be adopted.

(2) That the Council go out to the market to secure a development partner for Forge Island.

45. RIGHTS OF REPRESENTATION TO SHEFFIELD COUNTY COURT FOR MATTERS RELATING TO HOUSING POSSESSION CLAIMS

Consideration was given to the report which, following the restructure of the Housing Income and Financial Inclusion Team, which was approved by Cabinet in October, 2016, the legal representation for Housing Possession claims in the County Court would now be undertaken by employees in the Housing Income Team. This report, therefore, sought authorisation for the relevant officers to appear in appropriate cases on behalf of the Council in the County Court.

Resolved:- That the following officers be authorised under Section 60 of the County Courts Act 1984 to initiate, represent, defend or appear in proceedings on behalf of the Council in the County Court:-

- Specialist Income Recovery and Court Co-ordinator
- Court Officer
- Area Income Recovery Co-ordinators

46. UNLOCKING PROPERTY INVESTMENT - BEIGHTON LINK

Consideration was given to a report which detailed how the Council had analysed and compared a number of commercial property development opportunities in Rotherham for the potential to stimulate business growth and generate an investment return. This had identified a preferred deliverable option on a site owned by JF Finnegan at Beighton Link and the potential to improve the attractiveness of the project through regional investment funding.

This report recommended that the Council acquired the land and entered into a development agreement for JF Finnegan to construct business units, which on completion of construction the Council would own. The project would secure economic growth benefits and an investment return which would help support the Council's revenue budget.

It was proposed that the costs of this project were funded from the £5m Growth Fund, which was approved by Council on the 8th March, 2017, as part of the Council's Capital Strategy 2017-2022.

Resolved:- (1) That the Strategic Director of Regeneration and Environment be authorised to agree terms to acquire land at Old Colliery Way, Beighton Link, Rotherham and enter into a development agreement with JF Finnegan Ltd.

(2) That, subject to an assessment of the financial viability of the proposed final terms of the agreement with JF Finnegan and formal approval of the JESSICA funding bid, the funding for the purchase be taken from the £5m Growth Fund, which was approved as part of the Capital Strategy 2017-2022.

(3) That the Assistant Director of Legal Services be authorised to complete the necessary legal agreements.

(4) That, in order to allow the development to proceed, an exemption to standing orders under paragraph 43.2.4 be agreed.

47. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Consideration was given to the circulated report, the contents of which were included as part of the relevant items and the details included accordingly.

Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet**Committee Name and Date of Committee Meeting**

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title

Child and Adolescent Mental Health Services (CAMHS) Section 75 Agreement

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

Yes

Strategic Director Approving Submission of the Report

Ian Thomas, Strategic Director of Children and Young People's Services

Report Author(s)

Mark Chambers, Joint Assistant Director of Commissioning, Performance and Quality, Children and Young People's Services

Ward(s) Affected

All

Summary

There is an existing Partnership Agreement for the commissioning of Child and Adolescent Mental Health Services (CAMHS) between Rotherham Metropolitan Borough Council and Rotherham Clinical Commissioning Group, the Partners to this Agreement. The transition of this into a Section 75 Agreement restates the shared commitment of the two organisations to the further development of their commissioning partnership and joint market approach in relation to service improvement and transformation of CAMHS in Rotherham.

The Section 75 Agreement will build upon the existing partnership by adding a robust framework for managing the service including performance management and formalising a pooled funding arrangement for the provision of CAMHS services over the medium term.

The Clinical Commissioning Group will act as host and the lead commissioner for the pooled fund in partnership with the Council who will maintain existing financial contributions to CAMHS and continue as provider of the Rotherham Therapeutic Team.

Recommendations

1. That a Section 75 agreement be established outlining commissioning arrangements and a pooled fund for the provision of Child and Adolescent Mental Health Services.
2. That authority be delegated to the Strategic Director for Children's Services to sign the Section 75 Agreement on behalf of the Rotherham Metropolitan Borough Council.
3. That approval be given to the Council's financial contribution into the pooled fund at the 2017/18 CAMHS budgeted cash limit.

List of Appendices Included

Appendix 1: Framework Partnership Agreement Relating to the Commissioning of CAMHS in Rotherham.

Background Papers

Local CAMHS Transformation Plan for Rotherham

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Child and Adolescent Mental Health Services (CAMHS) Section 75 Agreement

1. Recommendations

- 1.1 That a Section 75 agreement be established outlining commissioning arrangements and a pooled fund for the provision of Child and Adolescent Mental Health Services.
- 1.2 That authority be delegated to the Strategic Director for Children's Services to sign the Section 75 Agreement on behalf of the Rotherham Metropolitan Borough Council.
- 1.3 That approval be given to the Council's financial contribution into the pooled fund at the 2017/18 CAMHS budgeted cash limit.

2. Background

- 2.1 There is an existing Partnership Agreement for the commissioning of Child and Adolescent Mental Health Services (CAMHS) between Rotherham Metropolitan Borough Council (RMBC) and Rotherham Clinical Commissioning Group (RCCG), the Partners to this Agreement. The transition of this into a Section 75 Agreement restates the shared commitment of the two organisations to the further development of their commissioning partnership and joint market approach in relation to service Improvement and transformation of CAMHS in Rotherham.
- 2.2 The Rotherham Joint Strategic Needs Assessment (JSNA) provides the foundation upon which continued partnership working is taking place to ensure that the services in borough address the needs and inequalities of local residents. It acts as a key driver of local health and social care strategies and informs commissioning decisions. The plans and services of all commissioners and health and social care providers in Rotherham are prioritised by needs identified in the JSNA and the six Rotherham Health and Wellbeing Strategic Outcomes:
 - Prevention and Early Intervention
 - Expectations and aspiration
 - Dependence to independence
 - Healthy lifestyle
 - Managing long term conditions
 - Reducing poverty
- 2.3 The combined priorities of both the CCG and the Council are further enhanced by the Rotherham Place Plan and the emerging Accountable Care System which reflects the intention to enhance commissioning practice jointly to ensure that through joint strategic planning and delivery, a wider range of services are available to local children, young people and families. The ambition is that by the engagement and involvement of children and young people, health and care services are provided which deliver excellent outcomes within a flexible, joint and creative commissioning framework. The CCG and the Council both acknowledge that this shared agenda cannot be delivered without close

partnership working at both an operational and strategic level. A Joint Commissioning infrastructure is already in place, with joint appointments across both organisations and a Joint Commissioning Strategy.

- 2.4 Child and Adolescent Mental Health Services in Rotherham are reflective of ongoing national developments and represent a complex picture at local level in relation to the number of Service Providers and Commissioners across the whole Health and Care System. A large number of organisations provide CAMHS Services across a range of levels, from Universal (Tier 1) to Targeted (Tier 2), Specialist (Tier 3) and Inpatient (Tier 4). In relation to this section 75 Agreement the Service Providers are Rotherham, Doncaster and South Humber NHS Foundation Trust (RDaSH) and the Rotherham Therapeutic Team (RTT) Service.

3. Key Issues

- 3.1 CAMHS is a broad concept that embraces all those services that contribute to the mental health care of children and young people, whether provided by health, education, social care or other agencies. As well as specialist services, this definition also includes universal services whose primary function is not mental health care, such as GPs, schools and colleges, school nursing and the voluntary sector in Rotherham, and acknowledges that supporting children and young people with mental health problems is not the responsibility of specialist services alone. In addition to universal services, we have more targeted tier 2 mental health services in Rotherham, which are the RTT, Early Help counselling and school based counselling that is provided by Rotherham and Barnsley Mind and Rotherham Multi Agency Support Team (MAST).
- 3.2 The core CAMHS offer in Rotherham for Tier 2 and Tier 3 services is commissioned by the CCG and currently provided by RDaSH.
- 3.3 The Council currently contributes £139k towards the RDaSH contract value of £2.942m which funds the delivery of locality work comprising: consultation and advice; workforce development of partnering agencies in relation to Child and Young Persons' mental health needs; and the delivery of CAMHS specific work in the community.
- 3.4 The CAMHS Service in Rotherham provided by RDaSH is enhanced and complimented by the RTT which is an in-house service provided by the Council. The Therapeutic Team provides a therapeutic service to looked after and adopted children in accordance with the Adoption Support Services (Local Authorities) Regulations 2005 and the adoption national minimum standards 2011.
- 3.5 The aim of the RTT is to provide a dedicated specialist therapeutic service to Looked After and Adopted Children, certain children who have been in care – including those in special guardianship order placements, and care leavers. The Therapeutic Team's primary aims are:
- Enhance the service to Looked After and Adopted Children (LAAC) and involved professionals, their families and carers, being mindful of their social, developmental and emotional health and well-being needs.

- Promote a greater understanding by foster carers, adopters, social workers and residential staff of the needs of LAAC in the areas of emotional wellbeing and mental health issues, developmental health and attachment.
- Assess the emotional wellbeing of children who are looked after, adopted and where possible on the edge of care in Rotherham.
- Increase carer knowledge and use of psychological frameworks related to child development, attachment and trauma, so carers can provide the highest quality care and seek appropriate specialist assistance where necessary.
- Promote an environment of positive emotional health within and across all settings relevant to children who are looked after and adopted.
- Promote resilience and build on the strengths of children and young people by identifying, advising and promoting a positive emotional environment.
- Support placement stability.
- Provide specialist therapeutic intervention and support to families, carers and children with the greatest need.
- Support the effective working together of all disciplines, agencies and services relating to the emotional well-being of children who are looked after, adopted or on the edge of care.

3.6 Rotherham Council and Rotherham Clinical Commissioning Group continue to work on other specific projects relating to CAMHS.

- The Rotherham CAMHS 'My Mind Matters' Website: This has been developed jointly between RMBC, RCCG and RDaSH. RCCG funded the initial development work and RMBC will maintain the website going forward.
- Through the CAMHS Local Transformation Plan (LTP), The CCG has made funding available to RMBC for the development and implementation of a Post Diagnosis Autism Spectrum Disorder (ASD) service model. This service is being funded with £54,000 from the CAMHS Local Transformation Plan budget which comes into the Autism Communication Team from the CCG and, as part of the LTP funding, is in place until 31st March 2020.

3.7 A wide range of services play an important role in the promotion and support of children and young people's emotional health and wellbeing and all contribute to the delivery of the child and adolescent mental health system in Rotherham

- 3.8 The statutory duty of partnership on NHS bodies and local authorities was established under the Health Act 1999 and later the Health and Social Care (Community Health and Standards) Act 2003. The National Health Service Act 2006 consolidated this legislation, further enabling the Health Act flexibilities set out in the 1999 Act. Local Authorities and NHS organisations can now more easily delegate functions to one another to meet partnership objectives and create joint funding arrangements.
- 3.9 The National Health Service Act 2006 makes provision for the functions (statutory powers or duties) of one partner to be delivered by another partner, subject to agreed terms of delegation. Responsibility for undertaking certain functions, activities or decisions can be transferred from one partner to another to achieve the partnership objectives. Although the functions are delegated, partners remain responsible and accountable for ensuring they meet their own duties under the legislation and cannot pass on responsibility for services outside the agreed activity. Functions to be delegated via this Section 75 Agreement are set out in Appendix 1 (Schedule 1).
- 3.10 The purpose of this Agreement is to set out the governance, financial management and risk arrangements operating between RCCG and RMBC – the partner organisations – and to define the functions, activities and decisions that are the responsibility of both parties.
- 3.11 The Council and the CCG are committed to working within this framework, so that improved outcomes are delivered for children and young people in Rotherham in terms of their mental health and wellbeing.

4. Options considered and recommended proposal

- 4.1 Option 1 (recommended): A Section 75 Agreement will build upon the existing partnership agreement by adding a robust framework for managing the service including performance management and formalising pooled funding arrangements for the provision of CAMHS services over the medium term. It will evidence the Council and CCG's commitment to closer integration of services to deliver improved value for money for Rotherham children and young people.
- 4.2 Option 2: To continue with the existing partnership arrangement which does not provide the joint commissioned whole system approach recommended through the adoption of a section 75 agreement.

5. Consultation

- 5.1 The Section 75 is a technical document outlining the partnership arrangements between the Council and the CCG. Both organisations have played a joint role in the development of the agreement and it will be subject to their own separate governance for sign off before the commencement date.

- 5.2 The Revised CAMHS LTP (October 2016) outlines how the CCG and other key stakeholders will deliver key recommendations from the Government's 'Future in Mind' Report by 2020 within the Section 75 governance framework. The LTP was signed off by the Health and Wellbeing Board and approved by NHS England. The LTP takes account of the earlier strategic document 'Emotional Wellbeing and Mental Health Strategy for Children and Young People in Rotherham (2014) and the Rotherham Youth Cabinet Mental Health Report 'Mind the Gap' (2015); both of which fed into the strategy.
- 5.3 The production of the CAMHS LTP was led by the CCG but was very much a collaborative process with all Stakeholders in Rotherham, including: RMBC – including Public Health, Social Care and Education – RDaSH, The Rotherham Foundation Trust (TRFT) and voluntary groups such as Rotherham MAST and Rotherham and Barnsley MIND. Representation has included input from Health, Social Care and Education and most importantly from children and young people, parents and carers through various routes including: Rotherham Youth Cabinet, Rotherham Youth Parliament, Rotherham Parents Forum and Healthwatch.

6. Timetable and Accountability for Implementing this Decision

- 6.1 The Agreement if approved will commence on the 1st November 2017 for a period of 12 months with the option to extend for a further two years.
- 6.2 Accountability will be through the Section 75 Sub-Group with regular reports through to the CYPS Leadership Team (Council) and the Operational Executive (CCG).

7. Financial and Procurement Implications

- 7.1 The financial implications of the recommended approach – option 1 – are set out below.
- 7.2 In meeting its duties and responsibilities to develop a pooled arrangement to support the delivery of the CAMHS LTP, the Partners and the CAMHS Strategic Group will establish a pooled fund.
- 7.3 The pool will deliver Tier 2 and Tier 3 services up to a value of £4.216m. This Pool will be hosted by the CCG and the CCG will act as Lead Commissioner.
- 7.4 The pool will be split into two aligned budgets. Aligned budget 1 will deliver Tier 2 and Tier 3 services up to a value of £3.313m. Aligned Budget 2 will deliver Tier 2 services up to a value of £0.903m.

Table 1: Overview of the Services Included in the Pooled Fund

Pooled Fund			Contribution to the Pooled Fund	
Aligned Budget	Area of Funding	2017-18 £000	CCG £000	Council £000
Aligned Budget 1	RDaSH *	2,942	2,803	139
	RMBC (ASD post diagnostic Support) *	54	54	
	Rotherham Parents Forum (Family Support) *	85	85	
	Healthwatch *	20	20	
	Other	73	73	
	RDaSH - Eating Disorders	139	139	
	Sub Total	3,313	3,174	139
Aligned Budget 2	Therapeutic Team **	903		903
	Sub Total	903	0	903
	Grand Total	4,216	3,174	1,042

* The above figures include LTP funding of:

£652k

** The above figures include Adoption Support funding of:

£271k

7.5 The Council will be responsible for over/underspends relating to the Therapeutic Team. The Council's contribution towards the RDaSH contract is fixed at £139k.

8. Legal Implications

8.1 The statutory framework has been set out in detail at paragraphs 3.8 and 3.9 of the report. The purpose of the Agreement has also been detailed in paragraph 3.10. There are no other specific legal implications at this stage.

9. Human Resources Implications

9.1 Not applicable at this stage.

10. Implications for Children and Young People and Vulnerable Adults

10.1 The enhanced governance embedded within the Section 75 Agreement will enable better outcomes for children and young people through the delivery of the CAMHS Transformation Plan. There will be closer scrutiny of the agreement and the progress of the Plan to achieve the recommendations of the Government's "Future in Mind" report.

11 Equalities and Human Rights Implications

11.1 The Equality Act 2010 unifies and extends previous equality legislation. Nine characteristics are protected by the Act, which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

11.2 Section 149 of the Equality Act 2010 states that all public authorities must give due regard in the course of their duties to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance 'Equality of Opportunity'
- Foster good relations with the public

11.3 The CAMHS Transformation Plan specifically meets these requirements through work in the areas of 'Hard to Reach Groups' (Section 6.3.2), Family Support Service (Section 6.2.3), Looked After Children (Section 6.3.1) and Child Sexual Exploitation (Section 6.3.3). In addition, work to engage with Children and Young People and their families and improve access to services through the SPA and Crisis response will ensure equality of access and good relations.

12. Implications for Partners and Other Directorates

12.1 If approved the Section 75 Agreement will further strengthen the existing partnership between the Council, CCG and RDaSH.

13. Risks and Mitigation

13.1 Any risks relating to under/overspends will follow the risk sharing protocol in Annex D of Schedule 1. Any finance and service risks will be managed through the Section 75 Sub-Group and escalated if required through the CYPS Leadership Team (Council) and the Operational Executive (CCG) as per Schedule 2 – Governance (Appendix 1).

14. Accountable Officer(s)

Ian Thomas, Strategic Director of Children and Young People's Services

Approvals Obtained on behalf of:

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	25.09.2017
Assistant Director of Legal Services	Ian Gledhill	14.09.2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	Theresa Caswell	15.09.2017

Report Author: Mark Chambers, Joint Assistant Director of Commissioning, Performance and Quality

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

**SERVICE SPECIFICATION EXTRACT FROM THE CAMHS SECTION 75 AGREEMENT BETWEEN ROTHERHAM
METROPOLITAN BOROUGH COUNCIL AND ROTHERHAM CLINICAL COMMISSIONING GROUP**

SCHEDULE 1 OVERARCHING SCHEME SPECIFICATION

Part 1 – Child and Adolescent Mental Health Services

1 Introduction

- 1.1 The NHS Operating Framework: 'High Quality Care for All' reminds the NHS that partnership working is key to the delivery of personalised healthcare and the delivery of personalised care and local objectives.
- 1.2 In May 2015 the Department of Health published the national 'Future in Mind' Report which is a key national driver in relation to mental health services at both a national and local level. There are five key themes:
- Promoting resilience
 - Prevention and early intervention
 - Improving access to effective support – a system without tiers
 - Care for the most vulnerable
 - Accountability and transparency
 - Developing the workforce
- 1.3 A requirement of the Report was for Clinical Commissioning Groups to develop a CAMHS Local Transformation Plan. This was completed in Rotherham in October 2015 and revised in October 2016 in line with the commitment to refresh the plan on an annual basis. The Plan outlines how both the Clinical Commissioning Group and other key stakeholders will deliver key recommendations from the 'Future in Mind' Report by 2020. The Local Transformation Plan was signed off by the Health and Wellbeing Board and approved by NHS England. The Local Transformation Plan takes into account the 'Emotional Wellbeing and Mental Health Strategy for Children and Young People in Rotherham', which was produced in 2014, and the Rotherham Youth Cabinet Mental Health Report 'Mind the Gap' (2015) and the 'Analysis of Need: Emotional Wellbeing and Mental Health for Children and Young People, 2014.
- 1.4 The Rotherham Joint Strategic Needs Assessment provides the foundation upon which continued partnership working is taking place to ensure that the services in borough address the needs and inequalities of local residents. It acts as a key driver of local health and social care strategies and informs commissioning decisions. The plans and services of all commissioners and health and social care providers in Rotherham are prioritised by needs identified in the Joint Strategic Needs Assessment and the six Rotherham Health and Wellbeing Strategic Outcomes:
- Prevention and Early Intervention
 - Expectations and aspiration
 - Dependence to independence
 - Healthy lifestyle
 - Managing long term conditions
 - Reducing poverty
- 1.5 The outcomes are underpinned by the determination of NHS Rotherham Clinical Commissioning Group to deliver across a range of key strategic aims which are outlined in the Clinical Commissioning Group's 5 Year Commissioning Plan, and include:
- Transforming community services to ensure all patients can access high quality, fit for purpose community services with increased capacity for community teams
 - Strengthened general practice services, aligned to patient needs and using new models of care so that GP expertise in risk management is used where it is most needed
 - Transform urgent care to offer high quality, sustainable clinical services seven days a week, 24 hours a day
 - Ensuring mental health services are fit for purpose and accessible to patients
 - Ensure all pathways are efficient, offer high quality services and patients have the best possible experience
 - Ensure all prescribing practices offer high quality and are efficient
- 1.6 The Rotherham Place Plan and the emerging Accountable Care System further build on the partnership

approach in Rotherham which reflects the intention to enhance commissioning practice to ensure that through joint strategic planning and delivery, a wider range of services are available to local people. The ambition is that by the engagement and involvement of children and young people, health and care services are provided which deliver excellent outcomes for children, young people and their families within a flexible, joint and creative commissioning framework.

- 1.7 The Clinical Commissioning Group and the Council both acknowledge that this shared agenda cannot be delivered without close partnership working at both an operational and strategic level. A Joint Commissioning infrastructure is already in place, with joint appointments between NHS Rotherham Clinical Commissioning Group and Rotherham Council and a Joint Commissioning Strategy.
- 1.8 Child and Adolescent Mental Health Services in Rotherham are reflective of ongoing national developments and represent a complex picture at local level in relation to the number of Service Providers and Commissioners across the whole Health and Care System. A large number of organisations provide CAMHS Services across a range of levels, from Universal (Tier1) to Targeted (Tier 2), Specialist (Tier 3) and Inpatient (Tier 4). In relation to this Agreement the Service Providers are Rotherham, Doncaster and South Humber NHS Foundation Trust (RDaSH) and the Rotherham Therapeutic Team. RDaSH are commissioned by the Clinical Commissioning Group to provide predominantly Tier 2 and Tier 3 Services.
- 1.9 In respect of the mental health of looked after and adopted children in Rotherham, the RDaSH CAMHS Service is enhanced and complimented by the Looked After and Adopted Childrens Therapeutic Team (LAACTT) which is delivered by the Council. The Therapeutic Team provides a therapeutic service to looked after and adopted children in accordance with the Adoption Support Services (Local Authorities) Regulations 2005 and the adoption national minimum standards 2011. The work of the Service is underpinned and guided by legislation and by Rotherham Borough Council's policies and procedures.

2 AIMS AND OUTCOMES

- 2.1 The aim of this partnership agreement is to further improve and strengthen the commissioning of the CAMHS Services by:
 - The strengthening of the joint analysis of local need, gaps in current service provision and any capacity and demand issues, to ensure investment is targeted, cost effective and delivers the best outcomes for children and young people;
 - The joint commissioning approach with both parties working collaboratively to commission integrated services in a range of settings that are locally accessible and offer seamless care pathways which will subsequently improve the Service User experience within the available resources;
 - The alignment of strategic commissioning plans, performance reporting, market management approach and reporting procedures between the Partners;
 - The pooling of funds to improve the efficiency and cost-effectiveness of the commissioned CAMHS Service in Rotherham;
 - To deliver a cultural change which ensures that the benefits of integrated working are realised and excelled;
 - The establishment of an outcome-based Commissioning Framework which will that maximise the opportunity for improved quality and efficiency of health and social care support services through joint commissioning;
 - The improvement in the whole team approach by the inclusion of the Therapeutic Team within the pooled fund arrangement which will strengthen the service offer, reduce ineffective signposting and enable a more flexible model of delivery in relation to the step up and step down process.
 - An increase and strengthening of the joint commissioning accountability based on the establishment of the Section 75 Sub-group for CAMHS in Rotherham.

2.2 The Partners' shared aims, the agreed Aims and Objectives of the commissioning arrangements, are to ensure that:

- the commissioning of services is based on an agreed model of need based on the Rotherham context rather than historical service configurations;
- the commissioned CAMHS Services present good value for money and best value and seek to operate within annually identified resources available for each Partner and for each service area;
- to promote emotional and physical good health and work to overcome social exclusion, with the prioritisation of our Looked After Children;
- the CAMHS Services are culturally competent in meeting the needs of people from black and minority ethnic communities;
- an holistic whole systems approach is taken to the commissioning and provision of the CAMHS Services by preventing duplication and to make more effective use of the current resources e.g. integrated care pathways;
- the way commissioned CAMHS Services are shaped and delivered have been influenced and informed by Service Users of Rotherham based on their experience;
- there is a robust framework for commissioning which secures ongoing financial stability for partner organisations;
- safeguarding is always given the fullest consideration during the commissioning process;
- robust arrangements to collect performance management information are established and maintained and that the information is used to evaluate performance against targets, monitoring both the effectiveness of the commissioning process and the commissioned CAMHS Services;
- there is clear identification of the healthcare and the social care components of the CAMHS Services being commissioned or provided at an individual Service User level and service level, with clear thresholds, where this is possible, and both organisations shall agree the exceptions and that these be noted within this Agreement or any Schedule thereto.

2.3 The Clinical Commissioning Group as Lead Commissioner will commission the CAMHS Services, in line with the following overarching aims and objectives:

- Ensuring that they contribute both directly and indirectly towards successfully delivering a wide range of indicator targets that help improve the emotional health and wellbeing of children and young people in Rotherham.
- Ensuring children and young people with mental health problems are helped at the earliest opportunity before these problems escalate so that outcomes are improved.
- Ensuring the skills, knowledge and understanding of professionals working with children and young people are improved to enable them to promote good mental health in children, young people and their families.
- Ensuring the skills, knowledge and understanding of professionals working with children and young people are improved to enable them to recognise mental health concerns accurately and how to access appropriate services.
- Ensuring direct clinical intervention and support is provided to assist the recovery of children and young people with mental health problems.
- Ensuring that any Service Provider can demonstrate that children and young people are satisfied with the care and support they receive from CAMHS.
- Ensuring that any Service Provider can demonstrate Best Value service delivery.
- Ensuring the smooth transition to Adult Mental Health Services for eligible CAMHS service users

and in particular care leavers.

2.4 The CAMHS Services commissioned will include the following aims:

- Targeted CAMHS support to universal services and local integrated teams through the designated RDaSH Locality Workers.
- To improve outcomes for service users.
- To provide timely assessment of mental health needs and direct short term interventions at the earliest opportunity to children and young people that require more targeted support in order to reduce the need for more intensive support.
- To improve the skills, knowledge and understanding of Universal Service professionals (Tier 1) and Local Integrated Teams around mental health concerns via training, advice and consultation so that they are better able to respond directly to the needs of children, young people and their families in Rotherham.
- To provide timely referral to specialist CAMHS where a child or young person's mental health concern requires.
- Children, young people and their families will receive a positive experience of the CAMHS services.
- Health inequalities of at risk groups are reduced.
- Children, young people and their families receive safe, evidence based, innovative care that meets their needs.
- To work with all relevant agencies to ensure that services for children and young people with mental health problems are coordinated and address their individual needs, providing a holistic approach.
- To support placement stability of Looked After Children.
- To support care leavers successful transition to adulthood by developing their mental health and wellbeing.
- That the RDaSH CAMHS service works closely with the Rotherham Therapeutic Team to provide seamless support for Looked After Children regardless of their level of need.
- To provide an efficient and cost effective service that provides value for money to the Children and Young People of Rotherham.

3 PERSONS ELIGIBLE TO BENEFIT

- 3.1 Services commissioned by the CCG shall be commissioned for the benefit of individuals for whom in relation to that service the CCG is the responsible commissioner; for services commissioned by the Council, the services shall be commissioned for the benefit of individuals who are ordinarily resident in the Borough of Rotherham.
- 3.2 The CCG and the Council shall each liaise with any relevant neighbouring authority or CCG in respect of individuals who are the responsibility of either the CCG or the Council but not both.
- 3.3 The CCG and the Council shall apply such relevant eligibility criteria for access to services as are appropriate for the service in the light of their statutory duties.

Part 2 - FINANCE

Financial Principles

- 1 Pooled Fund Structure
 - 1.1 The Council and the CCG will make defined contributions to the costs incurred by the Pooled Fund as set out in this section. Financial resources in subsequent years will be reviewed and determined in accordance with the Agreement.
 - 1.2 In meeting its duties and responsibilities to develop a pooled arrangement to support the delivery of the CAMHS Local Transformation Plan, the Partners and the CAMHS Strategic Group have agreed to establish a pooled fund.
 - 1.3 The pool will deliver Tier 2 and Tier 3 services up to a value of £4.216m. This Pool will be hosted by the CCG and the CCG will act as Lead Commissioner.
 - 1.4 The pool will be split into two aligned budgets. Aligned budget 1 will deliver Tier 2 and Tier 3 services up to a value of £3.313m. Aligned Budget 2 will deliver Tier 2 services up to a value of £0.903m.

Table 1: Overview of the Services Included in the Pooled Fund

Pooled Fund			Contribution to the Pooled Fund	
Aligned Budget	Area of Funding	2017-18 £000	CCG £000	Council £000
Aligned Budget 1	RDaSH *	2,942	2,803	139
	RMBC (ASD post diagnostic Support) *	54	54	
	Rotherham Parents Forum (Family Support) *	85	85	
	Healthwatch *	20	20	
	Other	73	73	
	RDaSH - Eating Disorders	139	139	
	Sub Total	3,313	3,174	139
Aligned Budget 2	Therapeutic Team **	903		903
	Sub Total	903	0	903
Grand Total		4,216	3,174	1,042

* The above figures include LTP funding of: 652,000

** The above figures include Adoption Support funding of: 271,000

The Host for Pool 1 is NHS Rotherham CCG, and the pooled fund manager is Wendy Allott, Chief Finance Officer

Financial Contributions

- 2 The CCGs base contribution for 2017/18 will be £3.174m and the Council's base contribution (net budget) will be £0.632m.
- 3 In the event that the partners agree to extend this agreement, there will be no automatic annual uplift to the amounts stated in this agreement for any subsequent year. Any uplift to these figures will be determined by both partners as part of the annual budget setting process
- 4 It is expected that the Pool Manager will manage the Agreement within the approved budget for each financial year. Any proposed expenditure over and above the approved budget must be agreed in writing by the Chief Finance Officer of the CCG and the Strategic Director of Finance and Customer Services of

the Council prior to any expenditure being incurred. Any overspend in the pooled funds shall be subject to the Risk Share Agreement (Annex D to this Schedule) in the first instance. If all appropriate options in this agreement are exhausted without resolution the default position would be that overspenders be borne by the partner responsible for the aligned budget.

- 5 Any underspending in one year will be refunded to each partner based on the percentage contribution to the aligned budget, subject always to the powers of the parties to make grants to each other outside the terms of this agreement. Underspends should be brought to the Section 75 Sub-group to consider how they might be protected for CAMHS / Therapeutic services and reinvested back into the service to meet evolving priorities.

Payment Terms

- 6 The timing of payment shall be agreed annually in writing between the Chief Finance Officer of the Rotherham Clinical Commissioning Group and the Strategic Director of Finance and Customer Services of the Council.
- 7 In the absence of any Agreement:
 - 7.1 Each party shall provide such accounting information as may be required for the preparation of accounts and audit as may be required both during and at the end of each financial year recognising the need to ensure that both the Council and the CCG meet their specific financial reporting deadlines.
 - 7.2 The Council and the CCG will pay invoices within 30 days of receipt.

Non-Financial Principles

- 8 Non-financial contributions to the Schemes are confined to current support for joint and integrated commissioning arrangements. These will continue with no charges being made to the pooled fund.

Lead Officers

- 9 The table below provides lead officers contact details;

Partner	Name of Lead Officer	Address	Telephone Number	Email Address
Council	Mr Ian Thomas Strategic Director Children and Young People Services	Rotherham Metropolitan Borough Council, Riverside House, Main Street Rotherham S601AE	01709 823928	ian.thomas@rotherham.gov.uk
CCG	Mr Christopher Edwards Chief Officer	NHS Rotherham CCG, Oak House, Moorhead Way, Bramley Rotherham S66 1YY	01709 302009	Chris.edwards@rotherhamccg.nhs.uk

ANNEX A – Therapeutic Team Service Specification

The Service is accountable for delivering the following key outcomes:

- To provide training, information and consultation to Key professionals and carers to promote an understanding of therapeutic and mental health skills and competencies to guide, support and address the emotional and mental health needs of children and young people who are looked after, and adopted.
- Carers/Adoptive Parents will have access to consultation, advice and training regarding a number of social and psychological frameworks that will provide them with a wide range of constructive ways to understand and guide the care of children and young people who are recovering from abuse and neglect or affected by emotional, behavioural and relationship difficulties.
- Where required, children and young people will receive a therapeutic and emotional wellbeing assessment, including monitoring of wellbeing using the SDQ, and where recommended a range of therapeutic and psychological techniques that are informed by attachment theory.
- Where required a Therapeutic intervention will be provided based on a trauma and attachment model – this may include therapy, Dyadic developmental psychotherapy, systemic therapy, creative therapy, trauma based advanced lifework, emotions based interventions and trauma based interventions.
- A number of children and young people will receive an Intensive Intervention – based on a systemic whole team approach, working intensively to support the carers and including direct therapeutic interventions.
- Professionals access support, information, advice, supervision, consultancy and training from the Therapeutic Team and other sources to incorporate an understanding of the mental health and emotional needs of children and young people into their assessments, interventions, everyday work and decision making processes.

Operational Information

- This service shall be available across Rotherham and with consideration to young people placed elsewhere in the country.
- This service shall be available to Looked After Children aged under 18 years and Care Leavers aged up to 25 years
- This service shall be available to other professionals working with the client group, including the Adoption & Fostering Teams.
- This service shall be provided by a dedicated Looked After and Adopted Children's Team based within the Service Providers premises (2 wte clinical psychology posts (band 8c and 8a), 7 wte therapeutic intervention workers, & 2 WTE Business support Administrative Assistants).

Training for Other Professionals and Carers

- Training to named staff and carers to enable them to deliver interventions that promote emotional health and wellbeing and provide early intervention support. Specific therapeutic training will be available – dependant on need – including attachment based interventions, living and working with children who have been sexually abused, and Therapeutic Parenting group training.
- Up to 16 days training per year to the Purchaser's Social Workers, Foster Carers, Residential Care Home staff, Leaving Care Workers and Adoptive Parents (pre and post-adoption) on understanding trauma and attachment issues, promoting emotional wellbeing and mental health, using appropriate therapeutic skills and understanding access to services. Training will be delivered in locations suited to participants and in groups wherever possible to make the best use of time. The therapeutic Team will actively monitor the appropriateness of referrals to the service and target training when improvements are needed.

Support to Professionals (social care, early help, schools, GPs, Health staff, Children's Services staff)

- Information, advice and guidance via telephone contact or in person when appropriate alongside other relevant partners which:
 - Promotes emotional health and wellbeing with LAAC
 - Enhances the skills and competencies of staff within universal settings regarding mental health

issues and working with Looked After Children, children in SGO families, care leavers or adopted children (LAAC).

Direct Case Work

The Service Provider shall:

- The therapeutic Team shall provide consultation and will assess the emotional, therapeutic and mental health needs of children and young people. This will include providing consultation to named professionals working with Looked After Children and care leavers on individual cases of concern, relating to emotional wellbeing, understanding complex behaviours and mental health issues.
- The maximum wait from receipt of referral to first intervention with the carer, Social Worker or Leaving Care Worker as appropriate, shall be 6 weeks.
- Following a referral for a Looked After Child or care leaver (see section 3.4 below), and after discussion with an appropriate referring professional, assess the situation, presenting issues and the emotional wellbeing and mental health needs of the child.
- Following initial assessment, if appropriate, the Service Provider shall provide **indirect** consultation based short term interventions at Tier 2 including providing urgent advice, and attachment informed work with carers. Currently this service provides approximately three sessions to carers ('BIS – Brief Intervention Service').
- Waiting time from receipt of referral to the BIS – Brief intervention Service - should be no more than 6 weeks, subject to the agreement and availability of the Social Workers and/or Carer as appropriate. The Council shall waive this target if an intervention is arranged within this timescale but is cancelled by other parties. Waiting times from referral to first intervention shall be revalidated via contract management meetings based upon actual demand for the Service during the initial 6 months of the contract term.
- Following assessment, if appropriate, the Service Provider shall refer for direct therapeutic intervention from relevant services (including the Junction, RISE, Rainbows, GROW, Barnardos, or school and college counselling services).
- Following the BIS, if required refer for direct intervention within the Therapeutic Team. Waiting time from referral to intervention from the therapeutic team will be defined within RMBC and NHS Rotherham's contract with the Service Provider. Currently waiting times are up to 12 months for direct therapeutic interventions. This service includes therapies based on: clinical psychology, therapy, family therapy, Dyadic developmental psychotherapy Practices, play, art and creative therapies, emotions and trauma based work and advanced trauma informed Lifestory interventions. (NICE guidance and recommendations, emerging practice based evidence and evidenced based practices are considered in the context of the LAAC population and specific presentations).
- To a small number of young people and their carers offer the Intensive Intervention Programme (IIP) – which offers up to a day a week intervention with all professionals involved with the young person with an emphasis on direct family based therapeutic interventions.
- Following assessment, or following initial work, if appropriate, refer to Tier 3 CAMHS through close working with the CAMHS partners and careful case handover.
- For care leavers, referrals to Adult Mental Health or other appropriate Services may be necessary where age appropriate. When working with care leavers interventions at Tier 2 can be delivered to all care leavers appropriately referred regardless of their age (up to 25 years old).
- Assist in providing clear support and planning for transitions to Adult Mental Health Services where needed.
- Attend and input into Looked After Children reviews and pathway plan reviews for care leavers where appropriate.
- Attend strategic meetings related to Looked After Children as required
- Following assessment, if the referral is inappropriate, write to the referrer explaining why and signpost them to other more appropriate services.
- Inform appropriate parties of discharge and advise on other support available.
- Keep up to date records of all cases and input data into the appropriate monitoring systems.

ANNEX B – CAMHS Service Specification



IN USE RDaSH
CAMHS Specification

The service specification is being refreshed and the revised version will be included before commencement of the agreement.

ANNEX C – Financial Contributions

When agreeing the annual contributions, the Partners should comply with the following procedure:

1. Each Partner shall have complete discretion in determining whether or not to increase or decrease its annual contribution and as to the level of any increase or decrease. However, if either Partner decides to decrease its contribution by more than 2.5% then the matter shall be referred to the SECTION 75 SUB-GROUP to determine whether the CAMHS Service under the Pooled Fund remains viable. If the SECTION 75 SUB-GROUP determines that CAMHS Service shall not be viable after such decrease then either Partner shall be able to terminate this Agreement in accordance with Clause 22.
2. In considering the baseline contributions in the previous Financial Year, this shall be the Partner's contribution as agreed at the commencement of the previous Financial Year and any underspends or overspends during that year shall be ignored unless otherwise agreed by the Partners. Where Pooled Funds are introduced during a Financial Year the Partners shall agree when introducing the Pooled Funds what figures shall be taken as the baseline contributions for that Financial Year for the purposes of this paragraph (as though the Pooled Funds were introduced at the commencement of that Financial Year).
3. In determining financial contributions for subsequent Financial Years, the Partners shall also consider whether it is appropriate to consider funding any growth proposals. Growth proposals of NHS Rotherham CCG shall be considered as part of NHS Rotherham CCG and the Council's strategic financial and business planning processes.
4. When calculating the Partners' respective financial contributions to the Partnership Arrangements for the Financial Year subsequent to the Financial Year commencing 1st April 2018 the Partners have agreed that the figures set out in Table 1 within Schedule 1 (Part 2) of this Agreement shall be regarded as the Council's and NHS Rotherham CCG respective baseline financial contributions.
5. Once the respective contributions have been agreed then the contribution is a fixed block amount unless agreed otherwise by exception.
6. The Host Partner has an obligation to commission services which minimise financial risk to either party to this Agreement. Both parties to this Agreement shall agree the financial and service framework for sub-contracting arrangements prior to the Host Partner finalising the sub-contracting arrangements.

Non-Financial Contributions

7. The scheme specification shall set out non-financial contributions of each Partners including staff (including the Pooled Fund Manager), premises, IT support and other non-financial resources necessary to perform its obligations pursuant to this Agreement. Save as otherwise stated in the Scheme Specification, no charges shall be made in relation to non-financial contributions.
8. The Partners agree that they will provide IT support to users of their IT systems.

ANNEX D – RISK SHARING

The following details proposals for the sharing of risks relating to the schemes included in Schedule 1.

1 Risk sharing proposal

General principles

It is proposed that the Section 75 Sub-Group is the forum where decisions on the application of risk pool funding for either pool is made.

Risk is attributable to the scheme commissioner pro rata to the proportion of that scheme commissioned. This is to reflect where the levers for change and control sit.

Similarly, where the scheme is joint and there is one lead commissioner, the risk should be shared pro-rata to the proportion of that scheme commissioned.

2 Overspend / Underspend treatment

If an overspend is identified the following approach will be taken:

- a. Seek to cover the overspend from areas of underspend identified within the aligned budget;
- b. Utilise the risk pool funding;
- c. Reduce uncommitted scheme allocations;
- d. Cover using resources from outside the pool pro-rata to the baseline contributions of each organisation. NB: the RMBC contribution to the RDaSH contract is fixed at £139k per annum.

If an underspend is identified the following approach will be taken:

- e. Underspends remain within the pooled arrangement to support overspends elsewhere in the pool;
- f. Further joint schemes within budget lines to be proposed in year which can utilise the resources in year.

In all of these scenarios the Section 75 Sub-Group is the forum where decisions would be made.

ANNEX E

VAT Regime

1. The Partners agree to adopt "Partnership Structure (a)" as described in the VAT Guidance through which the Partners agree that goods and services will be purchased in accordance with the Host Partner's VAT regime and reimbursed from the Partners' contributions.

