

# Notice of Meeting



## THE CABINET

**Tuesday, 18 October 2011 - 5:00 pm**  
**Council Chamber, Town Hall, Barking**

**Members:** Councillor L A Smith (Chair); Councillor R Gill (Deputy Chair); Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor G M Vincent, Councillor P T Waker and Councillor J R White

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### AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any personal or prejudicial interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - To confirm as correct the minutes of the meeting held on 20 September 2011 (Pages 1 - 6)**
4. **Budget Monitoring 2011/12 (Pages 7 - 32)**
5. **Budget Proposals 2012/13 (Page 33)**
6. **Strategy for Ensuring Sufficient School Places 2011/12 - 2016/17 (Pages 35 - 52)**
7. **Debt Management Policy (Pages 53 - 81)**
8. **European Social Fund (ESF) - Access to Sustainable Employment (Pages 83 - 88)**
9. **East London Solutions (Pages 89 - 102)**
10. **Polling Districts and Polling Places Review (Pages 103 - 154)**

- 11. Framework Contract for Taxi Provision (Pages 155 - 175)**
- 12. Mental Health Section 75 Agreement (Pages 177 - 228)**
- 13. Joint Strategic Needs Assessment 2011 (Pages 229 - 303)**
- 14. Older People's Strategy - Progress Update and Improvement Action Plan 2011-13 (Pages 305 - 327)**
- 15. Any other public items which the Chair decides are urgent**
- 16. To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

### **Private Business**

The public and press have a legal right to attend Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended).

- 17. The Future Provision of External Extra Care (Pages 329 - 339)**  
Concerns the financial affairs of third parties (paragraph 3)
- 18. Any other confidential or exempt items which the Chair decides are urgent**

## THE CABINET

Tuesday, 20 September 2011  
(5:00 - 5:12 pm)

**Present:** Councillor L A Smith (Chair), Councillor R Gill (Deputy Chair), Councillor J L Alexander, Councillor C Geddes, Councillor L A Reason, Councillor G M Vincent, Councillor P T Waker and Councillor J R White

**Also Present:** Councillor N S S Gill, Councillor J E McDermott and Councillor D Twomey

**Apologies:** Councillor H J Collins and Councillor M A McCarthy

### 36. Declaration of Members' Interests

There were no declarations of interest.

### 37. Minutes (23 August 2011)

The minutes of the Cabinet meeting on 23 August 2011 were confirmed as correct.

### 38. Budget Monitoring 2011/12: April to July 2011

The Cabinet Member for Finance, Revenues and Benefits presented a report on the Council's revenue and capital budget position for 2011/12 as at 31 July 2011.

The General Fund and Housing Revenue Account (HRA) showed a similar position to that for the end of June, with projected full-year pressures of £4.5m and £47,000 respectively. The Cabinet Member confirmed that progress continued to be made in the efforts to redress the overspend positions, which had included the completion of a zero-based budget exercise within Environmental Services the implications from which would be reported in due course.

The report also set out details of a number of proposed revenue and capital budget adjustments, the finalised reserves position for 2010/11, which reflected an additional £65,000 contribution to reserves to that contained in the provisional outturn report to Cabinet on 14 June 2011 (Minute 3), and transfers from reserves to Finance and Resources departmental budgets totalling £2.23m.

Cabinet **agreed**:-

- (i) To note the projected outturn position for 2011/12 of the Council's revenue and capital budgets as set out in paragraphs 3 and 6 and Appendix A and D of the report;
- (ii) To note the progress against the 2011/12 savings targets as set out in paragraph 4 and Appendix B of the report;
- (iii) To note the position for the HRA as set out in paragraph 5 and Appendix C of the report;

- (iv) The following revenue budget adjustments:
- £190,000 from Children's Services to Legal Services to enable additional casework to be dealt with in-house and minimise the use of external legal firms;
  - £60,000 from Children's Services to Legal Services to fund in-house Advocacy support and reduce the use of Counsel.
- (v) The finalised 2010/11 reserves as set out in paragraph 3.8 of the report;
- (vi) The following transfers from reserves:
- £1.75m from the Operational Delivery Reserve to the Finance and Resources service to meet anticipated costs associated with the joint venture with Elevate;
  - £480,000 from reserves to the Finance and Resources service to release rolled forward underspends achieved within the Finance and Resources service in 2010/11.
- (vii) The capital budget adjustments as set out in the appendix E of the report.

### **39. Gascoigne Estate Renewal - Site Delivery and Disposal Options**

Further to Minute 27 (23 August 2011), the Cabinet Member for Housing presented a report on the disposal and delivery options for the Gascoigne Estate element of the Council's Estate Renewal Programme.

Previous reports to Cabinet on 6 July and 2 November 2010 (Minutes 21 and 49 respectively) established the principles for the Gascoigne Estate project. The Cabinet Member advised that the availability of £18.3m funding from the Homes and Communities Agency and the affordability of the entire Estate Renewal programme had now led to a different approach being proposed to that adopted for the Leys and Goresbrook elements of the programme. Of the three detailed options that had been considered - a partnership arrangement with a Housing Association, the procurement of a development partner via an OJEU compliant Developer Framework, and a stock transfer to a Housing Association - the partnership arrangement with a Housing Association represented, on balance, the best overall approach for the Council and the residents of the area.

Cabinet **agreed**:-

- (i) That the preferred delivery option for the Gascoigne Estate be to select, through an OJEU competitive tender process, a Housing Association to enter into a partnership arrangement with the Council to regenerate the areas identified for redevelopment on the Estate, with the final terms to be agreed under delegated authority by the Corporate Director of Finance and Resources, advised by the Corporate Director of Customer Services and the Divisional Director of Legal and Democratic Services, and in consultation with the Lead Members for Housing and Regeneration; and
- (ii) To delegate authority to the Corporate Director of Finance and Resources,

subject to the advice of the Corporate Director of Customer Services and the Divisional Director of Legal and Democratic Services, and in consultation with the Lead Members for Housing and Regeneration, to negotiate and agree final terms of all necessary commercial and legal transactions, agreements and contracts, and do all other lawful things necessary to finalise and complete the project as set out in the report.

#### **40. Changes to Parking Policy and Charges at the Borough's Car Parks**

Further to Minute 31 (23 August 2011), the Cabinet Member for Crime, Justice and Communities presented a report on proposed changes to the Council's parking policy and car park charges.

The Cabinet Member explained that the proposals, linked to the Council's draft Local Implementation Plan (LIP), were aimed at:

- increasing capacity for short term visitor and shopper car parking in town centres;
- improving facilities for safe overnight parking;
- improving accessibility to car parks for vulnerable groups; and
- promoting the use of more sustainable modes of travel such as cycling or public transport to reduce traffic congestion in the borough.

The report also addressed the points raised at the last meeting during the discussions on the new staff car permit scheme in respect of consultations with Unions, the burden of the new charges on staff, enforcement arrangements, the criteria for Essential Car Users and the proportionality of the new charges in relation to salaries.

Cabinet **agreed**:-

- (i) That Parking Charges Orders in respect of the existing public car parks set out in Appendix A, Schedule 1 of the report be varied so as to allow for increased or decreased charges (as the case may be) in accordance with the charging scheme set out in Appendix A, Schedule 1;
- (ii) That the Council takes steps to establish the new pay and display public car parks identified in Appendix A, Schedule 2 as off street parking places under the Road Traffic Management Act 1984;
- (iii) That Parking Charges Orders in respect of the proposed new pay and display car parks set out in Appendix A, Schedule 3 be introduced to allow for parking charges to be levied in those car parks; and
- (iv) That parking should remain free for the public on Sundays in all car parks operated by the Council.

#### **41. Proposed Establishment of an Additionally Resourced Provision at Monteagle Primary School**

The Cabinet Member for Children and Education presented a report on the proposal to establish an Additionally Resourced Provision (ARP) at Monteagle

Primary School for pupils with statements of Special Educational Needs with a diagnosis of Asperger's Syndrome.

The Cabinet Member advised on the benefits of the proposal, which included the provision of local, specialist places within a mainstream school setting, considerable savings on out-of-borough placements and improved access to specialist staff, and confirmed that the new service would commence from the start of the 2012 Spring term.

Cabinet **agreed** the establishment of an ARP at Monteagle Primary School as detailed in the report.

#### **42. Fews Lodge Extra Care Scheme**

The Cabinet Member for Health and Adult Services reported on the proposal to convert Fews Lodge, Gregory Road, Chadwell Heath, into Extra Care Housing for people with dementia.

Funding from the Department of Health now enabled the Council to commence the project that it had intended to progress with Hanover Housing at the time of the development of the Kallar Lodge residential care home on the site in 2008. The Cabinet Member advised that the new provision would enable the Council to meet growing demand for this type of care, particularly for couples, and gave greater levels of independence in a more cost-effective way than residential care.

Cabinet **agreed**:-

- (i) That the main building of Fews Lodge be converted into Extra Care Housing provision for people with dementia as detailed in the report; and
- (ii) That the project be provided jointly under the management of Customer Services for landlord services (with rent being paid by tenants to the HRA) and Adult Social Care for care provision (funded through adult social care budgets), while the bungalows and houses on the site revert to general needs housing.

#### **43. Tender for the Provision of Temporary Agency Staff Contract**

The Cabinet Member for Finance, Revenues and Benefits presented a report on the proposals for the retendering of the contract for the provision of temporary agency staff, the current contract for which expired on 30 September 2011.

The Cabinet Member explained that an options appraisal had identified a 'master vendor' solution in collaboration with up to eighteen other London Boroughs/ALMOs using the national procurement framework MSTAR as the preferred solution, and he outlined the main differences with the 'neutral vendor' approach that applied to the Council's current service.

Cabinet **agreed**:-

- (i) The extension of the existing Matrix contract for a period of six months from 1 October 2011;

- (ii) To the Council participating in the MSTAR framework for the procurement of a contract for the provision of temporary agency staff; and
- (iii) To authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services, to award contracts for the provision of temporary agency staff using the MSTAR framework.

#### **44. Disciplinary Procedure**

The Cabinet Member for Customer Services and Human Resources presented a report introducing a revised Council Disciplinary Procedure.

The Cabinet Member explained that all key employment policies and procedures were subject to review to ensure that they were in line with current legislation and best practice and the revised Disciplinary Procedure had been considered and endorsed by the Employee Joint Consultative Committee on 6 June 2011.

Cabinet **agreed** to adopt the Disciplinary Procedure as set out at Appendix A to the report.

#### **45. Debt Management Performance and Write-Offs - 1 April to 30 June 2011 (Quarter 1)**

Cabinet received and noted a report from the Cabinet Member for Finance, Revenues and Benefits on the performance during the first quarter of the 2011/12 financial year of Elevate East London in carrying out the debt management function on behalf of the Council, together with details of the debt written-off as uncollectable during the period and comparable information from the previous financial year.

#### **46. Tendering of Contract for Insurance, Claims Handling and Operational Risk Management Services**

The Cabinet Member for Finance, Revenues and Benefits reported on the proposed procurement of a new contract for insurance related services, the current contract for which expired on 31 March 2012.

The Cabinet Member advised that the potential benefits of joint arrangements with other local authorities had been explored but the options appraisal had identified a stand-alone contract, of a duration to be determined during the procurement process, as being the most cost-effective for the Council.

Cabinet **agreed**:-

- (i) The procurement of a stand-alone contract (Option 1) for managing the Council's insurance programme as detailed in the report; and
- (ii) To authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services, to award the contract following the procurement process and to enact the extension options provided for within the contract in the event that it is deemed to be in the best interests of the Council.





## CABINET

18 OCTOBER 2011

<b>Title:</b> Budget Monitoring 2011/12 - April to August 2011	
<b>REPORT OF THE CABINET MEMBER FOR FINANCE, REVENUES AND BENEFITS</b>	
Open	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> Yes
<b>Report Author:</b> Kathy Freeman, Group Manager, Corporate Finance	<b>Contact Details:</b> Tel: 020 8227 3497 E-mail: <a href="mailto:Kathy.freeman@lbbd.gov.uk">Kathy.freeman@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Jonathan Bunt, Divisional Director of Finance	
<b>Accountable Director:</b> Tracie Evans, Corporate Director of Finance and Resources	
<p><b>Summary:</b></p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the five months to the end of August 2011.</p> <p>The Council began the current financial year in a better financial position than the previous year with a General Fund (GF) balance of £10.8m.</p> <p>At the end of August 2011, total Service expenditure for the full year is projected to be £187.4m against the approved budget of £183.4m; a projected overspend of £4.0m. The overspends arise in Children's Services (Complex Needs and Social Care), Customer Services (reduced income and cost pressures in Housing and Environmental divisions) and Resources and Finance (due to an over stated income budget in Revenues and Benefits). Further explanatory summaries are contained in section 2 of this report.</p> <p>The 2011/12 budget includes a planned contribution of £1.5m to further improve GF balances. The current projected service pressures of £4.0m, less the planned contribution to balances of £1.5m, could result in the General Fund balance reducing by £2.5m to £8.3m without action plans being developed to mitigate the forecast overspend.</p> <p>The Housing Revenue Account (HRA) is projected to contribute £80k more than budgeted to the HRA reserve. The projected contribution to the HRA reserve currently stands at £1.5m. The HRA is a ring fenced account and cannot make contributions to the General Fund.</p> <p>The Capital Programme has been updated to reflect project roll-overs and changes approved at Cabinet on 14 June and the budget stands at £149.8m; this represents the position on all the schemes in the capital programme. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur. The report includes a request to make budget adjustments to the existing capital programme as detailed in appendix E.</p>	

## **Recommendation(s)**

The Cabinet is recommended to:

- (i) Note the projected outturn position for 2011/12 of the Council's revenue budget as detailed in paragraphs 2.3 to 2.11 of the report;
- (ii) Note the progress against the 2011/12 savings targets in paragraph 2.12 of the report;
- (iii) Note the position for the HRA as detailed in paragraph 2.13 of the report;
- (iv) Note the projected outturn position for 2011/12 of the Council's capital budget as detailed in paragraph 2.14 of the report;
- (v) Approve the capital budget adjustments as set out in appendix E of the report.

## **Reason(s)**

As a matter of good financial practice, the Cabinet should be regularly updated with the position on the Council's budget. In particular, this paper alerts Members to particular efforts to reduce in year expenditure in order to manage the financial position effectively.