ANNEX F

Premises

1. No real property of the Host Partner ("Premises") shall form part of the pooling arrangements under this agreement but the Host Partner may, in its absolute discretion, use and allow the use of its Premises for the delivery of the Services under this Agreement
2. If the Host Partner uses or allows the use of its Premises in accordance with clause 1 above, it shall ensure that the Premises are:
 - 2.1.1 suitable for the delivery of the Services;
 - 2.1.2 sufficient to meet the reasonable needs of Service Users; and
 - 2.1.3 where required by law, shall meet any and all regulatory standards (as appropriate) including but not limited to the Disability Discrimination Act 1995, the Care Standards Act 2000 and the Private and Voluntary Healthcare (England) Regulations 2001, together with any applicable NHS standards in force from time to time.

ANNEX G

Equipment

1. Should any equipment be funded from the pooled fund, and used in the delivery of the CAMHS Service then the Host Partner shall ensure that such equipment is:
 - 1.1 suitable for the delivery of the Services;
 - 1.2 sufficient to meet the reasonable needs of Service Users; and
 - 1.3 where required by law, shall meet any and all regulatory standards (as appropriate) including but not limited to the Disability Discrimination Act 1995, the Care Standards Act 2000 and the Private and Voluntary Healthcare (England) Regulations 2001, together with any applicable NHS standards in force from time to time.
2. The Host Partner shall:
 - 2.1 maintain in good and serviceable repair all such equipment;
 - 2.2 ensure that such equipment integrates properly with hardware, software, products, or services which interface with or are used in conjunction with the Services; and
 - 2.3 not at any time introduce any computer virus or other contamination, whether knowingly or not onto any of the equipment.

ANNEX H

Staff

The Host Partner shall commission Services from a Service Provider, whose staff will remain employed by the Service Provider at all times. The Therapeutic Team will co-locate with the commissioned CAMHS service.

SCHEDULE 2 – GOVERNANCE

The actions outlined within the Rotherham Place Plan demonstrate the commitments of both the Council and CCG to transforming services and working in a more integrated way for the benefit of Rotherham people. This Partnership Framework Agreement further consolidates this commitment, and demonstrates our resolve to work in a transparent and integrated way.

Using the governance framework set out below the partners will monitor the effective delivery of each of the schemes outlined in Schedule 1.

1. GOVERNANCE ARRANGEMENTS

The particular responsibilities of the Section 75 Sub-Group are (without limitation) as follows:

- to receive feedback and reports from the Partners on the Services commissioned or provided in relation to quality and efficiency indicators, impact and outcomes;
- to monitor, advise and agree resource allocation and highlight cost pressures to the Partners through reporting lines to be agreed between the Partners;
- to approve changes to the commissioning or provision of the Services, within the terms of this Agreement;
- to ensure the Parties comply with this Agreement;
- to measure the performance and quality of the commissioning or provision of the Services against the standards of conduct outlined in Schedule 3 of this Agreement;
- to pursue the intended aims and objectives as specified in Part 1 (Aims and Objectives);
- to respond without prejudice to any complaints procedures under the Hospital Complaints Procedures Act 1985 or under section 7B of the Local Authorities Social Services Act 1970 or otherwise, to appoint a sub-committee or a member of the Section 75 Sub-Group to consider complaints about the Arrangements if the complaints are made by or on behalf of Service Users;
- to ensure that services commissioned and any service changes adhere to strategic plans for CAHMS Services; and
- to ensure that robust processes are in place to identify any emerging financial or service risks at an early stage and to take action to minimise or negate such risks

2 MEETINGS AND MEMBERSHIP (Term of Reference)

2.1 Membership of the Section 75 Sub-Group shall comprise the following individuals:

- Senior Manager – Contracts, NHS Rotherham CCG
- Joint Assistant Director, Commissioning, Performance and Quality (Chair)
- Head of Strategic Commissioning, Children's Services of the Council;
- Strategic Commissioning Manager Children's Services of the Council;
- Senior Finance Manager of the Council
- Senior Finance Manager of the CCG
- Performance Lead Officer
- Safeguarding Lead Officer

2.2 Other staff may be in attendance at meetings of the Section 75 Sub-Group as may be appropriate to the agenda.

- 2.3 The quorum for meetings shall be a minimum of four members (or their appointed deputies) and at least two from each organisation (any joint post holders will count as one member from each organisation) must be present when making decisions. All decisions must be unanimous. Where unanimous agreement is not reached the members will agree on the process to conclude a decision. If this is not possible then the matter will be escalated to a Director within each organisation in the first instance. Ultimately the disputes resolution process, at Clause 21 of Part 2 of this Agreement, will apply.
- 2.4 Meetings of the Section 75 Sub-Group will take place on a Quarterly basis and follow the CAMHS Strategy and Partnership meetings. Meeting dates will, wherever possible, be agreed 12 months in advance.
- 2.5 All Section 75 Sub-Group meetings will be closed to the press and public.
- 2.6 Meetings of the Section 75 Sub-Group will be chaired by the Joint Commissioning Assistant Director, Children and Young People's Services, the Clinical Commissioning Group, will provide the Secretariat function to the formal Section 75 Sub-Group meetings. The agenda and all reports will be published a minimum of five Working Days before the meeting. Minutes of meetings or a report of the decisions taken at meetings will be kept and circulated to officers within five Working Days of meetings.
- 2.7 Decisions may be taken without the members of the Section 75 Sub-Group being together at the same time or same place and any such decision shall be recorded in writing (which shall include email).
- 2.8 The Partners may agree in writing from time to time to modify, extend or restrict the remit of the Section 75 Sub-Group.
- 2.9 The Section 75 Sub-Group may decide to meet informally by mutual agreement.
- 2.10 Individual Service areas may also wish to report annually to the service specific Partnership Board on the delivery of the Aims and Objectives through the mechanism of this Agreement
- 2.11 Where any Service Provider is commissioned by the Host Partner, and the contract price payable to that Service Provider is to be reduced in real terms in any year, the Section 75 Sub-Group shall allow a representative of that Service Provider an opportunity to address the Section 75 Sub-Group to make such representations as it considers reasonable.
- 2.12 The Joint Assistant Director of Commissioning, Performance and Quality, Children's Services shall:
- resolve (jointly with the Deputy Chief Operating Officer of Rotherham CCG) any conflicts of interest relating to this Agreement;
 - address sub-standard performance;
 - agree strategies for media contact;
 - receive contract notices served on the Council or the Clinical Commissioning Group; and
 - act as referee in the first stage referral of disputes.
 - authorise a Lead Commissioner to enter into any contract for services necessary for the provision of Services under an Individual Scheme

SCHEDULE 3 - JOINT WORKING OBLIGATIONS

1. LEAD COMMISSIONER OBLIGATIONS

Terminology used in this Schedule shall have the meaning attributed to it in the NHS Standard Form Contract save where this Agreement or the context requires otherwise.

- a) The Lead Commissioner shall notify the other Partners if it receives or serves:
 - (ii) a Change in Control Notice;
 - (iii) a Notice of an Event of Force Majeure;
 - (iv) a Contract Query or Contract Default Notice;
 - (v) Exception Reports;
 - and provide copies of the same;
 - (vi) Serious Incident Reports
 - and provide copies of the same;
 - (vii) Adult Safeguarding Concerns.
- b) The Lead Commissioner shall provide the other Partners with copies of any and all (if applicable):
 - (i) CQUIN Performance Reports;
 - (ii) Monthly Activity Reports;
 - (iii) Review Records;
 - (iv) Remedial Action Plans;
 - (v) JI Reports;
 - (vi) Service Quality Performance Report.
- c) The Lead Commissioner shall consult with the other Partners before attending:
 - (i) an Activity Management Meeting;
 - (ii) Contract Management Meeting;
 - (iii) Review Meeting

and, to the extent the Service Contract permits, raise issues reasonably requested by a Partner at those meetings.
- d) The Lead Commissioner shall not:
 - (i) permanently or temporarily withhold or retain monies pursuant to the Withholding and Retaining of Payment Provisions;
 - (ii) vary any Provider Plans (excluding Remedial Action Plans); – RCCG; or Service Improvement Plans - RMBC);
 - (iii) agree (or vary) the terms of a Joint Investigation or a Joint Action Plan;

- (iv) give any approvals under the Service Contract;
 - (v) agree to or propose any variation to the Service Contract (including any Schedule or Appendices);
 - (vi) suspend all or part of the Services;
 - (vii) serve any notice to terminate the Service Contract (in whole or in part);
 - (viii) serve any notice;
 - (ix) agree (or vary) the terms of a Succession Plan;
 - (x) without the prior approval of the other Partners (acting through the CAMHS Strategic Partnership Group such approval not to be unreasonably withheld or delayed.
- (e) The Lead Commissioner shall advise the other Partners of any matter which has been referred for dispute and agree what (if any) matters will require the prior approval of one or more of the other Partners as part of that process.
- (f) The Lead Commissioner shall notify the other Partners of the outcome of any Dispute that is agreed or determined by Dispute Resolution.
- (g) The Lead Commissioner shall share copies of any reports submitted by the Service Provider to the Lead Commissioner pursuant to the Service Contract (including audit reports).

2. OBLIGATIONS OF THE OTHER PARTNER

Terminology used in this Schedule shall have the meaning attributed to it in the NHS Standard Form Contract save where this Agreement or the context requires otherwise.

- (a) Each Partner shall (at its own cost) provide such cooperation, assistance and support to the Lead Commissioner (including the provision of data and other information) as is reasonably necessary to enable the Lead Commissioner to:
- (i) resolve disputes pursuant to a Service Contract;
 - (ii) comply with its obligations pursuant to a Service Contract and this Agreement;
 - (iii) ensure continuity and a smooth transfer of any Services that have been suspended, expired or terminated pursuant to the terms of the relevant Service Contract;
- (b) No Partner shall unreasonably withhold or delay consent requested by the Lead Commissioner.
- (c) Each Partner (other than the Lead Commissioner) shall:
- (i) comply with the requirements imposed on the Lead Commissioner pursuant to the relevant Service Contract in relation to any information disclosed to the other Partners;
 - (ii) notify the Lead Commissioner of any matters that might prevent the Lead Commissioner from giving any of the warranties set out in a Services Contract or which might cause the Lead Commissioner to be in breach of warranty.

SCHEDULE 4 - PERFORMANCE METRICS



CAMHS - Rotherham
CCG Commissioning

SCHEDULE 5 – POLICIES FOR THE MANAGEMENT OF CONFLICTS OF INTEREST

Copies of policies for the management of conflicts of interest can be accessed by the following link:

ROTHERHAM MBC:

http://rmbcintranet/_layouts/15/osssearchresults.aspx?u=http%3A%2F%2Frmbcintranet&k=conflicts%20of%20interest

NHS ROTHERHAM CCG:

<http://www.rotherhamccg.nhs.uk/corporate-policies.htm>

SCHEDULE 6 – INFORMATION SHARING PROTOCOL

A copy of Rotherham's information sharing protocol can be accessed by the following link:

<http://www.rotherhamccg.nhs.uk/partnership-policies.htm>

RMBC Joint Agency Information Sharing Protocol



Joint Agency
Information Sharing I

SCHEDULE 7 – SPECIFICATION FOR GOVERNANCE AND FINAL ACCOUNTS REQUIREMENT

Specification for Governance and Final Accounts Requirement for LA and CCG

Introduction and key principles for the operation of the pooled arrangements

Section 75 allows partners to make contributions to a common fund to be spent on agreed functions. To enable the effective operation of the pooled arrangements:

- Partners must sign a joint funding agreement before starting to operate the pool.
- One agreement can cover multiple pools
- Pooled budgets must follow the appropriate accounting arrangements
- The host partner is responsible for producing the year end accounts
- The accountable body is the organisation from where the money originated
- Conditions attached to individual funding streams are required to be met
- The arrangements for operation of the pooled arrangements are required to ensure that the requirements of all partners to achieve economy, efficiency and effectiveness in their use of resources are met
- The arrangements for operation of the pooled arrangements are required to ensure that the regulatory requirements for each party are met, e.g. CCG has significant monthly reporting requirements to NHS England with nationally driven deadlines, as well as the requirement for the external auditors to express an explicit opinion on the regularity of their transactions.
- NHS Bodies are subject to a short timeframe for the preparation and audit of their accounts, Local Authorities currently have longer. By hosting, the parties must take ownership in ensuring that all accounts issues are progressed so as not to compromise the NHS timetable.

On-going arrangements

1. Each partner will reference the pool to the organisational scheme of delegation and how this will operate in practice.
2. The coding arrangements in place within the ledger of the host organisation will need to ensure that the accounting requirements of the other partner are met.
3. The host can ensure that accurate and timely reporting of financial and non-financial information meets its own requirements but will need to ensure that information is available to meet the requirements of the other party also.
4. Budget monitoring updates will be provided quarterly to the Section 75 Sub-Group and the CAMHS Strategic and Partnership Group. Quarterly reports to be submitted to the CCG governing body and the Local Authority CYPS Directorate Leadership outlining the following:

- The level of contribution to the pooled budget
 - Spend to date
 - Performance to date
 - How the pooled budget is performing overall
5. CCG will require monthly financial and non-financial reporting within the timescales of the CCG Reporting Timetable, in order to inform its internal management accounting, external reporting to NHS England and the identification of risk throughout the financial year. Reporting should also reflect CCG requirements and the reporting environment of the CCG.
 6. The CCG will need to be able to work within the reporting and management environment of the Local Authority for elements of the pool and therefore multiple processes may need to be implemented.
 7. The host partner will ensure that where elements of the pooled budget are ring-fenced for a particular purpose, the necessary supporting information is available to provide assurance that those elements have been used appropriately and to support the accounting arrangement applied.
 8. The host will need to ensure that the VAT arrangements are compliant with both NHS and LA VAT regimes. Currently Local Authorities can reclaim VAT on purchases so if the CCG hosted the pool, it would need to retain records and administer the share for which VAT is reclaimable.
 9. There must be a clear mechanism for alerting Governing Bodies as well as the Health and Wellbeing Board of concerns relating to delivery of projects, in line with the arrangements set out in Schedule 3.
 10. In order to avoid difficulties in the consolidation of accounts, all the accounts should be maintained on a gross basis. Should accounts information be required on a net basis this can then be calculated.
 11. The host organisation to provide access to relevant aspects of the ledger and accounts to enable internal audit monitoring as part of agreed Audit plans in-year.

Year End Closure of Accounts

12. The partners should consider the nature of each pooled budget in accounting terms and in particular whether the pool is a joint operation in accordance with IFRS11. If the arrangement is not a joint operation then its substance should determine the accounting. It may be a lead commissioning or aligned commissioning arrangement.
13. To meet requirements in relation to the preparation of annual accounts) the host must prepare and publish a full statement of spending signed by the accountable officer or section 151 officer, to provide assurance to all other parties to the pooled fund. This is required to meet the specified timescales for the publication of accounts and should include:
 - Contributions to the pooled fund, cash or kind
 - Expenditure from the pooled fund
 - The difference between expenditure and contributions
 - The treatment of the difference
 - Any other agreed information

14. All partners to discuss and agree with their external auditors the assurances required in order to sign off the year end accounts and particular requirements where the partner is not the pool host.
15. An annual return detailing a full statement of expenditure and linked to Annual Governance Statement Requirements must be received by the CCG in line with NHS Annual Accounts Reporting Timescales subject to confirmation by NHS England. This must be signed by the Section 151 officer.
16. A memorandum account would need to be produced for the Local Authority at closedown. CCG would be responsible for preparation of annual statements of account and Audit to the requirements of the Local Authority in relation to the pool it hosts.
17. The Annual Governance statement (CCG) will be required to report on internal control and risk management within the pool. This is part of the final accounts documentation which is subject to audit at the year end.
18. The CCG will have responsibility for ensuring that the Local Authority's statutory duties including financial reporting are met. This includes form of accounts, gross and net as well as ensuring that the required timescales are achieved.
19. Would require joint Agreement of Internal and External Audit of the pooled arrangement to inform Annual Governance Statement and to provide the required level of assurance to respective Audit Committees, Governing Bodies and the External Audit. This includes reviewing whether information received is accurate and correct.
20. The LA capital accounting regime for Disabilities Facilities Grant and other capital will need to be followed and accounts closure timescales adopted.
21. As the CCG will be required to report on its share of assets, liabilities, income and expenditure in accordance with IFRS 11, all reporting must be done in line with this accounting standard and enable the CCG to account for the pooled budget as outlined in the DH Manual for Accounts.
22. For its own assurance and to satisfy the requirement for delivery of value for money, each partner should set out clear requirements for evidence of how the resources provided to the pool have been utilised and how value for money has been achieved.
23. Information may be required to support Agreement of Balances exercises although further guidance for NHS England is awaited.

Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title

Advice Services Review

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

Yes

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

Steve Eling, Policy and Partnership Officer
01709 254419 or steve.eling@rotherham.gov.uk

Jackie Mould, Head of Performance, Intelligence and Improvement
01709 823618 or jackie.mould@rotherham.gov.uk

Ward(s) Affected

All

Summary

This report arises from a review of advice services in Rotherham and makes recommendations about future strategic direction for the services together with commissioning arrangements.

The review is set in the context of significant need for advice services by the residents of Rotherham, including those already impacted by welfare reforms, especially people with disabilities and families with children; and the anticipated additional demands arising from the full roll-out of Universal Credit from April 2018.

The primary focus of the review is services provided in-house of Advocacy and Appeals and Financial Inclusion, together with external services provided by Citizen's Advice Bureau; Kiveton Park Independent Advice Centre; and Rotherham Diversity Forum immigration and nationality advisor.

The overall objectives of the review are to secure responsive and effective service provision meeting growing complex needs for these services, with maximum efficiency within the challenging budgetary climate.

The way forward seeks to establish a streamlined and collaborative approach across advice services and providers over the medium term. This looks for a two stage approach. The initial stage invites a consortium approach to commissioning from voluntary sector providers through a co-production model. Funding would be awarded aligned to a three year service level agreement(s) commencing in April 2018, with annual reviews to further the evolution of the full collaborative approach and ensure that priority needs continue to be met. The proposed processes for production of the model and commissioning are compliant with the “Rotherham Compact”. The second stage, timed for 2019 would move to an integrated model of advice provision both in-house and with the voluntary sector.

Recommendations

1. That the outcomes of the review be noted.
2. That approval be given to progress arrangements for advice services in Rotherham, including:
 - Co-design with voluntary sector organisations for services to be delivered by voluntary sector advice providers for three years commencing from April 2018;
 - That the scope of services to be delivered by the voluntary sector focus on provision in levels two and three of the advice model through core service level agreements to a total value of £240k per annum, with the provision for additional project based arrangements covering specific advice service demands and developments over the medium term;
 - Collaboration to produce an integrated model of advice provision across advice services including in-house provision effective from April 2019;
 - Commissioning and funding model options that will best provide flexibilities for service development over the medium term through a consortium approach in the voluntary sector; and
 - Identify as part of the Council's Customer Services and Efficiency Programme, improvements to level one signposting and self-serve provision.
3. That, subject to the achievement of the objectives of this approach, service level agreement(s) be entered into with voluntary sector providers, including the expectation of leverage of external funds; adoption of priorities; and performance arrangements.
4. That the detailed arrangements be subject to annual review and participation in the further alignment and other developments of advice services in Rotherham in 2019.

List of Appendices Included

None

Background Papers

Monitoring information received from advice providers and survey forms completed by service users as part of the review.

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Overview and Scrutiny Management Board – 11 October 2017

Council Approval Required

No

Exempt from the Press and Public

No

Advice Services Review

1. Recommendations

- 1.1 That the outcomes of the review be noted.
- 1.2 That approval be given to progress arrangements for advice services in Rotherham, including:
 - Co-design with voluntary sector organisations for services to be delivered by voluntary sector advice providers for three years commencing from April 2018;
 - That the scope of services to be delivered by the voluntary sector focus on provision in levels two and three of the advice model through core service level agreements to a total value of £240k per annum, with the provision for additional project based arrangements covering specific advice service demands and developments over the medium term;
 - Collaboration to produce an integrated model of advice provision across advice services including in-house provision effective from April 2019;
 - Commissioning and funding model options that will best provide flexibilities for service development over the medium term through a consortium approach in the voluntary sector; and
 - Identify as part of the Council's Customer Services and Efficiency Programme, improvements to level one signposting and self-serve provision.
- 1.3 That, subject to the achievement of the objectives of this approach, service level agreement(s) be entered into with voluntary sector providers, including the expectation of leverage of external funds; adoption of priorities; and performance arrangements.
- 1.4 That the detailed arrangements be subject to annual review and participation in the further alignment and other developments of advice services in Rotherham in 2019.

2. Background

Overview

- 2.1 Advice services are critical services to many of the most vulnerable residents of Rotherham, including those already impacted by welfare reforms and especially people with disabilities and families with children who are struggling to make ends meet. The full roll-out of Universal Credit from April 2018 is expected to create significant additional demand for advice services as people are expected to adapt to monthly payments and suffer delays in the processing of benefits creating additional hardship.
- 2.2 Advice services in Rotherham are provided by a number of organisations including the Council, with the Council providing financial support to some advice service providers in the voluntary sector. The current service level agreements with voluntary sector providers expire in March 2018. The services provided are currently structured around a four tier model.



2.3 Level one provision is provided by many service providers both within the Council and by external providers including health services and voluntary sector organisations. Within the Council, Customer Services provide signposting including provision through libraries alongside children's services. Many organisations, especially those in the voluntary sector provide support to people in their communities, and while not being direct advice service providers will recognise advice needs of the people they work with and will signpost accordingly. It is almost certain that the bulk of signposting and referrals is outside of the formal advice provision services specifications or service level agreements. Notwithstanding this, there will be the opportunity as part of the review to explore how self-serve, especially web based, could be used to reduce demand on face to face services for levels two and three provision. There is the potential to link to the Council's Customer Services and Efficiency Programme to identify how signposting and self-serve can be improved.

2.4 Levels two and three cover most of the recorded advice provision work of face to face advice support delivered both within the Council and through the voluntary sector. Twelve providers have been identified as currently providing some forms of levels two and three advice in Rotherham, albeit that most only provide specific categories of advice or cater for a particular client group. The primary categories of advice available are:

- Debt;
- Housing;
- Employment;
- Education;
- Consumer;
- Immigration;
- Welfare;
- Family; and
- Legal.

Some offer open door access whilst others will only take clients by referral. The organisations currently funded by the Council for generalist and immigration advice all offer open door access as well as using an appointment booking system “Nellbooker” shared across voluntary organisations and the Council.

Within the Council, Neighbourhoods provide extensive advice and financial inclusion services funded by the Housing Revenue Account for the benefit of Council tenants. This is a referral service providing housing related support alongside financial inclusion and the impact on tenants of the benefits cap and bedroom tax. It should be noted though that many Council tenants present for advice support at voluntary sector providers that are being funded through the Council’s General Fund. As part of the review there will be the opportunity to better align financial inclusion type advice support irrespective of budget source.

- 2.5 Level four services are primarily provided by the Council’s Advocacy and Appeals Service; however there is some provision at this level within the voluntary sector. Funding for the Council provided service is a combination of General Fund; Housing Revenue Account; and some external funding provision.

Planning for the future

- 2.6 As part of planning for future provision, a review of advice services has been commenced. This has identified that an issue with the current provision is that it is fragmented both within the Council and across different advice providers. There are also issues where depending on the funding source; some advice services are not accessible to everyone in need of help. These issues can only be addressed through a comprehensive review that overcomes barriers between services to provide seamless services to the community and provides good and effective access to information that can reduce the demand for more intensive advice support.
- 2.7 The primary focus of the review has been services currently provided in-house by Advocacy and Appeals and Financial Inclusion, together with external services provided by Citizen’s Advice Bureau (CAB); Kiveton Park Independent Advice Centre; and Rotherham Diversity Forum (RDF) Immigration and Nationality advisor. The overall objectives of the review are to secure responsive and effective service provision meeting growing complex needs for these services, with maximum efficiency within the challenging budgetary climate, establishing a streamlined and collaborative approach across advice services and providers over the medium term.

Demand for services

- 2.8 Key information for the advice service review is being produced for service providers to gain a common understanding of the objects of the review. In addition, a presentation has been made to the July meeting of the Advice in Rotherham Partnership. Survey work has been undertaken through the service providers to seek the experiences and views of service users. This information is being used alongside monitoring data of service demand and usage and any trends identified that indicate changes in, and future demand.

2.9 Detail of the surveys and monitoring information from CAB; Kiveton Park and the Council's Advocacy & Appeals and Neighbourhoods services show that over 15,000 people accessed the services in the last year. Debt and welfare featured highly with over £3 million being gained in benefits for service users at CAB and Advocacy & Appeals.

2.10 The survey of service users provides more fine grained information. The surveys have been completed by nearly 200 service users at the following service providers:

- CAB;
- Kiveton Park;
- Rotherham Diversity Forum (RDF);
- The Council – Advocacy & Appeals; and
- The Council – Housing Financial Inclusion.

2.11 The top six reasons for seeking advice and support revealed by the user survey were:

Finance (debt)	69
Welfare (benefits)	52
Housing	33
Immigration	29
Health	24
Legal rights	22

Within this, it should be noted that some people presented complex needs across more than one category. Typically this will include finance / debt and welfare; housing and welfare; and health with other categories of need.

2.12 A significant amount of the demand at 98 of those surveyed required help with filling in forms. This was across a broad range of issues indicating a lack of confidence among many in completing forms and getting them right. Requests for advocacy applied to 49 of those surveyed, the majority with the Advocacy and Appeals service, but also at CAB and Kiveton Park.

2.13 There was a 50/50 split between people accessing the services directly and those who were referred there by another service provider. Open access was far more common at CAB; Kiveton Park and RDF than for the Council's in house services. The client bases varied between providers where the RDF client base was primarily drawn from BME communities with most of the immigration enquiries, whilst Housing Financial Inclusion dealt with Council tenants with issues resulting from benefit cap; employment; and rent arrears featuring highly. It should be noted that only RDF and CAB are registered to provide immigration advice. Neither is registered at level three that allows them to represent people in tribunals, but this level of service is available in Sheffield.

2.14 86 of those surveyed had disabilities.

- 2.15 Of those who indicated how they accessed the services, by far the most at 119 made a personal visit, whilst 69 contacted by phone. Only four accessed the services on-line.
- 2.16 The survey also collected post codes for users of the service and means of access. The post code data shows that demand arises from across Rotherham, but as expected is greater in the more deprived neighbourhoods.

The areas with the highest levels of demand identified from the survey are set out in the table:

S25 2	Dinnington
S26 6	Kiveton
S60 2 & 5	Canklow and Brinsworth
S61 1, 3 & 4	Ferham, Kimberworth, Greasbrough
S62 7	Rawmarsh
S63 7	Wath
S65	Eastwood, Clifton, Herringthorpe, East Herringthorpe, Thrybergh
S66 2	Wickersley

- 2.17 The ongoing demand for advice service provision and to provide advocacy shows no sign of reducing. The complexity of cases including interrelationship between welfare reforms; debt; employment; and other legal matters shows the needs for an integrated approach to advice services. Immigration advice continues to be in demand. It is clear too that many of the processes and forms to be completed are challenging for people resulting in significant demand for the services, as people fear the consequences of getting them wrong. This shows that whilst channel-shift to self-serve for level one provision could assist, there will be ongoing demand for telephone and face to face advice provision.

The way forward

- 2.18 In developing the proposed way forward, consideration is taking account of the four tier model of advice currently used; the sources of funding; and options for change over the medium term as well as short term changes.
- 2.19 Achieving the overall objectives of the advice review is complex because of the number of providers; different budgets being used; and restrictions relating to the beneficiaries of some budgets. Whilst the review will tackle these complexities, this will not be possible in the timeframe for awarding new service level agreements for voluntary sector provision from April 2018. There is also an issue of changing and increasing demand over the medium term, especially in relation to further welfare reform that cannot be accurately quantified. Consequently this report recommends a two staged approach as follows:

- **Stage One** – Commissioning provision from the voluntary sector through a consortium co-design process as provided for in the Rotherham Compact, for core advice service provision with a value of £240k per annum. This to be subject to the award of three year service level agreement(s) (SLAs) commencing from April 2018, with sufficient flexibility around annual reviews to future-proof for changes to service specifications arising from stage two of the process. In addition, further project based arrangements may be introduced with the voluntary sector around specific issues including demands arising from welfare reform subject to the demonstration of demand and availability of resources. In particular, the core service SLAs will cover requirements around access to services; outputs and outcomes including:
 - Opening hours and home visit provisions;
 - Open access services in person, by telephone and internet;
 - Referrals and appointments;
 - Specific services offered;
 - Monitoring and report on demand and volumes;
 - Securing financial resilience for service users especially where welfare reform and debt is concerned;
 - Flexibility in service provision adapting to changing needs; and
 - Compliance with grant conditions including partnership working and participation in the advice service review to achieve its objectives and the level of resources available.

The SLAs are timed to be in place by February 2018 at the latest, to be effective from April.

- **Stage two** – Completion of the wider review for delivery and alignment of advice services including the use of and allocation of available resources. This review to be completed by autumn 2018 for implementation from April 2019. Further reports will be required in the interim to agree changes to in-house services required to meet the objectives of the review.

3. Key Issues

- 3.1 The demand for the full range of advice service continues with increasing complexity of cases presented.
- 3.2 The roll-out of Universal Credit (UC) in Rotherham from April 2018 is expected to generate extra demand as all new claimants go directly to UC. The migration of existing benefit claimants will follow on.
- 3.3 There is a significant opportunity to add value through changes to working models including greater use of self-serve where appropriate, and lever in additional resources as match funding to the Council's investment in the voluntary sector.

4. Options considered and recommended proposal

- 4.1 The recommended option for stage one invites a consortium approach to co-designed collaborative proposals from the advice services in the voluntary sector for their provision for three years commencing in April 2018 and includes provision for voluntary sector engagement in producing the arrangements for stage two. The co-design proposals would be required to demonstrate:
- The priority needs of residents to be met through the services and how residents would access or be referred to them;
 - The scope of services to be delivered by the voluntary sector to cover provision in levels two and three of the advice model as a minimum through a core service level agreement with a value of £240k per annum;
 - The service provision will be provided within the resources provided by the Council and seek external leverage of resources;
 - Collaboration to produce an integrated model of advice provision across advice services including in-house provision effective from April 2019; and
 - Identify as part of the Council's Customer Services and Efficiency Programme, improvements to level one signposting and self-serve provision.
- 4.2 Alternative options provide for the simple letting of new contracts for the service provision by way of competitive tendering. These could be through a single contract to one provider or multiple contracts. Whilst this approach would provide for continued service provision, it would not develop the type of working relationships that would be needed to move the whole review of advice services forward, and would be an opportunity lost. It would probably make the objectives of stage two of the process more difficult to realise. It would also be difficult to provide service specifications for the contract documentation for the medium term given the changing and complex demands for advice, especially with the next stage of welfare reform about to commence.

5. Consultation

- 5.1 Consultation has taken place with the Advice in Rotherham Partnership. The response from providers supports a co-production collaborative approach to the future of advice provision.
- 5.2 A survey of 200 advice service users at Kiveton Park; CAB; and RDF; together with the Council's Advocacy and Appeals and Housing Financial Inclusion services has provided valuable information covering types of support requested and user experiences.
- 5.3 The views of the Overview and Scrutiny management Board will be reported to Cabinet at the meeting.

6. Timetable and Accountability for Implementing this Decision

- 6.1 A decision is required at this time to ensure that there is continuity of voluntary sector advice service provision from April 2018. A further report will be presented in autumn 2018 to make recommendations for implementation of stage two of the review. Further reports will also be required for approval of any other arrangements proposed to be awarded to voluntary sector advice providers for the delivery of any specific advice projects identified through new and changing demand.

7. Financial and Procurement Implications

- 7.1 The financial planning assumptions for the stage one core advice services service level agreement(s) with the voluntary sector involve the commitment of £240k per annum for three years to be funded through general fund budget allocated to the Assistant Chief Executive.
- 7.2 Budgets relating to other Council funded advice services and any project funding are not included in the stage one commissioning, but will be reported when making recommendation for stage two, or as appropriate.
- 7.3 Section 11 of appendix 5 to the Council's constitution (Financial Regulations) sets out the monitoring arrangements to which grant recipients must adhere. The Compact proposes that these arrangements are covered within a Service Level Agreement. This will facilitate a consortium based collaboration co-produced model. This will require all voluntary sector advice providers to have the opportunity to participate, but will need to be separate from the Advice in Rotherham partnership as this includes Council based advice providers. The Financial Regulations set out the relevant requirements for awarding grant programmes together with monitoring, review and accountability and the Compact sets out processes for dispute resolution.
- 7.4 The detail and status of the consortium can be determined as part of the co-design. This could be in the form of a body with its own legal identity that could hold a single service level agreement, or be an umbrella for a legally binding agreement between the voluntary sector advice providers that hold service level agreements with the Council. In the latter model, the service level agreement arrangements between the Council and the voluntary sector providers could be through a single service level agreement with one provider, or through direct service level agreement with each provider within a consortium service provision requirement.

8. Legal Implications

- 8.1 The provision of the advice services covered by this report are discretionary, enabled by the General Power of Competence provided for by Section 1 of the Localism Act 2011 (c. 20). Advice services provided under the statutory provisions of Section 4 of the Care Act 2014 (c. 23) and advice provisions contained in the Children Act 1989 (c. 41) are not included.

9. Human Resources Implications

- 9.1 There are no implications at this stage for Council staff arising from this report. However, the proposals to establish a streamlined and collaborative approach may result in Council staff co-locating with external advice providers, with the potential for secondment of staff in the future.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 Many of the users of advice services will be from families with children and vulnerable adults, many with disabilities. Continuation of the advice services is important to safeguarding and is consistent with being a child friendly borough.

11 Equalities and Human Rights Implications

- 11.1 The co-design consortium model development has to commence without historic specific allocations to any voluntary sector provider. Advice services provide support to a wide range of people and the future provider(s) will need to identify how they can support individuals with protected characteristics under the Equalities Act and to address the potential for any disproportionate detrimental impact as a result of the new arrangements.

12. Implications for Partners and Other Directorates

- 12.1 The direct arrangements for services delivered in the voluntary sector and proposals for a collaborative approach, set out in stage one, is set to follow the terms of the Rotherham Compact agreed in partnership.
- 12.2 The broader review of advice services, set out in stage two, will have implications for other directorates within the Council. These will be the subject of future reports in the autumn of 2018.

13. Risks and Mitigation

- 13.1 There is the risk that the co-production collaborative approach fails through disagreement between the parties. In these circumstances, should the processes set out in the Compact not produce a resolution, the Council would need to instigate other arrangements to secure continuity of service delivery.

14. Accountable Officer(s)

Shokat Lal, Assistant Chief Executive

Approvals Obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	28.09.2017
Assistant Director of Legal Services	Stuart Fletcher	26.09.2017
Head of Procurement (if appropriate)	Karen Middlebrook	26.09.2017

Head of Human Resources (if appropriate)	N/A	
---	-----	--

*Report Authors: Steve Eling, Policy and Partnership Officer
Jackie Mould, Head of Performance, Intelligence & Improvement*

This report is published on the Council's website or can be found at:-

<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners Decision Making Meeting – 16 October 2017

Report Title

Special Educational Needs and Disability (SEND), Sufficiency and Increase in Educational Provision – Consultation

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

Yes

Strategic Director Approving Submission of the Report

Ian Thomas, Strategic Director of Children and Young People's Services

Report Author(s)

Paula Williams	Head of Inclusion, Education and Skills
Dean Fenton	Service Lead - School Planning, Admissions and Appeals, Education and Skills
Robert Holsey	Children & Young People's Asset Manager, Regeneration & Environment

Ward(s) Affected

All

Summary

This report outlines proposals to increase Special Education Needs and Disability (SEND) provision across the Authority up to 2021 and seeks approval to commence a period of consultation.

Recommendations

1. That approval be given for a period of focused consultation on proposals to increase Special Education Needs and Disability (SEND) provision across the Borough.
2. That a further report be submitted in due course detailing the outcome of consultation and seeking approval of proposals.

List of Appendices Included

Appendix 1 – SEND Sufficiency Assessment

Background Papers

DfE guidance on the Special Provision Capital Fund

Consideration by any other Council Committee, Scrutiny or Advisory Panel
No

Council Approval Required
No

Exempt from the Press and Public
No

Special Educational Needs and Disability (SEND), Sufficiency and Increase in Educational Provision – Consultation

1. Recommendations

- 1.1 That approval be given for a period of focused consultation on proposals to increase Special Education Needs and Disability (SEND) provision across the Borough.
- 1.2 That a further report be submitted in due course detailing the outcome of consultation and seeking approval of proposals.

2. Background

- 2.1 The Primary mainstream school population has increased by 15% and the Secondary mainstream school population has increased by 1% since 2010 as confirmed by the latest Department for Education (DfE) School Capacity and Planning (SCAP) scorecard for Rotherham. There is a projected further 5% increase in the school aged pupil population by 2021, further increasing the need for additional SEND places to be created in the Local Authority area.
- 2.2 The annual Department for Education (DfE) verified increase in pupil numbers and future projections for Rotherham has led to a programme of school expansions across the borough to increase the number of primary school places available between 2012 and 2018 by 1,500 and, the Local Authority has subsequently commenced a programme of secondary school expansions following approval of the expansion strategy by Cabinet on 11th July 2016 to accommodate the expected rising cohort numbers in future years.
- 2.3 It should be noted that the secondary phase increase of 1% only at present is due to places being allocated in the normal admissions round for entry in to secondary education to extra district pupils in the distance category up to the schools Published Admission Number (PAN), meaning that schools on the border with neighbouring Local Authorities have consistently remained full or oversubscribed even when own Authority pupil numbers have been lower.
- 2.4 As the pupil population has increased in recent years, there has been additional demand placed on the Special Educational Needs and Disability (SEND) provision currently available within the Borough.
- 2.5 Since 2012, there has been an increase in SEND provision of 20 new places overall within the Borough at a cost of £190k, leading to growth in provision being below the rate of increase in mainstream education provision. SEND provision growth has been constrained, as the annual basic need funding allocation from the DfE has been focussed on the need to increase mainstream education place numbers to meet the demographic growth profile within the borough and national population increase. All current special education provision in Rotherham is full.

- 2.6 Following completion of the SEND sufficiency assessment (see Appendix 1), an additional 125 SEND places will be needed across the Authority to meet current and expected future demand up to 2021. 75 places are required to reduce out of authority placements by half and 50 places to add additional capacity and provision within the Borough to support future increase in demand from population increase.
- 2.7 With a view to longer term requirements being met around projected increased SEND demand for places, the Nexus Academy Trust have submitted a Free School application to the DfE to create additional places within the borough to add provision for a range of needs to meet additional demand from 2020 onwards.
- 2.8 The implications of not having enough SEND provision in the Local Authority area are that there are rising numbers of Rotherham children with Special Educational Needs having their needs met in provisions outside Rotherham. This means some of our most vulnerable children have to travel the furthest distance to school. The number placed outside the Local Authority is continuing to rise and stands at 177 at the time of writing this report, up from 143 in December 2016.
- 2.9 The Dedicated Schools Grant (High Needs Budget) is significantly overspent in this area. Indications are that there will continue to be significant increases in out of authority placements, leading to further demand on high needs funding allocation as 'out of authority' placements are significantly more expensive than 'in authority' placements.
- 2.10 The Table below outlines the proposed projects required to create the additional 125 places needed to accommodate the current and future demand for SEND places and reduce the financial burden on the high needs funding allocation in future years.

2.11 Key to acronyms:

Type of provision required and number of places	Possible Location	Dependent Agreements	Priority and Timeline	Capital Project	Indicative cost Indicative savings from HNB
10 primary Autism Spectrum Condition places	Waverley new Primary school	Agreed as part of sponsor appointment process.		Already planned and Included within the Waverley new school build	Cost: Part of build cost Approximate projected saving: £500,000 Per annum

Type of provision required and number of places	Possible Location	Dependent Agreements	Priority and Timeline	Capital Project	Indicative cost Indicative savings from HNB
10 Severe Learning Difficulties places	Within Nexus Trust provision (TBC) (Can provide up to 20 places if needed at a later date)	Site to be agreed	High priority Sept 2017	Refurbishing of Cherry Tree and Orchard Centre	Cost: Approx £87k Approximate projected saving: £380,000 Per annum
10 primary Autism Spectrum Condition places (replacement for Flanderwell)	Rowan Centre	Portage moving to SEND hub (August 17)	High Priority Nov 2017	Refurbishing of Portage building	Cost: Approx £50k Approximate projected saving: £500,000 Per annum
20 complex needs primary / secondary places	Rotherham Special School (TBC)	None	High Priority Dec 2017	X 2 classrooms	Cost: Approx £400k Approximate projected saving: £200,000 Per annum
15 High level Social, Emotional and Mental Health therapeutic places (Primary and Secondary)	Within Rotherham Pupil Referral Units (location TBC after consultation)		High Priority Jan 2018	Refurbishment to nursery, bungalow (therapeutic suite and carpark)	Cost: Approx £50k Approximate projected saving: £600,000 Per annum
15 High Level Social, Emotional and Mental Health therapeutic places (Primary and Secondary)	Within Rotherham Pupil Referral Units (location TBC after consultation)	Aspire reconfiguration under new leadership	Medium Priority Apr 2018	Refurbishment of setting	Cost: Approx £50k Approximate projected saving: £600,000 Per annum
10 secondary Autism Spectrum Condition places	Secondary setting (TBC)	Alongside current building plans	Medium Priority Jan 2018	X 1 classroom	Cost: Approx £200k Approximate projected saving: £450,000 Per annum

Type of provision required and number of places	Possible Location	Dependent Agreements	Priority and Timeline	Capital Project	Indicative cost Indicative savings from HNB
10 Early Years transition places	(TBC) Possible sites in discussion with Early Help	Early Help work in Early Years settings	Medium Priority Apr 2018	Refurbishment of Early Years setting	Cost: TBC Gap in provision to reduce exclusions in Early Years
10 Complex Needs primary / secondary places	Specialist School setting (TBC)	None	Medium Priority Sept 2018	X1 classroom	Cost: Approx £200k Approximate projected saving: £100,000 Per annum
10 Complex Learning Disabilities / Autism Spectrum Condition places	Specialist School Setting (TBC)	None	Medium Priority Sept 2018	X 1 classroom	Cost: Approx £200k Approximate projected saving: £100,000 Per annum
5 commissioned places for highest level of Social, Emotional and Mental Health provision	(TBC) Private provider	Encouragement to set up premises within Rotherham as part of the commissioning process	Medium Priority Sept 2018	None	Cost: None Saving: TBC
Post 16 provision	TBC	To encourage growth of the Post 16 offer	Medium Priority Sept 2018	TBC	Cost: None Saving: TBC
Total potential/indicative savings					£3,430,000

3. Key Issues

- 3.1 The increase in SEND provision within the Authority is necessary due to the increased pupil population since 2010 as outlined in section 2.1 of this report and projected future growth, linked to a rising demographic profile and new housing developments in the local plan.
- 3.2 The creation of additional in borough provision will lead to a longer term saving on high needs funding as in borough placements cost on average £17.5k per annum as opposed to an out of authority placement which costs £ 35K on average but can rise significantly up to £60k and beyond per annum dependant on the type of provision required.

4. Options considered and recommended proposal

- 4.1 Option 1 – retain current level of SEND provision within the Authority and place pupils in provision out of authority. This will increase the demands on the high needs block of funding.
- 4.2 Option 2 – increase provision in borough to ensure pupils are able to access high quality provision close to home reducing the longer term demands on the high needs block.
- 4.3 The recommended option is Option 2, which creates an in borough solution to the need for additional high quality SEND provision and also creates longer term savings on the demands being placed on the high needs block.
- 4.4 Beyond the financial benefits to the high needs budget there are additional benefits to creating further high quality SEND provision within Rotherham:
- Less travelling for our most vulnerable children
 - Greater involvement in quality assurance of provision
 - The opportunity for dual placement and inclusive opportunities for young people with their locality mainstream school where appropriate

5. Consultation

- 5.1 As the individual projects fall below the threshold for completion of prescribed alterations, under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 a period of consultation with relevant stakeholders is required to be completed to ascertain the views and opinions of stakeholders on the proposals. This is also required as part of the SEND funding allocation from DfE of £500K referenced in section 7.1 of this report and the consultation requirements are outlined below in section 5.2 of the report.

5.2 DfE - Special provision Capital Fund guidance stipulates the following:

Local authorities need to plan how to invest their allocation and other funding to achieve the best outcomes for children and young people with SEN and disabilities.

Local authorities will need to:

- **Consult with parents and carers.** *Effective engagement with parents and carers is crucial in building and implementing a strategy that develops support for changes. This helps local authorities ensure that services will meet the needs of children and families.*
- **Consult with schools, FE colleges and other institutions which offer special educational provision.** *Local authorities should work with providers to identify how capital investment can best improve the quality of provision available for children and young people with EHC plans.*

- **Consider how to invest revenue and capital funding strategically** to maximise the benefit of both in the context of the current infrastructure and programmes. This might include looking at how to expand participation in an existing learning programme by making capital adjustments so that children and young people with SEN and disabilities can also attend.
- **Collaborate with other local authorities** to form partnerships to work effectively across borders.

Before receiving the SEND funding allocation, local authorities need to:

- Consult with parents and carers of children with SEN and disabilities and young people with SEN and disabilities.
- Work with education providers to agree how the capital can best be targeted.
- Fill in the short plan template, confirming that the requirement to consult with parents, carers and young people has been met, and including information about the other groups that they have consulted.
- Publish a plan on their local offer page showing how they plan to invest their funding, before the deadline specified below.
- Note:
 - Where local authorities work collaboratively on projects, these must be listed on each local authorities' plan with an explanation of which other local authorities they have collaborated with and how.
 - Where a project will both create additional places and improve facilities for current and future pupils, local authorities should show on the plan how much funding will be spent on each of the two objectives. This may involve estimating how much of the project's investment would go towards each of these two aims.

Local authorities do **not** need to send the completed form to the Department for Education.

Local authorities **should not** include costings where this would have a negative commercial impact. Where not all costings are included in the first publication of the plan, local authorities should re-publish the plan as soon as it is no longer commercially sensitive to publish this information.

5.3 Consultation timeline

Date by:	Consult with:
1 st December 2017	SEND specialists: Autism Communication Team, Inclusion Support Services, Educational Psychology Service, Special School leadership, Mental Health Services, Children's Disability Team

Date by:	Consult with:
1 st December 2017	Focus / parent groups, specialist groups, Parents and Carers: Rotherham Parents Forum, SEND Information and Advice Support Service, Rotherham PVI Consortium Young Person's Consultation Forum, Autism Stakeholders Group
1 st December 2017	Elected Members, MP's, Parish Councils
1 st December 2017	Schools All / FE Colleges / Private providers
1 st December 2017	Neighbouring Local Authorities
1 st December 2017	Other interested parties and stakeholders
19 th February 2018	Report to Cabinet on the outcome of consultation and seek approval of proposals

- 5.4 As part of the requirement to consult and to publish details, a frequently asked questions page will also be added to the local offer site.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Timeline for implementation (as set by DfE and stated in the guidance)

By Wednesday 14 March 2018	Local authorities must publish the short plan on their local offer page (template provided)
Summer 2018	local authorities that have published the plan and consulted with parents, carers and young people will receive the first tranche of funding
March 2019	local authorities should update and republish their plan to show what they have spent on so far
Summer 2019	local authorities will receive the second tranche of funding
March 2020	local authorities should update and republish their plan again
Summer 2020	local authorities will receive the second tranche of funding
March 2021	local authorities should update and republish their plan a final time, to show how all money was eventually spent

7. Financial and Procurement Implications

7.1 Funding for the projects will come from:

- A new funding allocation of £500k in total has been allocated to the Local Authority from the DfE in 3 equal instalments for, the 2018/19, 2019/20 and 2020/21 financial years to support the development of SEND strategies and provision, subject to meeting the requirements to consult on and publish proposals as outlined above.
- £240k which is the remainder of a £1m (2 x £500k) capital allocation from school capital for special educational needs as approved at Cabinet / Commissioners decision making meeting on 13th March 2017 (item number 186) and 11th April 2016 (item number 66).
- The estimated total cost of the projects is £1.2m leaving a shortfall of £490k, it is proposed to work with the Council's Asset Management Service in relation to identifying any suitable vacant premises as a long term invest to save business case or if no suitable premises are available use future DfE capital allocation funding to bridge the shortfall and provide the additional space required.

7.2 The projected savings made possible from this programme can be estimated beyond £3,500,000. This will be achieved in two ways. Firstly, through halting the need for high numbers of newly assessed children and young people to be educated outside Rotherham, and being able to offer provision in borough. Secondly, for those children and young people currently placed in provision outside Rotherham, investigation with families about whether a child's needs can be better met in a Rotherham provision at annual review of the Education Health and Care plan. This will significantly reduce the escalating costs to the DSG High Needs budget.

8. Legal Implications

- ### **8.1**
- None of the individual proposals meet the requirement threshold to complete a full prescribed alteration under, the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (guidance dated April 2016). The regulations however require a minimum period of 4 weeks consultation with relevant stakeholders be undertaken when proposals are below the threshold.
- ### **8.2**
- The guidance is set out to ensure that alterations can be made quickly where they are needed; that Local Authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area, and that changes can be implemented quickly and effectively where there is a strong case for doing so.
- ### **8.3**
- The specific proposals set out in this report are limited changes which fall outside of the statutory process. Despite this, however, part 4 of the guidance requires Local Authorities and / or governing bodies to adhere to the usual principles of public law. They must:

- act rationally;
- take into account all relevant and no irrelevant considerations; and
- follow a fair procedure.

8.5 The Children and Families Act 2014 requires local authorities to keep the provision for children and young people with SEN and disabilities under review (including its sufficiency), working with parents, young people, and providers. The Act is clear that, when considering any re-organisation of provision, decision makers must be clear how they are satisfied that the proposed alternative arrangements will lead to improvements in the standard, quality and/or range of educational provision for children with SEN.

8.6 Consultation will take place with relevant stakeholders and a summary of consultation outcomes will be published on the Local Offer website as a requirement by the DfE as part of the SEND funding allocation.

9. Human Resources Implications

9.1 The proposals will create teaching and learning and support staff employment opportunities and recruitment to these posts will be required following Rotherham Metropolitan Borough Council recruitment procedures for Local Authority maintained provision and Academy Trust recruitment procedures where proposals are linked to Academy status schools.

10. Implications for Children and Young People and Vulnerable Adults

10.1 The additional SEND places created within the borough would give more children and young people the opportunity to access high quality provision closer to home to meet their educational needs.

11. Equalities and Human Rights Implications

11.1 The additional specialist provision will allow more parents and carers to access education for their child within the local area in future years, in an inclusive and innovative learning environment.

12. Implications for Partners and Other Directorates

12.1 There will need to be involvement and engagement with Planning Department, Asset Management Services, SEND Specialist Services, Finance Section and Schools and Academies who will all be engaged and involved in the development of the new provision. This will be managed by the Strategic School Organisation Group, reporting to the Children and Young People's Services Directorate Leadership Team (DLT), Council Senior Leadership Team and Elected Members as necessary and appropriate.

13. Risks and Mitigation

- 13.1 There are always risks and uncertainties when school place provision is considered, since future pupil numbers are based on estimations. Over provision at one school could influence pupil numbers at other schools. However, current provision is full or over-subscribed and this trend is set to continue, meaning that more pupils are being placed in provision out of authority increasing the financial burden on the High Needs Block.
- 13.2 Local Authorities are obliged, under the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, to provide sufficient education places, promote diversity and increase parental preference.

14. Accountable Officer(s)

Approvals Obtained from:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Jonathan Baggaley	07.07.2017
Assistant Director of Legal Services	Dermot Pearson	29.09.2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	Paul Fitzpatrick	07.07.2017

Report Authors: Paula Williams, Head of Inclusion, Education & Skills
Dean Fenton, Service Lead – School Planning, Admissions and Appeals, Education and Skills
Robert Holsey, Children and Young People's Asset Manager

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

Sufficiency assessment

Specialist Provision in Rotherham to 2021

A projection of future requirements for Rotherham Borough
Council
March 2017



It is envisaged that this report will be used by strategic leadership and providers to inform future planning of commissioned places for Rotherham's Children and Young People with additional needs who require special provision beyond that available within usual mainstream settings.

Contents

1. Introduction	1
2. Context.....	1
3. The Sufficiency Process	2
4. Current Strategies and Policies	2
4.1 Headlines from RMBC SEND Joint Commissioning Strategy.....	Error! Bookmark not defined. 2
4.2 Headlines from RMBC SEND Joint Action Plan/SEND Peer Review	3
4.3 Headlines from RMBC Housing Strategy	4
4.4 Headlines from Joint Strategic Needs Assessment (JSNA) Refresh 2014/15	4
5. Demographics	5
5.1 Rotherham demographics	5
6. Needs Analysis.....	6
7. Current Special School and Mainstream Resource Provision in Rotherham	14
7.1 Independent/Non Maintained Provision	Error! Bookmark not defined. 12
7.2 Special School Provision	15
7.3 Special Resource Provision in mainstream schools.....	Error! Bookmark not defined. 13
7.4 Post 16 Specialist Educational Support	17
8. Provision Demands.....	14
9. Analysis of the High Needs Funding Block and costs of provision	19
10. Projected Shortfall in Rotherham's Provision	23
11. Main Summary and Conclusions	25

Specialist Provision to 2021

A projection of future requirements for
Rotherham Borough Council

1. Introduction

Rotherham Metropolitan Borough Council commissioned an independent organisation, SEND4CHANGE, to undertake a sufficiency exercise concerned with specialist provision for pupils with special educational needs and/or disability (SEND). Data was gathered by SEND4CHANGE in close collaboration with key officers of the Council from the Inclusion, Pupil Place Planning and School High Needs Finance teams. The main focus of the project has been to assist with projecting future demand for SEND educational provision in the Borough of Rotherham from 2017 to 2021.

The Sufficiency Exercise sits within the overall context of the overarching Sufficiency Strategy, 2017-2021, for all children and young people in Rotherham who require care and support which was approved by the Council in February 2017.

2. Context

Rotherham Borough Council has a statutory duty under The Education Act 1996 Section 14(1) to ensure that it provides sufficient school places for all pupils who are resident within the Borough. It has specific duties to ensure that there is sufficient provision for pupils with SEND where an Education Health and Care (EHC) plan has determined that the provision should be met in designated specialist provision.

Plans are already underway in Rotherham to meet future increased demand for mainstream school places. This report sets out the parallel process which will enable the Local Authority to plan and ensure the sufficiency of specialist school placements.

There are a number of indicators published by the Office for National Statistics which suggest that the population in Rotherham is experiencing growth. As the general population of the Borough increases, there will be a demand for an increase in mainstream school places and there will also be a corresponding increase in demand for specialist placements. This sufficiency exercise explores the scale of growth in demand for specialist provision. In addition, it will be necessary to take into account the perceived shortfall in current provision which may relate to the increased dependency on external independent non-maintained placements. There is evidence of a significant increase in the number and cost of this type of placement made by Rotherham.

Currently, specialist placements in Rotherham consist of four main types of provision:

1. Enhanced resource provision located on mainstream school sites
2. Academies and maintained special school provision located in Rotherham

3. Academies and maintained special school provision located in other local authorities.
4. Special schools in the independent non-maintained sector.

This report forecasts the scale of growth required to meet increased demand. It considers the number and type of setting required if the current ratio between enhanced, local special school and independent non-maintained provision were projected into the future in line with the anticipated growth in placements. The current provision will need to be varied in order to match future demand. Commissioners will also need to lead the strategic approach to the management of the external and independent non-maintained placements market.

3. The Sufficiency Process

A sufficiency exercise was undertaken from October to December 2016. The process followed a number of stages which collated and examined key strategies, documents, data sets and opinions.

The 6 stages of the process are described below and have involved an examination of:

- a) Current Strategies, policies and plans that may impact on demand (such as the Borough's Housing strategy, Joint SEND Commissioning Strategy and Inclusion/SEND action plans)
- b) Demographics, which help to predict changes and trends in population growth
- c) The categories of special educational needs and size of SEND population
- d) The current numbers of specialist placements and the designation of provision
- e) The current cost of specialist provision
- f) The potential gap in future provision in terms of numbers, type of need and the revenue cost of growth in provision

4. Current Strategies and Policies

There are a number of key Strategies and plans in Rotherham which interface with the impact and outcome of this sufficiency assessment. These Strategies include:

- The Joint Commissioning Strategy for Children and Young People
- The Joint SEND Commissioning Strategy
- The SEND Joint Action Plan & Peer Review
- The Joint Strategic Needs Assessment
- The Sufficiency Strategy 2017-2021
- The Housing Strategy

Additionally, this report takes into account school place planning information for mainstream school places.

The following is a summary of the headlines from relevant sections of these strategic documents and is representative of the position at a particular point in time.

4.1 Headlines from Other Strategic Work that has taken place

- Rotherham's ambition for inclusion is that children and young people with SEND and their families have the opportunity to be included in everything in their local community.
- The Joint SEND Commissioning Strategy has been refreshed and approved by the Health and Wellbeing Board. The Strategy will address a number of key areas including;
 - Co-located development of a SEND Hub of services to support children and families in one place
 - A streamlined Education, Health and Care planning and commissioning process.
 - Greater involvement of young people in the consideration of provision
 - An improved health offer to support children and young people with Social Emotional and Mental Health needs (SEMH)
 - Development of transition to adulthood
 - The development of a new transport offer for young people with SEND
 - Increased Personalisation including use of personal budgets
 - Development of the wider workforce to address and support SEND needs
- A recent Peer Review of SEND developments has resulted in an overarching Joint SEND Action Plan which collates all target areas from the Joint SEND Commissioning Strategy above and other Inclusion strategic work including;
 - Improved clarity and development of the graduated response to need in mainstream schools
 - An improved graduated response offer within the school system to support children and young people with Social Emotional and Mental Health needs (SEMH)
 - Reduction in the need for exclusion
 - Development of the SEND Local Offer
 - An All Age Autism Strategy in Partnership with Adult services
 - Consistent and transparent funding models for provision which are effectively moderated at a local level
 - Development and transparency of local SEND policy.
- A recent review of arrangements for young people with SEMH resulted in the production of a new strategic approach called '5 Steps to Collective Responsibility'. It is anticipated that the impact of this new approach, which has been developed in partnership with schools, will increasingly result in children with SEMH needs being able to access appropriate alternative provision in the local community.
 Since the implementation of this Strategy in September 2016 the number of permanent and fixed term exclusions have reduced significantly. The number of locally established alternative provision managed by schools has increased.

4.2 Headlines from Rotherham's Housing Strategy

- Rotherham has approximately 108,300 households of which 20,763 are council homes
- 65.5% of properties are owner occupied, 21.5% are social housing and 12% are private rented
- There are around 4,700 eligible applicants on the Housing Register
- By 2019 Rotherham intends to increase the number of homes being built each year towards a target of 900
- The number of Council homes sold via the Right to Buy scheme has increased dramatically from only 17 in 2011/12 to 140 projected for 2015/6
- There is low housing demand in some areas and an increasing housing affordability gap between the most and least deprived areas
- In Rotherham the average house price is £138,255 (July 2015), significantly below the national average of £282,000
- The average weekly rent in the private sector is £103 per week. The average weekly rent for social housing is £65 per week
- In 2013, 9% of Rotherham's households were living in fuel poverty, and figures are highest within the private rented sector.

NB A further review report of SEND provision within Early Years has also been completed alongside this report and will be used to inform next steps.

4.3 Headlines from Joint Strategic Needs Assessment (JSNA) Refresh 2014/15

- Rotherham was ranked 53rd most deprived district in England in the 2010 index. The key drivers of deprivation in Rotherham remain Education and Skills, Health and Disability and Employment.
- The health of people in Rotherham is generally poorer than the English average which is influenced by people's lifestyles and a number of other wider factors such as deprivation and industrial legacy.

Implications for Rotherham of current strategic findings

1. *It is expected that 900 new homes will be built each year in Rotherham.*
2. *Rotherham is ranked 53rd most deprived district in England.*
3. *Rotherham has a graduated range of provision for pupils with SEND, from mainstream, enhanced resources to special school provision. Future provision needs to be in line with the Borough's strategic approach.*
4. *Rotherham's Inclusion/SEND Strategy, currently under development is based on the notion of improving the offer for children and young people with a more strategic approach which includes both increased specialist provision within the borough and a better graduated response made by schools, partners and specialist providers. The current educational strategy for pupils with SEMH needs is beginning to reduce the number of pupils who are permanently excluded from school.*

5. Demographics

In order to predict future school place requirements, an analysis of population growth has been carried out which considers the:

- overall population and the trend in the birth rate
- school age population and predicted growth
- growth in numbers of pupils with SEND
- trends to predict future growth requirements.

5.1 Rotherham's demographics

- Rotherham is a metropolitan borough within South Yorkshire, covering 110 square miles and has a mix of urban areas and villages – about 70% of the borough is rural.
- The town has a proud, rich industrial heritage and over recent years has attracted investment in new areas such as information technology, light engineering and advanced manufacturing.
- The Borough is divided into 21 wards which are grouped into seven Area Assemblies
- Rotherham is ranked 53rd most deprived district in England according to the Index of Multiple Deprivation 2015, within the 16% most deprived. 20% of people live in the top 10% deprived areas in England
- 8.1% of Rotherham's population belong to ethnic groups other than White British (6.4% are from non-white groups), well below the English average of 20.2%. It follows that 91.9% of Rotherham residents are White British.
- 38% of Rotherham's working population travel outside the borough for work, with 20% of Rotherham's working population traveling to Sheffield
- 55% of people working in Rotherham live outside of the borough
- 68% of Rotherham's working age population are in work, and 12.4% are claiming out-of-work benefits, well above the national rate of 9.1%
- Rotherham's unemployment rate fell from 11.3% in 2011/12 to 8.5% in 2014/15 but remains above the national average
- Income levels are below national averages. The average weekly earnings in Rotherham in 2014 were £456.30 per week; below both the regional average of £479 and the national average of £520.80
- Educational attainment in Rotherham at both secondary and primary level has improved greatly over recent years but participation in further and higher education continues to remain below the national average.

The School Population

Table 1 below shows the projected growth in population in Rotherham based on data provided by the Office for National Statistics as at May 2016.

Table 1: Rotherham's population and school population projections

	2016	2021	Growth
Overall population of Rotherham	261,400	265,800	4,400 1.7%
Total school aged pupils (aged 3 to 19) Pupils as a % of overall population	44,627 17.1%	46,858 17.6%	2,231 5.0%
Total schools aged pupils with SEN % of pupils with SEN	7,253 16.3%	7,616 16.3%	363 5.0%

Source:

1. Office for National Statistics Population Estimates, May 2016
2. Pupil data for 2016 is taken from the May Summer School Census provided by RMBC.

Note: Pupil population projection for 2021 is based on a 1% growth yield per annum in the overall school population. This methodology is consistent with that used by RMBC's School Planning, Admissions and Appeals Team.

The projected growth in school population and pupils with SEND is based on the overall percentage increase in the total population for Rotherham (1.7%). However, in line with the methodology applied by Rotherham's School Planning, Admissions and Appeals Team, for the purpose of this sufficiency exercise, the school pupil population projection for 2021 is based on a 1% growth yield per annum in the overall school population. This relates to the hypothesis that although the overall population increase is predicted to be 1.7%, there is evidence that there is likely to be a greater increase in the proportion of young people. This is due to families with a higher ratio of children. Hence an overall increase of 5% from the period 2016 to 2021 has been applied to the forecasts for this exercise which is in line with the predicted growth for all pupils used by the Borough Council's planning teams.

The implications of demographic predictions in Rotherham

1. Evidence suggests that the population of Rotherham will increase by 1.7 % from 2016 to 2021 from 261,400 to 265,800. A growth of 4,400 people.
2. We can assume that although the overall population is growing at 1.7% the adult population is producing a higher ratio of children.
3. There is a greater predicted increase in pupils aged 3-19. If realised, there will be a corresponding increase in the number of school age pupils from 44,626 to 46,858, a growth of 2,231(an increase of 5%).
4. It is predicted that the number of pupils with SEND will increase from 7,253 (2016) to 7616 by 2021 which is an increase of 363 pupils (5%). This represents the total increase in SEND and includes pupils with EHC plans and those pupils receiving SEN Support in mainstream schools. In order to plan for the rising number of children and young people that will need support for Special Educational Needs in Rotherham by 2021, current need, provision and cost must be reviewed.

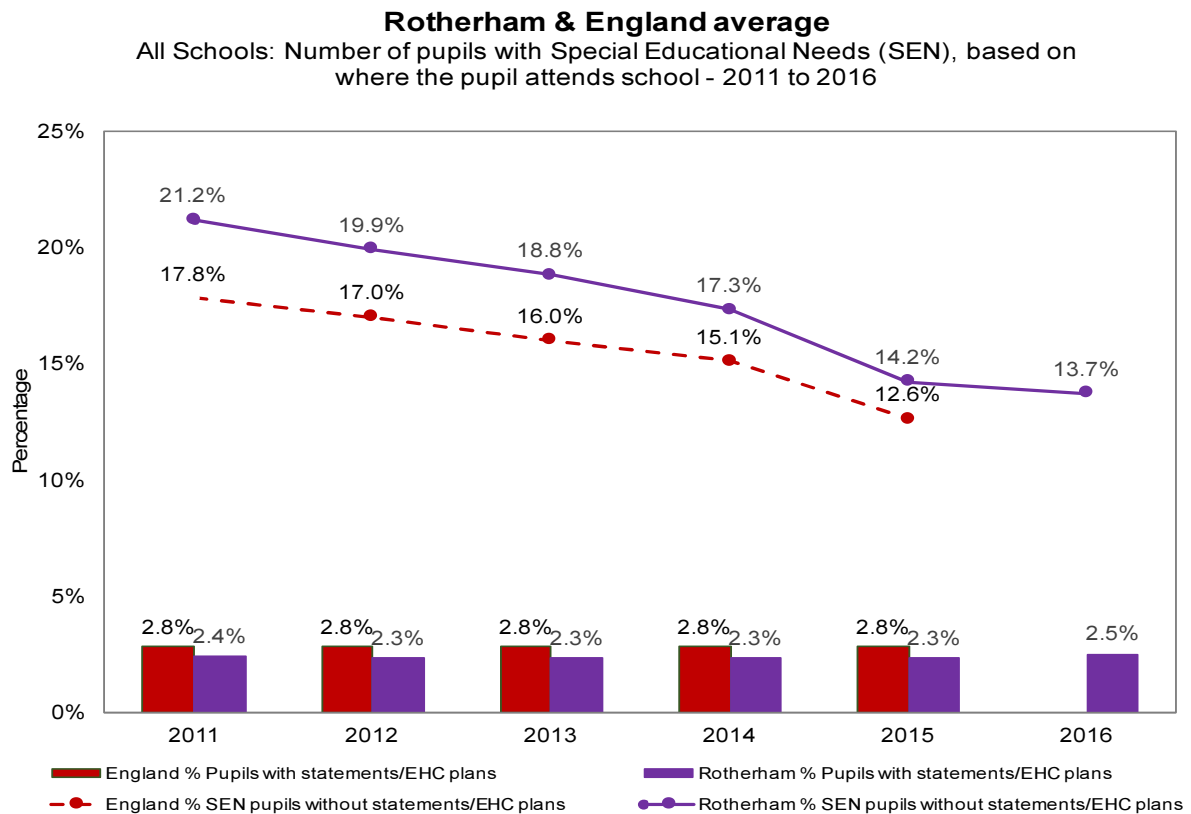
6. Needs Analysis

The review considered a range of pupil led SEND information including:

- pupils accessing Special Educational Needs(SEN) support in mainstream settings
- the number of pupils with an Education Health and Care Plan
- an analysis of the needs of SEN pupils accessing mainstream and specialist provision

Table 2 shows the number of pupils in Rotherham with an EHC plan and those with SEN support in mainstream school compared to the national average.

Table 2:



This data shows that:

- the number of pupils in Rotherham with a Statement/EHC plan (2.5%) is below the national average (2.8%)
- this has increased slightly since 2015 (from 2.3% to 2.5%)
- The number of pupils at SEN Support is higher than the national average.

Table 3 shows the number of pupils in Rotherham with an EHC plan and those with SEN support compared to the statistical neighbours

Table 3:

Rotherham and Statistical Neighbours: Number of pupils with Special Educational Needs based on where the pupil attends school (January 2015)

Local Authority	Total Pupils	Pupils with statements or EHC plans		Pupils with SEN support		Total pupils with SEN	
		Number	%	Number	%	Number	%
England	8,438,145	236,165	2.8%	1,065,280	12.6%	1,301,445	15.4%
Barnsley	32,907	1,259	3.8%	4,028	12.2%	5,287	16.1%
Doncaster	48,364	1,259	2.6%	5,127	10.6%	6,386	13.2%
Dudley	47,217	1,378	2.9%	6,694	14.2%	8,072	17.1%
Hartlepool	15,095	339	2.2%	1,760	11.7%	2,099	13.9%
North East Lincolnshire	23,923	493	2.1%	2,488	10.4%	2,981	12.5%
North Lincolnshire	23,842	793	3.3%	3,290	13.8%	4,083	17.1%
Redcar and Cleveland	21,568	699	3.2%	3,627	16.8%	4,326	20.1%
Rotherham	44,030	1,031	2.3%	6,234	14.2%	7,265	16.5%
St Helen's	26,365	577	2.2%	4,519	17.1%	5,096	19.3%
Tameside	35,420	610	1.7%	4,425	12.5%	5,035	14.2%
Telford and Wrekin	28,310	1,001	3.5%	4,307	15.2%	5,308	18.7%
Wakefield	54,669	1,469	2.7%	6,671	12.2%	8,140	14.9%
Wigan	45,926	1,205	2.6%	6,007	13.1%	7,212	15.7%
Rotherham (Aug Census 2016)	44,627	1,126	2.5%	6,127	13.7%	7,253	16.3%

- (1) Source: DfE Statistical First Release January 2015 - <https://www.gov.uk/government/statistics/statements-of-sen-and-ehc-plans-england-2015>
- (2) Includes all primary academies, including free schools.
- (3) Includes pupils who are sole or dual main registrations.
- (4) Education, Health and Care (EHC) plans were introduced from September 2014 as part of a range of SEND reforms. From 2015 SEN Support replaces School Action and School Action Plus but some pupils remain with these provision types in first year of transition.
- (5) Expressed as a percentage of the total number of pupils in all schools.

(6) National and regional totals and total SEN across Local Authorities have been rounded to the nearest 5. There may be discrepancies between totals and the sum of constituent parts.

(7) Comparator group taken from Local Authority Interactive Tool (LAIT) for Children's Services and School Capacity and Planning (SCAP).

Table 4 shows the number of children and young people with Statements and EHC plans in Rotherham compared to statistical neighbours (as at January 2016).

Table 4:

Number of children and young people with a statement or EHC plan maintained by each local authority (1)

January: 2010 - 2016

	2010	2011	2012	2013	2014	2015	2016		2015	2016
	Statements	Statements	Statements	Statements	Statements	Statements or EHC plan	Statements or EHC plan		Statements	EHC Plans
									Statements	EHC plans (2)
Barnsley	1,070	1,125	1,165	1,210	1,270	1,315	1,375		1,310	5
Doncaster	1,225	1,250	1,235	1,275	1,280	1,255	1,305		1,250	5
Dudley	1,350	1,320	1,315	1,290	1,280	1,430	1,560		1,430	0
Hartlepool	330	300	325	350	360	385	440		285	100
North East Lincolnshire	785	740	680	610	545	535	565		530	5
North Lincolnshire	905	875	835	815	805	760	815		740	20
Redcar and Cleveland	680	675	665	685	720	730	850		730	0
Rotherham	1,080	1,025	995	985	1,000	1,060	1,235		1,060	0
St. Helens	485	460	445	440	465	490	555		485	5
Tameside	705	690	680	700	695	665	700		655	5
Telford and Wrekin	1,415	1,355	1,340	1,355	1,340	1,350	1,500		1,350	0
Wakefield	2,145	2,130	2,085	2,055	2,080	2,070	2,205		2,070	0
Wigan	1,365	1,280	1,280	1,275	1,275	1,260	1,370		1,225	35

Source: SEN2 2010 - 20

(1) Only statutory EHC plans are recorded in collections from 2015 onwards. Non-statutory EHC plans issued by pathfinder local authorities are not included in the 2015 and 2016 SEN2 collection.

(2) Total number of EHC plans in place at 2016 is known to include a small number of young people attending general further education college, sixth form college or specialist post-16 institutions with statements not yet transferred to an EHC plan.

Table 5a shows a breakdown of the **primary need** of pupils who attend Rotherham mainstream primary and secondary schools.

Table 5a

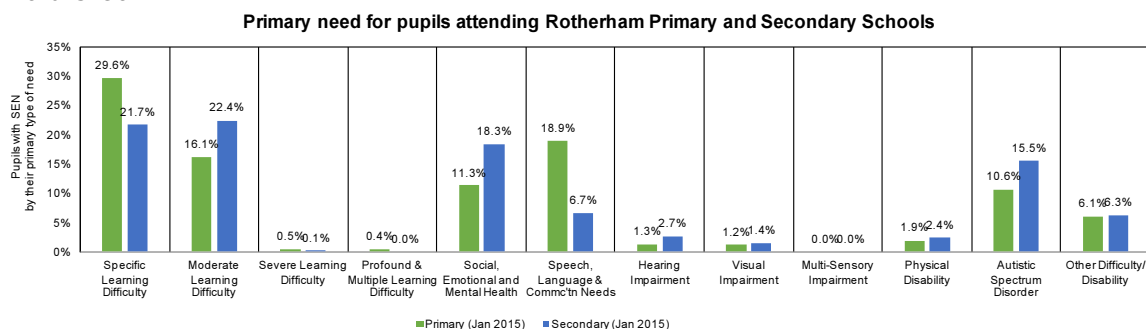


Table 5a shows us that in Rotherham *mainstream primary and secondary schools* the **predominant primary needs** relate to pupils with:

- Specific Learning Difficulty such as Dyslexia (SpLD)
- Moderate learning Difficulties (MLD)
- Social Emotional and Mental Health Needs (SEMH)
- Speech Language and Communication Needs (SLC)
- Autism (ASC/ASD)

There is some variance in the identification of need between primary and secondary schools. Particularly around their children with Specific and Moderate Learning Difficulty.

Table 5b shows the primary need of pupils attending Rotherham special schools

Table 5b:

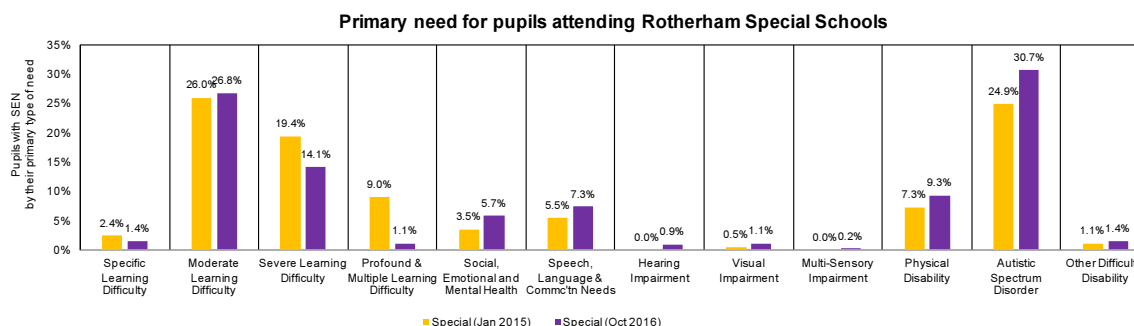


Table 5b shows us that in Rotherham *special schools*, the **predominant primary needs** are:

- Autism (ASC/ASD)
- Moderate Learning Difficulty (MLD)
- Severe Learning Difficulty (SLD)
- Physical Difficulty (PD)
- Profound and Multiple Learning Difficulty (PMLD)
- Speech Language and Communication (SLC)
- Social Emotional and Mental Health Needs (SEMH)

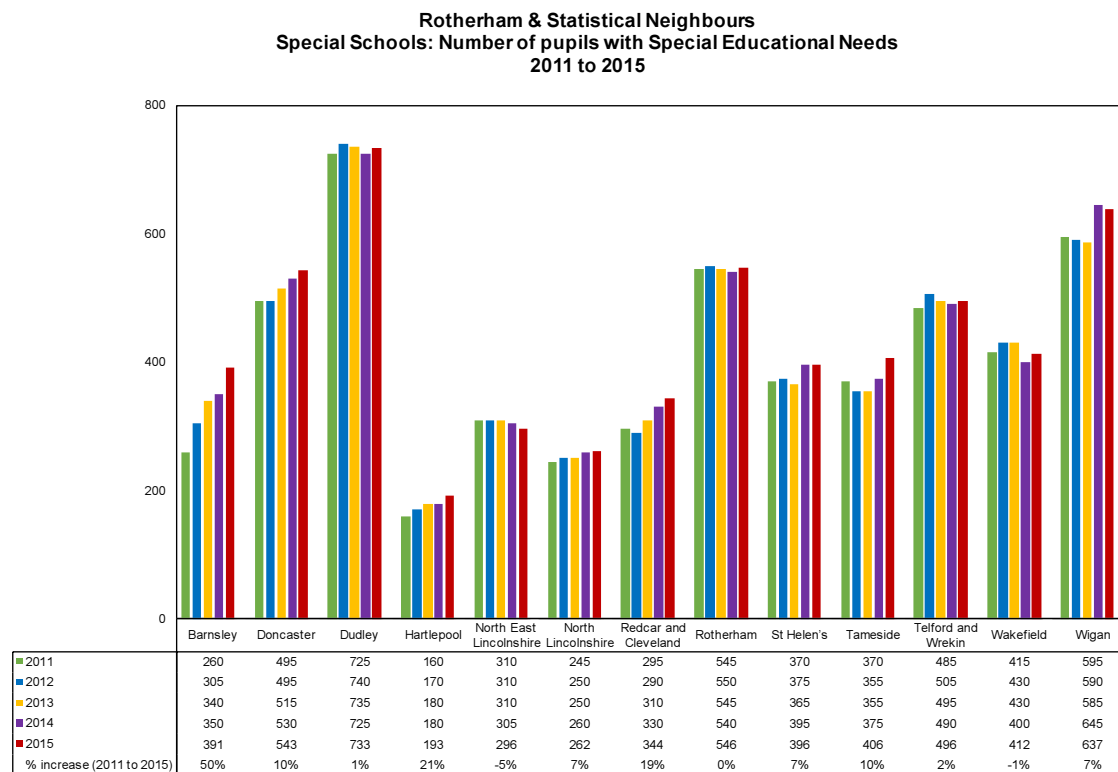
Summary of Implications of the Summary of Needs Analysis data for Rotherham:

Tables 3, 4, 5 and 6 show a changing picture for Rotherham in terms of requests for formal assessment of Special Educational Need via an Education Health and Care Plan.

1. Rotherham has a slightly higher percentage of children and young people with Special Educational Needs than the national average (16.5% compared to the national figure of 15.4%).
2. Rotherham schools leaders are experienced and skilled at meeting the majority of need within the school system at the graduated response level called SEN Support.
3. The percentage of children and young people requiring assessment of need and additional support has risen since the reforms began in 2014 and Education Health and Care Plans were introduced (2.3% to 2.5%)
4. After 5 years of relative stability the number of Statements of Special educational Need/Education Health and Care Plans required has risen dramatically between 2015 (1,060) and 2016 (1,235) indicating rising needs and requirement for additional resources.
5. Rotherham Mainstream schools are supporting high numbers of children and young people at graduated response with specific and moderate learning difficulty. The next predominant needs in mainstream schools are in the areas of Social Emotional and Mental Health and Speech, Language and Communication (often Autism).
6. Rotherham Special schools are supporting a higher proportion of children and young people with Autism, Moderate or Severe Learning Difficulty as a presenting need.

7. Current Special School and Mainstream Resource Provision in Rotherham for Special Educational Needs

Table 6: shows the numbers of pupils attending special schools across Rotherham and comparator authorities



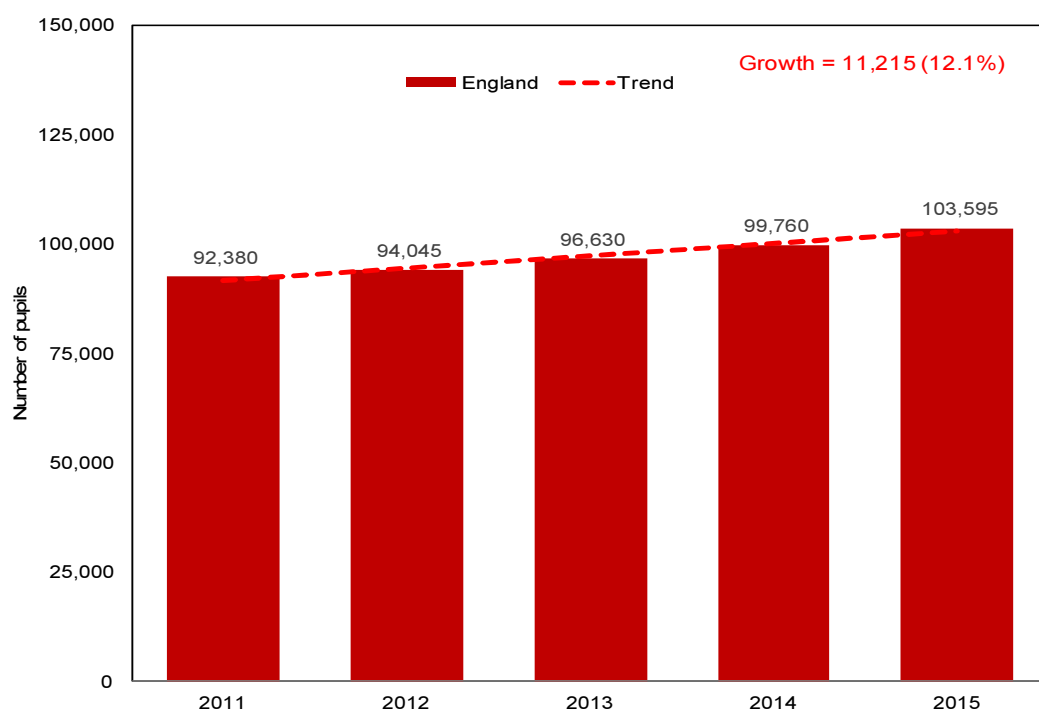
Source: DfE Statistical First Release 2011-2015
<https://www.gov.uk/government/collections/statistics-special-educational-needs-sen>

The table shows that the number of places at special schools in Rotherham has remained static compared to statistical neighbours who have increased the number of special school places over a five year period. In Rotherham, in 2011 there were 545 special school places available, and in 2015 there were 546 special school places which in effect is a 0% increase.

Table 7: shows the growth of specialist provision nationally over the last 5 years of which equates to an increase of 12.1%. During this time there has no growth in the special school places within Rotherham.