## **1 Introduction and Background**

- 1.1** The Outturn report to Cabinet on 14 June 2011 reported that, as at 31 March 2011, general fund balances stood at £10.8m, an increase of £2.8m on the position twelve months earlier. This position has been confirmed following completion of the audit of the Council's Statement of Accounts.
- 1.2** This report provides a summary of the Council's General Fund (GF) revenue and capital positions and the HRA. It also provides an update on progress made to date in the delivery of the agreed savings targets built into the 2011/12 budget setting out risks to anticipated savings and action plans to mitigate the risk.
- 1.3** It is important that the Council regularly monitors its revenue and capital budgets to ensure good financial management. This is achieved within the Council by monitoring the financial results on a monthly basis through briefings to the Cabinet Member for Finance, Revenues and Benefits and reports to Cabinet. This ensures Members are regularly updated on the Council's overall financial position and enables the Cabinet to make relevant financial and operational decisions to meet its budgets.
- 1.4** The report is based upon the core information contained in the Oracle general ledger system supplemented by examination of budgets between the budget holders and the relevant Finance teams. In addition, for capital monitoring there is the work carried out by the Capital Programme Management Office (CPMO).

## 2 Current Overall Position

2.1 The current Directorate revenue projections (before the planned contribution to balances of £1.5m) indicate an overspend of £4.0m for the end of the financial year of which:

- £1.1m arises from budget pressures in Children's Service. An overspend of £3.2m within the Complex Needs and Social Care budget is forecast, offset by a projected £2.1m under spend in Management and other costs;
- £0.6m arises from cost pressures in Environmental Services (£0.5m), General Fund Housing (£0.1m);
- £1.7m in Finance and Resources due to an error in setting the income budgets in Revenues and Benefits and debt recovery risk in Housing Benefit overpayments;
- £0.6m arises in Central Expenses following a delay in implementing revised staff terms and conditions.

The initial net forecast of a £2.5m overspend (£4.0m less £1.5m) would result in the Council's General Fund balance falling below the budgeted target of £10.0m. The Chief Finance Officer has a responsibility under statute to ensure that the Council maintains appropriate balances. Actions have already been put in place to reduce the Council's net out-goings.

2.2 In the report to Members regarding the setting of the 2011/12 annual budget and Council Tax, the Corporate Director of Finance and Resources, after consideration of the factors outlined in the CIPFA guidance on Local Authority Reserves and Balances 2003, set a target GF reserves level of £10.0m. The General Fund balance at 31 March 2011 was £10.8m and the current projected balance for the end of the financial year (including the planned contribution to balances of £1.5m) is £8.3m.

The HRA budget for 2011/12 includes a contribution to the HRA reserve of £1.5m. At the end of August, the HRA is forecasting an under spend of £80k.

	<b>Balance at 1 April 2011</b>	<b>Projected Balance at 31 March 2012</b>	<b>Target Balance at 31 March 2012</b>
	£'000	£'000	£'000
General Fund	10,841	8,340	10,000
Housing Revenue Account (including Rent Reserve)	4,448	5,997	4,448

**2.3** The current full year projection to 31 March 2012 across the Council for the General Fund is shown in the table below.

<b>Council Summary</b>	<b>Net Budget</b>	<b>Full year projection at August 2011</b>	<b>Over/(under) Budget Projection</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Directorate Expenditure</u>			
Adult and Community Services	65,119	65,119	-
Children's Services	64,814	65,934	1,120
Customer Services	26,858	27,454	596
Finance & Resources	13,392	15,147	1,755
Chief Executive Office	591	571	(20)
Central Expenses	12,608	13,158	550
<b>Total Service Expenditure</b>	<b>183,382</b>	<b>187,383</b>	<b>4,001</b>
Planned Contribution to Balances			(1,500)
<b>Total Projection at end of August 2011</b>			<b>2,501</b>

**2.4** The projection set out in the table above excludes the potential impact of cost pressures identified within the service directorates, which are more fully explained in paragraphs 2.6 to 2.11 below. Directorate management teams are actively developing action plans to control these pressures which will be monitored closely during September.

### **2.5 Directorate Performance Summaries**

The key areas of potential overspend and risks are outlined in the paragraphs below.

### **2.6 Adult and Community Services**

<b>Directorate Summary</b>	<b>2010/11 Outturn</b>	<b>2011/12 Budget</b>	<b>2011/12 Projection</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Net Expenditure	69,951	<b>65,119</b>	<b>65,119</b>
Projected overspend			-

The Adult and Community Service (ACS) budget position at month 5 of the 2011/12 financial year is projecting a break-even position for the year end.

The Directorate is experiencing severe pressures at the interface with local hospitals and the PCT at this time, which may have led to budget overspends if the Directorate had not been successful in securing through negotiation the funding 'to support social care where it benefits health' of £2.4 million. Discussions continue with the ONEL PCT cluster about the impact of their budgetary policy on jointly commissioned services and on Council services and ultimately these may have an impact on the Directorates outturn.

Pressure is also being experienced in the Transitions from Children's area due to the increasing number of Children with care packages/arrangements turning 18.

The current budgets reflect savings decisions made last year as part of the Council Tax setting process, which amounted to reductions of £4.6m from the ACS Budget this will represent a challenge to deliver without service detriment.

The Directorate and its Management Team have a track record of dealing with issues and pressures throughout the year to deliver a balanced budget.

Savings targets are currently showing a potential shortfall of £200k due to pressures in the following areas:

- Community Halls – there has been a delay on the transfer of the buildings to community associations and this is a potential savings risk;
- Community Equipment – this budget has had significant pressures due to a high demand and is now showing an overspend of £100k which is being off-set by other savings within the directorate;
- Mental Health – placement budgets are experiencing pressure which they are managing through the social care funding in establishments.

The Directorate will ensure these savings are met through managing other budgets robustly.

## 2.7 Children’s Services

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	61,913	<b>64,814</b>	<b>65,934</b>
Projected overspend			<b>1,120</b>

Children’s Services are reporting a potential end of overspend risk of £1.1m, which they intend to reduce during the course of the year.

Children’s Complex Needs and the Children’s placements budget are still experiencing pressures, which if not managed, would lead to an end of year overspend of £3.2m. As part of the placements recovery plan, there is a high cost placements meeting occurring once a month to discuss how to reduce the cost of these placements, however due to the higher than average 0-17 population, the Borough is also trying to manage down the demand.

The projected overspend takes into account full achievement of the £4.5m savings to be delivered through the Placements Recovery Action Plan, as well as bringing forward several 2012/13 saving proposals into 2011/12. Projections do not take into account corporately held savings for changes to terms and conditions and procurement.

Of the £4.5m savings put forward for 2011/12, risks have been identified but it is expected that each divisional director manage these risks and deliver their savings.

### **Dedicated School Grant (DSG)**

The Council retains £17.9m of the DSG in 2011/12 (2010/11; £16.3m).

## 2.8 Customer Services

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	28,202	<b>26,858</b>	<b>27,454</b>
Projected overspend			<b>596</b>

Customer Services currently has cost pressures totalling £2.2m which are being offset by the use of the Departmental contingency (£750k) and proposed action plans to mitigate the pressures (currently forecast as £945k). Therefore, there is a risk that the reported overspend of £596k may increase if the action plans proposed do not deliver the mitigating savings.

In addition, there is a potential pressure on parking income of around £1m and there are currently action plans to address part of this pressure.

The overall savings target for Customer Services was £4.3m of which the latest forecast is that £3.2m will be delivered this year (paragraph 2.12). The shortfall for 2011/12 is £1.1m and is contributing to the headline pressure above of £2.6m. The main pressures are:

- Refuse income related to trade waste and Staff costs in refuse department;
- Vehicle Fleet – continued spot hire pending supply of new vehicles under Translinc contract;
- Rising fuel & energy prices above budgeted inflation;
- Supplies and services in relation to car parks and parking administration;
- Reduction in school buy-backs – mainly impacting on refuse and grounds maintenance;
- Temporary accommodation costs due to changes in Housing Benefit Subsidy rules. The service is addressing this through a combination of converting more expensive Private Sector Landlords on to a lower cost portfolio, as well as using the council's own properties where feasible;
- Delivery of 2011/12 savings. There was a delay in implementing the staff parking permits and redeploying staff due to terms and conditions.

The Departments are currently considering further action plans to mitigate the above pressures and reduce the current predicted overspend.

## 2.9 Finance and Resources

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	10,388	<b>13,392</b>	<b>15,147</b>
Projected overspend			<b>1,755</b>

The Finance & Resources department is projecting an overspend which is mainly due to the Directorate inheriting the £1.4m budget pressure already existing within the Revenues & Benefits service at the point of transfer.

The remainder of the shortfall is predominantly due to a pressure within the Housing Benefit Subsidy scheme of £235k arising from the need to increase the Housing Benefit overpayments bad debt provision. All other divisions are confident that they will be able to deliver their services within their approved working budget.

The Directorate is expecting to achieve its 2011/12 saving targets.

## 2.10 Chief Executive Office

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	1,023	<b>591</b>	<b>571</b>
Projected over/(under)spend			<b>(20)</b>

The Chief Executive services are projecting a £20k under spend due to part-year vacancies held within the Service. Some services have experienced early budget pressures, due to a delay in implementing their new structures. Work has already commenced to ensure that the overall spend is kept within the approved budgets.

The Directorate is expecting to achieve its 2011/12 saving targets.

## 2.11 Central Expenses

<b>Directorate Summary</b>	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	(19,482)	12,608	<b>13,158</b>
Projected overspend			<b>550</b>

As part of the Central Expenses savings target for this year, £1.0m was planned to be generated through the implementation of revised Terms and Conditions of Employment across the Council. This has now been implemented but initial estimates indicate that it will not generate the full year saving included in the budget. In 2011/12, as implementation occurred part way through the financial year, only part of the saving will be achieved. An impact assessment arising from the delay in implementing this project has been undertaken, though this is only based on a single month's data, and shows a £550k shortfall. A further update will be given and a potential contingency request to cover the shortfall in 2011/12 will be given to the next meeting.

## 2.12 In Year Savings targets

The delivery of the 2011/12 budget is dependent on meeting a savings target of £20.3m. Directorate management teams are monitoring their targets and providing a monthly update of progress which is summarised in the table below. The savings shortfalls have been included in the Directorate projections set out in section 2.6 to 2.11 above. A detailed breakdown of savings is provided in appendix B.

<b>Directorate Summary of Savings Targets</b>	<b>Target £'000</b>	<b>Projection £'000</b>	<b>Shortfall £'000</b>
Adult and Community Services	4,620	4,420	<b>200</b>
Children's Services	4,500	4,500	-
Customer Services	4,264	3,150	<b>1,114</b>
Finance & Resources and CEO	2,960	2,960	-
Central Expenses	4,000	3,450	<b>550</b>
<b>Total</b>	<b>20,344</b>	<b>18,480</b>	<b>1,864</b>

## 2.13 Housing Revenue Account

There is a budget surplus on the HRA as at period 5 of £80k. The HRA budget includes a contribution to the HRA reserve and this surplus would result in a net contribution to reserves of £1.5m. The current budget pressures are:

- Severance costs of £161k have been offset by reduced staffing costs where there are some vacant posts;
- The projected outturn includes allowances to cover the part year costs of additional Metropolitan Police Officers as well as potential costs associated towards tendering of a new Repairs and Maintenance contract;
- Rising energy and insurance costs which may not all be recoverable in year from tenants/leaseholders;
- The pressures are being offset by additional rental income from properties which are earmarked for decants. This is because the rate of decants is slower than originally budgeted for.

A detailed HRA is provided in appendix C.

## 2.14 Capital Programme

The Capital Programme budget has been updated to reflect the capital roll forwards approved by Cabinet on 14 June 2011.

<b>Directorate Summary of Capital Expenditure</b>	<b>Original Budget £'000</b>	<b>Revised Budget £'000</b>	<b>Projected Outturn £'000</b>	<b>Projected Variance £'000</b>
Adult and Community Services	10,963	13,346	13,314	(32)
Children's Services	56,993	67,599	66,661	(938)
Customer Services	38,017	49,939	49,635	(304)
Finance & Resources	15,682	18,890	18,625	(265)
<b>Total</b>	<b>121,655</b>	<b>149,774</b>	<b>148,235</b>	<b>(1,539)</b>

At the end of August 2011 the overall status of LBBD's Capital Programme is 'Green' as all departments have attained a status of 'Green'.

Adult and Community Services:

- The £32K under spend relates to Mayesbrook Park Improvements and will be reviewed to check if the budget can be reallocated at this stage.



#### Children's Services:

- Barking Riverside first Primary School is predicting an overspend of £146k. This is anticipated to be met by additional external funding and once confirmation of this has been received a budget adjustment will be requested;
- Thames View Juniors is showing an under spend of £400k that will be reprofiled;
- The overspend of £400k on Westbury - New Primary School is being investigated by the project sponsors and finance to ascertain how this risk will be mitigated;
- 512a Heathway Conversion to a Family Resource Centre is profiled to be £225k overspend. A creditor was raised in 2010/11 which will offset this cost;
- The £1.4m under spend on the Advanced Skills Centre needs to be reprofiled into 2012/13 and the request is contained in appendix E;
- The remaining overspend is attributable to minor differences on various projects.

#### Customer Services:

- External funding for Principal Rd Resurfacing - Longbridge Rd has been reduced and a budget request will be put forward to reduce the £105k projected under spend.
- The SNAPs project is forecasting a £156k under spend and an investigation is being undertaken as to how the under spend might be used.

#### Finance & Resources:

- The Corporate Accommodation Strategy is currently projecting a £0.6m underspend on an overall budget of £2.2m. This is expected to be reprofiled into 2012/13;
- An overspend of £319k on Legi Business Centres is forecast that is expected to be offset by additional external funding and once confirmation of this has been received a budget adjustment will be requested;
- The remaining difference is attributable to minor differences on various projects.

All projects continue to be robustly monitored by CPMO and supporting Finance Teams, ensuring appropriate compliance is adhered to.

The detailed capital Programme is available at appendix D with budget adjustment requests contained within appendix E.

## **2.15 Financial Control**

At the end of August all key reconciliations have been prepared and reviewed and no major reconciling items unexplained.

## **3 Options Appraisal**

- 3.1 The report provides a summary of the financial position at the relevant year end and as such no other option is applicable for appraisal or review.

## **4 Consultation**

- 4.1 The report has been circulated to appropriate Divisional Directors for review and comment. Specific implications are noted in section 7. Individual Directorate elements have been subject to scrutiny and discussion at their respective Directorate Management Team meetings.