Table 7:

All England
Special Schools: Number of pupils with Special Educational Needs
2011 to 2015



Source: DfE Statistical First Release 2011-2015
<https://www.gov.uk/government/collections/statistics-special-educational-needs-sen>

Rotherham's special schools have been supporting the growth of need wherever possible and are now regularly full or taking additional children to provide an appropriate education for children and young people. Despite this pressure, they remain centres of success and have all been judged good or outstanding by OFSTED inspection. (see table 8 below)

Table 8:

Analysis of Ofsted inspection reports													
School	Date inspected	Overall effectiveness		Achievements of pupils	Quality of teaching	Behaviour & safety of pupils	Leadership & management	Early Years provision	Sixth form provision	Effectiveness of leadership & management	Quality of teaching learning & assessments	Personal development behaviour & welfare	Outcomes for Pupils
		Current	Previous										
Special School													
Abbey	24.06.16	Good	Inadequate	-	-	-	-	-	-	Good	Good	Good	Good
Hilltop	09.01.13	Good 2	Outstanding 1	Good 2	Good 2	Good 2	Good 2	-	-	-	-	-	-
Kelford	03.12.14	Good 2	Good 2	Good 2	Good 2	Good 2	Good 2	Good 2	Good 2	-	-	-	-
Milton	15.02.11	Outstanding 1	-	-	-	-	-	-	-	-	-	-	-
Newman	14.01.14	Good 2	Outstanding 1	Good 2	Good 2	Outstanding 1	Good 2	-	-	-	-	-	-
The Willows	12.02.13	Good 2	Outstanding 1	Good 2	Good 2	Outstanding 1	Good 2	-	-	-	-	-	-
Enhanced Resource Provision													
Bramley Grange	-	-	-	-	-	-	-	-	-	-	-	-	-
Wickersley School and Sports College	18.09.13	Outstanding 1	Outstanding 1	Outstanding 1	Outstanding 1	Outstanding 1	Outstanding 1	-	-	-	-	-	-
Anston Hillcrest	04.12.13	Outstanding 1	Outstanding 1	Outstanding 1	Outstanding 1	Outstanding 1	Outstanding 1	-	-	-	-	-	-
Swinton Academy	-	-	-	-	-	-	-	-	-	-	-	-	-

Special Resource Provision in Rotherham's mainstream schools

Enhanced Resource Provision

Enhanced Resource Placements							
Special School	Age range	Type of provision	Capacity (Places available)	Commissioned places	On roll as at 08/11/2016	Spare capacity	
						Places	%
Bramley Grange Primary	Age 3 to 11	Hearing Impaired Resources	11	11	9	2	18%
Wickersley School and Sports College	Age 5 to 16	Hearing Impaired Resources	11	11	10	1	9%
Anston Hillcrest Primary	Age 5 to 11	Primary Speech and Language Resource	15	15	13	2	13%
Swinton Academy	Age 11 to 16	Secondary Autism Resource	20	20	18	2	10%
Overall			57	57	50	7	12%

Source: RMBC's Inclusion Team

The table above shows the physical capacity of the enhanced resource provision, the number of places commissioned, and the actual use of commissioned places.

There is some potential additional capacity in these resource bases but other than a small number of spaces to support Autism, this is not in the areas of predicted future demand.

There is no current provision available to support mainstream ability pupils of primary age who have additional needs associated with autism. There is also no current provision for any age pupil at the highest level of need with regard to Social Emotional and Mental Health Needs.

Summary of implications for Rotherham from the Needs and current Rotherham Special school Places Analysis

1. *Rotherham has a slightly higher percentage of children and young people with Special Educational Needs than the national average (16.5% compared to the national figure of 15.4%).*
2. *Rotherham schools leaders are experienced and skilled at meeting the majority of need within the school system at the graduated response level called SEN Support.*
3. *The percentage of children and young people requiring assessment of need and additional support has risen since the reforms began in 2014 and Education Health and Care Plans were introduced (2.3% to 2.5%)*
4. *After 5 years of relative stability the number of Statements of Special Educational Need/Education Health and Care Plans required has risen dramatically between 2015 (1,060) and 2016 (1,235) indicating rising needs and requirement for additional resources.*
5. *Rotherham mainstream schools are supporting high numbers of children and young people at graduated response with specific and moderate learning difficulty. The next predominant needs in mainstream schools are in the areas of Social Emotional and Mental Health and Speech, Language and Communication (often Autism).*
6. *Rotherham Special schools are supporting a higher proportion of children and young people with Autism, Moderate or Severe Learning Difficulty as a presenting need.*
7. *There has been a growth in special school placements nationally from 2011 to 2015 of 12.1%.*
8. *Rotherham's own special school or additional resource capacity has not increased in line with national figures and statistical neighbours. The number of Rotherham's own special school places has remained static although the provision is judged as good or outstanding.*

8. Provision Demands

This review has explored the type and range of specialist provision currently being utilised for Rotherham's children and Young People, including:

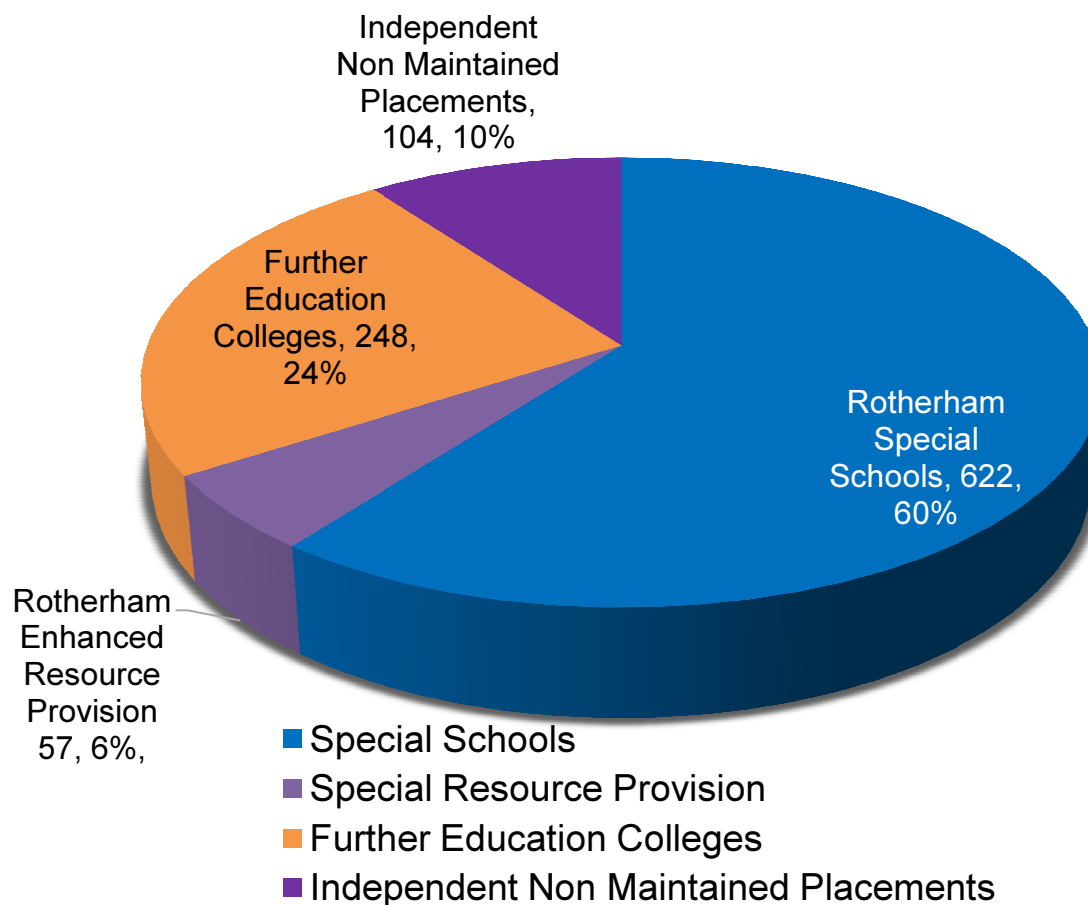
- Special schools within Rotherham
- Enhanced mainstream provision within Rotherham
- Independent non-LA maintained special schools
- Schools or Academies located in other Boroughs
- Further Education Colleges.

The Specialist Provision commissioned within Rotherham is provided by a number of different types of providers i.e. special schools and enhanced resourced provision located on primary and secondary mainstream school sites. However, there are no designated specialist Private, Voluntary and Independent nursery and childcare settings within Rotherham, therefore, Early Years provision has not been included in this sufficiency assessment.

Figure 9 shows the breakdown of the type of places commissioned by the LA for the academic year 2016/17

Figure 9:

Commissioned Places for 2016/17



This chart illustrates that the majority of Rotherham's school aged children and young people with additional needs are receiving education within Rotherham but there is a worrying percentage travelling outside the borough (10%) for their education due to a lack of provision.

Where are these children and what are their needs?

Table 10 below shows the number of commissioned places and numbers on roll at each Rotherham Special School in December 2016, only one term into the year. Education Health and Care Plans are finalised throughout the year meaning that children are newly included on the roll of a Special School throughout the year. The table below demonstrates that across all schools there is very little spare capacity to help to meet both current and future demand.

The numbers at Independent Non LA Maintained Special Schools outside Rotherham in December 2016 can be seen in Table 11 following:

Table 10: Rotherham Special School Placements

Special School	Age range	Type of provision	Capacity (Places available)	Commissioned places	On roll as at 08/11/2016	Spare capacity	
						Places	%
Abbey	Age 7 to 16	MLD/ASC	80	80	80	0	0.0%
Hilltop Redwood Early Years Resource	Age 2 to 19	SLD/PMLD	102	102	97	5	4.9%
Kelford	Age 2 to 19	SLD/PMLD	100	100	103	-3	-3.0%
Milton Canal side	Age 5 to 16	Autism and Complex Needs	120	120	117	3	2.5%
Newman	Age 2 to 19	Medical/ Physical/ Complex Needs	100	100	94	6	6.0%
Newman NAR	Age 2 to 19	Complex Needs and Autism	20	20	20	0	0.0%
The Willows	Age 7 to 16	MLD/ASC	100	100	107	-7	-7.0%
Overall			622	622	618	4	0.64%

Table 11: Independent non-maintained Placements as at December 2016 by Primary Need (residential and day placements).

PRIMARY NEED	Total Number Of Pupils	PRIMARY	SECONDARY
Social Emotional and Mental Health Needs (SEMH)	69	15	54
Autism (ASC/ASD)	46	10	36
Severe Learning Difficulty (SLD)	11	2	9
Moderate Learning Difficulty (MLD)	6	1	5
Physical Disability (PD)	4	2	2
Speech Language or Communication Difficulty (S&L)	3	1	2
Hearing Impairment (HI)	1	1	0
Profound and Multiple Learning Difficulty (PMLD)	1	0	1
Specific Learning Difficulty (SpLD)	1	1	0
Visual Impairment (VI)	1	0	1
TOTAL	143	33	110

The above table shows that:

143 of Rotherham pupils are placed in Independent Non LA Maintained settings

110 are of secondary age

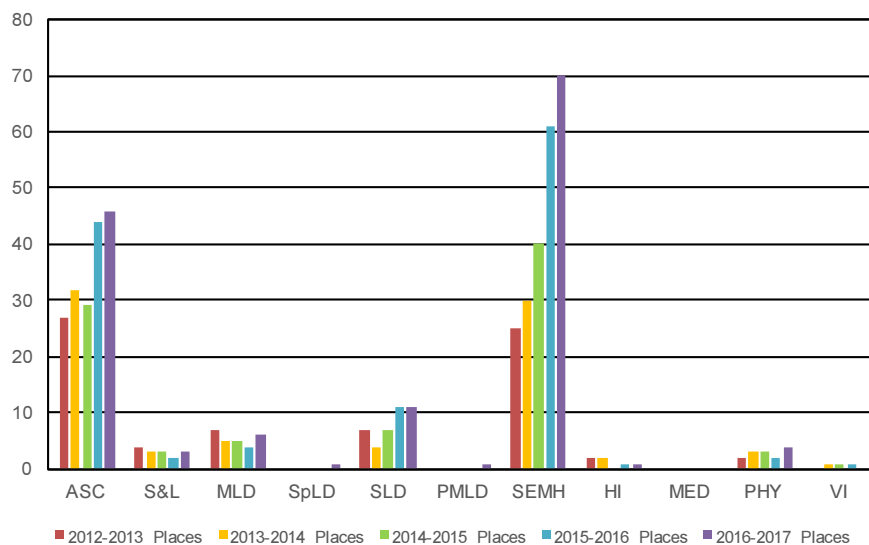
33 are of primary age.

69 of these pupils have a primary need of **Social Emotional and/or Mental Health** (54 secondary, 15 primary)

46 of these pupils have a primary needs of **Autism** (36 secondary, 10 primary)..

Table 12:

Out of authority placements by need: Five year view



Source: RMBC's Inclusion Team

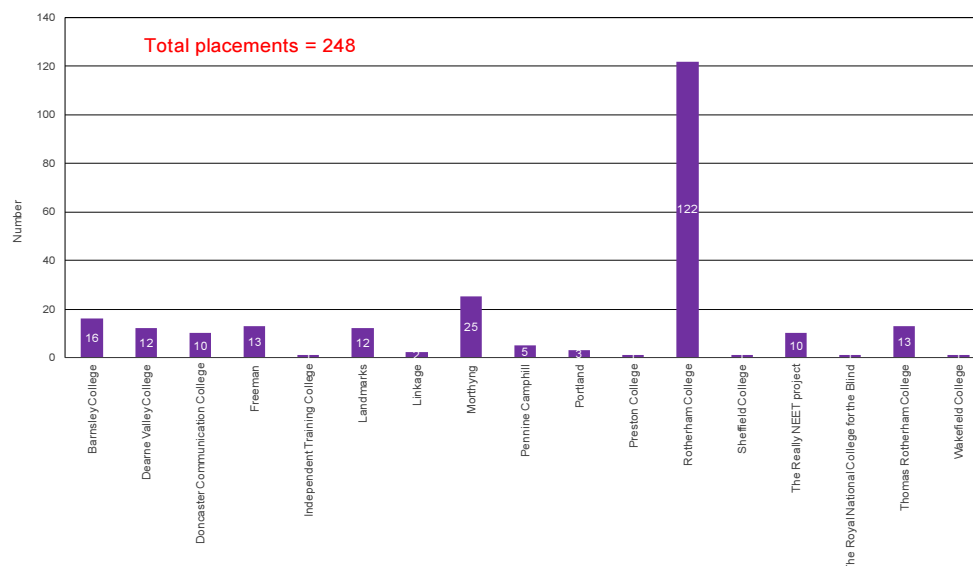
Table 12 shows that in 2016/17 there were a total of 143 Rotherham placements made in the independent non-maintained sector. This is an increasing trend year on year due to no growth in provision within the borough. The predominant needs of this group of young people relate to pupils with Social Emotional and/or Mental Health Needs or Autism needs.

Post 16 Specialist Support

Table 13:

Local Further Education College Provision

2016/17 Post 16 placements



Source: RMBC's Inclusion Team

Since 2014 an Education Health and Care Plan can be sought or GIVEN for young people from 19-25. Table 13 shows that in addition to the Post 16 provision offered by Rotherham's Special Schools, provision is made by a number of FE providers both in and out of the Borough. The majority of FE provision is currently commissioned at Rotherham College.

There must be an assumption that with the extension of age group to Education Health and Care Plans, the educational provision Post 16 within Rotherham will need to develop to become more flexible in meeting more complexity of need for young people aged 19-25.

Summary of implications from the Analysis of Provision

1. There are a broad range of providers of special education commissioned by the Rotherham Borough Council. The Borough's special schools make 60% of the provision.
2. Rotherham commissions an increased number of places in the independent non LA maintained sector. The predominant needs of pupils placed in this sector relate to Social Emotional and Mental Health needs or Autism.
3. Rotherham Special Schools do not appear to have sufficient additional capacity to meet the current and future increase in demand for places.
4. Current enhanced resource provisions in mainstream have **very little** potential capacity to be able to respond to future demand for additional need for specialist but this is not in the areas of need required.

9. Analysis of the High Needs Funding Block and costs of provision

The sufficiency exercise has analysed the cost of commissioned specialist placements in Rotherham. This analysis includes:

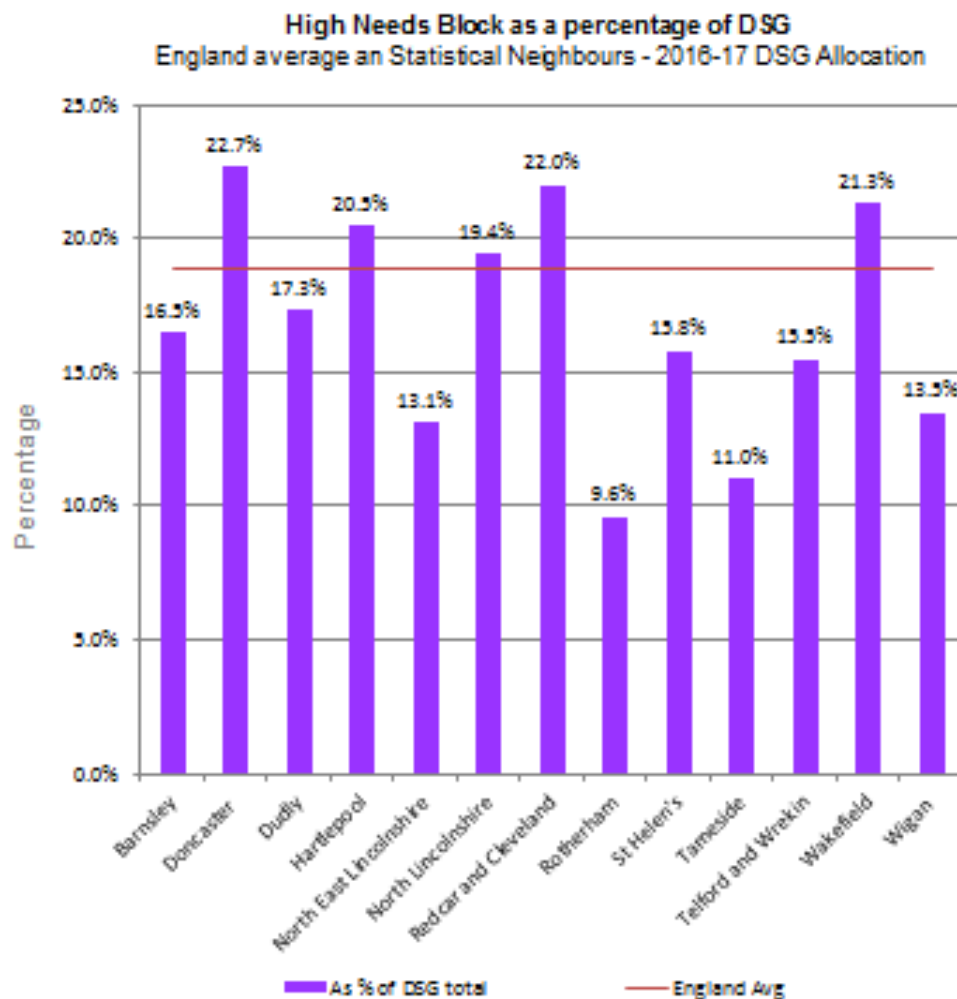
- the proportion of the Dedicated Schools Grant (DSG) spent on the High Needs Block
- the proportion of the High needs Block spent on specialist provision
- comparisons on spend associated with specialist provision with statistical neighbours
- the unit costs of Rotherham's specialist provision.

In 2016/17 Rotherham's High Needs Block totalled £21.22 million (9.6% of the Dedicated Schools Grant). Tables 14 and 15 below show an analysis for the comparator group, and highlights that Rotherham's allocated percentage was lower than for all other statistical neighbours and significantly lower than the national average allocation for England of 18.9% (approximately half).

Table 14: Comparison of High Needs allocation with Statistical Neighbours

Comparative data for 2016-17 Financial Year Allocations			
Local Authority	As % of total	High Needs Block (millions)	DSG allocation (millions)
England	18.9%	£5,229.87	£28,032.38
Barnsley	16.5%	£18.87	£114.05
Doncaster	22.7%	£28.05	£123.58
Dudly	17.3%	£31.47	£182.43
Hartlepool	20.5%	£10.62	£51.76
North East Lincolnshire	13.1%	£16.27	£123.86
North Lincolnshire	19.4%	£14.89	£76.74
Redcar and Cleveland	22.0%	£15.02	£68.34
Rotherham	9.6%	£21.22	£221.55
St Helen's	15.8%	£18.35	£115.99
Tameside	11.0%	£14.98	£136.73
Telford and Wrekin	15.5%	£16.45	£106.21
Wakefield	21.3%	£24.38	£114.33
Wigan	13.5%	£26.47	£196.17

Table 15:



The High Needs budget is currently under considerable pressure.

The 2016 /17 budget received an additional allocation of £3 million from the schools block moved by the local authority which adjusted the budget total to £24.2 million. This is currently anticipated to overspend by a further £5 million bringing the total high needs spend to circa £30 million.

There appears to be a direct relationship between the budget pressures and the increasing cost of special provision placements, particularly those to address Social Emotional and Mental Health Needs and those in other local authority special schools or placed in the independent sector.

Table 16

The current components of the High Needs budget are:

Resource / Provision	Expenditure £000
Statutory and Mainstream Support Services	5.04
Specialist Provision beyond mainstream	23.66
Mainstream and Special in year top up funding	1.45

In 2016, the budget for specialist provision is set at £23.66 million as follows:

- £12.178 million on Special Schools
- £1.011 million on Primary Enhanced Resource Provision
- £385,000 on Secondary Enhanced Resource Provision
- £3.011 million on Alternative Provision
- £1.912 million on Post 16 SEND Provision
- £1.541 million on Complex Needs Out of Authority (OOA)
- £505,000 on Social Care LAC placements (education element)
- £2.622 million on Education Only Placements at Independent Schools
- £494,000 Education Only OOA LA placements

This budget has experienced significant pressure and is currently estimated to overspend by approximately £5 million in 2016/17.

Table 17 shows the average cost of a place in Rotherham's specialist provision ranging from approximately £11,500 to £47,000. This will be useful when calculating the cost of any additional places to be commissioned in the future.

Table 17: Average cost of a Rotherham place: Special School/Resource

School	Core £	Base	Base post16	Enhanced	Enhanced post 16	Intensive	Post 16 intensive	Bespoke average	Range
Abbey	£10,000	£5,576	/	£12,503	/	£20,584	/	/	£15,576-£30,584
Hilltop	£10,000	£11,973	£13,950	£18,900	£20,876	£26,981	£28,858	£32,447	£21,973-£38,858
Kelford	£10,000	£11,524	£13,501	£18,421	£20,427	£26,532	£28,509	£46,871	£21,524-£46,871
Milton	£10,000	£4,669	/	£11,596	/	£19,677	/	£8,478	£14,669-£29,677
Newman	£10,000	£7,152	£9,129	£14,079	£16,055	£22,160	£24,137	£22,160	£17,152-£34,137
Newman NAR	£10,000	£15,000	£16,977	£21,927	£23,903	£30,008	£31,985	£24,000	£25,000-£41,985
The Willows	£10,000	£4,698	/	£11,625	/	£19,706	/	/	£14,698-£29,706
Enhanced Resource									
Swinton	£10,000	£3,902	/	£10,829	£6,926	£18,910	£1,977	/	£13,902-£28,910
Hillcrest	£10,000	£1,332	/	£8,259	/	£16,340	/	/	£11,332-£26,340

The costs of placements in the independent non LA maintained sector outside Rotherham vary enormously (see Table 18). Some placements are day others are residential. Some are weekly residential placements others are for 52 weeks per year. The cost of a place in a non LA maintained school ranges from £11,000 to £355,000 per year. However, the average cost is significantly higher than the average cost within a Rotherham School. A small number of the placement costs

currently are shared between health, education and social care depending on placement decisions.

Table 18:

Average cost of a place: Independent/Non Maintained Special Schools

Placement	Day	Residential
Alderwasley Hall	£58,619	
Appletree		£157,581 plus £18,900 for first 2
Brantwood	£60,040 (terms)	
Chiltern Tutorial School	£9,300	
Dawn House	£18,894 (Pre 16) £23,576 (Post 16)	
Denby Grange	£32,697	
Doncaster School for the Deaf	£44,060	
Eastwood Grange	£62,597	£197,870
Fullerton House		£239,200
Hall Cliffe	£60,391	
Haybrook		£265,200
High Grange		£355,350
Kismul		£235,236
Meadowcroft	£54,416	
Meadowview	£63,435	£181,225
New College Worcester		£40,055
Paces	£10,981	
The Grange	£32,697	
The Robert Ogden School	£52,843	
The Royal National College for the Blind - Hereford		£38,324
The William Henry Smith	£70,505	
Wilsic Hall	£59,399	£239,200

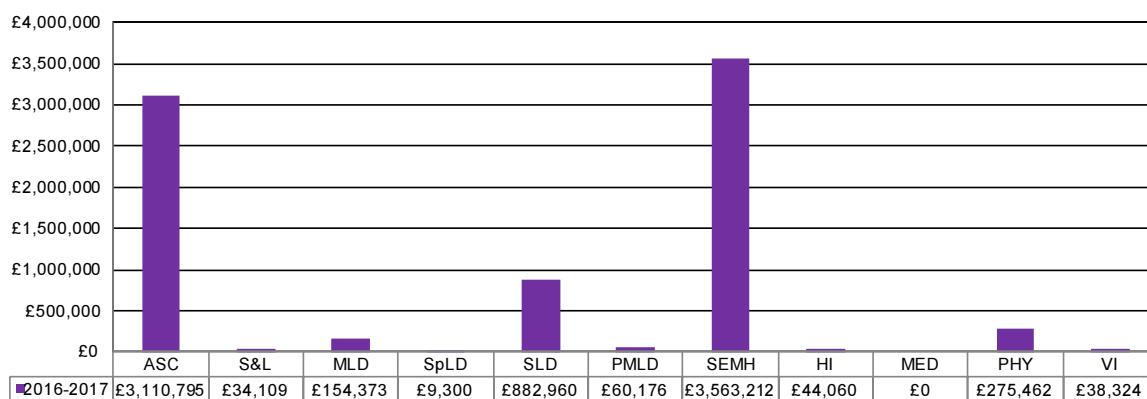
As can be seen below (Table 19) the provision made in Independent Non LA Maintained settings outside Rotherham is predominately for pupils with Social Emotional and Mental Health(SEMH) or Autism(ASC) needs.

£3.56 million is spent on **SEMH** provision.

£3.1 million is spent on **ASC** provision.

Table 19: Cost of out of authority placements for 2016/17

Primary Need Costs



Summary of implications for Rotherham from the Analysis of the High Needs Block and costs of provision

1. *Special School placements in Rotherham cost between £14,600 to £40,000.*
2. *Specialist Enhanced Resource Provision placements in Rotherham cost between circa £11,300 and £28,000.*
3. *The cost of a place in an Independent Non Maintained School outside Rotherham ranges from £11,000 to £355,000*
4. £6.66 million is spent on Independent provision outside Rotherham
£3.56 million is spent on Social Emotional and Mental Health needs
£3.1 million is spent on Autism needs
5. It is anticipated that the high needs block will overspend by approximately £5 million in 2016/17.

10. Projected Shortfall in Rotherham's provision for Children and Young People with Special Educational Needs

There are two factors to consider when calculating the potential shortfall in specialist provision in Rotherham, which will arise by 2021.

Factor 1: the current levels of **under provision** as evidenced by an over reliance on external independent non-maintained provision.

In calculating the projected shortfall for **Factor 1**, **the lack of provision within Rotherham**, it needs to be acknowledged that there will always be a need for a small number of placements with external providers which are made for a number of different reasons. These might relate to:

- A young person's safety and the need to be cared for away from Rotherham
- A young person's needs are so complex that it is not reasonable or cost effective to expect the needs to be met by local special schools

By reducing out of borough placements by 50% approximately 75 places will need to be created locally for Social Emotional and Mental Health or Autism needs

Factor 2: the projected growth in Rotherham's overall population which will result in a corresponding proportionate increase in demand for specialist placements.

In calculating the projected shortfall for **Factor 2**, it is possible to predict a potential increase in demand for special school places.

There is a predicted increase in growth in the overall population in Rotherham from 261,400 (2016) to 265,800 (2021). This equates to an additional 4,400 residents (1.7% increase).

A projected growth of pupil population of 2,231 by 2021 has been estimated, from 44,627 (2016) to 46,858 (2021)

Of these 2,231 pupils, a proportion will have **Special Educational Needs**. This has been calculated as 363 pupils. There is an expectation that the majority of these pupils will be educated well in Rotherham's mainstream schools.

A corresponding proportionate increase in the demand for specialist provision has been calculated. The outcomes in the data collection and analysis during this review have helped to identify the number of required places and these are described below.

Taking account of the two factors, it is possible to estimate a current and future shortfall of **specialist provision** that needs to be addressed

Excluding Early Years provision, **there will be a gap of 51 places in specialist provision.**

Of the additional number of specialist placements required, it is anticipated a growth in demand for specialist provision relating to specific areas of need. Using the 2016 census returns, it has been possible to estimate the number of places required to meet priority areas of need as follows:

- Autism provision of 16 places (based on Jan 2016 needs analysis showing autism as 30.7% of Rotherham's special school population)
- Severe Learning Difficulties 7 places (14%)
- Physical Difficulties provision of 5 places (10%)
- Social Emotional and Mental Health needs provision 3 places (6%)
- Moderate Learning Difficulties provision 14 places (27%)
- Other (12.3%)

Combining factors 1 and 2 equates to a shortfall by 2021 of approximately 126 new places for special educational needs

In the light of this, there will need to be consideration of the required changes to the special school and enhanced resource estate to meet the projected shortfall. Rotherham could continue to use its existing stock of good quality special school and enhanced provision. Evidence suggests that there is currently insufficient capacity within these provisions to meet future demand.

The local authority will be able to incrementally commission the new number of places required from existing providers on an annual basis until 2021.

Options for consideration:

- Incrementally expand current special school provision
- Incrementally expand enhanced resource provision

- Incrementally enhance a combination of enhanced and special school provision
- Incrementally develop ASC and SEMH specialist provision to meet the increasing demand for ASC provision and reintegrate pupils currently placed in expensive out of borough independent non maintained schools.

Those young people who cannot be placed locally due to capacity issues should be the focus of this Rotherham's sufficiency work and future planning. There are a number of considerations why Rotherham needs to plan strategically for this group;

- ***Too many of Rotherham's learners are travelling daily, outside the borough, to school***
- ***Too many of Rotherham's vulnerable learners are losing vital attachments and links with their own localities because they have to travel outside Rotherham to receive their education.***
- ***Rotherham's specialist providers are judged to be good and better in providing education***
- ***Rotherham's mainstream schools are well supported by specialist services and maintain an appropriate proportion of children and young people with additional needs within their settings***
- ***Rotherham Schools and the Local Authority have a proved track record of working together to support children with additional needs.***
- ***Of the growth required, there is little spare capacity to meet this locally. Any spare capacity in existing enhanced resources does not appear to meet the needs of the predicted priority areas.***
- ***It is likely to be more cost effective to improve local capacity to meet needs.***
- ***It is possible to identify the predominant type of needs of this group of learners as Social Emotional and Mental Health needs or Autism.***
- ***Rotherham's population is continuing to grow, supported by an ambitious housing strategy which will result in higher numbers of children with additional needs.***

11. Main Summary and Conclusions

- Rotherham's children and Young People with Special Educational Needs are currently being poorly served by a lack of local provision which results in a disproportionate number having to travel outside the borough to receive appropriate education.
- There has been a rise in the numbers of children and young people who require additional support through an Education Health and care Plan, bringing Rotherham in line with national averages.
- There is a predicted growth in Rotherham's population, leading to a 5% rise in the numbers of school age children and a corresponding rise in the numbers of children and young people with special educational needs that cannot be met within the mainstream sector.
- There have traditionally been low levels of funding to this area from the Dedicated Schools Grant resulting in a lack of planning and preparation for the increase in numbers requiring provision.

- National growth in SEN provision has been approximately 12% since 2011, with Rotherham's growth in SEN provision standing at 0%
- Rotherham is placing over 140 children outside the borough at a substantial cost to the High Needs Budget which is significantly overspent.
- The presenting need for the majority of placements outside Rotherham are within the area of Social Emotional and Mental Health or Autism.
- Rotherham's special provisions are full with very little physical capacity to increase numbers currently.
- The need for a total of at least 126 new SEN places is predicted by 2021.

It is envisaged the findings of this report will contribute to a 3 year SEND sufficiency plan, alongside a 3 year High Needs Recovery Plan. The purpose of which will be to improve the offer available to the children and young people of Rotherham with additional educational needs which can be delivered in a personalised and efficient way to give them greater choices on their journey to reaching their full potential.

Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title:

Business Rates Discretionary Rate Relief for Small Businesses and Pubs

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

Yes

Strategic Director Approving Submission of the Report

Judith Badger – Strategic Director, Finance & Customer Services Directorate

Report Author(s)

Robert Cutts – Service & Development Manager - Revenues, Benefits & Payments

Ward(s) Affected

All

Summary

In the Spring Budget of 8 March 2017, the Chancellor announced the introduction of a series of new Business Rates reliefs including Supporting Small Businesses and Support for Pubs details of which are set out below;

- Supporting Small Businesses - provides support for up to 5 years for those ratepayers facing large increases as a result of the loss of small business or rural rate relief following the 2017 revaluation. The support limits increases in their Non Domestic Rates bills to the greater of £600 or the real terms transitional relief cap for small businesses each year.
- Support for Pubs - provides Business Rates Relief of up to £1,000 support to public houses with a Rateable Value of up to £100,000. The relief will be for one year from 1 April 2017.

The new reliefs are to be granted by Authorities using their Discretionary Relief powers under Section 47 of the 1988 Local Government Finance Act. Further guidance was subsequently issued by the DCLG on 20 June 2017 to cover the implementation of these reliefs and updated billing software was released by the Council's providers – Northgate on 21 August.

Both reliefs will be subject to the De-Minimis State Aid regulations, which limit assistance (to a maximum of 200,000 Euros in 3 fiscal years which is around £183,000) and it will therefore be necessary to obtain a State Aid declaration from ratepayers (as has been the case with other reliefs such as retail relief).

Billing authorities will be fully compensated through a Section 31 grant for the cost of the authority granting these reliefs.

Recommendations

1. That approval be given to the implementation of the Supporting Small Businesses and Support for Pubs discretionary Business Rates schemes.
2. That the two schemes be implemented in accordance with guidance issued by the Department for Communities and Local Government.

List of Appendices Included

Appendix A - State Aid Declaration

Background Papers

Business Rates Information Letter (4/2017): Spring Budget Update

DCLG guidance (Business Rates Information Letter (4/2017)).

<https://www.gov.uk/government/publications/52017-small-business-rate-relief>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Business Rates Discretionary Rate Relief for Small Businesses and Pubs

1. Recommendations

- 1.1 That approval be given to the implementation of the Supporting Small Businesses and Support for Pubs discretionary Business Rates schemes.
- 1.2 That the two schemes be implemented in accordance with guidance issued by the Department for Communities and Local Government.

2. Background

- 2.1 In the Spring Budget of 8 March 2017, the Chancellor announced the introduction of a series of new Business Rates reliefs including “Supporting Small Businesses” and “Support for Pubs”:
- 2.2 The Government indicated that the new reliefs are to be granted by Authorities using their Discretionary Relief powers under Section 47 of the 1988 Local Government Finance Act. Further guidance was subsequently issued by the DCLG on 20 June 2017 to cover the implementation of these reliefs and updated software to allow new bills to be issued to the affected businesses was released by the Council’s software provider - Northgate on 21 August 2017.
- 2.3 Billing authorities will be fully compensated by the Government through a Section 31 grant for the cost of the authority granting the reliefs.
- 2.4 Both reliefs will be subject to the De-Minimis State Aid regulations, which limit assistance (to a maximum of 200,000 Euros in 3 fiscal years which is around £183,000) and it is therefore necessary to obtain a State Aid declaration from ratepayers before awarding the relief as was the case previously with other Business Rates Reliefs such as Retail Relief and a copy of the declaration form used is attached as Appendix A

Supporting Small Businesses

- 2.5 Supporting Small Businesses will provide support for up to 5 years for those ratepayers facing large increases as a result of the loss of small business or rural rate relief following the 2017 revaluation by limiting increases in their bills to the greater of £600 or the real terms transitional relief cap for small businesses each year.
- 2.6 Initial terms for implementation of the scheme were issued to Authorities on 9 March 2017 followed by further guidance on 20/6/17 covering the operation and delivery of the policy including more complex cases and updated software was provided on 21 August 2017.
- 2.7 Initial estimates indicate that subject to State Aid Regulations 36 ratepayers in Rotherham will be eligible with a total relief of £36k.
- 2.8 Subject to approval by Cabinet, the Supporting Small Businesses relief would be applied in accordance with DCLG guidance (Business Rates Information Letter (4/2017)).

Support for Pubs

- 2.9 Support for Pubs relief will provide up to £1,000 business rate discount for public houses with a rateable value of up to £100,000 for one year from 1 April 2017.
- 2.10 Initial estimates indicate that subject to State Aid regulations 117 ratepayers in Rotherham may be eligible with a total relief of £110k.
- 2.11 Subject to approval by Cabinet, the Support for Pubs relief would be applied in accordance with DCLG guidance (Business Rates Information Letter (4/2017)).

3. Key Issues

- 3.1 It is proposed that the Council exercise its discretionary powers to award Supporting Small Business relief and Support for Pubs relief using the criteria set out in the Government guidance (Business Rates Information Letter (4/2017)).
- 3.2 The authority is able to identify the businesses which are eligible for both reliefs using the criteria set out in the Government guidance. Both reliefs are however subject to the De-Minimis State Aid regulations, and it will therefore be necessary to require ratepayers to complete an application form which includes a State Aid declaration before awarding the relief and issuing revised rates bills.

4. Options considered and recommended proposal

- 4.1 There are no alternative options being considered and the recommendation is that both the Supporting Small Businesses and Support for Pubs reliefs are implemented in accordance with Government guidance.

5. Consultation

- 5.1 The recommendations have been considered by the relevant Cabinet Member who is supportive of the recommendations to award both reliefs in accordance with Government criteria.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Businesses who have been identified as potentially eligible for Supporting Small Businesses or Supporting Pub Relief will be contacted within 10 working days of the Cabinet decision advising them of their potential eligibility for the relief and with a request that they complete and submit an application form incorporating a state aid declaration.
- 6.2 It is anticipated that once completed applications and State Aid Declarations have been received revised rates bills backdated to April of this financial year will be issued.

7. Financial and Procurement Implications

- 7.1 The estimated cost of the relief is £146k which is made up of £36k for Supporting Small Business relief and £110k for Support for Pubs. Of this £146k relief Rotherham's share would be 49% or £72k however the Government has stated that all authorities will be compensated fully for this loss in Business Rates income through a Section 31 grant.
- 7.2 All authorities have each been allocated £12k New Burdens from the Government funding to compensate for the introduction of the new reliefs.

8. Legal Implications

- 8.1 The new reliefs are to be granted by Authorities using their Discretionary Relief powers under Section 47 of the 1988 Local Government Finance Act and are subject to State Aid Rules.

9. Human Resources Implications

- 9.1 No direct implications from this report

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 No direct implications from this report

11. Equalities and Human Rights Implications

- 11.1 No direct implications from this report

12. Implications for Partners and Other Directorates

- 12.1 No direct implications from this report

13. Risks and Mitigation

- 13.1 The implementation of the reliefs will be an additional administrative burden for the Business Rates team. All authorities have each been allocated £12k New Burdens funding to compensate for additional administration for the introduction of the new reliefs and the issuing of revised rates bills.

14. Accountable Officer(s)

Judith Badger, Strategic Director of Finance and Customer Services

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	01.09.2017
Assistant Director of Legal Services	Dermot Pearson	27.09.2017
Head of Procurement (if appropriate)	N/A	

Head of Human Resources (if appropriate)	N/A	
---	-----	--

*Report Author: Robert Cutts, Service & Development Manager – Revenues,
Benefits and Payments*

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

Appendix A – State Declaration

Dear Sir/Madam,

Account No.

Address

State Aid De Minimis Exemption

State Aid rules exist to avoid public funded interventions distorting competition within the European Union. You should note carefully the requirements needed to comply with the European State Aid rules and if need be, refer to the relevant legislation. Details are available at www.gov.uk/state-aid.

You are being considered for assistance under the De Minimis Regulation (Regulation 1998/2006). The De Minimis Regulation allows an enterprise to receive up to 200,000 Euros De Minimis Aid over any period of three fiscal years (as set out in EC Regulation 1998/2006 as published in the Official Journal of the European Union on 28 December 2006).

To establish whether you are eligible to receive De Minimis aid you must declare the full amount of De Minimis aid which you have already been granted during the previous two fiscal years and the current fiscal year. Any assistance you may have received from a public body might be a De Minimis aid. This could be from central, regional, devolved governments or agencies or a local authority.

Please complete the enclosed Statement of Previous Aid received under the De Minimis exemption and arrange for a director of your business to sign the declaration. We will use this information to assess your eligibility to receive assistance.

The following is not a comprehensive list of all possible forms of aid. However, it should give you an indication of common forms of aid which you may have been given. If you have received De Minimis aid, you should have been given a letter informing you that the assistance you were given was under the De Minimis Regulation.