## **5 Financial Implications**

5.1 This report details the financial position of the Council.

## **6 Legal Issues**

6.1 There are no legal implications for a budget monitoring report.

## **7 Other Implications**

- **Risk Management**

The risk to the Council is that if the currently projected overspends are not managed effectively the level of balances will fall below the recommended value of £10m as set by the Corporate Director of Finance and Resources.

- **Customer Impact**

As far as possible all restraints have been placed on non-essential services spend. Some cuts may directly or indirectly affect customers but every effort will be made to mitigate any impact on front line services. All departments are required to consider the equalities impacts of their savings plans, and to put in place mitigating actions where necessary. A global equalities impact assessment was reported to Assembly as part of agreeing the 2011/12 annual budget and Council Tax.

- **Safeguarding Children**

All actions taken to mitigate the overspend of the placements budget in Safeguarding and Rights will need to be undertaken within a risk management framework to ensure that the safeguarding needs of individual children are not compromised.

- **Property/ Asset management Issues**

Property and asset management issues are covered in the Capital section of the report, paragraph 2.14.

- **Human Resources**

Budget plans for 2011/12 included a number of savings proposals which impacted on staff numbers employed by the Council. These were managed according to the Council's change management policies and procedures. As referred to in section 2.11, negotiation of the collective agreement with the Trade Unions in respect of changes to terms and conditions took longer than expected and the savings levels achievable in this year are lower than planned.

## **8 Background Papers Used in the Preparation of the Report:**

- Provisional Revenue and Capital Outturn 2010/11; Cabinet 14 June 2011;
- Budget and Medium Term Plan 2011/14; Cabinet 26 February 2011.

## **9 Appendices**

- A – General Fund expenditure by Directorate
- B – Savings Targets by Directorate
- C – Housing Revenue Account expenditure
- D – Capital Programme
- E – Requested Capital Budget Adjustments

## GENERAL FUND REVENUE MONITORING STATEMENT AUGUST 2011/12

SERVICES	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<b><u>Adult &amp; Community Services</u></b>					
Adult Care & Commissioning	48,705	45,896	45,886	45,886	-
Mental Health	4,172	3,837	3,799	3,799	-
Community Safety & Neighbourhood Services	3,736	4,360	4,690	4,690	-
Culture & Sport	12,671	10,449	10,459	10,459	-
Management	667	247	285	285	-
	<b>69,951</b>	<b>64,789</b>	<b>65,119</b>	<b>65,119</b>	<b>-</b>
<b><u>Children's Services</u></b>					
Education	12,455	6,111	7,025	7,025	-
Targeted Support	1,359	14,406	13,574	13,574	-
Complex Needs and Social Care	34,773	31,646	31,624	34,817	3,193
Commissioning and Safeguarding	6,031	4,877	4,817	4,817	-
Other Management Costs	7,295	8,104	7,774	5,701	(2,073)
	<b>61,913</b>	<b>65,144</b>	<b>64,814</b>	<b>65,934</b>	<b>1,120</b>
<b><u>Children's Services - DSG</u></b>					
Schools	(15,175)	(21,148)	(21,170)	(21,170)	-
Quality & Schools Improvement	9,040	5,343	5,365	5,365	-
Integrated Family Services	2,544	3,510	3,592	3,592	-
Safeguarding & Rights Services	214	4,763	4,763	4,763	-
Children's Policy & Trust Commissioning	1,163	1,442	1,360	1,360	-
Skills and Learning	770	-	-	-	-
Other Services	1,444	6,090	6,090	6,090	-
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b><u>Customer Services</u></b>					
Environment & Enforcement	20,601	16,948	16,943	17,450	507
Housing General Fund	3,360	3,378	3,378	3,501	123
Barking & Dagenham Direct	4,242	6,532	6,537	6,503	(34)
	<b>28,203</b>	<b>26,858</b>	<b>26,858</b>	<b>27,454</b>	<b>596</b>
<b><u>Finance &amp; Resources</u></b>					
Directorate of F&R	(109)	414	414	414	-
Human Resources	(32)	250	340	340	-
Commercial Services (including JV contract)	4,482	2,598	2,598	4,353	1,755
Financial Services	(5)	-	130	130	-
Audit & Risk	(20)	-	-	-	-
Regeneration	4,571	5,229	5,229	5,229	-
Corporate Management	4,694	4,681	4,681	4,681	-
ICT (now within JV contract)	(3,193)	-	-	-	-
	<b>10,388</b>	<b>13,172</b>	<b>13,392</b>	<b>15,147</b>	<b>1,755</b>

## Appendix A

SERVICES	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<b><u>Chief Executive Services</u></b>					
Chief Executive Unit	1,185	-	(90)	(110)	(20)
Legal & Democratic Services	795	441	381	381	-
Corporate Policy & Public Affairs	(957)	300	300	300	-
	<b>1,023</b>	<b>741</b>	<b>591</b>	<b>571</b>	<b>(20)</b>
<b><u>Other</u></b>					
Central Expenses	(27,608)	1,257	1,317	1,867	550
Contingency	-	2,834	2,704	2,704	-
Levies	8,126	8,587	8,587	8,587	-
	<b>(19,482)</b>	<b>12,678</b>	<b>12,608</b>	<b>13,158</b>	<b>550</b>
<b>TOTAL</b>	<b>151,996</b>	<b>183,382</b>	<b>183,382</b>	<b>187,383</b>	<b>4,001</b>

## GENERAL FUND REVENUE MONITORING STATEMENT AUGUST 2011/12

SERVICES	Detail	Target	Projected Outturn	Projected Shorfall
		£'000	£'000	£'000
<b><u>Adult &amp; Community Services</u></b>				
ACS/SAV/8	Adult care restructure	250	250	-
ACS/SAV/9	Cross directorate staffing reductions	320	320	-
ACS/SAV/12	YOS/DAAT family focused skills	75	75	-
ACS/SAV/13	Crime prevention	250	250	-
ACS/SAV/14	Youth Offending & Substance Misuse	50	50	-
ACS/SAV/15	Parks police	100	100	-
ACS/SAV/16	Adult care commissioning	1,177	1,177	-
ACS/SAV/17	Charging policy review	125	125	-
ACS/SAV/18	Community Grants	250	250	-
ACS/SAV/19	Joint working/closer integration	300	300	-
ACS/SAV/20	Meals on wheels income	125	125	-
ACS/SAV/21	Broadway theatre	100	100	-
ACS/SAV/22	Parks & Events	150	150	-
ACS/SAV/25	Community halls	125	125	-
ACS/SAV/26	Community equipment	100	-	100
ACS/SAV/27	Mental health budget reduction	100	-	100
ACS/SAV/28	PPP review	300	300	-
ACS/SAV/29	Support services	300	300	-
ACS/SAV/30	Security costs	200	200	-
ACS/SAV/32	Reduce Family Learning	23	23	-
ACS/SAV/33	Reduce Security provision in Buildings	150	150	-
ACS/SAV/34	Increase Volunteers in Libraries	50	50	-
		<b>4,620</b>	<b>4,420</b>	<b>200</b>
<b><u>Children's Services</u></b>				
CHS/SAV/1	Directorate re-organisational efficiencies	1,599	1,599	-
CHS/SAV/2	Children's Policy and Trust Commissioning Management	(15)	(15)	-
CHS/SAV/3	Youth Provision Reconfiguration	300	300	-
CHS/SAV/4	Childminding	35	35	-
CHS/SAV/5	Management Children's Centres	114	114	-
CHS/SAV/6	Teenage Pregnancy	127	127	-
CHS/SAV/7	Supplies & Services Budget	12	12	-
CHS/SAV/8	Advisory Teachers/National Strategy	(70)	(70)	-
CHS/SAV/9	Attendance Service Reduction	150	150	-
CHS/SAV/10	City Learning Centre	150	150	-
CHS/SAV/11	Community Music Service	140	140	-
CHS/SAV/12	Director's representatives at Governors Meetings	5	5	-
CHS/SAV/13	Inspection Service	150	150	-
CHS/SAV/14	Language Support Service Grant	(38)	(38)	-
CHS/SAV/15	Modern Foreign Language Support	(10)	(10)	-
CHS/SAV/16	Transport Savings From Adjustments for Affordability	500	500	-
CHS/SAV/17	Transport to DSG	200	200	-
CHS/SAV/18	Trewern	66	66	-

## Appendix B

SERVICES	Detail	Target	Projected Outturn	Projected Shorfall
		£'000	£'000	£'000
CHS/SAV/19	Westbury Centre	41	41	-
CHS/SAV/21	Court Assessment Team	35	35	-
CHS/SAV/24	Service Development Support Officer	50	50	-
CHS/SAV/25	14-19 ABG Funded Staff	53	53	-
CHS/SAV/26	Aim Higher	(35)	(35)	-
CHS/SAV/27	Apprenticeships Savings	502	502	-
CHS/SAV/28	Job Brokerage Services	125	125	-
CHS/SAV/30	School Gates	(25)	(25)	-
CHS/SAV/31	Children's IT service	60	60	-
CHS/SAV/32	Woodlands Premises Cost	39	39	-
CHS/SAV/34	Crisis Intervention	32	32	-
CHS/SAV/35	Family Group Conference	53	53	-
CHS/SAV/36	Safeguarding & Quality Assurance	55	55	-
CHS/SAV/37	Charging for CiC	100	100	-
		<b>4,500</b>	<b>4,500</b>	-
<b><u>Customer Services</u></b>				
CUS/SAV/1	Customer services management re-structure	424	424	-
CUS/SAV/2	Redesigning street cleansing operations	200	-	200
CUS/SAV/3	Passenger Transport - remodelling of services	1,119	969	150
CUS/SAV/4	Environmental & Trading Standards	150	150	-
CUS/SAV/5	Parks & open spaces	370	170	200
CUS/SAV/6	Street Scene - Parking CPZ	686	363	323
-	Street Scene - Parking Staff Permit	354	177	177
CUS/SAV/7	Street Scene - Call Outs	75	40	35
CUS/SAV/8	Street Scene - Depot	48	48	-
CUS/SAV/9	Street Scene - Road Safety	54	25	29
CUS/SAV/10	Housing Advice Proforma Restructure	75	75	-
CUS/SAV/11	Housing Advice Re-align Recharges to HRA	150	150	-
CUS/SAV/13	Environment reduction in staff post	30	30	-
CUS/SAV/14	Revenues and Benefits Head of Service post	85	85	-
CUS/SAV/15	Housing Advice Reduce subsidy gap	200	200	-
CUS/SAV/21	Supplies & services	(81)	(81)	-
CUS/SAV/22	B&D Direct - Service Efficiency in new One Stop Shop	(50)	(50)	-
CUS/SAV/23	B&D Direct - Staff Saving in new One Stop Shop	(25)	(25)	-
CUS/SAV/28	Temporary Accommodation Re-design	400	400	-
		<b>4,264</b>	<b>3,150</b>	<b>1,114</b>

## Appendix B

SERVICES	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
<b><u>Finance &amp; Resources and Chief Executive Services</u></b>				
FIN&RES/SAV/1	Human Resources - Staffing Review	306	306	-
FIN&RES/SAV/2	Asset & Capital Delivery Staffing Reductions inc Capital	825	825	-
FIN&RES/SAV/3	Marketing and comms review	554	554	-
FIN&RES/SAV/4	Rationalisation of complaints & FOI's	71	71	-
FIN&RES/SAV/5	Rationalisation of Legal practice	470	470	-
FIN&RES/SAV/6	Rationalisation of Democratic Services	197	197	-
FIN&RES/SAV/7	PPP review	387	387	-
FIN&RES/SAV/8	Regeneration & Economic development re-structure	300	300	-
FIN&RES/SAV/9	Corporate Finance review	497	497	-
FIN&RES/SAV/10	Audit & Risk	23	23	-
FIN&RES/SAV/11	Corporate Director of Resources Post	80	80	-
FIN&RES/SAV/12	Reduction in corporate projects	150	150	-
FIN&RES/SAV/13	Deletion of total commissioning service	200	200	-
FIN&RES/SAV/14	Reduction in Building Schools for Future budgets	650	650	-
FIN&RES/SAV/15	Misc MWOW & One B&D Savings	186	186	-
FIN&RES/SAV/16	Misc Support Services non-recurring savings	(1,936)	(1,936)	-
		<b>2,960</b>	<b>2,960</b>	<b>-</b>
<b><u>Corporate Savings</u></b>				
JV/SAV/1	Initial Savings from the Joint Venture	3,000	3,000	-
CORP/SAV/01	Terms & Conditions Review	1,000	450	550
		<b>4,000</b>	<b>3,450</b>	<b>550</b>
<b>TOTAL</b>		<b>20,344</b>	<b>18,480</b>	<b>1,864</b>

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## HOUSING REVENUE ACCOUNT MONITORING STATEMENT AUGUST 2011/12

HOUSING REVENUE ACCOUNT	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
Rents	(73,118)	(76,625)	(76,625)	(77,164)	(539)
Non Dwelling Rent	(2,367)	(2,565)	(2,565)	(2,569)	(4)
Other Income	(12,128)	(11,603)	(12,029)	(12,074)	(45)
Capitalisation of Repairs	(2,518)	(2,500)	(1,000)	(1,000)	-
Repairs and Maintenance	22,874	23,153	21,579	21,514	(65)
Supervision and Management	31,533	28,926	29,426	29,806	380
Rent Rates and Other	990	920	920	920	-
Subsidy	18,048	18,931	18,931	18,931	-
Depreciation	13,481	14,697	14,697	14,697	-
Bad Debt Provision	658	953	953	1,113	160
Interest Charges	1,173	3,431	3,431	3,431	-
Corporate & Democratic Core	811	811	811	811	-
Pensions	-	80	80	113	33
Interest	(484)	(78)	(78)	(78)	-
<b>Contribution to HRA Reserve</b>	<b>(1,047)</b>	<b>(1,469)</b>	<b>(1,469)</b>	<b>(1,549)</b>	<b>(80)</b>

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## CAPITAL PROGRAMME MONITORING STATEMENT AUGUST 2011/12

PROJECTS	Original Budget	Revised Budget	Projected Spend	Projected Variance
	£000's	£000's	£000's	£000's
<b><u>Adult &amp; Community Services</u></b>				
<b>Community Services, Heritage &amp; Libraries</b>				
Ripple Hall (St Georges/Vol Group Relocation)	100	375	375	-
Valence Site Redevelopment	300	465	447	(18)
Eastbury Manor House Redevelopment	-	-	18	18
Disabled Adaptations (HRA)	500	502	502	-
	<b>900</b>	<b>1,342</b>	<b>1,342</b>	<b>-</b>
<b>Leisure &amp; Olympics</b>				
Contingency	18	116	116	-
Barking Park Restoration & Improvement	4,303	4,698	4,698	-
Pondfield Park	-	22	22	-
Green Flag & Small Scale Works	-	-	-	-
Staff Costs	98	-	-	-
Abbey Green Park Development	33	48	48	-
Valence Park Improvements	24	31	31	-
Mayesbrook Watercourse & Park Study	-	-	-	-
Civic Centre Gardens (Formerly Kestrel)	-	-	-	-
BTC Public Art Project	-	11	11	-
Abbey Sports Centre (Wet Side Changing Areas)	-	9	9	-
Barking Park Artwork	84	84	84	-
Becontree Heath Leisure Centre	4,617	5,120	5,120	-
Goresbrook Leisure Centre - Olympic Training Venue	139	207	207	-
Mayesbrook Park Improvements (Phase 1)	747	898	866	(32)
Play Builder	-	10	10	-
Mayesbrook Park Athletics Arena	-	750	750	-
	<b>10,063</b>	<b>12,004</b>	<b>11,972</b>	<b>(32)</b>
<b>Total For Adult &amp; Community Services</b>	<b>10,963</b>	<b>13,346</b>	<b>13,314</b>	<b>(32)</b>
<b><u>Children's Services</u></b>				
<b>Primary Schools</b>				
Eastbury	150	238	238	-
Northbury Infants & Juniors	-	-	-	-
Cambell Infant & Juniors	25	267	267	-
Barking Riverside first Primary School	3,015	5,181	5,327	146
Roding Primary School - Cannington Road Annex	250	323	323	-
Beam Primary Expansion	100	304	304	-
St Joseph's Primary - expansion	1,850	1,962	1,962	-
St Peter's Primary - expansion	75	137	137	-
Thames View Infants - London TG Agreement	420	537	537	-
Cambell Junior - Expansion & Refurb	25	167	167	-
Thames View Juniors - Expansion & Refurb	2,230	2,250	1,850	(400)
Former UEL Site - New Primary School	8,500	9,460	9,460	-
Ripple Primary - Expansion	-	-	-	-
Roding Primary School	-	-	-	-
Westbury - New Primary School	1,750	1,924	2,324	400
St Georges - New Primary School	2,260	2,745	2,745	-
Manor Junior	-	-	-	-
	<b>20,650</b>	<b>25,495</b>	<b>25,641</b>	<b>146</b>
<b>Other Schemes</b>				
Renewal School Kitchens 2009/10	25	32	51	19
SMF - School Modernisation Fund (Inc 2009-10 SMF Element)	997	1,902	1,902	-
Youth Access Card	15	285	285	-
Extended Schools Phase 4	-	(21)	-	21
Extended Schools	-	1	1	-

**CAPITAL PROGRAMME MONITORING STATEMENT  
AUGUST 2011/12**

<b>PROJECTS</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Projected Spend</b>	<b>Projected Variance</b>
School's Kitchen Extension/Refurbishment 10/11	490	554	554	-
Cross-Government Co-Location Fund	50	141	141	-
Basic Needs Projects ( Formerly Additional School Places)	1,501	1,535	1,535	-
Schools Re-Boiler Works	-	-	-	-
Schools Legionella Works	-	88	88	-
Schools L8 Water Quality Remedial Works 2010/11	15	143	143	-
Schools Reboiler & Repipe Fund	250	329	329	-
Schools Asbestos Management & Removals 2010-11	-	8	8	-
William Bellamy Childrens Centre	-	3	3	-
Becontree Childrens Centre	-	-	-	-
John Perry Childrens	-	10	10	-
Furze Children'S Centre	-	-	-	-
Alibon Childrens Centre	-	-	18	18
Gascoigne Community Centre	-	-	-	-
Youth Bus	-	(11)	-	11
Gascoigne Primary	-	-	-	-
512a Heathway - Conversion to a Family Resource	-	-	225	225
Devolved Capital Formula	-	805	805	-
Barking Abbey - Schools For The Future	-	-	-	-
Eastbury PFI Variation Area - Schools For The Future	-	-	-	-
Eastbury QJEU Capital Build - Schools For The Future	-	-	-	-
Warren - Schools For The Future	-	-	-	-
Sydney Russell - Schools For The Future	24,000	12,078	12,078	-
Trinity - Schools For The Future	-	-	-	-
Provision of New School Places (Basic Need Funding - 11/12)	-	14,000	14,000	-
	<b>27,343</b>	<b>31,882</b>	<b>32,176</b>	<b>294</b>
<b>Skills, Learning &amp; Enterprise</b>				
Dagenham Job Shop	-	11	-	(11)
Advanced Skills Centre	9,000	10,211	8,844	(1,367)
	<b>9,000</b>	<b>10,222</b>	<b>8,844</b>	<b>(1,378)</b>
<b>Total For Children's Services</b>	<b>56,993</b>	<b>67,599</b>	<b>66,661</b>	<b>(938)</b>
<b>Customer Services</b>				
<b>HRA</b>				
Housing Futures	3,363	3,801	3,801	-
Refurbishment of Bartlett & Oldmead	-	-	-	-
Millard Terrace	34	35	35	-
Extensions and loft conversions	-	-	-	-
Lifts replacement	1,810	1,020	1,020	-
SAMS formerly remote concierge	-	65	65	-
DH works Framework contracts	-	626	626	-
Major maintenance renewals	2,500	1,000	1,000	-
Heating works (Thaxted, Maxey & Humphries Houses)	-	283	283	-
Decent Places/CHP provision	-	-	-	-
In House Costs/Contract Preparation	1,000	800	800	-
CHP Programme	1,000	63	63	-
Electrical Switchgear Project	520	744	744	-
Extensions and deconve	-	20	20	-
Communal Lighting and Electrical Switchgear	1,500	1,050	1,050	-
External Enveloping Work	3,000	373	373	-
Sheltered Alarms Upgrade	-	38	38	-
Colne & Mersea Blocks	4,269	5,674	5,674	-
Capitalised Improvement Works	-	224	224	-
Housing Capitalised Works	-	-	-	-
Estate Improvement Project	-	800	800	-
Oldmead & Bartlett Remedial Works	-	100	100	-
Door Entry Project 11/12	-	1,575	1,575	-
External Enveloping & Fire Proofing Project	-	2,528	2,528	-

## CAPITAL PROGRAMME MONITORING STATEMENT AUGUST 2011/12

PROJECTS	Original Budget	Revised Budget	Projected Spend	Projected Variance
Defective Overflow Works	-	45	45	-
Central Heating Installation	-	2,150	2,150	-
Kitchen & Bathroom Replacement Project	-	2,075	2,075	-
High Rise Surveys	-	1,000	1,000	-
Capitalised Improvement Works (Estates)	-	500	500	-
Estate Improvements	-	350	350	-
Adaptations - Housing	-	200	200	-
King William St Qtr	1,816	429	429	-
Council Housing & Thames	12,621	-	-	-
Council Housing - New Builds	463	596	596	-
New Council Housing Phase 3	-	12,332	12,332	-
Land Disposal	-	-	-	-
	<b>33,896</b>	<b>40,496</b>	<b>40,496</b>	<b>-</b>
<b>Non-HRA Housing</b>				
Private Sector Households	800	1,118	1,118	-
Private Sector Households (105)	-	687	687	-
Housing Modernisation Programme	-	57	57	-
	800	1,862	1,862	-
<b>Environment &amp; Enforcement</b>				
Highways Maintenance(TFL)	380	-	-	-
Land Quality Inspection Programme	80	80	80	-
Street Light Replacing	1,000	1,216	1,216	-
Flats recycling banks scheme	-	307	307	-
Principal Rd Resurfacing - Longbridge Rd (TFL)	-	446	341	(105)
Road Safety Improvement Schemes (TFL)	-	100	96	(4)
SNAPS	-	174	18	(156)
Becontree Neighbourhood Improvements	-	63	24	(39)
Parking Software Replacement	-	-	-	-
Highways Structural Repairs	-	-	-	-
Local Safety Schemes (TFL)	-	-	-	-
Environmental Improvements - On Street Waste Receptacles	630	630	630	-
Christmas Lighting	45	45	45	-
	<b>2,135</b>	<b>3,061</b>	<b>2,757</b>	<b>(304)</b>
<b>Customer Services B&amp;D Direct</b>				
Excellent Customer Services	-	10	10	-
Office Accomodation	-	80	80	-
	-	<b>90</b>	<b>90</b>	<b>-</b>
<b>ICT</b>				
Microsoft Enterprise Agreement	36	126	126	-
One B & D Ict Main Scheme	1,150	4,304	4,304	-
IT for Members	-	-	-	-
ICT Infrastructure	-	-	-	-
	<b>1,186</b>	<b>4,430</b>	<b>4,430</b>	<b>-</b>
<b>Total For Customer Services</b>	<b>38,017</b>	<b>49,939</b>	<b>49,635</b>	<b>(304)</b>
<b>Resources</b>				
<b>Asset Strategy</b>				
L8 Surveys and Risk Assessment Updates	35	-	-	-
L8 Control of Legionella Remedial Works	-	277	267	(10)
Asbestos (Public Buildings)	128	112	112	-
Automatic Meter Reading Equipment	119	111	111	-
Backlog Capital Improvements	375	667	667	-
CMRP DDA for Buildings	-	27	27	-
Implement Corporate Accommodation Strategy	2,073	2,337	1,750	(587)
Legionella (Public Buildings)	-	-	-	-
New Dagenham Library & One Stop Shop	-	160	160	-

**CAPITAL PROGRAMME MONITORING STATEMENT  
AUGUST 2011/12**

<b>PROJECTS</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Projected Spend</b>	<b>Projected Variance</b>
Intruder Alarms	-	-	-	-
Energy Efficiency Programme	-	57	57	-
	<b>2,730</b>	<b>3,748</b>	<b>3,151</b>	<b>(597)</b>
<b>Regeneration</b>				
London Road Market Square	-	-	-	-
Creekmouth	-	(15)	-	15
Dagenham Heathway	-	83	83	-
Legi Business Centres	3,647	3,915	4,234	319
Industrial Area Improvement	-	84	84	-
Barking Town Square (Phase 2)	494	536	536	-
Retail Premise Improvement Grant	21	21	21	-
Barking Town Centre - Low Carbon Emission (TFL & GLA)	85	133	117	(16)
BTC Public Realm - Tsq & Abbey	103	134	134	-
Area Based Schemes (Shopping Parades)	-	183	183	-
Robin Hood Shopping Parade Enhancement (TFL & S106)	-	324	324	-
Barking Town Centre	-	-	-	-
Barking Station Forecourt Interim Public Realm Improvements	-	-	18	18
East End Thames View Demolition	57	54	54	-
Axe Street Housing	263	28	28	-
Demolition of Kingsbridge Site	-	25	25	-
Rainham Road Corridor (TFL)	-	96	96	-
Green Lane Corridor (TFL)	-	119	119	-
London Road/North Street Site Acquisitions	1,100	1,003	1,003	-
Buybacks(Gascoigne)	6,382	393	393	-
Buybacks(Leys)	-	225	225	-
Buybacks(Goresbrook Village)	-	762	762	-
Boroughwide Estate Renewal - Leaseholders	-	4,766	4,766	-
Boroughwide Estate Renewal - Resources & Master planning	-	170	170	-
Boroughwide Estate Renewal - Demolition	-	100	100	-
TFL LIP 2011-12	-	-	-	-
Barking Station Forecourt - Phase 1 Implementation (TFL & S106)	800	1,028	1,028	-
Mayesbrook Park Access Improvements (TFL)	-	366	366	-
Merry Fiddlers Junction Improvements (TFL)	-	144	144	-
Cycling on Greenways and Local Cycle Links (TFL)	-	144	144	-
Station Access Improvements (TFL)	-	48	48	-
Future Scheme Development - various locations (TFL)	-	29	25	(4)
Car Club Expansion (TFL)	-	14	14	-
Biking Borough Initiative (TFL)	-	123	123	-
Cycling on Greenways (TFL)	-	-	-	-
LIP Cycling/Walking Schemes (TFL)	-	-	-	-
William Quarter Street - Phase 1	-	-	-	-
Bus Priority 2010-11 (TFL)	-	-	-	-
Minor Works - Various Locations - Local Transport Fund (TFL)	-	67	67	-
Improvements to the rear of the Mall, Dagenham Heathway	-	40	40	-
	<b>12,952</b>	<b>15,142</b>	<b>15,474</b>	<b>332</b>
<b>Total For Resources</b>	<b>15,682</b>	<b>18,890</b>	<b>18,625</b>	<b>(265)</b>
<b>GRAND TOTAL</b>	<b>121,655</b>	<b>149,774</b>	<b>148,235</b>	<b>(1,539)</b>

## REQUESTED CAPITAL BUDGET ADJUSTMENTS

DETAIL	Budget 2011/12 £000's	Budget 2012/13 £000's	Budget 2013/14 £000's	Total Budget £000's	External Funding £000's	Corporate Borrowing £000's
<b><u>Adult &amp; Community Services - Current Programme</u></b>						
Valence Site Redevelopment	465	-	-	465	165	300
Eastbury Manor House (Redevelopment)	-	-	-	-	-	-
Maysbrook Park Improvements (Phase 1)	898	-	-	898	882	16
<b>Sub Total</b>	<b>1,363</b>	<b>-</b>	<b>-</b>	<b>1,363</b>	<b>1,047</b>	<b>316</b>
<b><u>Adult &amp; Community Services- Proposed Programme</u></b>						
Valence Site Redevelopment	447	-	-	447	165	282
Eastbury Manor House (Redevelopment)	18	-	-	18	-	18
Maysbrook Park Improvements (Phase 1)	866	32	-	898	882	16
<b>Sub Total</b>	<b>1,331</b>	<b>32</b>	<b>-</b>	<b>1,363</b>	<b>1,047</b>	<b>316</b>
<b><u>Children's Services - Current Programme</u></b>						
SMF - School Modernisation Fund	1,902	1,377	-	3,278	3,278	-
Extended Schools Phase 4	(21)	-	-	(21)	(21)	-
Advanced Skills Centre	10,211	1,675	384	12,269	3,369	8,900
<b>Sub Total</b>	<b>12,091</b>	<b>3,052</b>	<b>384</b>	<b>15,526</b>	<b>6,626</b>	<b>8,900</b>
<b><u>Children's Services - Proposed Programme</u></b>						
SMF - School Modernisation Fund	1,880	1,377	-	3,257	3,257	-
Extended Schools Phase 4	-	-	-	-	-	-
Advanced Skills Centre	8,844	3,403	23	12,269	3,369	8,900
<b>Sub Total</b>	<b>10,724</b>	<b>4,780</b>	<b>23</b>	<b>15,526</b>	<b>6,626</b>	<b>8,900</b>