Forms of possible aid:

- State grants
- Interest rate relief
- Tax relief
- Tax credits
- State guarantees or holdings
- State provision of goods or services on preferential items
- Direct subsidies
- Tax exemptions
- Preferential interest rates
- Guarantees of loans on especially favourable terms
- Acquisitions of land or buildings either gratuitously or on favourable terms
- Provision of goods and services on preferential terms
- Indemnities against operating losses
- Reimbursements of costs in the event of success
- State guarantees, whether direct or indirect, to credit operations preferential re-discount rates
- Dividend guarantees
- Preferential public ordering
- Reduction of, or exemption from, charges or taxes, including accelerated depreciation and the reduction of social contributions
- Deferred collection of fiscal or social contributions
- Assistance financed by special levies
- Capital transfers
- Certain State holdings in the capital of undertakings

NNDR+A89495+DLT-FO-ST3

Statement of Previous Assistance/Aid Received

I confirm thathas received the following De Minimis aid during the previous 3 fiscal years (this being the current fiscal year and the previous two fiscal years):

Organisation Providing the Assistance/Aid	Value of Assistance	Date of Assistance	Nature of Assistance

I acknowledge that I am authorised to sign on behalf of and understand the requirements of De Minimis (EC Regulations 1998/2006).

.....is not a business "in difficulty" as defined at 2.1 of the Community Guidelines and State Aid for Rescuing and Restructuring Firms in Difficulty (2004/C22/02) at the date of this declaration.

I understand that if claimed incorrectly, any relief awarded will be recovered by the Council.

By signing below, I confirm that I representand that the information set out above is accurate for the purposes of the De Minimis exemption.

SIGNATURE:.....

NAME:.....
Please Print

BUSINESS:.....
Please Print

POSITION:.....
Please Print

DATE:.....

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title

New Application for Business Rates Discretionary Rate Relief

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)

Rachel Humphries – Operational Manager, Local Taxation
01709 255119 or rachel.humphries@rotherham.gov.uk

Ward(s) Affected

All

Summary

To consider 1 application for the award of a discretionary business rate relief for Chesterwood Trading Ltd. This is in accordance with the Council's Discretionary Business Rates Relief Policy (approved 12 December 2016).

Recommendation

That 100% discretionary rate relief be awarded to Chesterwood Trading Ltd for the period 1 April 2017 to 31 March 2018.

List of Appendices Included

None

Background Papers

Discretionary Rate Relief Policy - Approved 12 December 2016

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

New Applications for Discretionary Rate Relief

1. Recommendation

- 1.1 That 100% discretionary rate relief be awarded to Chesterwood Trading Ltd for the period 1st April 2017 to 31st March 2018.

2. Background

- 2.1 Section 47 of the Local Government Finance Act (LGFA) 1988 conveys power on local authorities to allow discretionary relief that would be additional to the mandatory relief. This is given when the property is used wholly or mainly for charitable purposes by a charity or other non-profit body whose main objects are charitable or benevolent, or concerned with education, social welfare, science, literature or the arts.

- 2.2 The Council can grant discretionary rate relief to:-

- Registered Charitable Organisations, including Community Amateur Sports Clubs. The relief granted is up to 20% of the rate liability as these organisations are eligible for 80% mandatory rate relief.
- Other organisations or institutions that are not established or conducted for profit and whose aims are charitable or otherwise, philanthropic, religious, concerned with education, social welfare, science, literature or fine arts. Relief can be granted up to 100% of the business rates liability.
- Properties occupied by not for profit sports or social clubs, societies or other organisations for the purposes of recreation. Relief can be granted up to 100% of the business rates liability.
- Rate relief to ratepayers – Section 47 of the LGFA 1988b was amended by Section 69 of the Localism Act 2011. This amendment gives the Council the discretion to grant relief to any other body, organisation or ratepayer, having due regard to its Council Tax payers.

- 2.2.1 The Council has operated a system of awarding relief through the application of a policy that was approved by the former Cabinet on 24th April 2013 which has more recently been revised and subsequently approved by Cabinet on 12 December 2016.

- 2.2.2 The funding for Discretionary Rate Relief was, until the introduction of the Government's Business Rates Retention Scheme (April 2014), shared with Central Government through the National Non-Domestic Rate Pool. Local authorities were reimbursed with 25% of the cost of discretionary rate relief granted to charities and Community Amateur sports Clubs, and 75% of the cost of relief granted to other bodies. Now, with the localisation of business rates, Central Government and Councils share every £1 of rates due on a 50/50 basis as follows:

Central Government	50%
South Yorkshire Fire and Rescue Authority	1%
Rotherham MBC	49%

2.3 Application: Chesterwood Trading Ltd, Chesterton Road, Rotherham S65 1ST

2.3.1 This application has been deferred from the Cabinet Decision Making Meeting held on 10 July 2017.

Chesterwood Trading Ltd is a social enterprise with the aims of supporting Rotherham communities and individuals through healthy recreation and educational activities in order to enhance the quality of life and personal development.

There is specific emphasis on promoting and protecting the wellbeing and physical health of local people and assisting in the relief of ill health and obesity by providing year round facilities for exercise and recreation.

The property provides a facility for indoor football and cricket, an amateur boxing gym and exercise sessions for women combined with a classroom facility which is used for education on healthy nutrition.

2.3.2 Chesterwood Trading Ltd's application for the award of discretionary rate relief does meet the Council's qualifying criteria as set out in its Policy. The organisation is open to all sections of the community and provides facilities to non-members which enhance community spirit.

2.3.3 The organisation was awarded 100% relief in 2016/17 and is applying for discretionary relief with regard to their 2017/18 rates liability. The financial implication of awarding the rate relief is set out in section 7 of this report.

3. Key Issues

3.1 To consider the application requesting the award of discretionary rate relief to Chesterwood Trading Ltd

4. Options considered and recommended proposal

4.1 Given the discretionary nature of the relief requested, the Council has the discretion to either award or not award a discretionary rate relief.

4.2 In helping Members make such a decision, the Council has put in place a specific Policy framework to consider individual applications. In accordance with that Policy, applications (including supporting documentation) for relief have been considered in line with the qualifying criteria and other considerations set out in that Policy.

4.3 It is therefore recommended that:-

- 100% discretionary rate relief be awarded to Chesterwood Trading Ltd.
- Any award made is considered to be in the interests of Council Tax Payers.

5. Consultation

- 5.1 The application has been considered by the relevant Cabinet Member and that Member is supportive of the recommendation to award relief.

6. Timetable and Accountability for Implementing this Decision

- 6.1 The applicant will be advised by letter on the outcome of their application for relief within 10 working days of the Cabinet decision.

7. Financial and Procurement Implications

- 7.1 The applicant has provided financial information in support of the application for discretionary rate relief which has been assessed by the Council's Finance department. Financial support in the form of discretionary rate relief is considered appropriate if the organisation is to expand and develop its activities.

- 7.2 The total potential cost of granting the relief for the financial year 2017/18 is set out below in paragraph 7.3 alongside the specific cost to the Council.

7.3	Year	Total Amount of Relief	Cost to RMBC
	17/18	£64,186.00	£31,451.14

8. Legal Implications

- 8.1 The statutory framework for discretionary rate relief is set out in the body of the report.

9. Human Resources Implications

- 9.1 No direct implications from this report

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 No direct implications from this report

11. Equalities and Human Rights Implications

- 11.1 No direct implications from this report

12. Implications for Partners and Other Directorates

- 12.1 No direct implications from this report

13. Risks and Mitigation

- 13.1 The Government has issued guidance notes to advise Authorities what criteria should be used in considering applications for Discretionary Rate Relief. Authorities have been strongly advised to treat each individual case on its own merits and to not adopt a policy or rule which allows them to not consider each case without proper consideration. In cognisance of these guidance notes, the Council has formally adopted a Policy framework for considering individual discretionary business rates relief applications with the decision to award reserved for Cabinet.

14. Accountable Officer(s)

Judith Badger, Strategic Director of Finance and Customer Services

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	08.08.2017
Assistant Director of Legal Services	Dermot Pearson	27.09.2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

*Report Authors: Diane Woolley, Team Leader, Local Taxation
 Rachel Humphries, Operational Manager, Local Taxation
 Anne Ellis, Finance Manager, Finance and Customer Services*

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

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title:

Rotherham Side by Side Review of Housing Related Support

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)

Kay Nicholes, Commissioning Officer

Nathan Atkinson, Assistant Director Strategic Commissioning

Ward(s) Affected

All

Summary

The report outlines recommendations for the future commissioning of externally provided Housing Related Support Services in Rotherham. Housing Related Support services deliver positive outcomes with the vulnerable people they support, preventing and dealing with emergency homelessness and averting the need for other costlier forms of service provision. Though Housing Related Support services sit within the Adult Care and Housing Directorate portfolio, the preventative element provides whole system benefits.

Homelessness and the risk of homelessness is the focus for all Housing Related Support services. Through the Rotherham Side by Side programme the Council has worked closely with existing providers, service users and wider stakeholders to co-produce the future model of externally commissioned Housing Related Support.

The review was undertaken to remodel the provision, to meet changing demand, and offer better value for money in addition to delivering the savings required for 2018/19.

Recommendations

1. That approval be given to the remodeling of the existing externally commissioned housing related support offer in Rotherham to deliver four Pathways of support to vulnerable people who are at risk of homelessness or are homeless as outlined in sections 4.0 to 4.2. The four pathways are;
 - Vulnerable Adults
 - Complex Need
 - Domestic Abuse
 - Young People and Young Parents
2. That approval be given to the redefinition of the existing offender, single homeless, homeless families, and mental health client groups as **Vulnerable Adults** to better meet multiple needs and redefine the age range across Vulnerable Adults' contracts to **21+** to prevent duplication of service.
3. That approval be given to further efficiencies within the **Vulnerable Adults** pathway through the merger of 3 floating support services, currently providing 205 units in total, into one service providing 220 units.
4. That approval be given to the creation of a pathway for people with **Complex Needs** based on a Housing First model to support 20 – 30 people with complex needs. To achieve this, it is proposed that the Council renegotiate existing contracts of dispersed accommodation. As outlined in sections 4.18 to 4.22.
5. That approval be given to the **Domestic Abuse Pathway** as a priority and that current funding will be protected, at this stage, as outlined in sections 4.23 to 4.34 and to extend the Rotherham Rise refuge contract for 18 months under an exemption from Contract Procedure Rules.
6. That the joint commissioning of the **Young People Pathway** with the designated lead for Children and Young People and designated Adult Care and Housing commissioning lead be approved, as outlined in section 4.35 to 4.40 and the YWCA Yorkshire Fleming Gardens contract be extended for 18 months under an exemption from Contract Procedure Rules.
7. That subject to the remaining efficiencies from the **Vulnerable Adults Pathway** being forthcoming an exemption from Contract Procedure Rules be granted for up to 18 months for the contracts currently provided by South Yorkshire Housing Association at Browning Court and Action Housing & Support Ltd at Elliott House. Further information relating to this approach is outlined in section 4.7 and Table 7.
8. That the proposal to transfer the governance and ownership of the Learning Disabilities contract with KeyRing to the remit of the Head of Service for Learning Disabilities, following conclusion of recommended savings activity as outlined in section 5.1, be approved.
9. That the existing Outcomes Framework for Housing Related Support be adapted as outlined in section 6 to better reflect the nature of the Pathways.

List of Appendices Included

Appendix A Equality Analysis

Background Papers

Overview and Scrutiny Management Board 2 March 2016 and 16 Dec 2016

<http://moderngov.rotherham.gov.uk/documents/g13363/Public%20reports%20pack%2002nd-Mar-2016%2014.00%20Council%20Meeting.pdf?T=10>

Housing First – Homeless Link

<http://hfe.homeless.org.uk/>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 11 October 2017

Council Approval Required

No

Exempt from the Press and Public

No

Rotherham Side by Side Review of Housing Related Support

1. Recommendations

- 1.1 That approval be given to the remodeling of the existing externally commissioned housing related support offer in Rotherham to deliver four Pathways of support to vulnerable people who are at risk of homelessness or are homeless as outlined in sections 4.0 to 4.2. The four pathways are;
 - Vulnerable Adults
 - Complex Need
 - Domestic Abuse
 - Young People and Young Parents
- 1.2 That approval be given to the redefinition of the existing offender, single homeless, homeless families, and mental health client groups as **Vulnerable Adults** to better meet multiple needs and redefine the age range across Vulnerable Adults' contracts to **21+** to prevent duplication of service.
- 1.3 That approval be given to further efficiencies within the **Vulnerable Adults** pathway through the merger of 3 floating support services, currently providing 205 units in total, into one service providing 220 units.
- 1.4 That approval be given to the creation of a pathway for people with **Complex Needs** based on a Housing First model to support 20 – 30 people with complex needs. To achieve this, it is proposed that the Council renegotiate existing contracts of dispersed accommodation. As outlined in sections 4.18 to 4.22.
- 1.5 That approval be given to the **Domestic Abuse Pathway** as a priority and that current funding will be protected, at this stage, as outlined in sections 4.23 to 4.34 and to extend the Rotherham Rise refuge contract for 18 months under an exemption from Contract Procedure Rules.
- 1.6 That the joint commissioning of the **Young People Pathway** with the designated lead for Children and Young People and designated Adult Care and Housing commissioning lead be approved, as outlined in section 4.35 to 4.40 and the YWCA Yorkshire Fleming Gardens contract be extended for 18 months under an exemption from Contract Procedure Rules.
- 1.7 That subject to the remaining efficiencies from the **Vulnerable Adults Pathway** being forthcoming an exemption from Contract Procedure Rules be granted for up to 18 months for the contracts currently provided by South Yorkshire Housing Association at Browning Court and Action Housing & Support Ltd at Elliott House. Further information relating to this approach is outlined in section 4.7 and Table 7.
- 1.8 That the proposal to transfer the governance and ownership of the Learning Disabilities contract with KeyRing to the remit of the Head of Service for Learning Disabilities, following conclusion of recommended savings activity as outlined in section 5.1, be approved.

- 1.9 That the existing Outcomes Framework for Housing Related Support be adapted as outlined in section 6 to better reflect the nature of the Pathways.

2.0 Background

- 2.1 The Housing Related Support (HRS) services (formerly known as Supporting People) provides high quality preventative services to vulnerable people of all ages (16+) across many client groups including (but not exclusively);

- Domestic Abuse
- Offenders
- Young Parents & Young people at risk
- Mental Health
- Learning Disabilities
- Homelessness
- Leaving Care
- Older People (sheltered housing)

- 2.2 All service provision is expected to provide preventative, housing related support to enable vulnerable people to either maintain or gain their independence through;

- accommodation based services (same site and dispersed short term tenancies)
- Floating support (temporary visiting support to set up a home or prevent homelessness).

2.3 Benefits of Housing Related Support (HRS)

HRS services are not statutory services but they are a key provision for supporting statutory services in meeting their objectives and preventing vulnerable people from entering statutory provision. The main homelessness duty to secure accommodation or take reasonable steps to prevent the loss of accommodation apply to applicants who have a priority need for accommodation.

- 2.4 Several **cost/benefit and social return on investment** studies have been undertaken that demonstrate that housing related support is effective in preventing the need for costlier statutory services (Capgemini Cost: Benefit analysis of Supporting People 2008). There are potential and significant implications of withdrawing funding for services:

- Impact on housing duty for those in priority need – requirement to provide supported accommodation.
- Impact on other Adult Care & Housing budgets as the majority of services have a direct impact.
- Impact on Children & Young People budgets for 16 and 17-year olds as Children and Young People would not have access to this type of accommodation which would increase pressure on the foster care or bed and breakfast budget.
- Impact on outcomes for Better Care Fund (mental health services specifically).
- Requirement to provide preventative services through Care Act 2014.

- Increase costs for usage of temporary accommodation for homeless team.
- Increase in failed tenancies
- Increased repeat homelessness/rough sleeping
- Risk of Domestic Homicide (provide domestic abuse services)
- Increase in hospital admissions, falls and impact on the general health and wellbeing
- Increase in access and/or requirement for assessments from the council
- Increase in antisocial behaviour with lack of support
- Increase in crime with reduced support provision
- Increase in debt problems/rent arrears
- Increase usage of food banks
- Affordability of rent if the additional service charges, currently funded through the HRS contracts, are added to the rent.

2.5 In 2016/17 HRS accommodation based services achieved an overall 85% for increased independence and the floating support services achieved an overall 92% for maintaining independence this can be taken as a real and transferable reflection of the impact of the preventative services provided.

2.6 **Supply of Services**

The Council currently have 23 HRS services with external providers including accommodation based and floating support. Providers include:

Rotherham Rise
South Yorkshire Housing Association
Stonham (Home Group)
Action Housing
Target Housing
Places for People
Anchor Trust
Housing 21
Yorkshire Housing
YWCA Yorkshire
Keyring - Living Support network

2.7 Analysis showed as well as HRS funding from the council a significant level of additional funding amounting to over £4.3m per annum is attracted into Rotherham. The majority of this additional funding is in respect of rental income from supported housing and dispersed tenancies. There is a significant risk that the proposed Local Housing Allowance (LHA) cap on rents for supported housing will reduce income, much of which pays for on-site staff, security and intensive housing management.

2.8 The current services combined employ 79 fte staff with 71 fte delivering direct support and 8 first tier management all delivering 2914 hours of support per week.

2.9 Service User profile

Outcomes Forms are completed on service user exit from the service. Analysis of outcomes data for 2016/17 demonstrates that for short term services:

- 834 people moved on from the service.
- Most service users are women.
- A quarter of service users were under the age of 20 and almost half were under 25 years old.
- The majority were white British (88%) with 11.9% describing their ethnicity as none white.

More details regarding 'protected characteristics' are included in the Equality Assessment attached as Appendix A.

2.10 Table 1 below outlines the primary and secondary needs group for people who exited service in 2016/17.

Table 1 - Primary and Secondary Client Group 2016/17

	Primary Client Group		Secondary Client Group	
	No.	%	No.	%
Older people	1	0.12	3	0.45
Frail elderly	2	0.24	1	0.15
Mental health problem	129	15.47	81	12.18
Learning disabilities	6	0.72	23	3.46
Physical or sensory disability	8	0.96	19	2.86
Single homeless	36	4.32	177	26.62
Alcohol problems	1	0.12	32	4.81
Drug problems			58	8.72
Offenders or at risk	97	11.63	17	2.56
MDO	1	0.12	1	0.15
Young People at risk	248	29.74	5	0.75
Young People leaving care			8	1.20
People at risk of DV	196	23.50	12	1.80
People with HIV/AIDS	1	0.12		
Homeless families	69	8.27	28	4.21
Refugees			15	2.26
Teenage parents	20	2.40	1	0.15
Rough sleeper			4	0.60
Generic/Complex needs	19	2.28	180	27.07
Totals	834	100.00	665	100.00

2.11 The largest client group is Young People at Risk, followed by People at Risk of Domestic Abuse and People with Mental Health Problems. Over the last five years issues relating to Domestic Violence, Mental Health and Young People at Risk have accounted for the majority of people receiving support.

- 2.12 The secondary client group profile tells us that 27% of service users also had generic or complex needs, 26% are single homeless, 12% had mental health and just over 13% had substance misuse issues.

2.13 **Moving on**

Of the 834 service users who have moved on, 666 people had improved their independence, 663 of these moves were planned moves from the support service (accommodation based) or a planned end to the receipt of service (floating support) in accordance with client's support plan. The average length of stay in service for those who moved on in a planned way is 223.71 days.

Table 2 - Number of days receiving a service

	<30 Days	1 - 3 Months	3 - 6 Months	6 - 12 Months	1 to 2 Years	Over 2 Years
No of users	142	158	200	190	117	27

Of the 834 clients who have moved on, 142 were unplanned moves from the support service (accommodation based) or an unplanned end to the receipt of service (floating support). Service users are increasingly likely to move on from services within 12 months. This reflects the changes to contracts to reduce the target support time from 2 years to 1 year.

- 2.14 Planned move on varies across the client groups as outlined below:

Table 3 - Planned Move On 2016/17

Planned Move on 2016/17	
Teenage Parents	100.00%
Homeless Families	91.23%
Single Homeless People	61.76%
Mental Health	94.12%
Young People at Risk	76.39%
Offenders	92.50%
Domestic Violence	88.89%

Planned move on is excellent within the Teenage Parents, Homeless Families, Mental Health and Offenders services. Although planned move-on within the Single Homeless and Young People at Risk services during the year is lower there were significant levels of evictions from the single homeless project, with 5 people asked to leave on one occasion. Following discussions with providers they reported that they feel the level of unplanned moves for these client groups partly reflects the complex need of service users accessing the service at present.

2.15 **Outcomes**

HRS externally commissioned contracts are outcome focused, based on the following service level outcomes

1. Be healthy
 2. Stay safe
 3. Enjoy and achieve
 4. Make a positive contribution
 5. Achieve economic well-being
- 2.16 Within these maintaining accommodation is the most likely outcome achieved. Most people who access HRS services are 'the furthest away' from work and obtaining work is consistently the least likely outcome.
- 2.17 However, in the last two years there has been an increase in positive outcomes for obtaining work. The improved performance can be directly linked to focused activity amongst external providers, for example making better use of opportunities to offer and source apprenticeships. Volunteers and apprentices have accessed provider run in-house training programmes and can complete a relevant NVQ up to Level 3. Alongside this, there is opportunity to work with a designated mentor and receive enhanced supervision, coaching and 'on the job' learning. For example, Target Housing have secured over £60,000, through grant funding, for qualified sessional workers to offer a range of artistic and complementary therapies to vulnerable people and community groups, with a further £56,000 invested to develop three local social enterprises.
- 2.18 **Recent changes**

As per the 12 September 2016 Cabinet/Commissioners Review Meeting Decision, three services for Young People have been redesigned and have been subject to a competitive tender due to their contracts ending in March 2017 and their high contract values. In addition, a service for people with an offending history and a homeless service were also put out to tender. The tendering of the five services realised an annual contract saving of £312,896. The actual saving in this financial year will have a shortfall of £97,000 as contracts commenced in June and October of this year, which was later than forecast. The slippage for the new contract start dates has occurred due to additional consultation on the revised specifications.

Table 4 - HRS Tender Outcomes 2017/18

Service	Successful Provider
Offenders dispersed Accommodation based Support	Target
Accommodation based service for single homeless people	Action Housing
Accommodation based support for young people (including emergency provision)	Action Housing
Accommodation based support service for young people	Action Housing
Floating Support Service for Young People	Target

3.0 Case for Change

- 3.1 Continued investment in HRS services represents a sound forward strategy for Rotherham. Although the resources are tight, and there is work to be done in achieving the right configuration of services, the preventative approach taken by the HRS services is realising economies across a range of areas. Most importantly, significant numbers of vulnerable service users are consistently achieving positive outcomes and reliance on costlier services is reduced and often ceases.
- 3.2 There is a need to take a new approach to HRS as the Supporting People funded model was out of date and required review in context of emerging good practice and changing demand. Emerging issues from stakeholders included:
- The desire to look towards new ways of working with an emphasis on co-production
 - The need to prioritise domestic abuse because of a lack of mainstream funding
 - Mental health is a golden thread throughout all Housing Related Support
 - Support for young parent's services should be maintained
 - Specific provision for ex-offenders lower priority
 - The need to access other sources of funding
 - A need to focus on outcomes and person-centred approaches
 - A positive approach - what service users can do; not, what they can't do.
- 3.3 The overall budget allocation for HRS between 2009/10 and 2015/16 reduced from £7.9 million to £5.7 million - an overall reduction of £2.2 million.
- 3.4 There are additional committed savings for HRS (from internal and external services) between 2016/17 and 2018/19 under the Council's MTFS budget. These were confirmed in March 2016 as £2,302,000 over the three years.
- 3.5 In addition, a further £250,000 committed saving from HRS for 2017/18 was approved as part of the Council budget in March 2017. The revised savings over the 3 years are currently £2,552,000.

Table 5 - Breakdown of savings for In-house and External services

Year	In-house	External	Total Savings Target
2016/17	£90,000	£554,000	£644,000
2017/18	£831,000	£435,000	£1,266,000
2018/19	£342,100	£299,900	£642,000
Total	£1,263,100	£1,288,900	£2,552,000

- 3.6 This report focusses solely on the savings for the external HRS services for 2018/19.

- 3.7 The savings outlined for 2016/17 of £554,000 have been achieved in full.
- 3.8 The £435,000 savings for 2017/18 has been achieved through negotiations with providers to reduce contract values and the tender of five services agreed by Commissioner Myers in September 2016. Three of the services tendered were services for Young People.
- 3.9 The delay in commencing the tender exercise meant that the services in scope, required contract extensions for up to 6 months at the original contract values, to facilitate the tender and transition to a new model. This will impact on the savings achievable in year. £337,836 will be achieved by year end with the full £435,000 being achieved from April 2018.
- 3.10 The remaining savings of £299,900 for 2018/19 will be achieved through the remodelling of service provision within the four HRS pathways discussed throughout this report.

3.11 **National and Local Strategic Context**

The significant reduction in available funding for Housing Related Support makes innovation, joint approaches and targeted intervention a significant challenge, but essential, if early help and intervention is to succeed. The Council need to look to innovative ways of providing early help to prevent dependence on more expensive adult social care, criminal justice and health provisions.

- 3.12 Traditional models of homelessness accommodation are not always successful in engaging or meeting the needs of individuals with complex and multiple needs. However, there is a range of evidence which shows that the Housing First model is highly effective in supporting this group of people.

WHAT IS HOUSING FIRST?

Housing First is an innovative approach, proven to successfully support people with repeat histories of homelessness, who have complex needs, into independent and stable accommodation. Based around a set of core principles, which are designed to achieve optimum outcomes, Housing First is about doing things differently; it requires flexibility and creativity from everyone involved, from support providers and commissioners to housing suppliers. Housing First is most cost-effective when offered to individuals experiencing multiple disadvantages, which traditional services have been unable to successfully support. Individuals are also likely to have had repeat contact with high cost public services in the health and criminal justice sectors.

Research shows that 70-90% of Housing First residents maintain their tenancy, and are empowered to improve other aspects of their lives. This cost-effective approach is popular internationally, and the movement in England is growing.

The principles for Housing First in England are:

1. People have a right to a home
2. Flexible support is provided for as long as is needed
3. Housing and support are separated
4. Individuals have choice and control
5. An active engagement approach is used
6. People are supported to identify their strengths, goals and aspirations
7. A harm reduction approach is used

Due to the level of need and intensity of support, Housing First teams have small caseloads. One worker should not be supporting any more than seven individuals to ensure that flexible, wrap-around support can be provided.

- 3.13 The Council and the Clinical Commissioning Group are prioritising a review of the health and social care pathway for people with mental health problems. There is an increasing need for all services to be able to manage mental health as core to service delivery.
- 3.14 Hospital attendances, admissions and waiting times continue to rise in Rotherham and there is growth in emergency admissions to hospital. Life Expectancy in Rotherham is less than the England average by more than one year and varies by eight years between different parts of Rotherham. The NHS in Rotherham has a £75million efficiency challenge over the next 5 years and the Council has in the region of a £42 million financial gap to close over the next 3 years. The NHS Shared Planning Guidance asked every local health and care system in England to come together to create its own ambitious local plan. The Rotherham Integrated Health and Social Care Place Plan summarises local ambitions for these Sustainability and Transformation Plans. Supported Housing supports the ambitions of the Place Plan as access to suitable housing is one of the wider determinants of health.
- 3.15 A new approach to Domestic Abuse is being developed by Rotherham to improve access to services and a Domestic Abuse Integrated Pathway is being developed.

“Lack of good quality accommodation is a big problem for women offenders.”

3.16 **Need**

The next section outlines the data and evidence of need for services that consolidate existing arrangements into 4 clear pathways:

- Vulnerable Adults
- Complex Need
- Domestic Abuse
- Young People at risk and Young Parents

- 3.17 A remodel of Housing Related Support services provision in Rotherham was required to deliver services that focus on complex and multiple need as well as early help. This required a multi-agency approach between statutory services, service users and providers.

3.18 By using a strength based approach, providers will be required to focus on what people are good at, and what their skills are to lift themselves out of the negative cycle that further deepens the divide from their community. Services need to be:

- Empowering
- Psychologically informed
- Trauma informed
- Person centred
- Holistic
- Instil self-belief
- Community focused
- Co-produced

3.19 In January 2017, the co-production panel, Rotherham Side by Side, was established with providers and service users to undertake a review. The aim of the review was to understand the 'as is' position and to use this as a platform to deliver the vision by putting in place a new service model, better than we had before, for integrated commissioning of Housing Related Support across Rotherham that will:

- improve outcomes for residents by having more joined up services that better respond to their individual needs
- more effectively respond to Council priorities
- identify opportunities to achieve greater alignment of commissioning activities with external partners
- achieve efficiencies by taking a more coproduced approach
- achieve savings by remodelling to target complex need and early help

3.20 **Gaps**

Rotherham Side by Side identified the following gaps in service provision:

- Community Safety
 - Perpetrator programme (Domestic Violence)
 - Support for people recovering from substance and alcohol misuse – exiting detox
- Projects to reduce social isolation- peer support
- Complex needs
 - Women Offenders
 - Chaotic customer group
- Accommodation
 - Affordable accommodation in line with LHA rates for under 35's
 - Safe accommodation
 - Good landlords.
 - Properties that are well maintained that don't exacerbate health difficulties – damp, cold and fuel poverty.

- Affordable accommodation that won't be lost upon finding employment and which remains affordable.
 - Accommodation for people with learning disabilities
 - Lack of appropriate housing
 - Accommodation for older families - a significant amount of support
 - 16-17 years accommodation and specialised housing support
- Floating support
 - Debt Management
 - Fair access and exit
 - Monitoring and review of the LGBT offer
 - The offer to veterans
 - Black and Minority Ethnic Specialism
 - Older people
 - Autism
 - Carers
 - Young LD with babies
 - Disability
 - Women's provision both with and without children
 - Mental Health Support

'[A] said activities or courses to train in things such as manual labour would encourage them to stop offending. They suggested getting training so tenants could help with the upkeep of their own properties by doing jobs such as plastering and wallpapering which would make them feel that the property was theirs and would give them an incentive to keep the property in good repair'.

3.21 Key messages, after significant debate with the sector and key stakeholders in the co-production group, Rotherham Side by Side include:

- The need to be innovative to meet complex needs
- There has been a contraction of the Housing Related Support services expenditure. Savings have been offered up in previous years by providers but there is no 'fat' in existing contracts.
- A single access gateway was not desirable due to concerns about restricting access.
- Commissioning requirements to tender services make it difficult to fully co-produce, particularly running a procurement programme alongside the review programme.
- Domestic abuse services continue to be a priority

"A safe secure place away from intimidation and feeling insecure is my top priority."

3.22 All overarching savings identified for Housing Related Support services have been shared with HRS Providers through the Rotherham Side by Side and with each provider individually in relation to specific savings required.

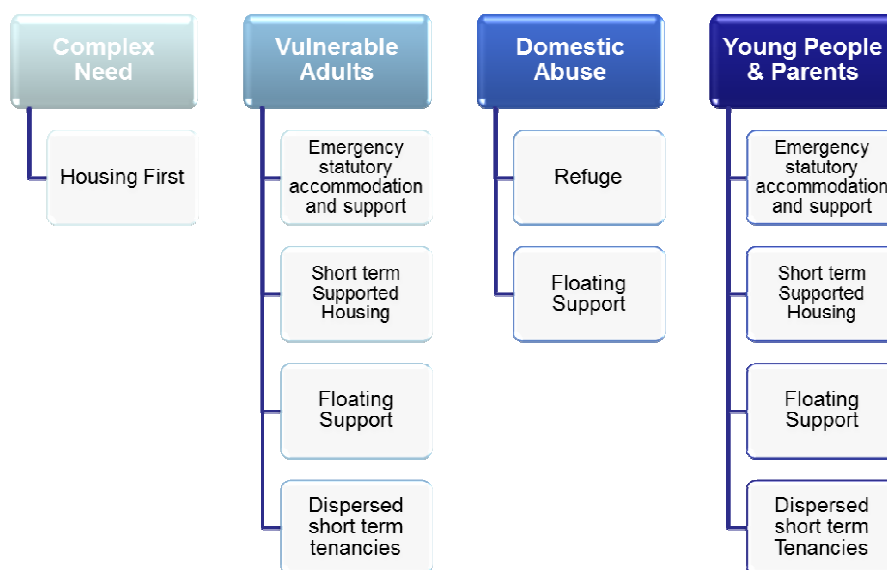
4.0 New Delivery Model

4.1 The proposed model is to streamline externally commissioned services into pathways for the following:

- Vulnerable Adults
- Complex Need
- Domestic Abuse
- Young People and Young Parents

Each of the pathways will focus on those who are homeless or at risk of homelessness, with a person's specific needs determining which of the four pathways will best meet their needs.

Table 6 - Recommended Housing Related Support Pathway



4.2 Initially it had been proposed that a single gateway was operated to feed into the pathways but following discussion, at Rotherham Side by Side with a range of stakeholders, this was not considered practical. Whilst a Gateway may solve any problems associated with 'cherry picking' clients there was no evidence that this occurs. Providers fed back that in another neighbouring authority, once the Gateway was introduced service users referred had fewer needs. There were concerns regarding the quality of assessments i.e. getting the right people to do assessments and unnecessary delays. Stakeholders felt that the 'channelling' people through a narrower route, loses people as many potential people don't choose to approach the council directly for a service. It would also introduce an unnecessary costly tier to the process.

4.3 Vulnerable Adults Pathway

"It would be helpful to do less passing from pillar to post"

The HRS for Vulnerable Adults includes services for single homeless and homeless families, people with mental health problems and ex-offenders. All existing services report a high level of multiple needs with the majority having more than one 'primary need'. These needs may also include victims of

modern slavery, refugees, people with autism, travellers, victims of FGM and forced marriages, physical disabilities, low level Learning Disability and victims of exploitation and hate crime. The Vulnerable Adults Pathway brings together services across the user groups into a more 'generic' definition recognising that the service users most often have multiple needs.

4.4 The model will consist of:

- Emergency homeless accommodation based support
- Short term accommodation based support
- Dispersed short term tenancies
- Floating Support

4.5 **Emergency homeless accommodation based support**

The Council provide dispersed crash pads to people who are 'emergency' homeless. However, there is no support provided so it is proposed that the model will include support where it is identified as being required to those who are placed in the crash pads.

The service delivered at Elliott Court by Action Housing was subject to tender earlier in the year. It is proposed that this service continues to deliver accommodation and support for people who are in an emergency homeless situation. The contract was awarded for one year, with an option to extend for a further year pending the outcome of the review and is currently due to end in May 2018.

4.6 **Short term accommodation based support**

There are two supported housing schemes that will fit into the short term accommodation pathway; Browning Court (supported by South Yorkshire Housing Association) and Elliot House (supported by Action Housing). Browning Court provides accommodation to 10 people who have mental health problems and has been used as long stay. It is partly funded by the Clinical Commissioning Group. Elliot House provides accommodation to 15 people who have mental health problems and is fully funded through HRS.

“Short term shared would be okay but should be in the interim and is not a permanent solution. “

4.7 The Side by Side co-production exercise identified short term accommodation based support as an area requiring remodelling within the Vulnerable Adults pathway. However, consensus on the recommended way forward was not reached with all stakeholders during the time allocated for the process.

The providers of the current accommodation based services that will be within the Vulnerable Adults Pathway have suggested that they are given opportunity to work together to achieve the remaining savings required and remodel the pathway.

A deadline of the 31st of October 2017 will be given for the group to bring the savings achievable and an outline of a proposed model to Commissioning.

Should the savings not be forthcoming then a tender process will commence to procure the new model with a reduced financial envelope to achieve the remaining savings.

Should an appropriate model and level of savings be forthcoming then Commissioning request that an exemption from Standing Order 48 be granted for up to 18 months for the 2 contracts currently provided by South Yorkshire Housing Association at Browning Court and Interim Homeless Families dispersed accommodation and the Action Housing & Support Ltd contract at Elliott House in order to pilot a new model, gather evidence that this is the correct approach for the pathway and ensure the model is fit for purpose prior to commencing a competitive tender process in 12 months time.

Community was significant to our focus group; Being with people who understand and want to be with them socially. The sense of community helps them with social isolation encouraging them to interact with others in a safe environment.

4.8 Dispersed Tenancies

Dispersed tenancies are temporary single and shared (usually not more than 2 people) properties made available to providers for their service users. 83 existing dispersed tenancies fall into the pathway.

- As part of the contract for Browning Court South Yorkshire Housing Association (SYHA) support to **16** 'satellites' of temporary Accommodation for people with a diagnosed mental health condition.
- SYHA also have **32** dispersed tenancies for families who are statutory homeless
- Target are the successful incumbent provider (following the recent retender) of a dispersed tenancy service for **35** offenders.

4.9 The dispersed tenancies offer a good opportunity to access decent housing for people with complex need. It is recommended that the SYHA satellites and Targets offender service is repurposed to deliver a service for Complex Need as Housing First model. The dispersed tenancies will be reduced overall to 32 units in this pathway a further 20 units will be transferred to the complex need pathway.

4.10 Overall dispersed units available to Rotherham through both pathways will be 52 units. This is a reduction of 31 units overall, however the model will be able to achieve better outcomes for people with complex need and much of this loss will be mitigated by an increase in the provision of floating support.

“Rents are expensive and it is difficult to afford it. They are costs for the rent element, the support element and utilities someone would need to be earning about £500 a week.”

4.11 Floating Support

There are 3 floating support services that fall within the Pathway for Vulnerable Adults. These include SYHA Thursday Project for 90 Homeless Families with Support Needs, Stonham (Home Group) provide 70 units of floating support and Action Housing and Support Ltd provide 45 units of Floating Support for Offenders. It is recommended that remodelling of the 3-existing floating support units into one contract to provide an additional 15 units of support.

- 4.12 The Council has recently launched a Tenancy Support Service (TSS) for Council tenants. An assessment of the proportion of people receiving a floating support and who live in a Council tenancy was 50% (2017). There may be a double counting of support here and it is therefore proposed that consideration is given to revised access to Council tenants. Tenants could initially be offered a TSS rather than floating support service and only referred on to floating support where needs are more complex than the offer from TSS can manage.

4.13 Age range

Currently there is an overlap in services which creates duplication in service offer to 22-25-year olds. To prevent the duplication and 'revolving door' of services it is proposed that the age range for Vulnerable Adults Pathway is increased to 21 (from the current limit of 18 years), with no upper age limit. Young People Services will be available to young people aged 16–21 (or up to 25 where the Council has a duty to care leavers). There will be an overlap of one year as 21-year olds may use all services to ease any transition arrangements. There will be a reduction in number in the vulnerable adult pathway to 0 for 18–20 years and an increase in 21–25 year old service users. The impact on the Young Person Pathway is a potential increase in number of Under 21's but reduction to 0 in the number of 22-25.

- 4.14 Table 7 gives an outline of the current and proposed model of funding and service capacity. The proposed pathway capacity is a minimum of 267 units.

Table 7 - Vulnerable Adults Pathway recommendations

Vulnerable Adults Pathway					
Provider	Service Description	Contract Value	Commissioning intention	Saving	Max annual Contract Value
South Yorkshire Housing Association	32 units of dispersed temporary accommodation for families	£80,000	Remodel to widen client group to vulnerable adults' pathway and maintain exclusive Homeless team referrals	0	£80,000

South Yorkshire Housing Association	10 self-contained units at Browning Court	£114,400 (contract price apportioned between satellite and core project at Browning Court. £52,544 contribution from CCG)	Remodel to widen client group to vulnerable adults' pathway	TBD	£114,400
Action Housing and Support Ltd	Elliot House 15 units of self-contained flats	£100,000	Remodel to widen client group to vulnerable adults' pathway	TBD	£100,000
Action Housing and Support Ltd	Single Homeless Elliot Court 15 units of Temporary Accommodation for single homeless	£175,000	Recently retendered and contract ends 30.09.2018 Remodel as part of vulnerable adult's pathway. Maintain exclusive homeless team referrals	0	£175,000
South Yorkshire Housing Association	Floating Support Thursday Project Homeless Families with Support Needs/Private Sector Bonds 90 units	£204,843	Remodel to fit vulnerable adult's client group Merge floating support contracts into one vulnerable adults' (singles and families) pathway floating support contract for 220 people	£216,543	£373,000
Stonham (Home Group)	70 units of floating support	£209,700			
Action Housing and Support Ltd	45 Floating Support Offenders	£175,000	Total current spend of £589,543		

- 4.15 Anticipated savings per year will be **£216,543**, achieved through remodelling the 3 existing floating support services and providing 15 additional units of support. The dispersed tenancies will be reduced overall but much of this need will transfer to the Complex Need Pathway.

4.16 Complex Need Pathway - Housing First

“What is needed is affordable, stable housing.”

Rotherham Side by Side has considered the Housing First model to support people who have complex need. In May, a day long workshop session was held with Homeless Link to consider the model and its outcomes in detail.

4.17 There are two ways of identifying the cohort:

- Multi agency approach
 - Many Housing First services decide upon their residents through discussions with partner agencies. (e.g. at a steering group or stakeholder panel). To discuss on a regular basis or allow an agency to suggest suitable people. It is highly likely that the majority of individuals considered will be well known to most stakeholders who will, over many years, have had varying degrees of contact with them.
- ‘Chaos Index Assessment’
 - This assessment focusses on the behaviours of an individual; their use of services and levels of risk taking. The form enables services to establish a numerical value around the vulnerability of the person, to target resources at those most suitable.
 - The assessment can be used in multi-agency group discussions

It is recommended that a combination of these is used to identify the cohort. A multi-agency group will be required to coordinate the ‘wrap around’ of the most vulnerable service users. The needs will be assessed by the provider with an agreed methodology using the chaos index.

It was agreed that a permanent house that was fit for purpose was important.