## REQUESTED CAPITAL BUDGET ADJUSTMENTS

DETAIL	Budget 2011/12 £000's	Budget 2012/13 £000's	Budget 2013/14 £000's	Total Budget £000's	External Funding £000's	Corporate Borrowing £000's
<b><u>Customer Services - Current Programme</u></b>						
Excellent Customer Services	10			10		10
Office Accommodation	80			80		80
Modernisation & Improvement Capital Fund	4,304			4,304		4,304
<b>Sub Total</b>	<b>4,394</b>	<b>-</b>	<b>-</b>	<b>4,394</b>	<b>-</b>	<b>4,394</b>
<b><u>Customer Services - Proposed Programme</u></b>						
Excellent Customer Services	-			-		-
Office Accommodation	-			-		-
Modernisation & Improvement Capital Fund	4,394			4,394		4,394
<b>Sub Total</b>	<b>4,394</b>	<b>-</b>	<b>-</b>	<b>4,394</b>	<b>-</b>	<b>4,394</b>
<b>Current Total - Schemes with requested change</b>	<b>17,847</b>	<b>3,052</b>	<b>384</b>	<b>21,283</b>	<b>7,673</b>	<b>13,610</b>
<b>Proposed Total - Schemes with requested change</b>	<b>16,448</b>	<b>4,812</b>	<b>23</b>	<b>21,283</b>	<b>7,673</b>	<b>13,610</b>
<b>Total of proposed changes</b>	<b>(1,399)</b>	<b>1,760</b>	<b>(361)</b>	<b>-</b>	<b>-</b>	<b>-</b>



Total Funding
£000's
465
-
898
<hr/> 1,363
447
18
898
<hr/> 1,363
3,278
(21)
12,269
<hr/> 15,526
3,257
12,269
<hr/> 15,526

Total Funding	£000's
	10
	80
	4,304
	<u>4,394</u>
	-
	-
	4,394
	<u>4,394</u>
	21,283
	21,283
	<u>-</u>
	<u>-</u>

## CABINET

18 OCTOBER 2011

<b>Title:</b> Budget Proposals 2012/13	
<b>REPORT OF THE LEADER OF THE COUNCIL</b>	
<b>Open</b>	<b>For Information</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Dan Ward, Cabinet Manager	<b>Contact Details:</b> Tel: 020 8227 2456 E-mail: dan.ward@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Tasnim Shawkat, Divisional Director of Legal and Democratic Services	
<b>Accountable Director:</b> Stella Manzie, Chief Executive	
<p><b>Summary:</b></p> <p>In February 2012, the Council will be required to approve its budget for the financial year 2012/2013. As part of the process leading up to this date, Members and Chief Officers have been involved in extensive discussions about their policy, service and financial requirements for the year ahead.</p> <p>Taking into account the direction set by Members, the financial position of the Council and the statutory requirements placed upon it, Chief Officers are currently finalising a range of savings options as part of the budget process for 2012/2013.</p> <p>In order to meet the statutory obligations under the Local Government and Public Involvement in Health Act 2007 to consult on its annual budget preparations, the Council will shortly commence a formal scrutiny of the savings proposals through its Select Committees who will be asked to test their validity and robustness.</p> <p>The outcomes of both scrutiny and consultation processes will be reported back to Cabinet in due course. The outcomes will be used by Cabinet to inform its final development of the 2012/2013 budget and allow it to make appropriate recommendations to the Assembly on 22 February 2012.</p> <p>This report advises Cabinet that the detailed savings options will be made available for public scrutiny and consultation with effect from 18 October 2011.</p>	
<b>Recommendation(s)</b>	
The Cabinet is asked to note this report.	

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## CABINET

18 OCTOBER 2011

<b>Title:</b> Strategy for Ensuring Sufficient School Places 2011/12 – 2016/17	
<b>REPORT OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION</b>	
Open Report	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Mike Freeman, Group Manager, School Estate and Organisation	<b>Contact Details:</b> Tel: 020 8227 3492 E-mail: mike.freeman@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jane Hargreaves, Divisional Director Education	
<b>Accountable Director:</b> Helen Jenner, Corporate Director Children's Services	
<p><b>Summary:</b></p> <p>There is projected continuing growth of demand for school places (Basic Need including SEN places) which is unprecedented in the last forty years (see Appendix 1). This growth exceeds LBBD school place capacity across all age ranges. Further primary school places are needed this year and every year to 2016/17 and possibly to the end of the decade. From 2012 further secondary school and sixth form places are needed every year to the close of this decade.</p> <p>There are limited financial resources of £14.2m per year for the next two years (not guaranteed) to deal with Basic Need and £3.8m for condition. Ministerial announcements indicate more resources will be allocated this year. This might be up to a further £8m (unconfirmed).</p> <p>Current strategy is to fulfil the Council's statutory obligation to provide a school place for every child in the Borough by expanding existing school sites: this has a limited life due to sites becoming fully developed. The resources made available are sufficient only to procure temporary buildings in most cases for these sites. It is proposed additionally (a) that alternative sites and premises be reviewed (b) Alternative school providers (e.g. Free Schools) be sought on a case by case basis.</p> <p>The current strategy for investing the budget for remediation of condition problems is spend on Priority 1 cases (averting the threat of school closure) to make provision to deal with unforeseeable issues e.g. boiler breakdowns and to deal with Priority 2 (Urgent) cases in consultation with schools especially where this assists in meeting Basic Need (including SEN places). (see Appendix 2) . It is proposed that this strategy be continued.</p> <p>The Programme for Developing School Places (Appendix 3) addresses meeting Basic Need using existing school sites. This should be reviewed every six months and the programme modified in the light of demographic information and resource availability and reported back to Cabinet. It is proposed additionally (a) that alternative sites and premises be reviewed (b) Alternative school providers (e.g. Free Schools) are explored on a case by case basis.</p>	

It is proposed that the Council establish Barking Riverside Secondary School (this will be operated by the Barking and Dagenham Cooperative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012. The initial intake is proposed to be accommodated at George Carey CofE primary school, and thereafter in temporary accommodation pending further capital funding becoming available. Contingency plans for the provision of temporary accommodation are currently being drawn up. It is proposed that the Council secures the prospective new site allocated on Barking Riverside to house the school.

Government has announced a new round of Private Finance Initiative (PFI) funding. This is limited to approximately 200 schools across the country (there are approximately 140 Local Authorities with responsibilities for schools). It is proposed that the priorities for submitting bids for PFI funding should be: Barking Riverside Secondary and Barking Riverside Special Needs provision; and two further bids for Eastbrook and Eastbury Secondary Schools. Detailed information is set out in (Appendix 4).

### **Recommendations:**

The Cabinet is recommended to agree:

- (i) to adopt the Programme for developing School Places as in Appendix 3, subject to the proviso that it may need revision in the light of changed demand for places and resources available: this review and revision to be undertaken at six month intervals. It is proposed additionally (a) that alternative sites and premises be reviewed (b) Alternative school providers (e.g. Free Schools) be sought on a case by case basis.
- (ii) the procurement proposals as set out in the report and to authorise the Corporate Director for Children's Services, in consultation with the Corporate Director of Finance and Resources and the Cabinet Member of Children and Education, to approve the appointment of the final contractor and the placing of an order as projects are funded and secured.
- (iii) that the Council establish Barking Riverside School (this will be operated by the Barking and Dagenham Cooperative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012. The initial intake is proposed to be accommodated at George Carey Church of England Primary School, and thereafter in temporary accommodation pending further capital funding becoming available. It is proposed that the Council secures the prospective new site allocated on Barking Riverside to house the school.
- (iv) that the priorities for submitting bids for PFI funding should be: Barking Riverside Secondary and Barking Riverside Special Needs provision; and additional PFI bids for other secondary schools to be confirmed following outcomes of surveys and consultation with schools and other bodies (see Appendix 3); and
- (v) that the current strategy be continued for investing the budget for remediation of condition problems: which is to spend on Priority 1 cases (averting the threat of school closure) to make provision to deal with unforeseeable issues e.g. boiler breakdowns and to deal with Priority 2 (Urgent) cases in consultation with schools especially where this assists in meeting Basic Need.

## Reason(s)

This decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and achieving its core values of: 'Achieving Excellence' 'Treating each other fairly and respectfully' through making school places available in appropriate settings.

### 1. Introduction and Background

- 1.1 Barking and Dagenham is striving to develop excellence throughout our educational provision. We are driving forward standards at all Key Stages. To support improvement in the educational offer and to meet the rapidly accelerating demand for school places (Basic Need including SEN places) at all ages we need to review and address school building capacity and condition as well as suitability.
- 1.2 This document outlines our future planning programme to meet Basic Need (including SEN places) over the next 5/6 years. The programme is outline only and must remain flexible since needs and available resources are constantly shifting. Decisions regarding actual proposals will always be agreed through Council decision making processes: but this document sets out a framework for making those decisions, which will be reviewed at 6 month intervals to address the Borough's rapidly changing demographics.
- 1.3 Projected growth in demand for school places requires:
  - at least 23 additional forms of entry (fe) at Reception (excluding nursery) over the coming 5 years;
  - at least 34 fe from September 2012 at Year 7, over the coming 5 years;
  - at least 400 sixth form places, over the coming 5 years where we need to support the increased staying on rate, the Raising of the Participation Age (RPA) as well as overall school population growth.
- 1.4 Special Educational Needs (SEN): in addition, the development of school provision within the Borough to meet the full range of disabilities has not kept pace with demand, leading to more expensive Out of Borough placements. The former BSF programme was expected to address this deficit. Our building programme must consider SEN as part of Basic Need planning if we are to address this issue.
- 1.5 Additional capacity required should be viewed against the backdrop of the withdrawal of BSF and Primary Capital funding, where many schools as a consequence will need significant modernisation, and in the context of a considerable reduction in available funding from central government.
- 1.6 Office of National Statistics (ONS) Sub-National Population Projections (2008 data projections) indicate very significant growth in the school population, with the 5 to 9 age group peaking in 2016 representing 8.82% of the borough's population. The main increase in this age band is between 2008 and 2015 where there will be an increase of 4,300 children. This has hugely significant implications for the supply of school places across the Borough. The overall child population is expected to grow to 32% of the total population (compared with a London average of 24%).

- 1.7 We consider that local schools' census data to be the most accurate predictor of Year 11 cohort sizes since it is based on actual numbers of young people attending the Borough's schools, and includes consideration of new building developments and travel to learn patterns. The recently announced housing benefits cap may add to existing pressures on demand for housing in the Borough as people migrate from other more expensive areas. Health Visitor colleagues report inward migration of around 140 under 5 year olds each month.
- 1.8 Current School Census figures show an increasing cohort size for future years as shown in Table 1 below:

**Table 1 – Year 6 Cohort 2011 - 16**

2011/12 – Y6	2,416
2012/13 – Y6	2,503
2013/14 – Y6	2,585
2014/15 – Y6	2,775
2015/16 – Y6	2,949

- 1.9 The levels of inward migration, on top of a rapidly increasing birth rate make planning for classes particularly difficult, with late arrivals increasing the need to maintain spare capacity.
- 1.10 The increasing staying-on rate and the phased RPA in 2013 and 2015 indicates a further significant overall rise in the 16-18 cohort results in the following projections shown in Table 2 below:

**Table 2 – 16-18 Cohort Forecast**

Year	Actual/Updated Forecast	Yearly Increase	Percentage Increase
2007-08	1,934	228	13.4%
2008-09	2,087	153	7.9%
2009-10	2,364	277	13.3%
2010-11	2510	146	5.8%
2011-12	2579	69	2.6%
2012-13	2870	291	10.1%
2013-14	3081	211	6.8%
2014-15	3078	-3	0
2015-16	3021	-57	-1.8%
2016-17	2977	-44	-1.5%
2017-18	3106	129	4.2%
2018-19	3390	284	8.4%
2019-20	3645	255	7%
2020-21	3949	304	7.7%

- 1.11 The Council faces a strongly growing demand for school places (Basic Need including SEN) that exceeds its current capacity over the coming decade. It also



has an estate which has a significant backlog of repairs, and condition problems. The school sites it has are, on the whole over developed with little space for new buildings. There are few new sites to cope with this level of prospective demand.

## 2. Proposal and Issues

### 2.1 Additional Capacity required

Table 3 below provides an overview of additional capacity (school places) required based on current forecasts (all figures are rounded to the nearest '00)

**Table 3 – Additional Capacity required**

Provision	From 2012/13 Up to 2016/17	2017/18 to 2021/22
Nursery based on 50% of reception places	2,400 FTE	1,300 FTE
Primary	4,800 (c. 23fe)	2,500 (c.12fe)
Secondary	5,100 (c. 34fe)	6,100 (c. 40fe)
Sixth Form	400	400 – 600
Special Educational Needs placed in Additional Resource Provision or a Special School place	304	373

2.2 We want to ensure that any new premises are designed to be as flexible as possible to allow for future demographic change. Our plans are to envisage possible demographic changes over the next 25 – 30 years. It seems likely that following the current period of rapid demographic growth we will see a slowing, or possibly even a reversal of this trend in 15-20 years time.

### **Barking Riverside School**

2.3 It is proposed that the Council establish Barking Riverside School (this will be operated by the Barking and Dagenham Cooperative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012. The initial intake is proposed to be accommodated at George Carey CofE primary school, and thereafter in temporary accommodation pending further capital funding becoming available. Contingency plans for the provision of temporary accommodation are currently being drawn up. It is proposed also that the Council secures the prospective new site allocated on Barking Riverside to house the school. It is also the proposed top priority for bidding for PFI investment. See further comment under Risk Assessment.