4.18 The multi-agency group or ‘Stakeholder Panel’ will be required, made up of representatives of Vulnerable People Social Work, IDVA Manager, RDASH, Substance Misuse provider, housing providers, Rotherham Council Homelessness, Adult Care Commissioning, NPS, Housing First service provider, other providers in the pathways when referring. The Panel would require strategic buy in and clear terms of reference.

4.19 The model will also utilise the rough sleeping Navigator role (recently funded by Cabinet Office) to identify potential clients and liaise with providers across the pathways.

“You can’t have stability without a home”

4.20 To achieve a model which operates along the Housing First principles, it is recommended that the offender dispersed tenancies delivered by Target and the dispersed tenancies currently supported by SYHA are remodelled. The service would initially identify 20 people with complex need and working

towards a capacity of 30 over an agreed period. This will mean a reduction in the capacity of existing dispersed tenancies however; this presents itself as an opportunity to provide dispersed tenancies to deliver a dispersed refuge.

Table 8 - Complex Needs current and proposed funding

Type	Current Spend	Current Units	Proposed Spend	Proposed Units
Housing First	£0	0	c£167,000	20 (increasing to 30 over time)

Table 9 - Complex Needs Pathway Recommendations

Complex Need Pathway					
Provider	Service Description	Contract Value	Commissioning intention	Saving	
Target Housing	35 dispersed units for offenders	£98,000	Remodel to provide Housing First.	0	£167,000
SYHA	Browning Court Satellites 16 dispersed units for people with a diagnosed Mental Health condition	£69,000 apportioned from Browning Court full contract	Remodel to provide Housing First.	0	

4.21 Domestic Abuse Pathway

Domestic abuse was identified as a priority by all stakeholders and it is recommended that the existing funding is maintained, at this stage. Domestic Abuse services report an increase in demand for medium and standard risk with emerging waiting times to access and receive services.

4.22 Rotherham Rise and Commissioners have introduced shorter support time to increase the capacity of the service which combined with better access to Council housing has seen improved move on from short term services. Rotherham Rise will introduce the agreed 3-tiered model:

- First tier – first contact worker providing first point of contact for advice line and referrals.
- Second tier – providing face to face appointments within 1 week of contact – then offering up to 4 sessions, focus will address immediate safety options
- Third tier – where required up to 8 further session provided, offering more in debt safety/ relationship /wellbeing / complex needs support.

Group work will be available for move on support.

- 4.23 The HRS funding is the most significant investment in Rotherham for Domestic Abuse Services. Other services include the Independent Domestic Abuse Advisers (IDVA's). However, there are potential improvements to value for money by increasing number of people who can be supported through dispersed refuge and use suitable dispersed tenancies that may be surplus from the SYHA and Target dispersed.
- 4.24 Rotherham has been good at maintaining a local connection although for safety accommodating people from Rotherham if family or perpetrators live close by may be too high a risk. Moving from your home and leaving support network is not ideal but some still need that option. Refuge can offer added safeguarding as issues unfold in a refuge setting.
- 4.25 As stakeholders reported the need to improve coordination between services, the Council is developing a new approach to tackling domestic abuse. There is now a project underway to develop a Rotherham Domestic Abuse Integrated Pathway. It is recommended that the current funding within HRS is maintained, at this time. Early Help are focusing on domestic abuse at the core of family relationships and conflicts. There will be a greater focus on working with the perpetrator to change behaviour, positive relationship building and work around the family.
- 4.26 Intelligent information sharing is being developed and flexibility on how we deliver and a central identification route is being sought. Duplication of services is being considered across different areas of support. For example, a young person may be involved with Youth Criminal Justice and work with the Youth Offending Service. Mum, who might be victim of domestic abuse receiving support with Rotherham Rise and mental health service from RDaSH. The number of professionals around that family is potentially large and some might be unnecessary.
- 4.27 Whilst it is recommended that the current level of funding is retained, at the present time, it is also recommended that the service seeks to extend its reach by increasing the number of floating support units and thereby supporting more people in their own homes and prevent homelessness. This can be achieved by:
- bringing the two floating support contracts with Rotherham Rise into one contract to achieve efficiencies.
 - Considering options for extending the refuge model with dispersed tenancies (this may need some additional investment)
- 4.28 Refuge and floating support remodelling may want to consider further the opportunities afforded by the Adults Single Point of Access and the Place Plan emphasis on locality working.

Table 10 - Domestic Abuse Pathway Current and Proposed funding and capacity

Type	Current Spend	Current Units	2018/19	Proposed Units
Refuge	£154,000	10	£154,000	15
Floating Support (BME)	£120,000	32	£290,000	100
Floating Support	£170,000	50		
Total (HRS)	£444,000	92	£444,000	115

- 4.29 Side by Side discussed potential for introducing quotas for the allocation of Refuge accommodation to Rotherham residents, an approach recently adopted by Sheffield City Council. After discussion and further consideration it was recommended that this approach is not implemented for Rotherham. By ensuring that access to refuge type accommodation, both in borough and beyond, is available, Rotherham will ensure that an appropriate place of safety can be sourced to meet an individual's needs.
- 4.30 Rotherham Rise has for some time offered advice to people as part of their referral process. This does not offer an adequate resource to the delivery of a public access helpline for Domestic Abuse in Rotherham. Additional resource would be required for this offer to be scaled up. Therefore consideration needs to be given regarding harmonising and aligning access pathways in line with wider systems thinking.
- 4.31 Like other supported housing, the Refuge and dispersed tenancies have uncertain funding futures as Local Housing Allowance caps are still being considered by Government, though these will remain unchanged in the service model.

Table 11 - Domestic Abuse HRS Pathway Commissioning Intentions

Domestic Abuse Pathway					
Provider	Service Description	Contract Value	Commissioning intention	Saving	Max annual Contract Value
Rotherham Rise	Refuge for 10 families	£154,000 plus £66,000 CYPS Commissioning	Refuge currently has 6 self-contained units for families, 2 single person accommodation with shared kitchen and 2 dispersed tenancies. Remodel refuge to provide dispersed	£0	£154,000 plus £66,000 CYPS Commissioning

			tenancies Use dispersed tenancies from Target and SYHA Contract ends March 2018. Intention is to extend the contract for up to 18 months		
Rotherham Rise	Floating Support	£170,000	Merge floating support into one contract and increase capacity from 82 to 100 until September 2019	£0	£290,000
Rotherham Rise	Floating Support BME	£120,000		£0	

4.32 Young People and Parents Pathway

There has been significant procurement activity connected with young people's services in 2017/18.

From October 2017, the model will be made up of:

- supported housing provided by Action Housing for Young People and YWCA Yorkshire for young parents,
- dispersed tenancies provided by Action Housing and
- 66 units of floating support for young people provided by Target

It is proposed that Young Parents and Young People services are restricted to people aged 21 and under (except care leavers up to 25).

- 4.33 The **Young People Pathway** will continue to offer accommodation based support at Parkgate (Action Housing) and for young parents at Fleming Gardens. Consideration should be given to the merging of the young people floating support contracts. To avoid duplication of services it is proposed that existing services redefine age range across Children & Young People's contracts to 16 – 21 (25 for care leavers).
- 4.34 It is recommended that there is a more joined up approach to the Young People and Parent Pathway with stronger links when providing services to 16/17 year olds in particular. 72 people aged 16/17 left services in 2016/7 – 8.6%.
- 4.35 There may be potential to merge the floating support contract for young people and young parents although it is anticipated that savings would be minimal and therefore it is recommended that the approach is considered as a future option rather than an immediate requirement.
- 4.36 A short term accommodation based service for 2 young people will be decommissioned and an exit plan will be agreed. The service provides very low level support to 2 young people at any one time, prior to a move on to

independent living. The increased capacity within the Young Person tenancy Floating Support service will mean that young people can move directly to their own tenancy, with support, eliminating the need for this specific service.

4.37 Full year savings from ending this service will be £5,806.

**Table 12 - Young People at Risk and Young Parents Pathway
Commissioning Intentions**

Young People and Parents Pathway					
Provider	Service Description	Contract Value	Commissioning intention	Saving	18/19
YWCA Yorkshire	24 Temporary accommodation for young mothers (Fleming Gardens Project)	£117,775	Existing contract ends March 2018. Intention is to extend this contract until 2019/20	£0	£117,775
Action	Temporary accommodation at Parkgate for Young People at risk including emergency provision same site accommodation and dispersed	£450,000	Recently retendered. Review April 2018. Jointly commission with CYPs 16/17 homeless and care leavers up to 25	£0	£450,000
Target	66 units of floating support for Young People at risk	£75,000	Recently retendered until May 2018 with an option for one year extension until May 2019.	£0	£75,000
YWCA Yorkshire	Young Parents 27 floating support	£76,500	Existing contract ends September 2019.	£0	£76,500
Places for People	2 Temporary Accommodation for young people at risk of homelessness	£5,806	Decommission	£5,806	£0

5.0 Other Externally Commissioned Housing Related Support Services

In addition to the above pathways, the external commissioned services include a Key Ring service for people with Learning Disabilities and some sheltered housing for older people

5.1 Keyring Living Support Networks

Within the existing supply of externally commissioned Housing Related Support there is a floating support service for people with Learning Disabilities. There are 3 networks across the Borough; each network has up to 10 members, at any one time, who receive low level support to enable them to live independently in their own permanent tenancy. The Keyring Living Support network is a popular service and as it involves the use of volunteers and peer support, from associate members (previous service users), offers value for money. Discussions have commenced with the provider to develop a tiered approach to delivery as well as the offer to others in the service in receipt of direct payments. There are obvious links to Learning Disability Commissioning within Adult Social Care. Further research is required to determine if direct payments/brokerage system may be a more appropriate and personalised approach to commissioning this service. Further discussion with commissioners, brokerage, providers and service users is recommended to introduce a personalised payment system.

It is proposed that the budget is reduced from £91,134 to £70,000 for 30 people taking into account that Keyring residents have varying levels of need and support, some of which can be met through their allocated direct payment under a tiered approach. The HRS saving will be **£21,134**.

5.2 Older People

The externally commissioned services include a contribution to emergency alarms in some of the sheltered housing in Rotherham and a contribution to the cost of a handyman service working across the Borough. The emergency alarms service currently provided by Rotherham Council (Rothercare) is scheduled to have no subsidy funding from 2018/19. It is proposed that the same approach is adopted with the externally commissioned alarms to ensure that those accessing an external provision are not disadvantaged. The emergency alarms within the external sheltered accommodation will remain and any costs will be included in the service charges within each of the schemes from April 2019. The scheme providers have taken responsibility for consultation with their tenants around this change. The total saving made will be **£43,673**.

Table 13 - Older Peoples Alarms and Handyman Service - Commissioning Intentions

Provider	Service Description	Contract Value	Commissioning intention	Saving	18/19
Places for People	84 Emergency Alarm contribution for older people in sheltered accommodation	£11,789 (£2.70 per person per week)	Withdraw funding	£11,789	£0
Anchor Trust	108 Emergency Alarm contribution for older people in sheltered accommodation	£12,397 (average of £2.21 per person per week)	Withdraw funding	£12,397	£0
Housing 21	100 Emergency Alarm contribution for older people in sheltered accommodation	£6,387 (Average of £1.22 per person per week)	Withdraw funding	£6,387	£0
Yorkshire Housing	1300 Floating Support - Handy person service for over 55's	£13,100	Withdraw HRS funding – replace under Better Care Fund 2017-19	£13,100	£0

5.3 Summary of cost and savings 2018/19

Table 14 - Summary of cost and Savings of Proposed Model

Pathway	Contract	Saving 2018/19	Contract 2018/19
Vulnerable Adults	Dispersed Tenancies	0	80,000
	Supported Housing	0	114,400
	Supported Housing	TBD (114,000)	0
	Supported Housing	0	175,000
	Floating Support	216,543	373,000
Complex Need	Housing First	0	167,000
Domestic Abuse	Refuge	0	154,000
	Floating Support	0	280,000
Young People & Young Parents	Supported Housing	0	117,775
	Supported Housing	0	450,000
	Floating Support	0	75,000
	Floating Support	0	76,500
	Floating Support	5,806	0
		£222,349	£2,062,675
		(£336,349)	

An additional £70,000 will fund Keyring.

Table 15 - Recommendations for other services

Pathway	Contract	Saving 2018/19	Contract 18/19
Key Ring (LD)	Floating Support	21,134	70,000
Older People	Alarms	30,573	0
	Handyman	13,100	0
		£64,807	£70,000
Total Savings		£287,156 (£401,156)	

6.0 Future Outcomes model

6.1 Service users who were involved in the focus groups prioritised the task of defining the outcomes they wanted to see. These were mapped against the existing outcomes model and the proposed pathways. Rotherham Side by Side agreed to keep the five overall outcome areas. The table below indicates which Pathway will be expected to deliver against each outcome. New outcomes agreed include:

- Better able to manage parenting responsibilities (vulnerable adults, domestic abuse and young people and parents)
- Better able to maintain safe & healthy relationships (all)
- Better manage sexual health* (domestic abuse and young people)
- Improved self-reported self-esteem* (all)
- Appropriate use of legal system* (domestic abuse only)

Table 16 - Outcomes Framework for HRS Pathways

Outcomes for Housing Related Support 2018	Vulnerable Adults	Complex Needs	Domestic Abuse	Young People
I. Achieve Economic Wellbeing				
Maximise income, including receipt of the right benefits	✓	✓	✓	✓
Reduce overall debt	✓	✓	✓	✓
Obtain paid work/participate in paid work	✓		✓	✓
II. Enjoy and Achieve				
Participate in chosen training and/or education, and where applicable, achieving desired qualifications	✓	✓	✓	✓
Participate in chosen leisure/cultural/faith/informal learning activities	✓	✓	✓	✓
Participate in chosen work-like/voluntary/unpaid work activities	✓	✓	✓	✓

Outcomes for Housing Related Support 2018	Vulnerable Adults	Complex Needs	Domestic Abuse	Young People
Establish contact with external service/family/friends.	✓	✓	✓	✓
Better able to manage parenting responsibilities*	✓		✓	✓
Better able to maintain safe & healthy relationships*	✓	✓	✓	✓
III. Be Healthy				
Better manage physical health	✓	✓	✓	✓
Better manage sexual health*			✓	✓
Better manage mental health	✓	✓	✓	✓
Improved self-reported self-esteem*	✓	✓	✓	✓
Better manage substance misuse	✓	✓	✓	✓
Better manage independent living as a result of assistive technology/aids and adaptations.	✓	✓	✓	✓
IV. Stay Safe				
Maintain accommodation and avoid eviction	✓	✓	✓	✓
Comply with statutory orders and processes (in relation to offending behaviour)	✓	✓	✓	✓
Better manage self-harm, avoid causing harm to others, minimise harm/risk of harm from others.	✓	✓	✓	✓
Appropriate use of legal system*			✓	
V. Make a Positive Contribution				
Greater choice and/or control at service level and within the wider community.	✓	✓	✓	✓

6.2 Performance data systems will require the creation of Pathway specific workbooks for providers to demonstrate outcome attainment.

7.0 Implementation Plan

7.1 Renegotiate existing contracts – Repurposing

- Create Housing First pilot – 2 years with 20 – 30 units
- SYHA Browning satellite
- Target Offender dispersed
- Redefine age range across vulnerable adults' contracts
- Redefine age range across Young People's contracts
- Redefine client group definition for Supported housing, floating support and dispersed tenancies across Vulnerable Adults pathway contracts
- Remodel dispersed tenancies - Repurpose surplus dispersed units for domestic abuse pathway.

7.2 Procure through tender

- One contract for Vulnerable Adults floating support. Merge the existing 3 contracts for 205 units into one contract for 220 units for families and Singles.

7.3 Decommission

- Three existing floating support contracts prior to retender as one contract
 - SYHA floating support for 90 families
 - Stonham (Home Group) floating support for 70 people with mental health problems and autism
 - Action Housing and Support Ltd Floating Support for 45 Offenders
- Two domestic abuse floating support contracts prior to tendering for 1 combined domestic abuse floating support

7.4 Consider further

- Young People Pathway - Consider 1 floating support contract for young people and parents
- Exit Strategy required

7.5 Transfer Commissioning lead

- Key Ring to Learning Disability and investigate personal payments options with provider and service users.

7.6 Joint Commission

- Young People and Young Parents Pathway with designated lead for Children and Young People and designated adult care and housing commissioning lead.

8.0 Timetable and Accountability for Implementing this Decision

8.1 Milestone plan

May 2016	Consultation
Sept 2016	Cabinet approval to tender services
Jan - Apr 2017	Tender issued for young people, single homeless and offender services
Jan 2017 – Jul 2017	Establish Rotherham Side By Side Co-Production Panel
Jun 2017 – Oct 2017	Remodelled young people, homeless & offender services commence under new contracts
Jul 2017	Report review progress to Adult Care and Housing DLT
Oct 2017	Cabinet / Commissioners to consider Housing Related Support recommendations and approve
Oct 2017 – Jan 2018	Procurement of services Remodelling of services Decommissioning
Jan 2018 – Mar 2018	Lead in to new model

9.0 Financial and Procurement Implications

- 9.1 Total savings identified against the agreed £299,900 savings for 2018/19 for external HRS services are **£287,156** assuming the remodelling is achieved by April 2018. This may increase up to **£401,156** with the additional savings of c. £114,000 coming from the remodelling of the accommodation element of the Vulnerable Adults Pathway.
- 9.2 There is a current forecast shortfall of £97,000 against identified savings in 2017/18 due to delays in commencing the tender exercise and the requirement to extend current contracts for up to 6 months. Other savings options are being explored to meet this shortfall in year. The remaining shortfall will be achieved from April 2018.

10.0 Legal Implications

- 10.1 In carrying out any public functions the Council must have due regard to the public sector equality duty (PSED) under the Equality Act 2010. The Council must take into account a number of factors including the need to eliminate discrimination, harassment and victimisation, advance equal opportunity and foster good relations. The service users who will benefit from Housing Related Support are likely to be protected by the PSED. The Equality Analysis forms Appendix A to this report.

11.0 Human Resources Implications

- 11.1 The tender of services and the review of HRS will have implications for external providers and therefore TUPE may apply to staff employed by these providers, though there will be no direct implications for the Council.

12.0 Implications for Children and Young People and Vulnerable Adults

- 12.1 There are implications for children and young people because of the recommendation made in this report.
- 12.2 The age range for Children and Young People services will reduce from 25 to 21. Those 21 and over can continue to access the other Pathways. Vulnerable Adults age range will increase to 21. Under 21's may access the Children and Young People Pathway and the Domestic Abuse Pathway. The Complex Need pathway will be 18+

13.0 Equalities and Human Rights Implications

- 13.1 An Equality Analysis has been undertaken and is attached at Appendix A.

14.0 Implications for Partners and Other Directorates

- 14.1 The review may have impact on vulnerable groups which the Safer Rotherham Partnership will wish to consider, particularly around domestic abuse, people who have an offending history or anti-social behaviour.
- 14.2 The review will also have implications for Homelessness provision in Rotherham and the way in which homelessness is prevented and how its statutory duty is met. Therefore, housing partners will be involved to find solutions as well as develop awareness of the potential impacts.
- 14.3 There will be a need to reconfigure the contractual relationships with accommodation providers – primarily Registered Providers and the Councils own housing stock.

15.0 Risks and Mitigation

- 15.1 A significant risk is that existing providers are not experienced at delivering Housing First which may lead to the failure of the Housing First model to meet complex needs. There is a need to ensure that there is sufficient expertise within the commissioning team and providers to apply the model.
- 15.2 There needs to be buy in from landlords to change the tenancies within dispersed tenancies from short term to long term. If there is no buy in there may be a shortage of suitable accommodation. Commissioners will need to meet regularly with landlords to facilitate this change. A lack of clarity regarding the end goal, how to achieve it and what success looks like may mean that the model fails. Clear specifications and defined, straight forward outcomes targets will to be set to mitigate this risk.
- 15.3 The remodeling of the service has aimed to keep reduction in capacity to a minimum. Some accommodation based support will be decommissioned but to mitigate against this loss the floating support provision is to be increased. The Complex Need pathway will provide a more bespoke service to people most likely to fail.

- 15.4 In September 2016 the Government announced details of its proposed model for future funding. The new system is planned to be implemented from 2019 and the Local Housing Allowance (LHA) cap will not apply to supported and sheltered housing until then.
- From 2019 it is proposed to apply the LHA cap to all claims in supported and sheltered housing with a top-up paid by the local authority.
 - There will be no Shared Accommodation Rate in the calculation of the LHA rate for tenants in the new system. The one-bedroom LHA rate will be used for people under 35 living in supported housing.
- 15.5 The nature of Housing Related Support in Rotherham is that is nearly half of the services are provided to young people who may be subject to LHA single room rate from 2019. There are risks of rent shortfalls for those young people in receipt of higher levels of housing benefit through Intensive Housing Management charges. These will have to be topped up by the Council as the current LHA single room rate is £79.80 per week - less than current rents charged by the Registered Providers. The Council is in regular dialogue with the relevant Registered Provider to discuss how rent levels can be potentially reduced should this approach be mandated, though this is extremely challenging.
- 15.6 The application of the proposed LHA rate in 2019 has yet to be confirmed by Government following extensive consultation conducted during 2016/17. The majority of HRS contracts end in 2019/20. The contracts contain a six month notice clause, so there is the option to decommission if they become unaffordable due to LHA.

16. Accountable Officer(s)

Anne-Marie Lubanski, Strategic Director of Adult Care and Housing
Nathan Atkinson, Assistant Director of Strategic Commissioning

Approvals Obtained on behalf of-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Mark Scarrott	24.08.2017
Assistant Director of Legal Services	Neil Concannon	25.08.2017
Head of Procurement (if appropriate)	Ian Murphy	01.08.2017
Head of Human Resources (if appropriate)	Odette Stringwell	19.07.2017

*Report Authors: Kay Nicholes, Commissioning Officer
Nathan Atkinson, Assistant Director of Strategic Commissioning*

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

Appendix A – Equality Analysis

Under the Equality Act 2010 Protected characteristics are age, disability, gender, gender identity, race, religion or belief, sexuality, civil partnerships and marriage, pregnancy and maternity.	
Name of policy, service or function. If a policy, list any associated policies:	Budget savings for Housing Related Support Services (previously the Supporting People Programme)
Name of service and Directorate	Strategic Commissioning, Adult Care & Housing
Lead manager	Kay Nicholes
Date of Equality Analysis (EA)	July 2017
Names of those involved in the EA (Should include at least two other people)	Helen Woods Rotherham Side by Side
<p>Aim/Scope (who the Policy /Service affects and intended outcomes if known)</p> <p>Following Cabinet agreement, regarding proposals for meeting the Councils budget deficit for 2016/17 and beyond, the Commissioning team have been tasked with meeting a £2.3m savings from the Housing Related Support budget to support the overall deficit faced by the Council between April 2016 and March 2019.</p> <p>This assessment considers the impact of a co-produced new model for the delivery of Housing Related Support for externally contracted existing Housing Related Support services to realize savings in 2018/19.</p> <p>The aim of the Housing Related Support services (HRS) is to provide a preventative service to vulnerable groups of people aged 16 years and over across many client groups and to deliver HRS service to ensure that those vulnerable groups who are at risk of being homeless, maintain or gain their independence through short term accommodation based services and floating support services.</p> <p>There changes impact</p> <ul style="list-style-type: none"> • Vulnerable adults including people at risk of offending, people with mental health problems that impact on their ability to live independently, people who are homeless or who are at risk of homelessness, people with substance misuse problems including single people and families. • People with complex needs • People at risk of Domestic Abuse • Young People at Risk of Homelessness <p>There will be a reduction in capacity for the dispersed accommodation (approx. 31 units) and same site supported housing (10 – 15 units).</p>	

There will be an increase in capacity of floating support (15 units) from 205 to 220.

There will be an increase in the number of units of floating support for people at risk of domestic abuse (18 units) from 82 to 100.

Overall there is a slight reduction in capacity of between 8 – 13 units

What equality information is available? Include any engagement undertaken and identify any information gaps you are aware of. What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?

All providers of contracted services must ensure fair access to their provision through appropriate means including assessment of risk and need of every vulnerable person referred to a service, exclusions must be based on evidenced risk. Service Users and stakeholders were given the opportunity to get involved in the consultation process through Rotherham Side by Side including a series of focus groups with people who use or have used the services and questionnaires.

The meetings discussed current supply of related services, cost of services, any gaps in current provision, how efficiencies might be found and how services can be redesigned to meet the demand for the services but with a reduced financial envelope.

Feedback received was that all services were seeing an increased need for more intense levels of support for people with complex needs associated with multiple disadvantage and often chaotic lifestyles. These were people who do not meet the criteria for statutory care and support services but are not able to successfully manage a tenancy and live independently with the current levels of support available. Currently there are no services available to adequately meet this need.

Feedback from Providers was that there was some uncertainty and that they feel they are 'in limbo', until the outcome of the changes to the Local Housing Allowance (LHA) rent cap in relation to supported housing is announced.

Feedback from Service Users is that they value the current service provided but felt that they wanted permanent rather than temporary housing.

In 2016/17 outcomes monitoring information, submitted by providers for people who had left service, showed the following information by protected characteristic:

Gender

Most service users were women. 351 (42.09%) are male and 483 (57.91%) are female. This is a slight increase from 56.11% in 2015/16. The second most common primary user group is people at risk of domestic violence 23.5%. A quarter of all service users are women under the age of 25. Women are more likely than men to move on in an unplanned way.

There is no negative impact anticipated. All Housing Related Support services are required, through their contracts with the Council, to ensure that services are accessible to all who are eligible. Housing related support for people who have experienced domestic abuse has been identified as a priority for Rotherham.

Age

In 2016/17 of the 222 or 26.62% of clients that are aged 20 or under, 104 (12.47%) are male and 118 (14.15%) are female. Of the 388 or 46.52% of clients that are aged 25 or under, 173 (20.74%) are male and 215 (25.78%) are female. The proportion of under 25's is a slight decrease from the previous year at 49%. The average age of all clients is 30 years. Young People at Risk is the most common primary user group representing 29.7% of all service users who left service in 2016/17.

The outcomes data for 2016/17 indicates that 72 people aged 16/17 left services in 2016/7 (8.6%) and 222 people were under 21 (26.6%) and 612 were 21+ (73%).

The age range for services will be changed for the following Pathways

- Vulnerable Adults 21+
- Complex Needs 18+
- Domestic Abuse 18+
- Young People 16 - 21

The changes will reduce the choice available to 18 - 25's as existing young people services accept referrals up to 25 and the services included in the Vulnerable adult's pathway currently offer a service for 18+.

Ethnicity

Ethnicity is recorded for 823 clients who left service in 2016/17. There are 725 who classify their ethnic origin as White and either British, Irish or other. This is 88% of clients which is in line with the previous year's level. There are 98 clients who classify their ethnic origin as other than white. This is 11.91% of clients whose ethnic origin was recorded. Of 350 males 32 classified their ethnic origin as other than white. Of 473 females 66 classified their ethnic origin as other than white.

The proposals for a single floating support service for the Domestic Abuse Pathway will mean the no BME specific service for survivors of domestic abuse. All Housing Related Support services are required, through their contracts with the Council, to ensure that services are accessible to all who are eligible. Providers will be required as part of the service specification to demonstrate how they have appropriate staffing and meet the needs of diverse communities in Rotherham. The situation should be monitored to further examine the ethnic diversity of housing related support services to ensure fair access.

Economic Status

The short-term outcomes forms record the economic status of clients as follows:

- 50 are in full-time work (24 hrs or more/week)
- 42 are in part-time work (less than 24 hrs/week)
- 1 is undertaking Government training/New Deal
- 156 are job seekers
- 7 are retired
- 206 are not seeking work
- 62 are full-time students
- 251 are long-term sick and disabled
- 27 are classified as other adult

In total, there are 802 clients who have recorded their economic status.

Disability

294 client(s) identified themselves as having a disability. All Housing Related Support

services are required, through their contracts with the Council, to ensure that services are accessible to all who are eligible. The implications for people with disabilities will be further considered in the review. There is no anticipated negative impact.

Religion

The short-term outcomes forms record the religious status of clients as follows:

100	Christian (all denominations)
2	Buddhist
1	Hindu
0	Jewish
54	Muslim
3	Sikh
14	Any other religion
449	No religion

There will be no negative impact. All Housing Related Support services are required, through their contracts with the Council, to ensure that services are accessible to all who are eligible.

Engagement undertaken with customers. (date and group(s) consulted and key findings)	<p>Housing Related Support services work with Rotherham residents from 16+ across all the protected characteristics.</p> <p>7 Focus groups with current and former service users gained the views of 62 participants between January and June 2017.</p> <p>The key findings included</p> <ul style="list-style-type: none"> • The importance of a permanent home. • People value the services they receive and achieve wider positive outcomes to enable them to maintain an home and an independent lifestyle • A place of safety is a top priority for people experiencing domestic abuse • There was a recognition of the reduction in funding to HRS services
Engagement undertaken with staff about the implications on customers (date and group(s) consulted and key findings) See page 7 of guidance step 3	<p>Stakeholders including providers, other service commissioners, representatives of other services, people who use the services were consulted regarding savings targets for their contracted services in 2018/19 and this will be ongoing as current service provisions will be redesigned to achieve the efficiency savings required.</p> <p>Key partners were informed of savings targets and the wider impacts to services were examined with them.</p> <p>An Equality Impact Assessment was undertaken on 25th July 2017 with Rotherham Side by Side.</p> <p>Further consultation is required with staff and service users at Browning court, Elliot House and the dispersed tenancies.</p>

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title

Out of Area Cross Charging Policy for Sexual Health Services – Update 2017

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

Yes

Strategic Director Approving Submission of the Report

Terri Roche, Director of Public Health

Report Author(s)

Gill Harrison, Public Health Specialist

Ward(s) Affected

All

Summary

This paper describes proposed changes to the sexual health out of area cross charging policy which details how the authority will manage non contracted sexual health out of area Genito-Urinary Medicine activity (Rotherham residents attending sexual health services commissioned by other Local Authorities in England). The amendment to the policy provides clarity on the conditions and payment terms for cross charging (see section 3 of Appendix A). This is based on the agreed Yorkshire and Humber approach endorsed by the Regional Directors of Public Health Network.

Under the new terms of the policy the Authority will only reimburse:

- Invoices for Genito-Urinary Medicine (GUM) activity within the tariff cost envelope (agreed and set by the Yorkshire and Humber Regional Network of the Association of Directors of Public Health, taking into account efficiency savings reflecting the national Public Health grant reduction

Under the terms of the policy the Authority will not:

- reimburse invoices for contraception activity
- pay charges for Market Forces Factor (MFF)

Before making payment invoice supporting data will be reviewed and the data will clearly provide all the required information to ensure Rotherham Metropolitan Borough Council (RMBC) are the responsible Authority (these are clearly outlined in the policy).

Recommendation

That the changes to the out of area cross charging policy (appendix A), which is based on the agreed regional approach endorsed by the Yorkshire and Humber Directors of Public Health Network be approved.

List of Appendices Included

Appendix A - Cross Charging Policy 2017 update

Background Papers

Not applicable

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Changes to Out of Area Cross Charging Policy for Sexual Health Services

1. Recommendation

- 1.1 That the changes to the out of area cross charging policy (Appendix A), which is based on the agreed Yorkshire and Humber approach endorsed by the Regional Directors of Public Health Network be approved.

2. Background

- 2.1 Since 1 April 2013, Local Authorities were mandated to ensure that comprehensive, open access, confidential sexual health services are available to all people who are present in their area (whether resident in that area or not). The requirement for Genito-Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services to be provided on an open access basis is stipulated in the *Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013* (“the Regulations”).
- 2.2 Re-charging by the provider of costs back to the area where the individual is normally resident is recommended for out-of-area use of services. These arrangements support open access integrated sexual health services and patient choice.
- 2.3 The Department of Health issued guidance on cross charging in August 2013 outlining principles for Local Authorities to make payment for residents accessing sexual health services outside the area.
- 2.4 The guidance suggests that it is for local determination how these arrangements work and solutions that meet the needs of local areas and local populations should be in place. The guidance was developed to encourage a consistent, equitable, fair and transparent approach to cross-charging and billing for out of area service users from both a commissioning and provider perspective.
- 2.5 Cross charging had been regularly debated across the Yorkshire and Humber region since the responsibility for sexual health was transferred to Local Authorities in April 2013. Local Authorities had interpreted cross charging guidance differently and there were a number of approaches taken both within region and wider.
- 2.6 Members of the regional Yorkshire and Humber Sexual Health Commissioning Forum had contacted the Department of Health to request further clarity relating to cross charging. The Department of Health responded to say that they had no plans to issue further guidance and that authorities should find local solutions. This led to the development of the Yorkshire and Humber approach and the adoption of the cross charging policy by Cabinet in February 2016.

3. Key Issues

- 3.1 Some of the key issues which had been debated regionally included:
- Not all authorities would reimburse for contraception activity.
 - Submitted invoices for activity significantly differed between providers (price and supporting information varied).
 - Concern that there was potential double payment for university students.
 - Cross charging was incurring significant resource expenditure for authorities and providers in pursuing information or payment.
- 3.2 A paper detailing cross charging options within the Yorkshire and Humber region was circulated to the Regional Directors of Public Health Network in June 2015 to agree a Yorkshire and Humber wide approach.
- 3.3 The Department of Health no longer publish a non-mandatory GUM tariff, therefore the Yorkshire and Humber Regional Network of the Association of Directors of Public Health have considered and set a regional tariff taking into account efficiency savings of approx. 2% a year from the agreed regional tariff in 2016/17 in line with the reduction in the Public Health grant. This is proposed to be implemented from 1st April 2018.

4. Options considered and recommended proposal

- 4.1 The options to be considered would be:
- a) to adopt a year on year reduction in payments for out of area GUM interventions (in line with the Yorkshire and Humber agreement) or
 - b) to keep the original payment which was stated in the policy adopted by RMBC in February 2016.
- 4.2 The recommended proposal would be a) to adopt a year on year reduction in payments which would reflect the planned reduction in Public Health Grant funding of 2.6% per year up to 2019/20.

5. Consultation

- 5.1 This information was posted for circulation on the HIV and Sexual Health Commissioners Group for England (mixture of NHS and Local Authority) national forum alongside a request for commissioners to share this information with their commissioned services.
- 5.2 Yorkshire and Humber Directors of Public Health requested feedback from all stakeholders to inform the planned review of this arrangement which has led to the proposed changes in tariff.

6. Timetable and Accountability for Implementing this Decision

- 6.1 As a region the change in tariff is proposed to be communicated to providers from September 2017 for a start date of 1st April 2018 and will be reviewed annually by the Yorkshire and Humber Regional Network of the Association of Directors of Public Health.

7. Financial and Procurement Implications

- 7.1 In changing the policy RMBC would reimburse against GUM activity up to the tariff as shown below (in some instances this would mean a saving to the authority):

Financial year	First Single Professional	First multi Professional	Follow up
2017/18	£134	£140	£105
2018/19	£131	£137	£103
2019/20	£128	£134	£101
2020/21	£125	£131	£99
2021/22	£123	£128	£97

- 7.2 Under the terms of the policy the Authority will not:
- reimburse invoices for contraception activity
 - pay charges for Market Forces Factor (MFF)
- 7.3 The Council incurred expenditure of £143k in 2016/17 in respect of out of area GUM activity. This is against a budget of £100k, therefore a significant overspend. The expenditure for previous years was much less than the stated budget. This is a demand led service and can change according to need.
- 7.4 The majority of cross charging happens within the region; therefore agreeing the same payment terms and conditions provides a fair and transparent payment system. The changes to the policy should assist the Authority to manage the out of area payments within a reducing Public Health grant.

8. Legal Implications

- 8.1 Hull City Council (on behalf of the region) has sought legal advice through their town clerk who recommended that each authority prepares a decision record setting out the changes to their policy.
- 8.2 The Department of Health no longer publish a non-mandatory GUM tariff and RMBC does not hold a contract with any of the out of area providers. The authority has been open and transparent about our regional approach.
- 8.3 The cross charging guidance suggests that it is for local determination how these arrangements work.
- 8.4 Advice was sought from Legal Services when the original policy was developed and they supported the policy.

9. Human Resources Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The Yorkshire and Humber Directors of Public Health were clear in making this decision that all Local Authority commissioners will maintain confidential open access services and ensure that local residents can attend a sexual health service of their choice without geographical boundaries

11 Equalities and Human Rights Implications

- 11.1 There are a number of benefits to aligning to this regional position but primarily this will help to provide clarity, equality of approach across the region, and make better efficient use of limited resources

12. Implications for Partners and Other Directorates

- 12.1 The treatment of sexually transmitted infections limits the spread of infection within our local community

13. Risks and Mitigation

- 13.1 There are a number of legal challenges across the region relating to this approach primarily relating to not honouring Market Forces Factors payments. At the time of writing no legal challenges have been made to RMBC. One provider has threatened to bring a legal challenge but has since agreed to charge on our tariff following our response.
- 13.2 Making a policy decision that a rate agreed across Yorkshire and Humber Councils will be paid is defensible.

14. Accountable Officer(s)

Terri Roche, Director of Public Health

Approvals Obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	28.08.2017
Assistant Director of Legal Services	Dermot Pearson	28.09.2017
Head of Procurement (if appropriate)	Clair Brierly	31.08.2017
Head of Human Resources (if appropriate)	Odette Stringwell	31.08.2017

Report Author: Gill Harrison, Public Health Specialist

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

APPENDIX A

**Rotherham Metropolitan Borough Council
Sexual Health Out Of Area Cross Charging Policy
Update: July 2017**

1 Introduction

- 1.1 This document details the council's policy to manage non contracted sexual health out of area activity and provide clarity on the conditions and payment terms for cross charging.

2 Background

- 2.1 Since 1 April 2013, Local Authorities were mandated to ensure that comprehensive, open access, confidential sexual health services are available to all people who are present in their area (whether resident in that area or not). The requirement for Genito-Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services to be provided on an open access basis is stipulated in the *Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013* ("the Regulations").
- 2.2 Re-charging by the provider of costs back to the area where the individual is resident is recommended for out-of-area use of services. These arrangements support open access integrated sexual health services and patient choice.
- 2.3 Department of Health issued guidance on cross charging in August 2013 outlining principles for Local Authorities regarding payments for residents accessing sexual health services outside the area.
- 2.4 The cross charging guidance suggests that it is for local determination how these arrangements work and solutions that meet the needs of local areas and local populations should be in place. The guidance was developed to encourage a consistent, equitable, fair and transparent approach to cross-charging and billing for out of area service users from both a commissioning and provider perspective.
- 2.5 Public Health Grant allocations are largely based on resident populations. This means that they do not include an amount for paying for out-of-area users of an authority's open access sexual health services. However, they will include an amount which can be paid to providers in other areas in respect of any residents who choose to use open access services in another authority's area.
- 2.6 Due to the mandated open access nature of sexual health services, Local Authority residents can attend clinics anywhere in the country and each Council may be billed for the services provided. However this creates challenges in budgeting for this activity.

- 2.7 Regionally there are concerns that some cross charging activity relates to university students who are being billed incorrectly, and should be the responsibility of the host local authority.

3 Cross Charging Arrangements

- 3.1 Rotherham Metropolitan Borough Council adopts the Yorkshire and Humber agreement in managing sexual health out of area cross charging which was ratified by the Regional Directors of Public Health Network in November 2016.
- 3.2 Rotherham Metropolitan Borough Council will maintain confidential open access services and ensure that local residents can attend a sexual health service of their choice without geographical boundaries
- 3.3 The Department of Health no longer publish a non-mandatory GUM tariff, therefore the Yorkshire and Humber Regional Network of the Association of Directors of Public Health have considered and set a regional tariff taking into account efficiency savings. Efficiency savings will be approx. 2% a year from the agreed regional tariff in 2017/18 to be implemented from 1st April 2018
- 3.4 Rotherham Metropolitan Borough Council will reimburse invoices for Genito-Urinary Medicine treatments which are within the following rates

Financial year	First Single Professional	First Multi Professional	Follow up
2017/18	£134	£140	£105
2018/19	£131	£137	£103
2019/20	£128	£134	£101
2020/21	£125	£131	£99
2021/22	£123	£128	£97

- 3.5 Rotherham Metropolitan Borough Council will not cover contraception activity. There was no cross charging allowance for contraception activity prior to the transfer of commissioning responsibilities to the local authority on 1 April 2013, in addition there is no recognised national tariff for contraception. Therefore the regional assessment is that this activity should not be cross charged.
- 3.6 Rotherham Metropolitan Borough Council will not reimburse costs relating to market forces factor (MFF), in line with the regional approach to cross charging.
- 3.7 All invoices must include the following information:
- Name of Provider
 - Date

- Bank Details
- Invoice Period
- Invoice total

3.8 Supporting Data for each activity claimed must include the following before invoices can be reimbursed:

- LA Code
- LA Name
- GUM Number / Identifier
- Attendance Type – New / Follow Up / Single / Multi Professional
- Activity / Treatment Code
- Partial Postcode / LSOA
- Appointment Date
- Tariff

3.9 If the information required is not included then Rotherham Metropolitan Borough Council will not reimburse this activity

4 Exclusions to this policy

4.1 If there is a two-way patient flow between Rotherham and another area of a similar level, Rotherham Metropolitan Borough Council will explore reciprocal arrangements whereby activity is not invoiced as the administrative burden outweighs the marginal differences in patient flow between the two areas. Any such agreements would be included in an amended version of the Cross Charging Policy.

4.2 There are a small percentage of patients who may wish to remain anonymous and decline to provide identifiable information. In these cases these costs will fall to the Rotherham commissioned service.