### **Condition Issues**

2.4 An overview of modernisation priorities and costs is attached as Appendix 2. This covers a range of serious maintenance issues such as boiler replacement, fire

prevention, re-roofing and toilet refurbishment. Curriculum need is supported where possible, but most expenditure addresses health and safety issues or emergency repairs to the fabric of our buildings so that schools can stay open. £36m is required for both current Priority 1 (possible school closure issues) and Priority 2 (Urgent) needs across our schools.

- 2.5 Additional resources beyond this will be required if we are to address Priority 3 and 4 suitability concerns such as refitting science laboratories, enhancing music provision, specialist SEN provision and other specialist curriculum facilities in mainstream schools.

### **Time plan for currently proposed increase in capacity to meet demand**

- 2.6 In order to plan for the required development an indicative programme for developing school places has been devised. This plan is indicative only and needs to be extremely flexible, both to meet any unforeseen demand, and to respond quickly to any additional financial resources that may be provided by Central Government. Actual building projects will always be decided through the Council decision making processes. The overall programme will be reviewed and updated regularly and re-circulated at 6 month intervals, to keep pace with local developments. The proposed programme is at Appendix 3.

## **3. Financial Issues**

Implications verified by: Kathy Freeman, Finance Group Manager

- 3.1 Financial flexibility is extremely limited. We expect to have approximately £14.2m to meet Basic Need numbers across the whole educational provision including SEN, and a further £3.8m for condition / modernisation purposes each year for a further two years (not guaranteed). Ministerial announcements indicate more resources will be allocated this year. This might be up to a further £8m (unconfirmed). Any additional funding will be allocated to the proposed programme.
- 3.2 Neither the Basic Need nor the Condition figures are high enough to provide for long term robust facilities. Optimising value for money is therefore essential, including where practicable joining up funding streams.
- 3.3 We shall continue to lobby for the additional funds required to meet Basic Need (including Learning Disabilities / LDD/SEN).
- 3.4 We will also bid for all available funding streams using them to match to our strategy as closely as possible, whilst meeting any funding criteria and gaining optimum value for money.
- 3.5 A successful funding bid has been made to the Young People's Learning Agency (YPLA) to support sixth form growth.
- 3.6 We propose bidding for Private Finance Initiative (PFI) opportunities for Barking Riverside Secondary School including Special Needs provision (See Appendix 4).
- 3.7 We will investigate innovative funding routes, and shall explore radical strategies and partnerships e.g. alternative sites and premises and alternative school

providers (e.g. Free Schools) to optimise our use of available buildings and facilities to meet growing demand.

3.8 If we not able to create and develop specialist education accommodation (up to 160 places), this would impact on our ability to reduce out of borough placements expenditure. Most of Borough placements cost in the range £35k - £50k per annum, plus the cost of transport, estimated to be a further £5k to £10k per annum. Most in-borough special education provision costs (on average) between £26k - £35k and the impact of not creating sufficient in borough SEN provision could mean an additional cost of £15k - £25k per placement. Across 160 places, this could equate to an additional £2.4m - £4m per annum additional revenue costs to the Local Authority.

3.9 All possible options need to be considered.

#### **4. Legal Issues**

Implications verified by: Fiona Taylor, Legal Group Manager

4.1 The Local Authority has a statutory duty

a) to provide sufficient schools for primary and secondary education and to have particular regard to securing special education provision to meet the needs of the population of the area pursuant to s.14 Education Act (as amended); and

b) to support school diversity pursuant to the Education and Inspections Act 2006.

4.2 The Local Authority has statutory duty to provide schools sufficient in number, character and equipment to provide pupils with appropriate education. This report sets out the challenge of meeting the demand for school places facing the Local Authority. Appendix 3 outlines a Programme for Developing School Places which it is inviting the Cabinet to adopt. .

4.3 The Programme envisages enlargement of forms at existing schools; the creation of Barking Riverside School and provision of places through Free School (s). The reorganisation of school provision will require the publication of statutory proposals and/or consent from the Secretary of State for opening new and expanding existing ones.

4.4 The Barking Riverside School would be housed on the Barking Riverside Development Centre. Barking Riverside Limited has already agreed to lease to the Council as tenant part of the centre to house the George Carey School for a term of 999 Years. It is proposed that the George Carey accommodate the initial intake of pupils whilst the Barking Riverside School is established through competition.

4.5 The establishment of the school is prescribed by statutory process of publication of a notice inviting proposals through part 2 of the Education and Inspections Act 2006 and supplemented through the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.

## **5. Other Implications**

### **5.1 Risk Management**

- 5.1.1 Without sufficient capital monies we will be unable to build sufficient additional school places to meet demand. This risk could be mitigated by considering: – alternative premises to house schools; low cost buildings; time phased working for some schools; larger class sizes; encouraging selected Free School providers.
- 5.1.2 In matching forecast demands the Authority could be left with surplus capacity in the event of a future downward trend in population. Mitigation of this risk could include more flexible building design and/or the use of leased premises.
- 5.1.3 The only site currently available for a new secondary school in the Borough is at Barking Riverside. Without a secondary school on Barking Riverside the incentive to carry on building homes there will be limited and the pace of building new homes will be slow. While this may be advantageous in relation to demand for new school places for the borough it does not help the Borough's wider objectives regarding increasing the number and quality of new homes and helping to regenerate the Borough. Mitigation would include opening Barking Riverside in temporary accommodation so as not to lose building momentum.
- 5.1.4 In giving priority to capital investment to school places there may be a risk that there may be insufficient funding for other infrastructure needs. This risk will be mitigated through discussion with health services regarding health provision implications, community use being factored into school design wherever possible.
- 5.1.5 Analysis of immediate risks:
- 1) Risk that funding levels will not be sufficient to create new school places needed. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is temporary. Post control the risk is high impact (4) and low (2) probability = 8 amber;
  - 2) Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is temporary, and blending it with site specific proposals. Post control the risk is high impact (4) and medium (3) probability = 12 red;
  - 3) Primary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by expanding all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is high impact (4) and medium (3) probability = 12 red;
  - 4) Secondary schools: risk that Barking Riverside site and funding is not available for development on a timescale compatible with demand for places. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by lobbying DfE and other central government departments and the Mayor for London. Post control the risk is high impact (4) and medium (3) probability = 12 red;

- 5) Secondary schools: risk that school expansions will be confined to existing sites, low quality and insufficient. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by lobbying DfE for improvements in funding, and reviewing existing sites and opportunities. Post control the risk is high impact (4) and medium (3) probability = 12 red;
- 6) Risk that the cost of the rate of deterioration of school estate will outrun the funding available to maintain it. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.
- 5.2 **Contractual Issues:** In order to secure projects identified in the programme, colleagues in Asset Management and Capital Delivery will be asked to map out a programme for delivery. It is intended to utilise either the Council's construction framework contractor or the Local Education Partner (LEP) to expedite the programme. It may be that there will need to be different types of contracts with the framework contractors and advice will be sought from Corporate Procurement and the Legal Partnership about the most appropriate contract arrangement for each scheme.
- 5.3 **Staffing Issues:** there are no specific implications
- 5.4 **Customer Impact:** the impact of the recommendations would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion. The developments are required for the authority to meet future needs of SEN pupils by providing additional capacity for SEN services. The new developments will have a positive impact on that group of young people and their families.
- 5.5 **Safeguarding Children:** Adoption of the recommendations would contribute strongly to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.
- 5.6 **Health Issues:** There are no specific implications. The evidence base around the optimal age for school entry is a subject of some international debate, however there is some limited evidence that delays in entry to school may have long term negative impacts on health and wellbeing outcomes which are independently associated with age differentials in classes<sup>1 2</sup>. The paper sets out proposals to mitigate the growth in demand for school places due to the increasing population of children and young people. These present a potential positive impact for health in not delaying school entry. Were these not to be taken forward then significant investment would be needed into parental support for school preparation while entry is delayed for the affected children.

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<sup>1</sup> Increased behaviour problems associated with delayed school entry and delayed school progress. Byrd RS, Weitzman M, Auinger P. Pediatrics. 1997 Oct;100(4):654-61.

<sup>2</sup> Early educational milestones as predictors of lifelong academic achievement, midlife adjustment, and longevity  
Margaret L Kern and Howard S Friedman. J Appl Dev Psychol. 2008; 30(4): 419–430.

5.7 **Crime and Disorder Issues:** there are no specific implications

5.8 **Property / Asset Issues:** This proposed decision would facilitate the improvement and renewal of significant Council assets.

## **6. Options appraisal**

6.1 See Risk management section at 5.1 above. The main option outside of the report's immediate proposals is to do nothing more than accept the current and proposed levels of funding from central government which then exposes the council to risks of increasingly poor accommodation and a challenge to its ability to fulfil its statutory obligations.

6.2 The report recommends the review and revision where necessary of the programmes put forward for approval at six monthly intervals

### **Background Papers Used in the Preparation of the Report:**

- Investment in Schools – consultation with school governing bodies September 2010;
- Context and Programme for Investment in Schools: report to Cabinet 10th May 2011

### **List of appendices:**

- **Appendix 1:** School Population Forecasts
- **Appendix 2:** Condition of School Buildings
- **Appendix 3:** Programme for Developing School Places
- **Appendix 4:** Preliminary Assessment of Secondary School investment opportunities

### School Population Forecasts

**Updated Reception Forecasts (09.08.2011)** (including pupil yield)

<u>Year</u>	<u>NOR</u>	<u>Annual Increase</u>		<u>Cumulative Increase</u>	
		<u>Places</u>	<u>classes</u>	<u>Places</u>	<u>classes</u>
<b>2008/09</b>	2,720				
<b>2009/10</b>	2,928	208	7		
<b>2010/11</b>	3,125	197	7	405	14
<b>2011/12</b>	3,453	328	11	733	24
<b>2012/13</b>	3,758	305	10	1,038	35
<b>2013/14</b>	3,961	203	7	1,241	41
<b>2014/15</b>	4,026	65	2	1,306	44
<b>2015/16</b>	4,054	28	1	1,334	44
<b>2016/17</b>	4,136	82	3	1,416	47
<b>2017/18</b>	4,239	103	3	1,519	51
<b>2018/19</b>	4,336	97	3	1,616	54
<b>2019/20</b>	4,386	50	2	1,666	56
<b>2020/21</b>	4,419	33	1	1,699	57

Total Reception Places required. 2012/13 to 2020/21 32fe  
or between 2012/13 and 2016/17 23fe

<b>Updated Year 7 Forecasts (10.08.2011)</b>				<b>(including pupil yield)</b>	
<b>Including Pupil Yield from New Housing</b>					
<b>Year</b>	<b>NOR</b>	<b>Annual Increase</b>		<b>Cumulative Increase</b>	
		<b>Places</b>	<b>Classes</b>	<b>Places</b>	<b>Classes</b>
<b>2008/09</b>	2,226				
<b>2009/10</b>	2,133	-93	-3		
<b>2010/11</b>	2,131	-2	0	-95	-3
<b>2011/12</b>	2229	98	3	3	0
<b>2012/13</b>	2329	100	3	103	3
<b>2013/14</b>	2542	213	7	316	11
<b>2014/15</b>	2704	162	5	478	16
<b>2015/16</b>	2960	256	9	734	24
<b>2016/17</b>	3274	314	10	1048	35
<b>2017/18</b>	3558	284	9	1332	44
<b>2018/19</b>	3938	380	13	1712	57
<b>2019/20</b>	4215	277	9	1989	66
<b>2020/21</b>	4441	226	8	2215	74
<b>2021/22</b>	4513	72	2	2287	76
<b>2022/23</b>	4544	31	1	2318	77
<b>2023/24</b>	4636	92	3	2410	80
<b>2024/25</b>	4751	115	4	2525	84
<b>2025/26</b>	4857	106	4	2631	88
<b>2026/27</b>	4913	56	2	2687	90
<b>2027/28</b>	4949	36	1	2723	91
<b>2028/29</b>	4956	7	0	2730	91
<b>2029/30</b>	4947	-9	0	2721	91
<b>2030/31</b>	4939	-8	0	2713	90

Total Y7 Places Required. 2012/13 to 2020/21 72fe  
or between 2012/13 and 2016/17 34fe

### Special Educational Need Places – 0 to 19 Years

Forecast demand for SEN places in Special Schools (including Additionally resourced provision) is expected to rise to 539 pupils by 2015/16 and 710 pupils by 2019/20, from 431 current NOR.

This can be broken down as follows:

<b>Number of Pupils</b>	<b>Reception to Year 6</b>	<b>Year 7 to 14</b>	<b>Total</b>
2010/11	350	431	781
2015/16	537	539	1,076
2019/20	651	710	1,361



## Condition of School Buildings

### Overall Position

The cost of rectifying school condition and suitability across the estate would total £51.5m and realistically could not be tackled in the short term neither does it need to be. Some items which need to be addressed are long term objectives according to the categorisation of priorities.

Barking & Dagenham have continued to use the priorities and categories indicated by the DfE in its original Asset Management Plan guidance. The information held on the school estate is held as a database and is made up of surveyed data identified against building elements with costs attached and a large number of plans and photographs.

### Overall the identified costs are as follows:

Priority One - requires immediate attention	Nil
Priority Two - essential	£36.929m
Priority Three - desirable	£12.903m
Priority Four - long term	£1.674m

Priority one projects are those which have to be dealt with immediately otherwise there is a closure – this is why there are no priority ones. When these are identified resources are directed to address the matters.

There are a number of schools in the Borough which need repairs to ensure that we avoid closures. The approach taken is to work in partnership with schools to jointly address the most pressing items.

The school building stock in Barking & Dagenham have a number of similar characteristics as many are of similar design and were constructed between the first and second wars last century (1920's -1930's). As a consequence we have a number of schools in similar condition but also with issues around suitability.

In terms of investment, last year 2010/11 the figures was around £3m and this year is set to be £3.8m. This is supplemented by school contributions.

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Programme for Developing School Places			
	Primary	Secondary	Sixth Form
September 2011	Created 550 reception + 286 nursery places		
	Further 180 Year R for September 2011		
	Further 30 Year 1 for September 2011	Nil	Nil
	Need +1 class Year R <b>(Funded from Basic Need 2010)</b>		
September 2012	Must create minimum 204 Year R places	Barking Riverside Secondary 4fe at George Carey	Robert Clack addition 185 places at April 2012
	Planning 210 places Year R St Joseph's RC Primary Barking (1fe) (Total 2fe) Monteagle Primary (1fe) (Total 4fe) Eastbury Primary (1fe) (Total 4fe) Parsloes Primary (1fe) (Total 3fe) Godwin Primary (1fe) (Total 3fe) William Bellamy Infant (1fe) (Total 5fe) Dagenham Village Rectory Road Library (1fe) (To be linked) (Must include expansion of nurseries where possible.)		Skills Centre
	<b>(Funded Basic Need £14.2m)</b>	<b>No capital cost. Revenue DSG</b>	<b>YPLA £3.058m funded</b>
September 2013	Must create 192 Year R places	Barking Riverside Year 8 provision at least 4fe alternative site capital costs. (Temporary accommodation or PFI?) Basic Need.	All Saints? 6 classroom block (possibly to link with Year 7 expansion)
	Planning for 7 fe schemes: Fanshawe (3) Roding/Cannington (1) (Total 4fe) Richard Alibon (1) (Total 3fe) Warren/Furze (1) (Total 5fe) Manor Infants/Upney (2) (Total 6fe) * Free School? (2fe) These projects currently unfunded. Additional Basic Need this Autumn could bring some projects forward, alternatively demand on Basic Need 2012/13. (* funded by government)	Sydney Russell Year 7 (2fe) funded jointly LA/school (Total 12fe)	
September 2014	Must create 60 Year R places – however need to consider demographic changes in 2011 that impact.	Barking Riverside Year 9 (4fe) and Year 7 additional 2 fe.(Total 6fe)	
	Second Barking Riverside Primary on Secondary campus 3fe	JRCS (2fe) (Total 10fe)	

Programme for Developing School Places			
	Primary	Secondary	Sixth Form
	Lymington Fields (3fe) Free School (2fe)?		
September 2015	Need 30 Year R places Eastbury (Faircross Primary) PFI scheme Fanshawe (1fe)	Need 105 places Year 7 Robert Clack 2 fe (Total 12fe) Barking Riverside 2 Year 7 (Total 8fe) Barking Abbey 2 Year 7 (Total 9fe)	Wood Lane development (linked to Robert Clack School)
September 2016	Need 78 Year R places ? Sanofi Primary	Need 195 Year 7 places plus contingency Barking Riverside Year 7 (2fe) Total 10fe) All Saints Year 7 (2fe) (Total 8fe) Warren Year 7 (2fe) (Total 10fe) Eastbrook Year 7 (2fe) (Total 12fe) Special needs element to Barking Riverside	
September 2017		New secondary (4fe minimum plus contingency) (Sanofi/Goresbrook?) DPCE (2fe)	

## Preliminary Assessment of Secondary School Investment Opportunity

By 2017	Year	26fe (720 + contingency 60)	Indicative Costs	BSF Proposals & Costs	Proposed Investment & Rationale	PFI Opportunity	Condition/Suitability spend	£000s
Sydney Russell	Sept 2013	2	£2.4m	N/A	£2.4 agreement to achieve in progress	N/A	Actual Spend 2010/11 Projected spend 2011/12 Remaining condition items	0 0 1,576,164
Robert Clack	Sept 2015	2	£3.0m	£29m Refurbishment & Modernisation	Minimum development at Wood Lane £3.0m. Modernisation/Refurbishment – light touch. £9m. – upgrade existing demountables to modular buildings	Governing body previously indicated reluctance – project £9m too small.	Actual Spend 2010/11 Projected spend 2011/12 Remaining condition items	30,627 132,780 3,921,362
Barking Abbey	Sept 2015	2	£10.0m	Expansion by 50% £15m Refurbishment & Modernisation	Proposed expansion 2fe (3fe) cost £9m for science block and replacing some demountable with modular buildings.	Too small unless rebuild then it would be too costly – need to replace demountable – not a PFI project.	Actual Spend 2010/11 Projected spend 2011/12 Remaining condition items	40,000 135,500 4,476,282
Jo Richardson	Sept 2014	2	0* (use all community facilities)	NIL	Carry out adaptations to existing through PFI contractor £2m		Actual Spend 2010/11 Projected spend 2011/12 Remaining condition items	N/A N/A N/A
All Saints	Sept 2013	2	£6m	£16.8m Expansion & Refurbishment and Modernisation	£6m investment for 2fe plus 6 <sup>th</sup> form with minor modernisation	Project too small not suited to PFI	Actual Spend 2010/11 Projected spend 2011/12 Remaining condition items	10,000 70,000 1,818,654

By 2017	Year	26fe (720 + contingency 60)	Indicative Costs	BSF Proposals & Costs	Proposed Investment & Rationale	PFI Opportunity	Condition/Suitability spend	£000s/£000s
Eastbrook	Sept 2016	2	£6m	£30m PFI rebuild 80%	Possible expansion at least 2fe – maybe 10fe. Light touch plus expansion using modular £6m. Alternative further investment for larger scheme	School replacement and possible expansion of PFI possibility	Actual Spend 2010/11	110,803
							Projected spend 2011/12	294,300
							Remaining condition items	2,559,251
Warren	Sept 2016	2	£6m	£21m Refurbishment & Modernisation	Expansion of 2fe and some modernisation £6m	Project too small for PFI	Actual Spend 2010/11	54,213
							Projected spend 2011/12	400,000
							Remaining condition items	2,088,968
Barking Riverside mainstream	Start Sept 2012	10	£30m	£32m PFI	New Build required possible reduction in build cost driven by market prices being lower – revised cost £25m.	Project sits appropriately for PFI scheme – currently no title able to secure a lease only	Actual Spend 2010/11	N/A
							Projected spend 2011/12	N/A
							Remaining condition items	N/A
Barking Riverside Special	Sept 2016	(10 children per year group)	£24m	£24m PFI	Revised cost £22m rational as above – still expensive requirement.	Project sits appropriately for PFI scheme – currently no title able to secure a lease only	Actual Spend 2010/11	N/A
							Projected spend 2011/12	N/A
							Remaining condition items	N/A
Dagenham Park		2	£6m * land issues	N/A	Additional issues about land and flood alteration. Possible but cost will be £6m.	Project too small for PFI	Actual Spend 2010/11	0
							Projected spend 2011/12	0
							Remaining condition items	1,654,278
Eastbury		(possible primary 2015)	£18m	£19.3m. Demolitions remove demountables	Complete the existing PFI project £10m removes demountable. £2m refurbishment existing quads for primary school (2fe)	Larger project could be PFI but existing PFI contractor with compliance	Actual Spend 2010/11	50,135
							Projected spend 2011/12	0
							Remaining condition items	774,793

NB: further new secondary required in 2018 – 10-13 fe assuming all the above has been implemented. Additional cost of £30m.

## CABINET

18 OCTOBER 2011

<b>Title:</b> Debt Management Policy	
<b>REPORT OF THE CABINET MEMBER FOR FINANCE, REVENUES AND BENEFITS</b>	
Open Report	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> Yes
<b>Report Author:</b> Annette Cardy, Group Manager - Revenues & Benefits (Client Unit)	<b>Contact Details:</b> Tel: 020 8227 2693 E-mail: annette.cardy@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Sue Lees, Divisional Director of Assets and Commercial Services	
<b>Accountable Director:</b> Tracie Evans, Corporate Director of Finance and Resources	
<b>Summary:</b>  The attached report is the proposed new Debt Management Policy for the Council. The Council has a duty to recover outstanding debts and in doing so ensure that its processes are fair to everyone, particularly in the current economic climate. The attached Policy sets out how we will work to minimise debt and maximise rates of collection, be consistent in our approach to raising and recovering debt and ensure that we assist customers who experience financial difficulty and those in difficult circumstances. It also sets out a revised sign off procedure for dealing with write off's within Revenues and Benefits.	
<b>Recommendation</b>  The Cabinet is recommended to agree the new Debt Management Policy as set out at Appendix A to the report.	
<b>Reason</b>  To assist in the Council's Policy House aim of ensuring a well run organisation, delivering its statutory duties in the most practical and cost-effective way.	

**1. Introduction and Background**

- 1.1 The Corporate Director of Finance and Resources requested that a new Debt Management Policy was put in place to provide a framework to ensure improvement in debt management within the Council. This was to ensure a better approach to dealing with debt by reviewing and defining the total cycle of debt from charging policy to recovery methods. It was also to ensure that customers were assisted and clearly signposted in dealing with debt and treated fairly when experiencing difficult circumstances.

- 1.2 This was alongside the new partnership arrangement set up in the form of Elevate where one of the key priorities was to improve debt management and reduce costs. Key Performance Indicators within the contract measure this performance and quarterly reports to Cabinet will illustrate performance in detail.

## **2. Proposal and Issues**

- 2.1 Attached at Appendix A is the draft Debt Management Policy.
- 2.2 The new policy will ensure good financial practice and adherence to the Council's Financial Rules. It will also ensure that the Council's performance on debt management is effectively monitored.

## **3. Options Appraisal**

- 3.1 There was no option other than to ensure a new Policy was in place to assist in providing a robust framework for improved debt management within the Council.

## **4. Consultation**

- 4.1 The draft policy has been developed in conjunction with officers from Elevate. The document was also considered by the Public Accounts and Audit Select Committee on 28 September 2011.

## **5. Financial Implications**

Implications completed by: Jonathan Bunt, Divisional Director of Finance

- 5.1 It is essential to have a robust policy on debt management to maximise the income due to the Council. The primary aim should always be to avoid a debt being created to improve both the Council's cash flow and to avoid the cost of managing any debts. Where debt is created, all steps should be taken to ensure that debt is as easy to collect as possible and the policy specifies steps to enable that.
- 5.2 In line with required accounting policies, the Council makes provision within its accounts each year for bad and doubtful debts. Improving the collection performance and minimising debts written off will enable the Council to potentially reduce the bad debt provision and make a saving in the annual budget.
- 5.3 It is important that the management information is accurate, timely and of sufficient detail to monitor the effectiveness of each type/stage of the debt management process so officers can make an assessment of the value for money offered.

## **6. Legal Implications**

Implications completed by: Eldred Taylor-Camara, Legal Group Manager)

- 6.1 This Report is seeking Cabinet's approval of a proposed new corporate debt management policy as set out in the Appendices to this report.
- 6.2 The Council, as a custodian of public money, has a duty to recover outstanding debts.



6.3 The report states that the proposed debt management policy (including a write-off policy) will assist the Council to achieve its objectives of minimising debt and maximising rates of debt collection, whilst taking the circumstances of those debtors who are genuinely experiencing difficulty in maintaining their payments into consideration.

6.4 The report confirms that the proposed debt management policy and write-off policy comply with the provisions of the Council's Financial Rules as set out in Part D of the Council's Constitution.

## **7. Other Implications**

### **7.1 Risk Management**

The new policy will ensure a more robust framework for debt management.

### **7.2 Staffing Issues**

The new policy will provide clearer procedures for staff to follow.

### **7.3 Customer Impact**

The new policy will ensure customers are treated fairly with reference to their individual circumstances. The policy also contains provisions to assist customers in dealing with debts owed to the Council.

## **Background Papers Used in the Preparation of the Report:**

- Current Debt Management Procedures

## **List of appendices:**

- Draft Debt Management Policy

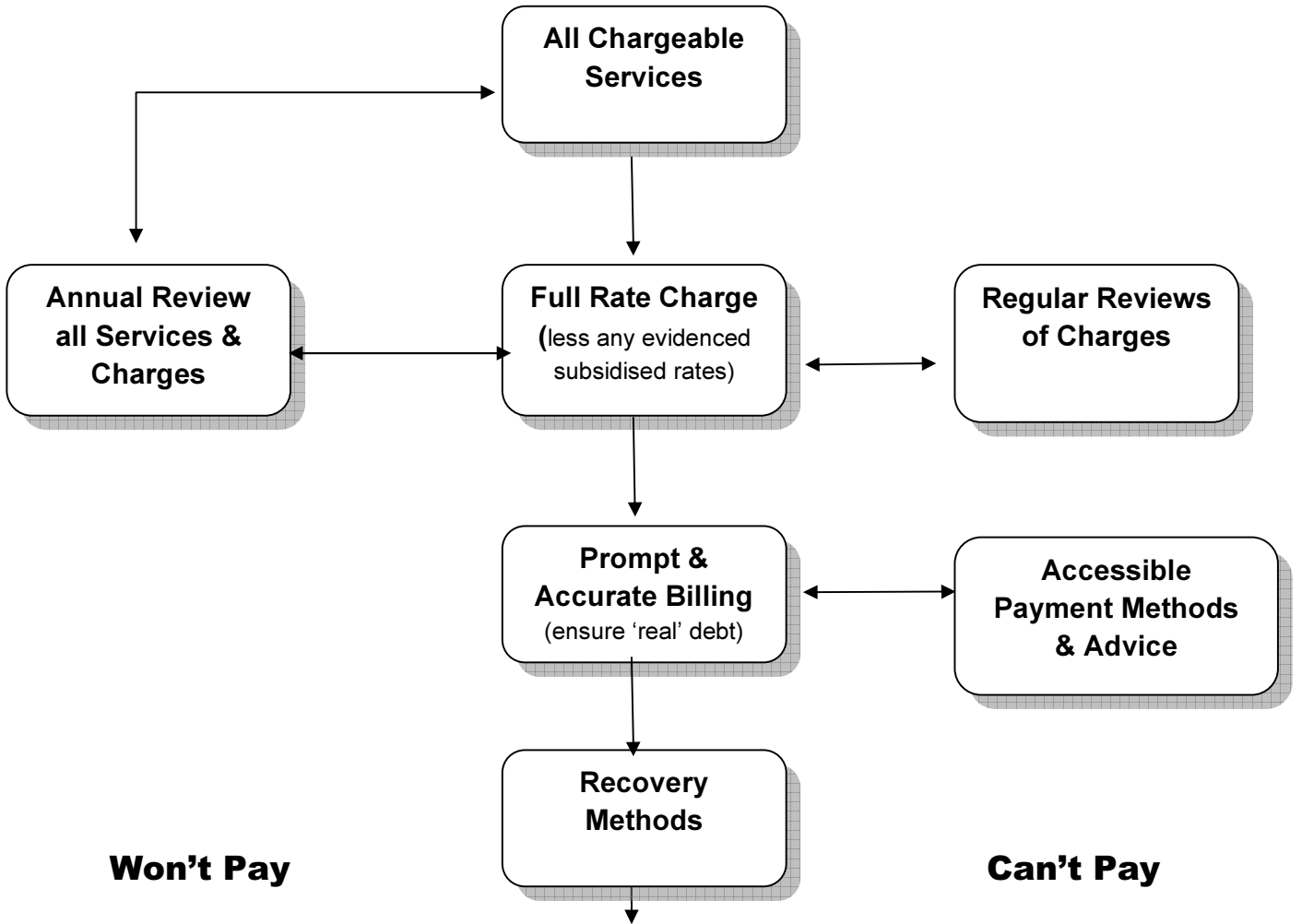
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## London Borough of Barking and Dagenham