4.3 Attendance by people living outside England including overseas visitors. In these cases these costs will fall to the Rotherham commissioned service.

5 Review

5.1 The policy will be reviewed annually to align with the regional approach for cross charging and if required updated to reflect changes to national guidance or recognised efficiencies.

5.2 The next review will be in November 2018 after consultation with the Yorkshire and Humber Regional Network of the Association of Directors of Public Health.

Public Report
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners' Decision Making Meeting – 16 October 2017

Report Title

Transport for the North

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson – Strategic Director of Regeneration and Environment

Report Author(s)

Ian Ashmore – Transportation and Highways Design Manager
01709 822825 or ian.ashmore@rotherham.gov.uk

Andrew Butler – Senior Transportation Engineer
01709 822968 or andy.butler@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

The purpose of this report is for the Council as Local Highway Authority to consider consenting to the making of Regulations by the Secretary of State to establish Transport for the North (TfN) as a Sub-National Transport Body under section 102J of the Local Transport Act 2008.

The consent of each Highway Authority within the area of each Combined Authority which is a Constituent Authority of TfN is required to the making of Regulations by the Secretary of State because the Regulations contain provisions giving TfN highway powers to be exercised concurrently with the Local Highway Authorities.

The stated purpose of TfN is to transform the transport system of the North of England by planning and delivering the improvements needed to truly connect the region with fast, frequent and reliable transport links, driving economic growth and creating a Northern Powerhouse.

The proposed decision has been requested to be exempt from call-in in order to meet the deadline from Government on 20 October 2017. The Chair of Overview and Scrutiny Management Board and the Leader of the Opposition Group have consented to this request. As part of the pre-decision scrutiny process, it will be presented to the Overview and Scrutiny Management Board on 11 October 2017.

Recommendation

That Rotherham Metropolitan Borough Council formally consent under section 102J of the Local Transport Act 2008 to the making by the Secretary of State of Regulations to establish Transport for the North (TfN) as a Sub-National Transport Body and giving TfN concurrent highway powers.

List of Appendices Included

Appendix A – Constituent member Authorities

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 11 October 2017

Council Approval Required

No

Exempt from the Press and Public

No

Transport for the North

1. Recommendation:

- 1.1 That Rotherham Metropolitan Borough Council formally consent under section 102J of the Local Transport Act 2008 to the making by the Secretary of State of Regulations to establish Transport for the North (TfN) as a Sub-National Transport Body and giving TfN concurrent highway powers.

2. Background

- 2.1 To address concerns about transport connectivity across the North of England, Local Transport Authorities and Local Enterprise Partnerships across the North came together in 2014 in a partnership with the Department for Transport (DfT) and the National Transport Agencies to form Transport for the North (TfN). Together they have developed an ambitious pan-northern transport strategy to drive economic growth in the North.
 - 2.2 In October 2016, with the agreement of the Constituent Authorities; set out in 'Appendix A', TfN submitted a proposal to the Secretary of State for Transport that TfN should be established as the first Sub-National Transport Body (STB) under the provisions of section 102E of the Local Transport Act 2008 as amended by the Cities and Local Government Devolution Act 2016.
 - 2.3 The Secretary of State has now formally responded to the proposal and has indicated that he is minded to make Regulations creating TfN as the first Sub-National Transport Body. It will have responsibility for the following functions:
 - a) The preparation of a Northern Transport Strategy;
 - b) The provision of advice on the North's priorities, as a Statutory Partner in the Department's investment processes;
 - c) The coordination of regional transport activities, (such as smart ticketing), and the co-management of the TransPennine Express and Northern rail franchises through the acquisition of Rail North Ltd.
 - 2.4 Before the Secretary of State can make the Regulations he must obtain consent to the making of the Regulations from each of the 19 Constituent Authorities identified at 'Appendix A' and also consent to the granting of concurrent highway powers from each of the Highway Authorities within TfN's area.
- ### **3. Key Issues**
- 3.1 Poor connectivity is central to understanding the economic challenges of the North. There is disproportionately lower investment in transport in the North compared with London and other city regions across Europe. A series of studies have shown how investing in transport infrastructure can unlock the economic potential of the North.

- 3.2 The North has had no way of agreeing strategic priorities, with the responsibility for transport divided over many organisations at different geographical levels. This has made it hard to properly consider and prioritise the right strategic transport interventions to transform economic growth at the regional scale. As a result, the North has been unable to speak with one clearly evidenced voice to Government on its transport priorities in Spending Rounds or rail and road investment plans.
- 3.3 TfN has to date been operating as a non-statutory body and working with the DfT on agreeing its remit whilst at the same time building the organisation. Representatives from Sheffield City Region have been working with TfN to develop the draft regulations that will enable TfN to become a Sub-National Transport Body.
- 3.4 Importantly TfN will not be able to exercise any of the highway powers which they hold concurrently with the Highway Authorities unless the manner in which it proposes to exercise the function has been approved by each of the Highway Authorities through whose area the highway will pass.
- 3.5 There is no intention that TfN will itself become a Highway Authority and before any of these powers may be exercised TfN will need to obtain the express consent of the relevant Highway Authority. These powers would therefore only be exercised in circumstances where all the local Highway Authorities consider that there would be a benefit in TfN carrying out the work.
- 3.6 *Governance*
- 3.6.1 TfN have provided Constituent Authorities with a draft constitution. In terms of governance/decision making the draft constitution sets out that TfN will be made up of one elected member from each Constituent Authority, and this will be, at the choice of the Constituent Authority, either the metro mayor (if applicable), or the chair or leader of the Authority or, where responsibility for transport functions is formally delegated to another elected Member, that elected Member. Each Constituent Authority will have weighted voting rights based on population; for South Yorkshire this is equivalent to 9%. Certain decisions will need a super majority of 75% of the weighted votes (Transport Strategy; Budget and changes to the Constitution).
- 3.6.2 TfN have established a Partnership Board with DfT and other National Agencies and LEP representatives. The role of the Partnership Board is to represent wider business interests and to advise on policies and priorities relating to transport and the effect of transport on the economy of the TfN area and to lead the development operations and delivery of the Regional Transport Strategy.
- 3.6.3 It is intended that before TfN exercises any transport powers or functions it will enter into a written Protocol with the Constituent Authorities or the local Highway Authorities covering the way in which the functions will be exercised.

3.6.4 TfN will participate in the Highways North Board together with Highways England and the Department for Transport. Highways North Board will be the mechanism through which TfN fulfils their statutory partner role in relation to roads. The role of the Board will be to make recommendations in respect of the future Roads Investment Strategy and competitive major roads funding programmes. As previously identified existing Highway Authorities will remain as such with no transfer of functions to TfN.

3.6.5 TfN will participate in the Rail Partnership Board together with the Department for Transport. The Rail Partnership Board will recommend priorities for strategic rail investment and be the forum for TfN to implement its role as statutory partner. The Rail North Partnership Board will be the mechanism through which TfN fulfils their statutory partner role in relation to rail.

4. Options considered and recommended proposal

- 4.1 Option 1 - The Council does not support the request from Transport for the North which would then have to be reported to the Department for Transport and would likely result in the Government not making the necessary regulations to establish Transport for the North as a Sub-National transport body.
- 4.2 Option 2 - The Council supports the request from Transport for the North to establish the first Sub-National transport body. This is the recommended option.
- 4.3 The recommendation of this report is that Rotherham Metropolitan Borough Council formally consent under section 102J of the Local Transport Act 2008 to the making by the Secretary of State of Regulations to establish Transport for the North (TfN) as a Sub-National Transport Body and giving TfN concurrent highway powers.

5. Consultation

- 5.1 Regulations have now been drafted to create TfN as a Sub-National Transport Body. Before the Secretary of State may make these Regulations each of the Highway Authorities within the areas of the Combined Authorities, which Rotherham is, must consent to the making of the Regulations.

6. Timetable and Accountability for Implementing this Decision

- 6.1 The TfN's Partnership Board met on the 14th September and reasserted its commitment to the establishment of TfN on a statutory basis by the end of this year with a 'go live' date of 1st April 2018.
- 6.2 Given the pressure of parliamentary timetable DfT have requested that all consents be submitted to them before 20 October 2017. This deadline is the reason an exemption from call-in has been sought and approved by the Chair of the Overview and Scrutiny Management Board and the Leader of the Opposition Group.

7. Financial and Procurement Implications

- 7.1 In terms of funding, at present the costs of TfN are met from central government funding. However in the future the Constituent Authorities may all be required to contribute to the costs of TfN, but a decision to require such contributions and a decision as to the amount of such contributions would need a unanimous decision of the Constituent Authorities and may only be taken after written consent to the proposal has been received from each of the Constituent Authorities. TfN shall be entitled to accept voluntary contributions towards its costs from any of the Constituent Authorities, this would allow an individual or group of Authorities to fund specific TfN activity.
- 7.2 Payments to support Rail North Limited will continue in their current form which is via South Yorkshire Passenger Transport Executive.

8. Legal Implications

The powers that are to be conferred upon TfN are those relating to the Highways Act 1980 and will be exercised concurrently with the Local Highway Authority:-

- a) Section 8(1) (power to enter agreements with local highways authorities etc for doing certain works)
- b) section 24(2) (power of local highway authority to construct new highways)
- c) section 25(i) (powers to enter into agreement for creation of footpath etc)
- d) section 26 (i) (compulsory powers for creation of footpaths etc)
- e) various functions in sections 239, 240, 246 and 250 relating to the acquisition of land for highway purposes

9. Human Resources Implications

- 9.1 There are no Human Resource implications arising from this report.

10. Implication for Children and Young People and Vulnerable Adults

- 10.1 There are no implications for Children and Young People and Vulnerable Adults.

11. Equalities and Human Rights Implications

- 11.1 There are no Equalities and Human Rights implications relevant to this report.

12. Implications for Partners and Other Directorates

- 12.1 There are no implications for other Directorates whilst if all Constituent Member Highway Authorities support the request then the Government will pass the necessary regulations to create TfN.

13. Risks and Mitigation

- 13.1 There is a risk that one or more of the constituent Highway Authorities may not support the request from TfN which may result in the necessary regulations not being made or delayed.

14. Accountable Officer(s)

Damien Wilson Strategic Director Regeneration & Environment.
 Paul Woodcock Assistant Director - Planning, Regeneration & Transport
 Ian Ashmore Transportation and Highways Design Manager

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	28.09.2017
Assistant Director of Legal Services	Dermot Pearson	28.09.2017
Head of Procurement (if appropriate)	N/A	
Head of Human Resources (if appropriate)	N/A	

*Report Author: Ian Ashmore, Transportation & Highways Design Manager
 Andrew Butler, Senior Transportation Engineer*

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

Appendix A – Constituent Authorities of Transport for the North:

Greater Manchester Combined Authority

Liverpool City Region Combined Authority

The Durham, Gateshead, Newcastle on Tyne, North Tyneside,
Northumberland, South Tyneside and Sunderland Combined Authority

Sheffield City Region Combined Authority

Tees Valley Combined Authority

West Yorkshire Combined Authority

Cumbria County Council

Lancashire County Council

North Yorkshire County Council

Blackburn with Darwen Borough Council

Blackpool Borough Council

Cheshire East Council

Cheshire West and Chester Council

Warrington Borough Council

The Council of the City of York

The East Riding of Yorkshire Council

Kingston upon Hull City Council

North Lincolnshire Borough Council

North East Lincolnshire Council

Public Report with Exempt Appendices
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioner's Decision Making Meeting – 16 October 2017.

Report Title

Swinton Town Centre Redevelopment – Development Brief and Acquisition of Integral Site

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment.

Report Author

Louise Murray, Strategic Asset Manager, Asset Management.

Ward(s) Affected

Swinton

Executive Summary

This report asks that Cabinet approves the Development Brief for Swinton Town Centre and its proposed submission to developers and further, approves the acquisition of the integral site identified in Exempt Appendices D and E, subject to agreement of satisfactory terms, as part of the Council's Town Centres regeneration ambitions.

Recommendations

1. That the content of the Development Brief for Swinton Town Centre and the proposed submission to developers with a view to obtaining design submissions be approved.
2. That Council be recommended to approve the acquisition of the integral site forming part of the redevelopment site on the basis outlined in Exempt Appendix E, subject to the agreement of satisfactory terms, and that this acquisition is added to the Council's Capital Programme 2017/18.
3. That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the terms of the acquisition outlined in Appendix E.

4. That the Assistant Director of Legal Services be authorised to complete the necessary documentation relating to the acquisition of the integral site.

List of Appendices Included

Appendix A – Plan of Swinton development site.

Appendix B – Development Brief for Swinton.

Appendix C – Informative plans to be included in Development Brief pack.

Appendix D – Plan of site to be acquired – Exempt Addendum.

Appendix E – Exempt Addendum to report with details of owner of site to be acquired and proposed acquisition price.

Background Papers

Demolition of Charnwood House, Swinton and inclusion in the capital programme – 26 June 2017.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

Yes

Exempt from the Press and Public

An exemption is sought for Appendices D and E under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains sensitive commercial information with regards to the potential acquisition of land and negotiation strategy which could disadvantage the Council if the information were to be made public.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information, as the parties' commercial interests could be prejudiced by disclosure of this commercial information.

Swinton Town Centre Redevelopment – Development Brief and Acquisition of Integral site

1. Recommendations

- 1.1 That the content of the Development Brief for Swinton Town Centre and the proposed submission to developers with a view to obtaining design submissions be approved.
- 1.2 That Council be recommended to approve the acquisition of the integral site forming part of the redevelopment site on the basis outlined in Exempt Appendix E, subject to the agreement of satisfactory terms, and that this acquisition is added to the Council's Capital Programme 2017/18.
- 1.3 That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the terms of the acquisition outlined in Appendix E.
- 1.4 That the Assistant Director of Legal Services be authorised to complete the necessary documentation relating to the acquisition of the integral site.

2. Background

- 2.1 A report was considered at Overview and Scrutiny Management Board (OSMB) on 1 July 2016, outlining the proposals for the regeneration of Rotherham Town Centre. As part of the ensuing discussion, it was confirmed that town centres throughout the Borough were being considered for regeneration where opportunities could be identified and that details of each would be presented to Cabinet for consideration in due course. Swinton was confirmed at that meeting as a town centre which would be brought forward at an early stage due to a specific opportunity related to existing Council-owned land and buildings and an option to acquire an adjacent site from a public sector partner organisation. More lately, discussions have begun with regard to other potential Town Centres regeneration opportunities, for example, Wath.
- 2.2 The regeneration of Swinton Town Centre has been under consideration for some time. The proposal has been underpinned by a number of demolitions and this has resulted in a largely clear site which is ready to be redeveloped.
- 2.3 Certain public buildings are proposed to be retained as part of the development, namely the community centre, the parade of shops together with the residential accommodation above and also a library function, in some form, as part of the proposals. However, the main intended outcome of the development will be the delivery of new homes in a range of sizes and tenures.
- 2.4 More recently the site of the former Charnwood House has been included in the wider site with demolition planned to commence in late August 2017. The demolition was approved by Commissioner Kenny on 26 June 2017.

- 2.5 Only one part of the site is still to be acquired, and once this is complete the entire site will be within the Council's ownership. The combined site is shown edged in red on the attached plan at Appendix A.
- 2.6 A Development Brief has been prepared with the intention that this is provided to developers and design proposals requested. The Brief is attached at Appendix B. Additional informative plans, which will be included in the Development Brief pack, are attached at Appendix C.

3. Key Issues

- 3.1 The redevelopment of Swinton Town Centre by the Council, in partnership with a developer, will enable control of the nature and quality of the development to be retained, ensuring that all needs are met. The Development Brief also requires that any proposal allows for refurbishment of the shop parade, the community centre and the appropriate relocation of the library, providing public realm improvements within the overall cost envelope.
- 3.2 In addition, the Brief requests that developers approach the proposal with a focus on creativity and a view to providing a catalyst for further improvements in the area. It is expected that the redevelopment will be innovative in design and quality terms and that both the market and affordable homes provided will enhance the community further, creating a new customer base for existing businesses and increasing the viability of the Town Centre offer.

4. Options Considered and Recommended Proposal

Option 1

- 4.1 **The site to remain in its present state with no action or intervention** – the land assembly and associated demolition which has taken place at the location has been undertaken with the long term view that the site would either be sold on the open market or would be redeveloped by the Council in partnership. To leave the site in its present state would increasingly place a blight upon Swinton Town Centre, affecting its viability in the future and depressing surrounding property values.

Option 2

- 4.2 **Sale on the open market** - An analysis of this option is included in Exempt Appendix E.

Option 3

- 4.3 **Development through a potential Special Purpose Vehicle (SPV) for Housing and Regeneration** – exploration of the options in respect of the SPV is underway though if it is decided to proceed, its creation will take some time. The timescale therefore does not accord with the need to develop the site in the near future but, also, it is not considered that placing the site within the SPV will deliver any additional benefits.

Option 4

- 4.4 **Development of grant-funded affordable housing, rather than mixed tenure provision** – the development of a large number of affordable homes in Swinton Town Centre may be sustainable though the overall viability of the site will be diminished. In addition, the limiting of tenure provision will exclude those who wish to own their own home outright and therefore reduce community integration through a lack of tenure mix.

Option 5

- 4.5 **Submission of Development Brief to Developers together with the acquisition of the integral site** - this will allow the market to deliver a scheme which meets all requirements, ensuring viability but with the Council retaining control of the outputs, especially in terms of quality and design. The Brief requires that developers include 25% affordable provision in their proposals, ensuring that the eventual offer at the site meets all customer needs and that affordable provision is maximised. While the intention is to generate 25% affordable housing from the scheme this will be dependent on viability and there is the prospect of a lower percentage of affordable housing. This is the preferred option.

Acquisition

- 4.6 An analysis of the options for the **acquisition** is included in Exempt Appendix E.

5. Consultation

- 5.1 Consultation has taken place with local members. Soft market testing has also been undertaken with developers and architects.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Following approval, the Development Brief will be submitted to developers for consideration by the end of October 2017 with a return date of the end of December 2017. Options together with a recommended proposal will be placed before Cabinet in April 2018.

7. Finance and Procurement Implications

- 7.1 It is proposed that the acquisition of the integral site, as referred to in Paragraph 2.6 of the Exempt Appendix, be added to the Council's Capital Programme for 2017/18. Any financial implications arising from proposals, submitted following the issuing of the Development Brief, will be considered in the report that is timetabled to be taken to the Cabinet and Commissioners' Decision Making Meeting in April 2018.

- 7.2 The proposed recommendation to submit the Development Brief to developers will be undertaken in accordance with the Public Contract Regulations 2015 and the Council's own Contract Procedure Rules.

8. Legal Implications

- 8.1 There are no direct legal implications arising at this stage from the recommendations.

9. Human Resource Implications

- 9.1 There are no human resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The proposal will provide a range of market and affordable housing options which are likely to enhance the lives of children, young people and vulnerable adults who access them.

11. Equalities and Human Rights Implications

- 11.1 There are no Equalities and Human Rights implications relevant to this report.

12. Implications for Partners and Other Directorates

- 12.1 The acquisition proposal will enable the owner to dispose of a surplus site, facilitating the redevelopment of a key site in the Borough.

13. Risks and Mitigation

- 13.1 There is a risk that the offering of the site to developers in the marketplace may not result in a suitable, viable proposal or indeed result in the submission of any proposals at all. If this happens the options above will be reconsidered and an alternative proposed way forward determined.
- 13.2 The successful proposal may not be viable if all public realm improvements are included though the position will not be known until submissions are received and assessed. If this is the case further consultation with local members will take place and the outcome will be fully referenced in any ensuing Cabinet reports.
- 13.3 Soft market testing in relation to the redevelopment of Swinton Town Centre has been undertaken with developers and architects and this has indicated that there appears to be demand for the site from the development market.

14. Accountable Officer(s)

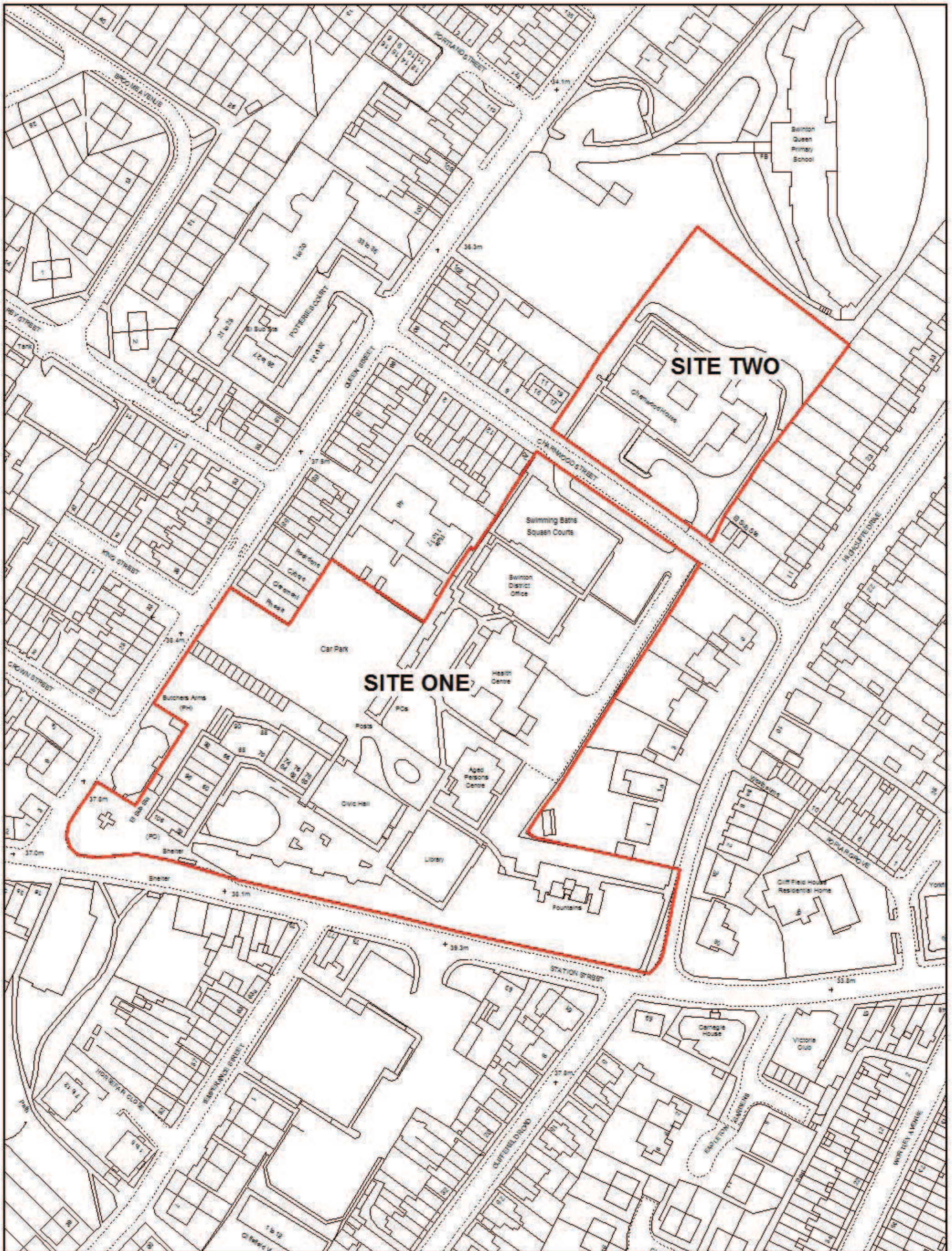
Damien Wilson – Strategic Director of Regeneration & Environment.
Paul Woodcock – Assistant Director of Planning, Regeneration & Transport
Paul Smith – Head of Asset Management
Louise Murray – Strategic Asset Manager

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	29.09.2017
Assistant Director of Legal Services	Dermot Pearson	28.09.2017
Head of Procurement (if appropriate)	Joanne Kirk	28.09.2017
Head of Human Resources (if appropriate)	John Crutchley	28.09.2017

Report Author: Louise Murray, Strategic Asset Manager

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



This map is based on the Ordnance Survey Land Line map with the sanction of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved.
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution of CMI proceedings. Rotherham MBC licence No. 100019557

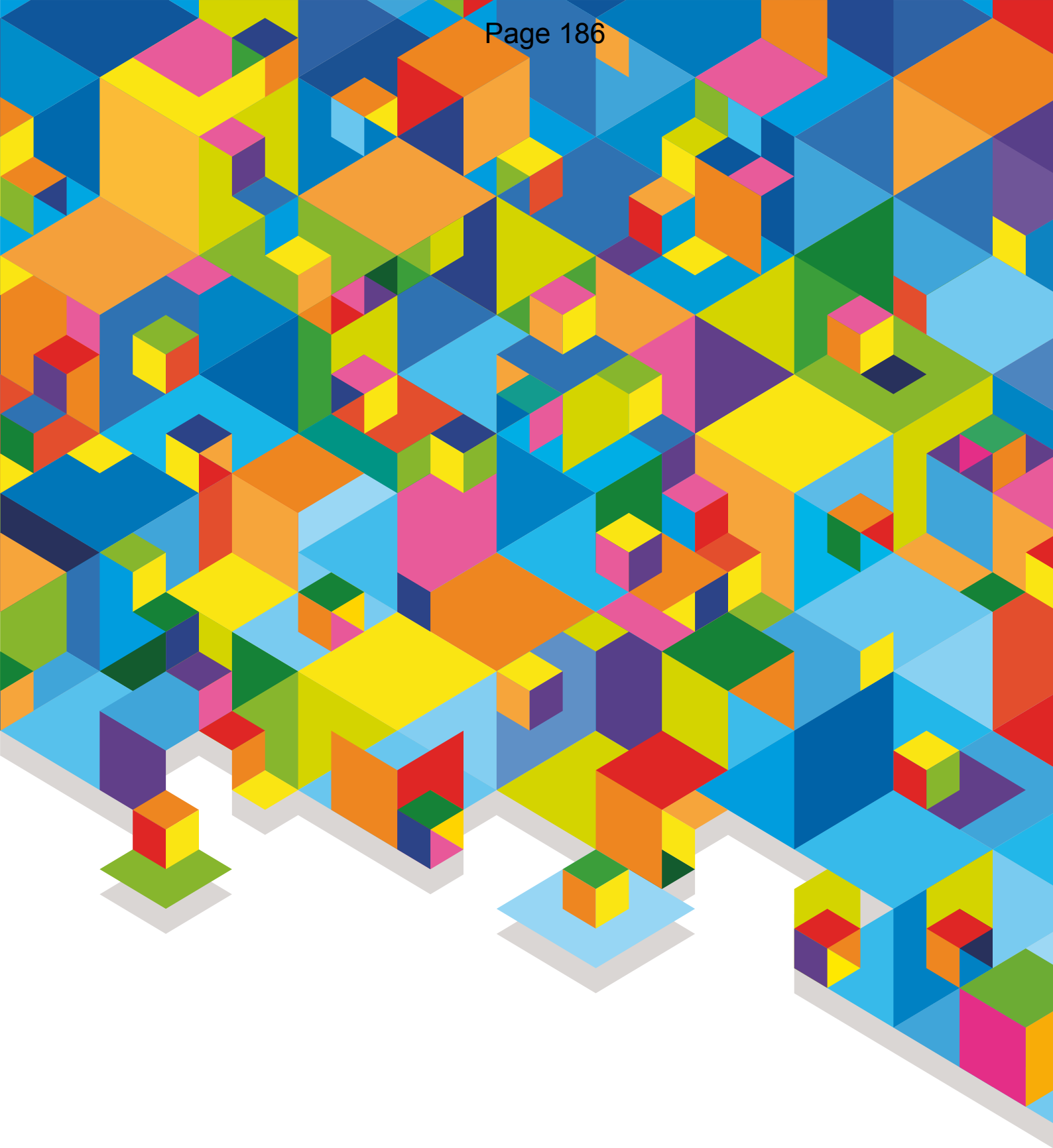
Scale 1:1250

**FOR IDENTIFICATION ONLY.
 NOT TO BE USED FOR DEED
 PLAN PURPOSES.**

SWINTON CIVIC CORE
 SWINTON
 ROTHERHAM

Rotherham MBC
 Land Terrier, Estates
 Riverside House, Main Street
 ROTHERHAM S60 1AE





Swinton Town Centre **Redevelopment**

Development Brief

Introduction

Swinton is located five miles north-northeast of the large town of Rotherham with a history of deep coal-mining, glassmaking, canal barge-building, engineering and famous for the manufacture of ceramics of international importance. The town itself is situated on a hillside and is well served by the road and rail networks. The Sheffield and South Yorkshire Navigation canal also runs through the town and is used for the carrying of freight and pleasure craft.

It is expected that the redevelopment of the area identified in this brief will enhance the offer of the town centre to both Swinton residents and visitors, increasing the quality of the civic facilities, the impact of the public realm and also provide varied housing to suit the needs of a range of potential customers wishing to move home within the area or to set up home in Swinton for the first time.



The proposal

Rotherham Metropolitan Borough Council wishes to improve the vitality and viability of the town centre of Swinton, introducing additional residential accommodation in close proximity to the centre together with a civic and community offer complemented by an enhanced retail offer in the form of a limited number of new units and refurbishment of the existing parade.

So that all potential options can be explored, it has been decided to invite interested parties to present proposals which meet as far as possible the aims outlined in this brief. Though the proposals must ultimately prove to be viable, creativity is encouraged with a view to the redevelopment forming the catalyst for transformation in Swinton Town Centre. The overall site is extensive and the quality of design and materials used is expected to encourage a ripple effect of improvement in the vicinity.

Aims and objectives

As part of the wider vision of the redevelopment of the town centre, consideration should be given to how the following can be incorporated into any design. These will be key drivers in the assessment of the suitability and viability of submitted proposals though the provision of housing will be the priority:

Residential – all units should be to dimensions in accordance with the South Yorkshire Residential Design Guide (SYRDG) and provide a varied offer of accommodation, see below for more detail of the identified housing need in the area.

Different size retail units to complement those already in situ – the lack of sufficient retail units in the town centre of Swinton was identified in a previous 2009 study. An enhancement of the town centre shopping facilities is desired with a view to increasing overall footfall. Retail units to have separate residential accommodation above.

Parking – sufficient to serve the remastered town centre and the newly provided residential accommodation.

Public Realm and Landscaping to meet Planning requirements – please note the existing green space information below. A positive contribution to, and improvement of, the visual quality of the area. To create a revitalised public open space area.

Provision for a Library – of approximately 200 sq m plus ancillary office space of 20 sq m. It may be possible to move into the building to the rear of the existing library and this can be considered as an option.

Refurbishment of community centre/Civic Hall – to fit in with the overall redevelopment, to enhance the aesthetics of the scheme overall.

Refurbishment of the externals of the Council owned retail units – to fit in with the overall redevelopment of the Town Centre.

Apprenticeships and job creation – the development to act as a catalyst for the provision of apprenticeships and the creation of jobs in the local area.

A link to the SYDRG can be found below:
http://www.rotherham.gov.uk/corestrategyexamination/downloads/file/371/reb12_south_yorkshire_residential_design_guide_2011



Location and site description characteristics

The overall site is comprised of two sections, shown on the attached plan A edged red and identified as Site One and Site Two.

Site One comprises 5.38 acres/2.18 hectares and is constituted of a number of Council owned buildings, a car park and associated amenity and infrastructure that is currently operational. The former swimming pool, District Office and Health Centre identified on the plan have now been demolished. The area hatched in red houses a parade of Council-owned commercial lock-up shop units with residential Council flats above. The aim is that these are improved and retained.

Site Two extends to 1.535 acres/0.62 hectares and was the site of the former Charnwood House, a residential elderly person's home which has been decommissioned and is in the process of being demolished.

The total site lies at the heart of the settlement of Swinton and, since the early 1970s when it was an Urban District, has been occupied by functional civil and municipal buildings. Topographically, the site is flat. It lies alongside the main road affording good links to all areas of the Borough and beyond via roads and bus links and the nearby train station.



Neighbourhood

Swinton is a well-positioned site in the north of the Borough of Rotherham with direct bus links to all major local conurbations and a main-line train station with routes to Sheffield, Doncaster, York and Leeds.

It has a popular town centre and is well-served by a range of retail outlets and other facilities making it a desirable place to live. A number of the outlets sit around a small, well-used shopping precinct which forms part of the subject site.

Opportunities

To create a focal point through the innovative re-design of this key part of the town centre.

To improve the Conservation Area through the use of sympathetic but creative design and by the employment of materials which complement the personality of the town and its buildings.

To enhance the existing retail offer, making it sustainable for the future.

To meet the identified housing need in Swinton Town Centre.

To include an element of affordable housing in the scheme in accordance with the usual 25 % required by the Council under its Affordable Housing Policy. The Council to be granted an option to purchase the affordable housing element at a suitably discounted rate.



Constraints

Car park area:

The land which is presently used as a car park houses 98 designated car parking spaces and is subject to a reserved right of way – the approximate route of which is shown on Plan B.

Garage site:

There are 15 garages housed within a single block to the rear of the Commercial shop units/flats. Rights of Way reserved are shown on Plan C and access to these areas will need to be maintained in any proposal made,

Former Charnwood House:

There are various rights relating to access, drainage and utilities reserved to the benefit of the land.

Pool and Office Area – No sale, supply or distribution of intoxicating liquors. Also an easement has been granted along the edge of the former swimming pool site as shown on the attached plan D.

Utilities – As the land adjoins housing there may be utilities running through the site and this will need to be checked with the various authorities concerned.

Though the above rights and covenants affect the site at various points, it is not considered they will impact too adversely upon any design. However it is appreciated this will depend on the exact proposals and the Council will therefore be happy to discuss how any restrictions on design or proposal effected by them might be overcome.



Planning policy

The Planning service has confirmed that the site covers the Swinton civic centre area, the majority of which is part of the Swinton Conservation Area.

The allocated use of the land under the adopted Unitary Development Plan (UDP) includes retail use, a community facility, urban greenspace and residential use. The exact allocations are identified on Plan E, attached.

Housing site H49 estimates 50 units and housing site H50 estimates a further 20 units (Sites and Policies Annexe).

There is also an area of public open space along the Station Street frontage which includes a number of existing mature trees along with other planting and seating areas.

The Planning service has further confirmed that any future redevelopment proposal of the core site will be judged against the current development plan – the Core Strategy and the UDP. Regard will also need to be had of the proposed Rotherham Sites and Policies Document (RSPD) which is due to be adopted by the end of 2017.

The Conservation Team has indicated that the existing complex of civic and community buildings add little to the character of the conservation area. This redevelopment is expected to enhance the area appropriately.



Transportation issues

Vehicular access directly from Station Street should be avoided.

Parking provision, especially if less than currently available, must be confirmed as being enough to meet town centre needs in the future.

Planning would prefer parking to be within the site rather than on the frontage of the development.

There are no adopted highways within the curtilage of the site, as far as we are aware other than in the south eastern corner. This and the adopted highway identified alongside the site is shown shaded blue on the attached plan F.

Rights of Way/Prescriptive rights – there are no recorded definitive rights of way over the site

Design, materials and external appearance

The site lies within the Swinton Conservation Area and the Conservation Team has indicated that the redevelopment of the sites which form part of this brief presents an ideal opportunity to achieve a high standard of design, using materials which tie in with the surrounding area, and to a scale which enhances the existing offer.

Specification and suggested materials information should be submitted with the brief. The detail of this will be agreed at a later date.



Public open space, trees and landscape

The mature trees along the Station Street frontage and to the rear of the detached properties on Highcliffe Drive should be retained wherever possible as they provide a valuable and wholesale amenity within the Swinton Conservation Area.

Any removal will require a detailed tree survey and report, carried out in accordance with BS5837 Trees in Relation to Design, Demolition and Construction.

Drainage

The designer/developer will be expected to make their own enquiries in respect to drainage.

Housing density

There is a high demand for housing in the vicinity of the site and this includes a need for further family accommodation.

The Housing Needs Survey states a requirement for one and two bed apartments and two and three bed houses in the vicinity of Swinton Town Centre. There is also a requirement for four bedroom executive homes in this location.

Affordable housing

There will be a requirement for 25% affordable housing to be included in the development (in accordance with planning policy and subject to viability). This is in addition to any further Section 106 or Community Infrastructure Levy (CIL) liability in respect of the development.

Demand information from bids for current affordable accommodation shows that there is a particular need for two and three bedroom houses together with one and two bed bungalows. In addition, a limited number of four bedroom homes and one bedroom flats would be desirable.

Sustainable development

The residential properties will be expected to be built to current building regulations/Code for Sustainable Homes 3.

Demolition

Demolition of the former Charnwood House (Site Two) will commence by mid-August 2017 and is expected to be completed by mid-October 2017. The site will be left in a developable condition and with confirmation that any contamination has been removed as part of the demolition process.

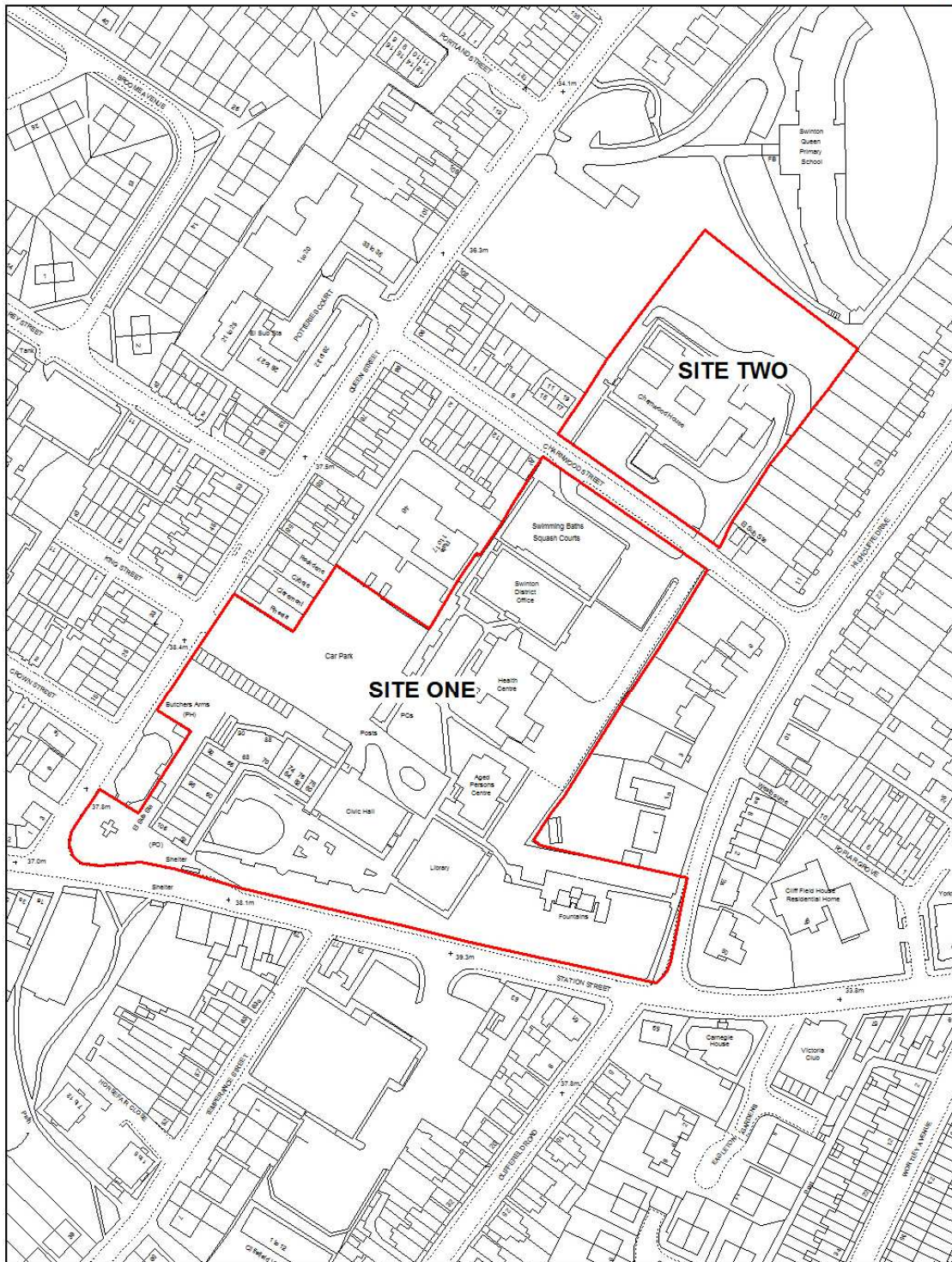
Demolition has taken place previously on Site One and all areas were made good by the demolition contractor in accordance with the contracts and declared free of contamination.

Caveats, noise and contamination

The designer/developer will be expected to make their own enquiries in respect of the potential impact of contamination at the site.