### Draft Debt Management Policy

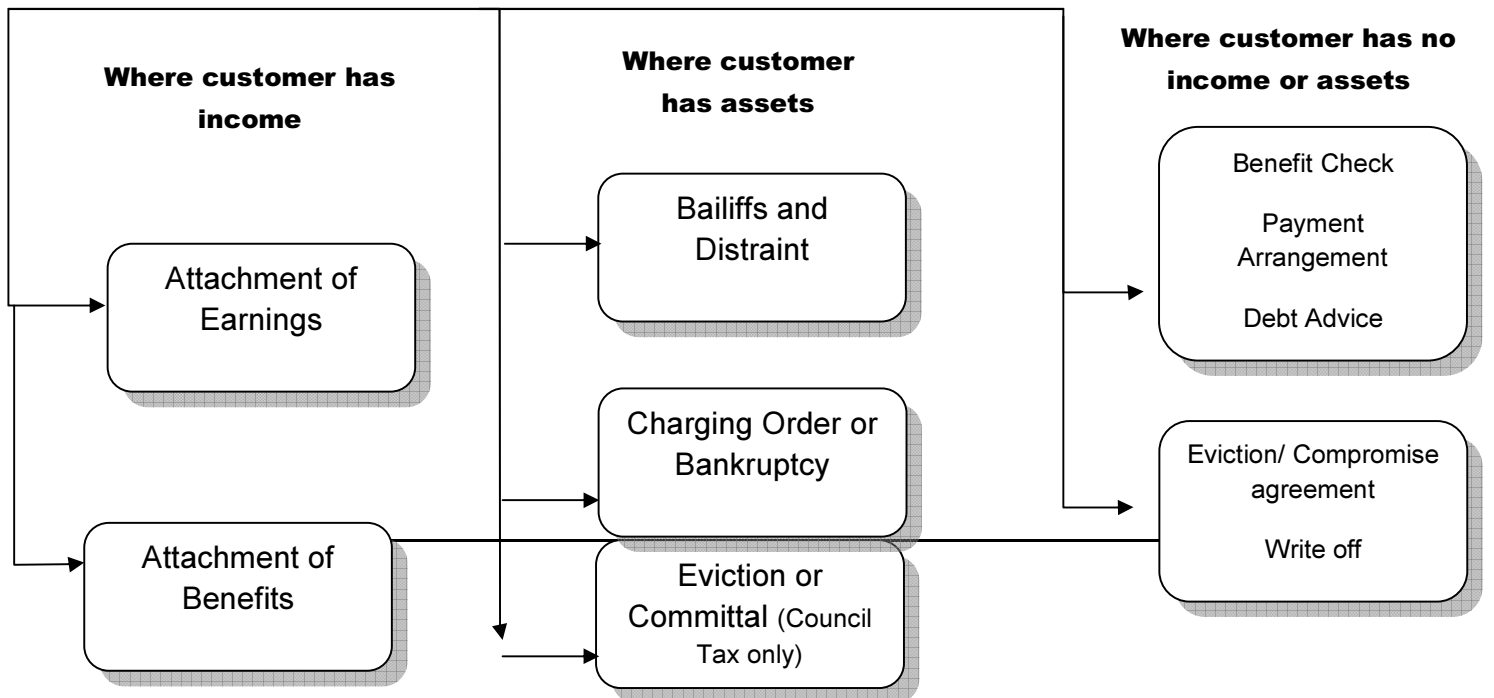
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## Debt Management Flowchart



**Won't Pay**

**Can't Pay**



## 1. Introduction

- 1.1 The Council has a duty to recover outstanding debts and in doing so ensures that its processes are fair to everyone, particularly in the current economic climate. With this in mind, the introduction of a corporate debt management policy will ensure we minimise debt and maximise rates of collection, are consistent in our approach and ensures that we assist customers who experience financial difficulty.
- 1.2 This policy applies to all sums owing to the Council and has been developed to ensure a consistent approach to the management of debts across the Council. The main types of debt are:
- Council Tax
  - Housing Benefit Overpayments – this occurs when benefit is paid that the claimant is not entitled to
  - General Income – the fees and charges made for a wide range of Council Services such as adult social care. General income also includes loan repayments and salary overpayments
  - Business Rates (in a joint service with Havering)
  - Rent for council properties including houses and flats, garages and commercial property.
- 1.3 The key aims of this policy are as follows:
- To maximise the level of income collected by the Council by;
    - implementation of a transparent charging policy
    - accurate and timely billing
    - reducing the level of debt arising
    - effective and timely recovery processes
    - utilising the appropriate recovery method by debt type
  - To recognise that causes of debt vary and recovery methods should be focused accordingly. Debt will be categorised and methods of recovery focused by type, with debtors identified either as ‘Can’t Pay’ or ‘Won’t Pay’:
    - ‘Can’t Pay’ – will receive appropriate assistance and support through debt management and benefit advice, helped to make and adhere to payment arrangements and understand options to minimise costs in the future.

- 'Won't Pay' – appropriate tools of recovery will be focused on debt collection depending on individuals circumstances and the assets or income they have.
- To circumscribe the income cycle from charging policy through to collection and enforcement.
- To ensure that debts are managed in accordance with legislative provisions and best practice.
- To foster good financial management and control across the council
- To ensure income relating to all types of debt is to be handled in accordance with the Council's Constitution, the Financial Rules and this policy.
- To ensure performance in relation to debt recovery is reported through the relevant management structures of the Council.

## **2. The principles of good practice**

- 2.1 There are a variety of reasons why debt is created. Putting effective processes in place; charging and invoicing accurately and speedily, ensures that debts raised are correct and do not discourage timely payment. Customers fail to make payments for a variety of reasons. Categorising debts types into 'Can't pay' / 'Won't pay' can ensure targeted recovery methods are utilised. Where people genuinely have difficulty maintaining their payments; the council will make every effort to help. Others may deliberately set out to delay or not make payments at all. In these situations the council will take action to secure and recover payments. Where appropriate the council will charge additional fees to cover the cost of the action and reduce the burden on those people who pay charges promptly.
- 2.2 The council will follow the principles of good practice set out below:
- Fair charging policies that are reviewed regularly
  - Payment in advance where possible
  - Accurate and prompt billing
  - Promote Direct Debit as the default method of payment with a range of other payment options for customers without a bank account
  - Provide advice on ways to reduce bills and maximise income
  - Consider special payment arrangements for those customers experiencing financial difficulties
  - Keep customers informed
  - Take appropriate recovery action
  - Make additional arrangements for Adult Social Care debt
  - Multiple debt management - where the Council is aware of more than one debt owing to the Council
  - Review and write off debt where appropriate

### **3. Charging Policies**

3. The Council will charge for all services where allowable
- 3.1 The council will design charging policies which are coherent and cost effective. Policies will be designed to be fair and easy to understand and administer.
- 3.2 Charges should cover the full cost of the service unless there is an explicitly agreed subsidy or an alternative means of funding.
- 3.3 Individual services and departments will regularly review charging policies and fee levels to check that charges are adequate and are applied to all chargeable services.
- 3.4 Reporting methodologies are to be reviewed and improved to ensure that there is a corporate view of the effectiveness of charging and collection policy and delivery.

### **4. Payment Options**

- 4.1 Where payment can be taken before a service is provided these cases are to be identified and payment taken in advance, ensuring that no debt is raised in these cases.
- 4.2 When this is not possible and a debt is raised, the easier it is to pay the more likely it is that payment will be made. Direct Debit is the easiest payment method for customers and is the most efficient for the Council which helps keep the cost of collection as low as possible. Where appropriate we will propose Direct Debit as the default method of payment to all customers unless they are unable to pay this way. Where a customer is unable to pay by Direct Debit or it's not appropriate (e.g. for a 'one off' bill) we will provide a choice of convenient methods of payment.
- 4.3 The Council will encourage a range of payment options which should be convenient for the customer and cost effective for the council.
- 4.4 Services will provide a range of options to reduce the reliance on cash transactions. The current payment options are Direct Debit, Debit and Credit Cards (allowing payments to be made 24 hours a day, 7 days a week using the automated telephone line or Internet facility) Standing Order, Cheque and Cash at PayPoint, Post Office or Cashiers. Further payment options including text payments are being investigated and may be introduced as cost effective alternatives.



## **5. Prompt and Accurate Billing**

- 5.1 The council recognises that prompt invoicing and billing is important in reducing the debt burden. The Council will:
- produce accurate and clear bills promptly
  - respond quickly to changes in circumstances and applications for exemptions, discounts, rebates and reliefs
  - produce clear bills in plain English and show:
    - what the bill is for and the period of liability
    - the amount due and, where appropriate, the instalment amounts and payment due dates
    - how to make a payment or deduction from earnings or benefit
    - be a contact point for enquiries - including e-mail and website details
- 5.2 Performance measures and reviews will ensure billing is effective at each stage above
- 5.3 Wherever reasonable, the council will require payment before service will be introduced to maximise income collection.
- 5.4 Where services are used over a period of time the council will use the most effective billing methodology such as invoicing or setting up accounts to enable regular standardised payment options based on expected service usage followed by variation adjustments at appropriate intervals. These options are subject to system capability.
- 5.5 The Council cannot eliminate the issues arising from individuals and families on low incomes. The approach to recovery must therefore be sensitive to individual circumstances.

## **6. Recovery Processes and securing the debt**

- 6.1 The Council's approach will be consistent, transparent, firm, fair and courteous
- 6.2 Consistency means taking a similar approach in similar circumstances to achieve similar ends. The Council aims to achieve consistency in the advice it gives, the use of powers, and the recovery procedures used.
- 6.3 The Council recognises that consistency does not mean simple uniformity and will take account of many variables such as the individuals needs and ability to pay and the need to secure the debt on behalf of the Council
- 6.4 Transparency is important in maintaining public confidence; helping people to understand what is expected of them and what they should expect from the Council and clearly explaining the reasons for taking recovery and enforcement action.
- 6.5 Recovery action will be taken in a timely manner and wherever possible technology will be utilised to automate and expedite processes.
- 6.6 A written explanation of any rights of appeal against formal enforcement action will be given before or at the time the action is taken.

## **7. Range of recovery methods**

- 7.1 The Council will differentiate wherever possible between those who can't pay, those who won't pay and those who have gone away. The purpose of this differentiation is to target the most effective recovery methods to recover the debt.
- 7.2 A range of recovery options will be used where arrangements to pay have broken down. The choice of recovery method will depend on a number of factors including the method available for a particular type of debt, but options can include:
  - Attachment of Earnings Order
  - Deductions from benefit
  - Bailiff action
  - Charging Order
  - Insolvency (bankruptcy) action
  - Securing the debt by obtaining charging order against assets
  - Enforced sale of assets
  - Committal to prison

- 7.3 The Council will always take recovery action where a customer does not pay and does not say they are having difficulty paying. If the customer tells us soon enough that they are having problems and we agree a special payment arrangement we will not take any further recovery action. However, if we have started recovery action (e.g. we have sent a court summons) and subsequently make a special payment arrangement we will continue with recovery action and ask the magistrate for a Liability Order but just hold it to protect the Council's position.
- 7.4 When a customer tells us they cannot pay we will offer advice on ways to reduce their bill and maximise their income. Staff involved in the recovery of debts are trained on anti-poverty and social inclusion awareness so they can:
- inform customers of their entitlement to Housing and Council Tax Benefits, discounts, reliefs and exemptions
  - inform customers of the general availability of other income related benefits such as Job Seeker's Allowance, Child Tax Credits, Working Tax Credits, Pension Credits and Guarantee Credit
  - refer customers to the Council's partners – Voluntary Sector Advice Services for help and advice on all benefit entitlements
- 7.5 The table below shows the different types of debt and stages of recovery. The table indicates which recovery method the Council is likely to use. In some circumstances the recovery method may differ because of the size of the debt or the customer's circumstances.
- 7.6 Council Tax has high volumes of recovery action, so reminder, final and summons notices are generated automatically. However, cases can be automatically withheld using 'hold indicators' (e.g. where a special arrangement is in place or work is outstanding). Cases at summons stage are individually checked before the summons is issued.
- 7.7 If a customer is vulnerable (e.g. elderly, seriously ill, mental health issues) and this makes it difficult for them to pay, we will try to avoid recovery action and provide the assistance they need to make payment. We can only do this if we know the customer's circumstances.
- 7.8 We will always ensure that the recovery method is appropriate for the amount of debt. Bailiffs will not be engaged for any debt less than £125.00.
- 7.9 Where the debt is for an ongoing service provided by the Council which the Council does not have to provide (for example Trade Refuse) we will

stop providing the service until the debt is paid or an acceptable special payment arrangement is made.

7.10 We will follow the principles of enforcement outlined below:

- Our approach will be consistent – with the aim of achieving consistency in the advice we give, the use of our powers and in the recovery methods we use
- Our actions will be transparent – to help customers to understand what is expected of them and to explain the reasons for taking any recovery action.
- Our action will be proportional – we will only use the most severe sanctions for the most difficult high value cases
- Make additional arrangements for Social Care charging

7.11 The collection of Adult Social Care charging will take into account the vulnerable nature of many of the customers. Although the collection process will be similar to other types of sundry debt we will take additional steps to try and understand the customers' personal and financial circumstances so that we can act appropriately in the best interests of the customer, other service users and the Council.

7.12 Use of eviction from Council properties will be a last resort and is governed by legislation. Compromise agreements may be sort with Housing where possible. For example re-locating a family into a smaller more affordable property.

## **8. Tracing**

8.1 The Council will make all necessary attempts to trace any debtor that has absconded to ensure that payment is received. This will include checking internal and external sources of information and sharing information with other authorities and using tracing agents as appropriate. The timeliness of tracing, allowing time for the debtor to reappear will be considered before the debt is submitted for write off.

## **9. Bailiffs and Bailiff Management**

- 9.1 The ability to refer debt to bailiffs is an important tool in the recovery process. The Council appreciates the sensitivity attached to the use of bailiffs.
- 9.2 The Council will seek to use bailiffs only where it has determined that this is the most effective collection method for the debt in question.
- 9.3 Bailiffs will be selected with regard to their performance and customer