PLAN A



This map is based on the Ordnance Survey Land Line map with the sanction of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution of CML proceedings. Rotherham MBC licence No. 100019587


Scale 1:1250

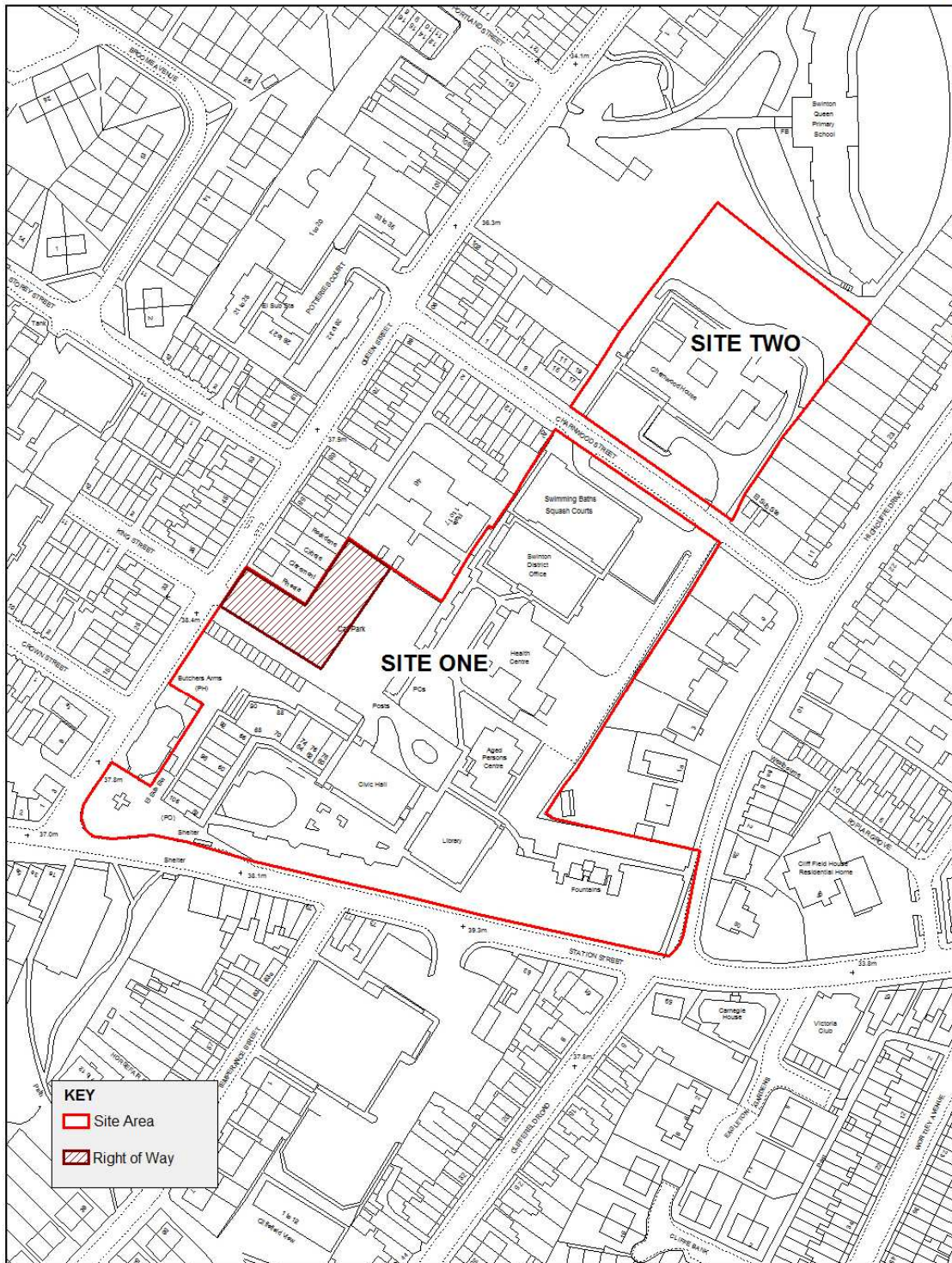
**FOR IDENTIFICATION ONLY.
NOT TO BE USED FOR DEED
PLAN PURPOSES.**

SWINTON CIVIC CORE
SWINTON
ROTHERHAM

Rotherham MBC
Land Terrier, Estates
Riverside House, Main Street
ROTHERHAM S60 1AE



PLAN B



This map is based on the Ordnance Survey Land Line map with the sanction of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution of CML proceedings. Rotherham MBC licence No. 100019587

Scale 1:1250

**FOR IDENTIFICATION ONLY.
NOT TO BE USED FOR DEED
PLAN PURPOSES.**

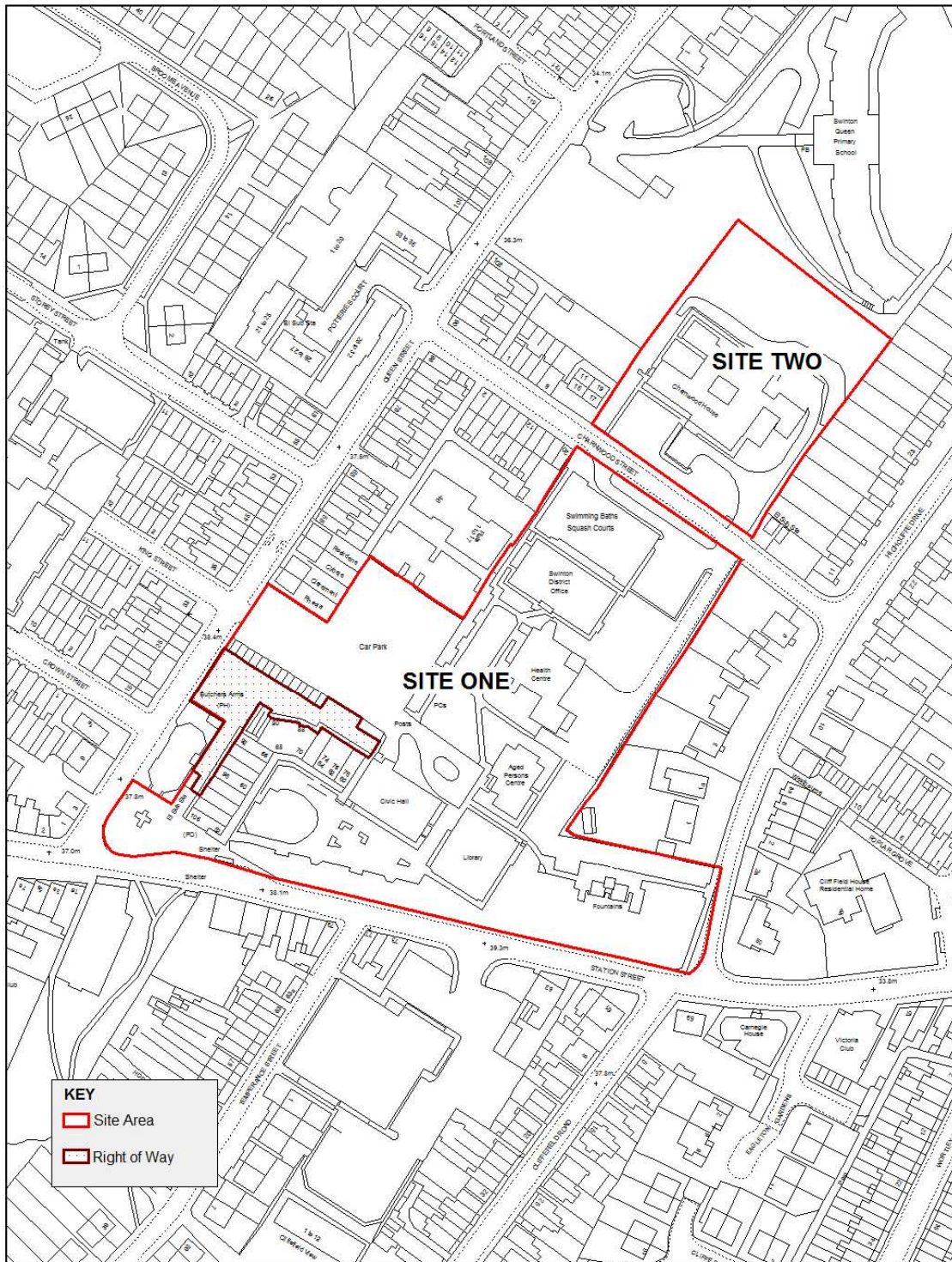
**SWINTON CIVIC CORE
SWINTON
ROTHERHAM**

Rotherham MBC
Estates Department
Riverside House, Main Street
ROTHERHAM S60 1AE



M:/Strategic Property/Angle/Swinton Civic Core. Wrk

PLAN C



This map is based on the Ordnance Survey Land Line map with the sanction of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution of CML proceedings. Rotherham MBC licence No. 100019587

Scale 1:1250

**FOR IDENTIFICATION ONLY.
NOT TO BE USED FOR DEED
PLAN PURPOSES.**

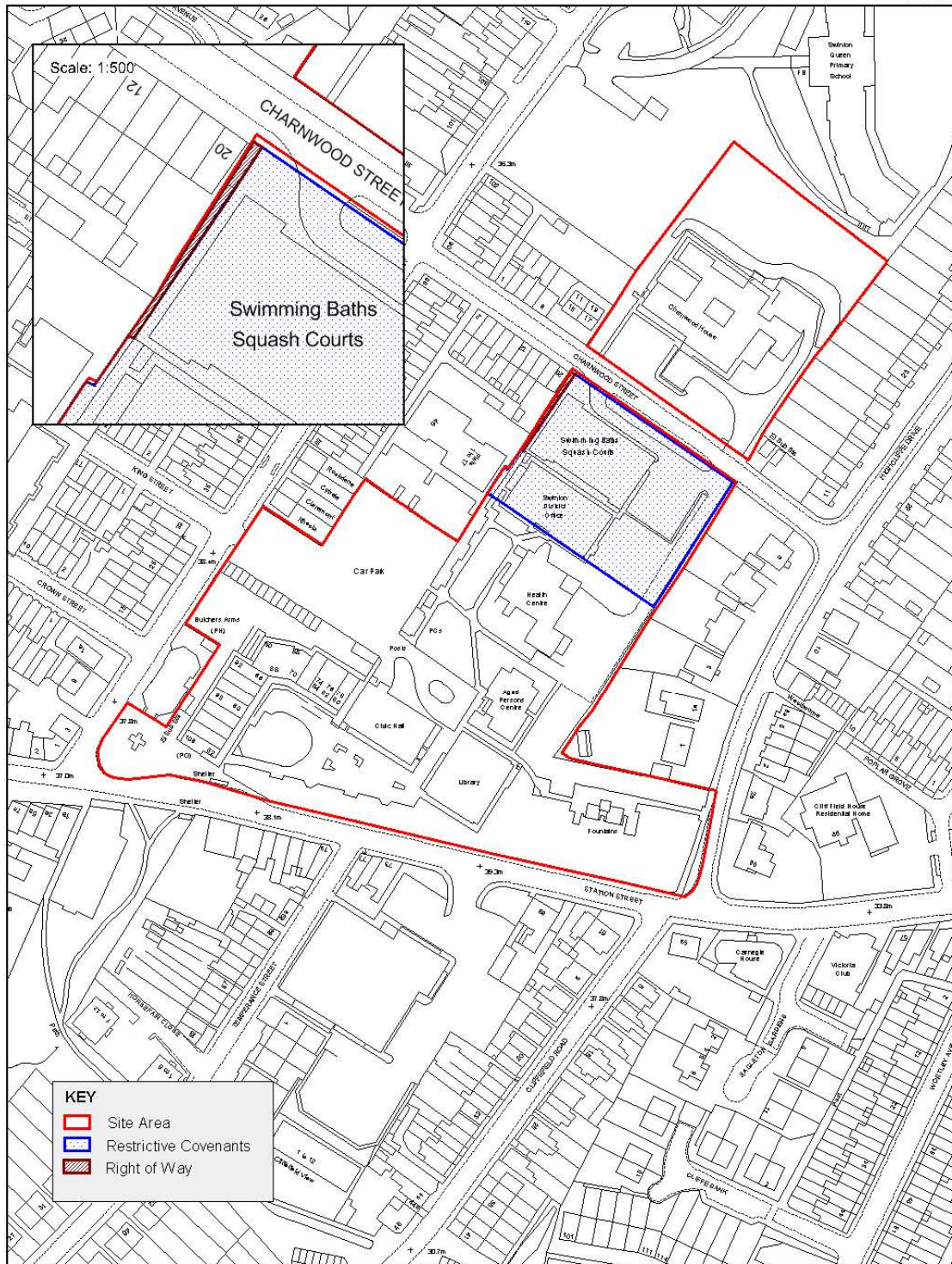
**SWINTON CIVIC CORE
SWINTON
ROTHERHAM**

Rotherham MBC
Estates Department
Riverside House, Main Street
ROTHERHAM S60 1AE



M:/Strategic Property/Angle/Swinton Civic Core. Wrk

PLAN D



Scale 1:1250

**FOR IDENTIFICATION ONLY.
NOT TO BE USED FOR DEED
PLAN PURPOSES.**

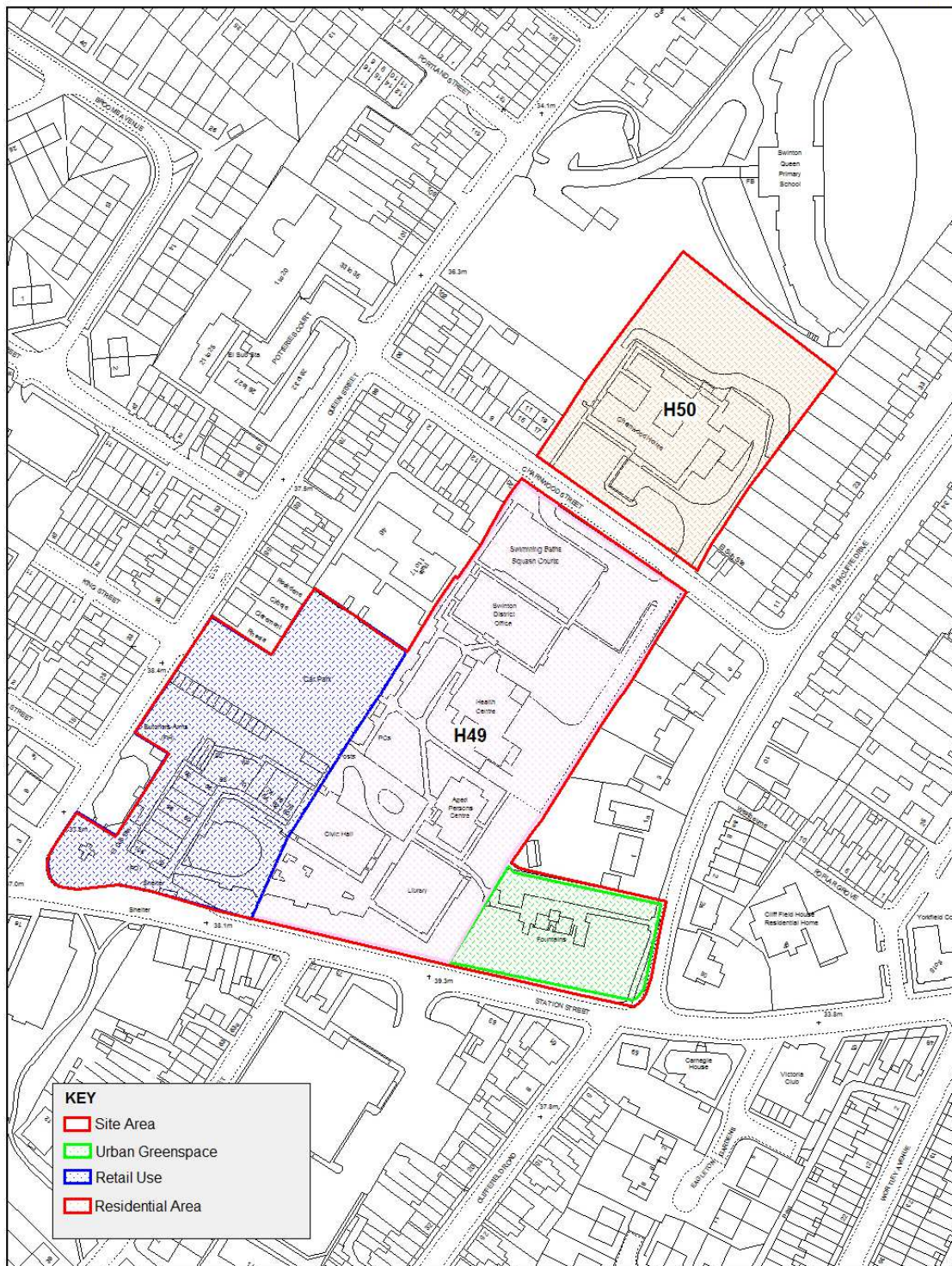
**SWINTON CIVIC CORE
SWINTON
ROTHERHAM**

Rotherham MBC
Estates Department
Riverside House, Main Street
ROTHERHAM S60 1AE



M:/Strategic Property/Angie/Swinton Civic Core. Wrk

PLAN E



This map is based on the Ordnance Survey Land Line map with the sanction of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution of CML proceedings. Rotherham MBC licence No. 100019587

Scale 1:1250

**FOR IDENTIFICATION ONLY.
NOT TO BE USED FOR DEED
PLAN PURPOSES.**

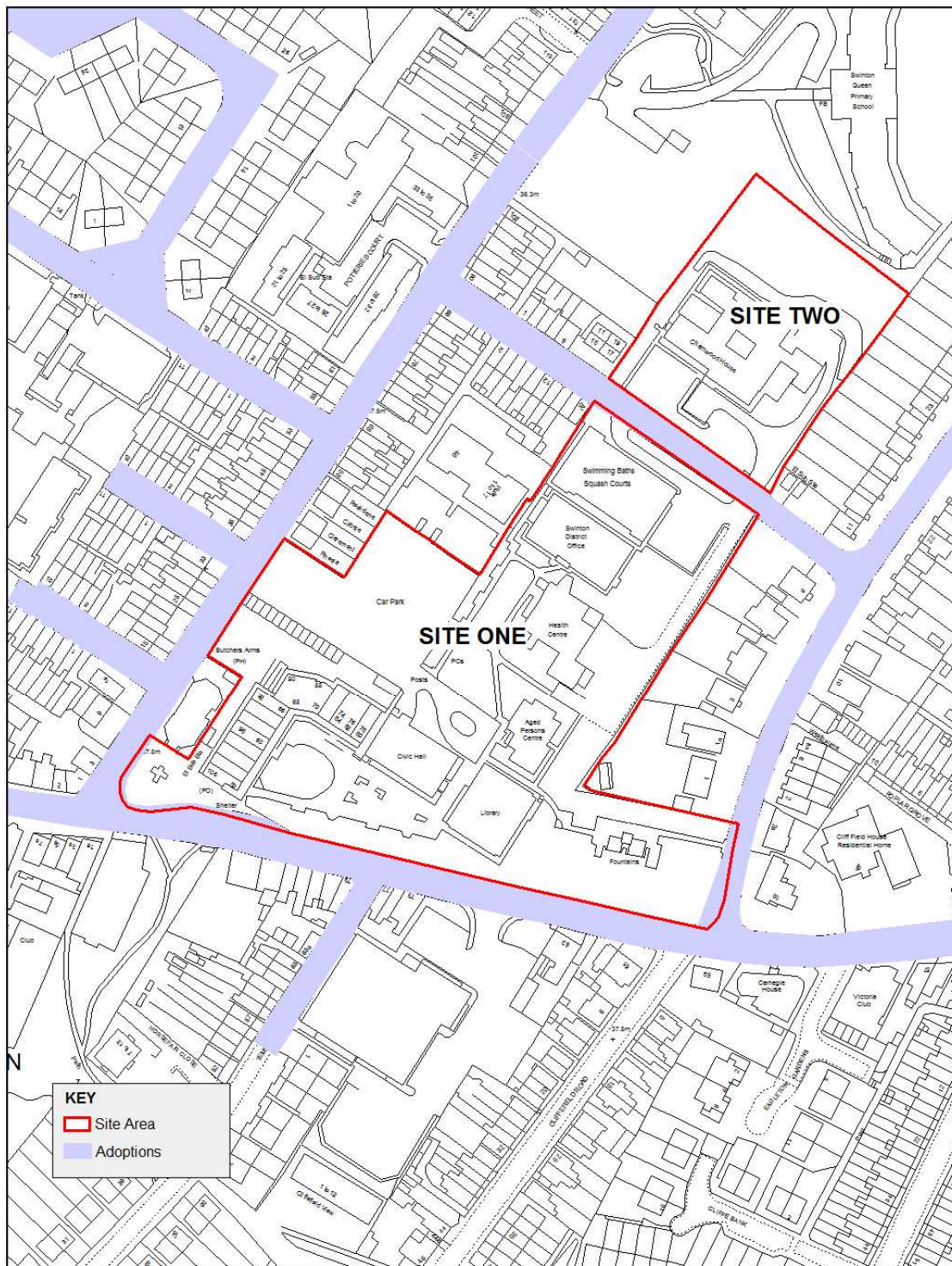
**SWINTON CIVIC CORE
SWINTON
ROTHERHAM**

Rotherham MBC
Estates Department
Riverside House, Main Street
ROTHERHAM S60 1AE



M:/Strategic Property/Angle/Swinton Civic Core. Wrk

PLAN F



This map is based on the Ordnance Survey Land Line map with the sanction of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution of CML proceedings. Rotherham MBC licence No. 100019587

Scale 1:1250

**FOR IDENTIFICATION ONLY.
NOT TO BE USED FOR DEED
PLAN PURPOSES.**

**SWINTON CIVIC CORE
SWINTON
ROTHERHAM**

Rotherham MBC
Estates Department
Riverside House, Main Street
ROTHERHAM S60 1AE



M:/Strategic Property/Angle/Swinton Civic Core. Wrk

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Public Report with Exempt Appendices
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Committee Name and Date of Committee Meeting

Cabinet and Commissioners Decision Making Meeting – 16 October 2017

Report Title

Residential development of Millfold House, Sheffield Road car park and the former Henley's Garage site

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

Yes

Strategic Directors Approving Submission of the Report

Anne Marie Lubanski, Strategic Director for Adult Care and Housing

Damien Wilson, Strategic Director for Regeneration and Environment

Report Author(s)

Nick Ward – Housing Development Manager

Jane Davies – Strategic Housing and Development Manager

Ward(s) Affected

Boston Castle

Summary

The purpose of this report is to set out proposals to kick start residential development as early as possible on land at Millfold House, Sheffield Road car park and the former Henley's garage on Wellgate. These sites had previously been identified as possible "go early" sites, under the Starter Homes programme. However, there have been key developments at both the national and local level since the submission of the Starter Homes bid, which have influenced the decision to consider alternative outcomes for the sites.

The Council launched a soft market testing exercise in July in order to seek the opinion of prospective developer partners regarding opportunities and challenges presented by Sheffield Road car park and Millfold House. The soft market testing resulted in a number of positive responses and the report proposes that the Council procures a construction partner to deliver approximately 130 homes on these sites.

The report further proposes that the former Henley's garage site on Wellgate is developed into a scheme of low cost home ownership homes, and that procurement of a construction partner is carried out simultaneously with the other sites.

Recommendations

1. That approval be given for the Council act as the strategic housing enabler to develop Sheffield Road car park, Millfold House and the former Henley's garage on Wellgate into residential accommodation.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to purchase additional land, as set out in exempt appendices 3 and 4, to improve the scale of development potential.
3. That expenditure on these acquisitions be capped at the limit set out in appendix 2, and be funded from resources allocated to the town centre regeneration programme.
4. That officers be authorised to explore further possible acquisitions, to maximise the regenerative impact of these residential development schemes.
5. That a further report be submitted setting out a detailed financial business case and development proposals.

Background Papers

Appendix 1 – Map of sites

Appendix 2 – Detailed financial and procurement implications (Exempt)

Appendix 3 – Annotated site plan A (Exempt)

Appendix 4 – Annotated site plan B (Exempt)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

While the main report is an open item, exemption for Appendices 2, 3 and 4 is requested under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act, as they contain sensitive commercial information with regards to the Council's contracts.

Residential development of Millfold House, Sheffield Road car park and the former Henley's Garage site

1. Recommendations

- 1.1 That approval be given for the Council act as the strategic housing enabler to develop Sheffield Road car park, Millfold House and the former Henley's garage on Wellgate into residential accommodation.
- 1.2 That the Assistant Director of Planning, Regeneration and Transport be authorised to purchase additional land, as set out in exempt appendices 3 and 4, to improve the scale of development potential.
- 1.3 That expenditure on these acquisitions be capped at the limit set out in appendix 2, and be funded from resources allocated to the town centre regeneration programme.
- 1.4 That officers be authorised to explore further possible acquisitions, to maximise the regenerative impact of these residential development schemes.
- 1.5 That a further report be submitted setting out a detailed financial business case and development proposals.

2. Background

- 2.1 The Council commissioned White Young Green (WYG) to develop a town centre masterplan, which sets out the requirements for an enhanced cultural / leisure offer and more residential accommodation. The purpose of this report regarding Millfold House, Sheffield Road car park and the former Henley's garage on Wellgate is to set out proposals to kick start residential development as early as possible.
- 2.2 The need for new homes in the town centre had already been identified prior to the publication of the masterplan. The regeneration of the town centre will play a major role in transforming the overall borough in terms of economic growth and Rotherham's wider reputation, and housing is an essential part of this regeneration. Housing in the town centre has also been identified as a priority for Rotherham's residents as demonstrated by consultation on the Council's Housing Strategy, the Strategic Housing Market Assessment (SHMA), and through various other customer surveys.
- 2.3 When the Government introduced the Starter Homes Land Fund in early 2016, this was seen as a potential opportunity to develop new housing in the town centre, while also increasing the number of suitable homes for first time buyers (another priority that has emerged from the SHMA and Housing Strategy). At that point it was not clear what form Starter Homes funding would take. A report was presented to Cabinet in December 2016 that identified 12 sites in the town centre to be put forward in a bid to the Homes and Communities Agency (HCA) for Starter Homes funding. The bid identified three of the sites as 'go early' sites as they are in Council ownership.

2.4 The HCA agreed to support Rotherham's bid and announced that it would invest up to £32m in Rotherham. However, through subsequent discussions it became clear that this investment would take the form of a recoverable loan / equity share investment, rather than grant funding. This presented various problems, including:

- The Council can borrow at a low rate via the Public Works Loan Board and this may be preferable to HCA equity investment and associated restrictions
- Risk over recovery of the 20% Starter Homes discount
- Risk amplified on sites with viability gaps – such as the town centre go early sites

2.5 While the Council has welcomed the confidence shown by the HCA and will still explore options to deliver Starter Homes on various sites around Rotherham, the three 'go early' sites identified in the bid are no longer earmarked as 'Starter Homes sites' and alternative routes to development have been explored.

2.6 Sheffield Road car park and Millfold House

2.6.1 Engagement with Local Partnerships (an organisation jointly owned by HM Treasury and the Local Government Association) and the town centre masterplan consultants has shown that Sheffield Road car park and Millfold House would be suitable for development into approximately 130 aspirational, high design quality homes for open market sale and private rent. The location of the sites, at the gateway into Rotherham and with views of the river (in the case of Sheffield Road), means that in the future it is anticipated that the value of these sites is likely to increase significantly.

2.6.2 Millfold House is a Council owned site with existing buildings, some of which have tenants. Approval was granted by Commissioner Kenny for the disposal of Millfold House by private treaty on 8th June 2015. Although the negotiations with the developer were never finalised it was agreed, as part of this approval, that 'prior to sale a Commissioner-approved developer led decant plan is put into place in consultation with existing tenants and that Council enabling support is agreed to support SHILOH with relocation'. SHILOH has now moved to new premises, and decanting of the remaining tenants is underway and will be completed by spring 2018. Demolition will take place once the decant process is completed, with costs estimated at £150K.

2.6.3 Sheffield Road car park is proposed as the first site as it will create the greatest impact as an exemplar development with an element of waterfront housing. The site is clear and currently used as a car park. The land was acquired with the purpose of re-development, and its use as a car park is temporary until re-development takes place.

2.6.4 There has been extensive interest in these sites from private developers and potential investors, stimulated by our town centre residential prospectus and the developer summit held in October 2016. The Council launched a soft market testing exercise in July 2017 in order to seek the opinion of prospective developer partners regarding suggested tenure mix and anticipated values, delivery timeframe and how developers would create demand for the product. They were also asked what challenges, if any, developers perceived to be associated with these sites and what innovative cost effective solutions could be applied. The soft market testing resulted in 14 responses 11 of which were positive. Four of the positive responses were detailed providing views on likely sales values, timescales and issues to be addressed.

2.6.5 There are three main options for ensuring these sites are developed: Selling the sites, entering into a joint venture partnership, or the Council acting as developer and procuring a construction partner. These are discussed in more detail in section 4 and the latter is the recommended approach, although the procurement process will be designed in such a way so as not to exclude a joint venture model, if this presents a better outcome for the Council than a standard Developer Agreement. Due to the close proximity of the sites and in order to achieve efficiency savings it is sensible to conduct a single procurement process to identify a partner to complete both sites. The total estimated cost of developing these sites is set out in (exempt) Appendix 2.

2.7 Former Henley's garage

2.7.1 This is a cleared site on Wellgate and would be an ideal location for the development of homes available for first time buyers and older people wishing to downsize, into shared ownership or rent to buy tenures. The site could deliver 53 units (mix of houses and apartments). The Strategic Housing and Development Team is in the process of commissioning a consultant to produce a Wellgate Masterplan in consultation with residents, Ward Members and the local business community and the Henley's site will clearly be the main residential opportunity. Various funding models are being explored and this work will continue. It is proposed that the procurement of a construction partner for this site is carried out as part of the same procurement in respect of Sheffield Road car park and Millfold House.

3. Key Issues

- 3.1 Increasing the number of people living in the town centre is a long standing ambition of the Council. Furthermore, it is a key element of the required regeneration expressed in the Town Centre Supplementary Planning Document and will provide part of the residential offer supporting the Advanced Manufacturing Innovation District.
- 3.2 The town centre is highlighted as a key theme in Rotherham's Economic Growth Plan 2015-25, which is aligned with the wider Sheffield Economic Plan.

- 3.3 Building a new town centre community will provide much-needed housing in the area whilst supporting wider economic growth, by increasing town centre footfall and attracting complementary businesses. For every home built, 2.4 jobs are created (source LGA); £1m spent on new housing provides work for 19.9 workers for a year (source DCLG); and one construction job supports 0.78 jobs in the supply chain (Source DCLG).
- 3.4 Across Rotherham 583 new homes were completed during 2016/17, none of which were in the town centre. Until recently there had been limited developer appetite to building the town centre due to viability issues, however there are strong signs of increasing interest as shown by the positive response to the soft market testing exercise, and the recent submission of planning applications for two key privately owned sites: Westgate Chambers and the burnt out buildings on Corporation Street. It is important that the Council takes the opportunity to stimulate further private sector confidence by developing on its own assets.
- 3.5 There is a corporate requirement to refresh the town centre car parking strategy to consider the re-provision of car parking spaces. Car parking is included in the plans for Forge Island which will assist in replacing some of the car parking capacity on the Sheffield Road car park site.

4. Options considered and recommended proposal

- 4.1 The Council could sell the sites to a developer meaning that no risk regarding future sales / voids remains with the Council. The main disadvantages of this approach are the lack of control over the design and pace of development (the conditions the Council could impose on the purchaser would be limited by procurement rules), and the limited opportunity for the Council to benefit from future uplifts in land values. For these reasons this approach is not recommended.
- 4.2 The Council could enter into a joint venture agreement whereby future risks and profits are shared between the Council and a developer / investor. This would allow the Council a greater deal of control and allow for investment from external sources. The Council could make the proposal more attractive by de-risking the sites and underwriting the sales. This option would allow for the recovery of any increased future sales values by the Council and the developer partner. With this model the partner would expect a profit level commensurate with the risk they are taking, which could be up to 20% of the overall costs. This is proposed as a possible alternative to the recommended approach and the procurement process will be designed in such a way that will allow this model, should a joint venture agreement present a better outcome to the Council than option 3.
- 4.3 The third main option, which is the recommended approach, is for the Council to retain ownership of the sites, and procure a construction partner through a design and build contract to develop and market the sites. This would afford the Council the maximum control over design and pace. The Council would retain all of the risk but also benefit from any future uplift in value, in a similar way to the Site Clusters programme with Wates, approved by Cabinet in July. This would allow a relatively swift procurement exercise and full control over the development.

5. Consultation

5.1 An understanding of residents' needs and aspirations has been drawn from a range of sources:

- Strategic Housing Market Assessment (published in 2015) which provides detailed survey results and included a town centre focus group – young people are leaving Rotherham, and home ownership is unaffordable for a significant proportion of first time buyers.
- Other surveys including the 2012 'where do you want to live?' survey – 12% of Rotherham's residents would consider living in the town centre.
- Housing strategy consultation and questionnaire (2015) which showed that residents want the Council to improve housing in the town centre and prioritise the needs of first time buyers in new build development.

5.2 Representatives from Finance, Legal Services and Regeneration and Environment have all attended meetings with the Homes and Communities Agency (HCA) relating to a town centre led housing programme along with the Cabinet Members for Housing, and Jobs and the local Economy. Meetings with Local Partnerships have been attended by staff from across the organisation.

5.3 Town centre residential development has been discussed with Rotherham's Strategic Housing Forum, which brings together on a quarterly basis partners from a wide range of organisations, and the aforementioned Housing Developer Summit in October 2016 provided an opportunity to consult partners and local stakeholders.

5.4 The soft market testing exercise has allowed the Council to informally engage with the market and consult on proposals and plans.

5.5 Ward Members will be fully briefed on the contents of this report.

6. Timetable and Accountability for Implementing this Decision

6.1 The Assistant Director of Housing and Neighbourhoods and the Assistant Director of Planning, Regeneration and Transport will have accountability for the successful implementation of this project and progress will be overseen by the Housing and Regeneration Programme Delivery Board.

6.2 Key milestones:

Milestone	Date
Cabinet approval for Council to act in strategic enabling role to develop sites	October 2017
Present forthcoming opportunity at Developer Summit	October 2017
Commence formal procurement exercise	November 2017
Tenders returned and evaluation	Spring 2018

Cabinet meeting: Approval of partner selection	July 2018
Investment Partner / Development Agreement signed	September 2018
Planning application submission	October 2018
Planning approval	February 2019
Millfold House demolition	March 2019
Start on Site	Spring 2019

7. Financial and Procurement Implications

- 7.1 Detailed financial implications are set out in exempt Appendix 2.
- 7.2 The new homes will generate New Homes Bonus and ongoing council tax income. This income will contribute to the achievement of financial planning assumptions within the Council's Medium Term Financial Strategy.
- 7.3 Sheffield Rd Car Park generated income of £18,776 from the public car park in 2016/17, income which would be lost to Parking Services unless the displaced drivers use other Council on or off-street parking provision. In addition, £20,000 was received from staff car park permits in 2016/17, from approximately 120 permit holders. Alternative provision for staff car park users will be considered as part of the implementation of the town centre masterplan developments.
- 7.4 As highlighted within the report, the preferred option will be subject to a formal procurement process, which must be undertaken in line with the Council's Standing Orders and the Public Contract Regulations 2015 (the "Regulations"). It is imperative that the scope, evaluation methodology and the terms of agreement are robust at the point of issuing the tender to market, to ensure bids can be fairly assessed and the most economically advantageous tender identified. The Council has a range of procurement options available and the process will be significantly accelerated by using one of the Council's frameworks.
- 7.5 The procurement brief will set out the Council's ambitions for town centre regeneration and repopulation and will take into account the valuable feedback generated by the soft market testing exercise. Tenderers will be asked to set out how they will achieve the distinctive high quality design required for these sites and the full development costs including site remediation. Lessons will also be learned and taken into account from the Site Clusters programme procurement experience.
- 7.6 A further report will be provided to the Cabinet and Commissioners decision making meeting with the full financial implications of the development, following completion of the procurement exercise.

8. Legal Implications

- 8.1 Depending upon which delivery model is chosen the Council will have to consider carefully whether there are any State Aid implications with the proposed structure.
- 8.2 During the detailed review of the sites by the Asset Management Service, some unregistered parcels of land have been identified within the site boundaries. These are currently being resolved to achieve clean title, in liaison with Legal Services.

9. Human Resources Implications

- 9.1 Sheffield Road Car Park is used by Council employees and its loss as a car park would require them to find alternative parking provision. There is a corporate requirement to refresh the town centre car parking strategy to consider the re-provision of car parking spaces. Car parking is included in the plans for Forge Island which will assist in replacing some of the car parking capacity on the Sheffield Road car park site.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 None identified.

11. Equalities and Human Rights Implications

- 11.1 None identified.

12. Implications for Partners and Other Directorates

- 12.1 Development of a town centre residential new build programme will require an integrated approach across all directorates. Adult Care and Housing and Regeneration and Environment directorates are working closely together to align housing growth with the overall Town Centre Master Plan.
- 12.2 The Council is working with a range of partners to develop proposals and a range of potential innovative partnership arrangements are being explored to deliver the required outcomes.

13. Risks and Mitigation

- 13.1 There are risks related to the lack of experience within the Council in creating a new residential market on regeneration sites. The success of this type of venture depends on partnering with a suitable developer, not only providing technical expertise and the capacity to carry out the development but also the vision and marketing expertise to maximise the quality and value of the development. Engagement with prospective partners has already begun through soft market testing. A robust procurement process, focussing on a proven track record will ensure that the best partner is selected.

- 13.2 There is a risk that the properties will not sell at the rate anticipated or that the sales values anticipated will not be achieved, resulting in a viability gap. This can be mitigated by engagement with the market through market testing and ensure that marketing of the properties aligns with the wider regeneration of the town centre.
- 13.3 Not developing the sites as per the recommendations in this report would avoid the financial risks associated with development. However, the sites could be left undeveloped at a time when, as set out by the Town Centre Masterplan, major regeneration is taking place. If the sites were not developed now an opportunity would be missed to carry out the first elements of the commercial and residential regeneration simultaneously, lending momentum to the plans for growth in the town centre.

14. Accountable Officer(s)

Tom Bell - Assistant Director of Housing & Neighbourhood Services
Paul Woodcock – Assistant Director of Planning, Regeneration and Transport

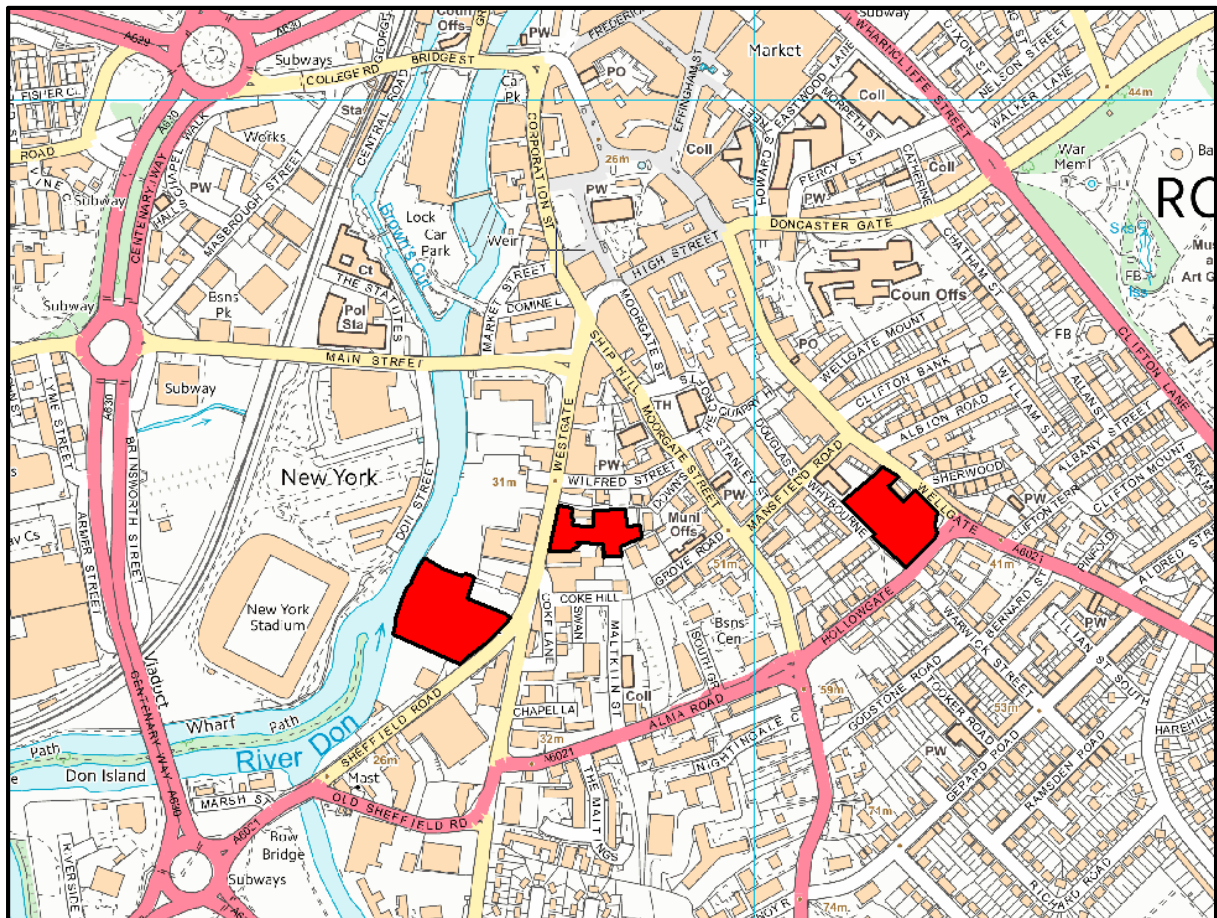
Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Graham Saxton	30/08/2017
Assistant Director of Legal Services	Lesley Doyle	28/09/2017
Head of Procurement (if appropriate)	Karen Middlebrook	30/08/2017
Head of Human Resources (if appropriate)	Odette Stringwell	12/07/2017

*Report Authors: Nick Ward, Housing Development Manager
Jane Davies, Strategic Housing and Development Manager*

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

Appendix 1: Map of 3 sites



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted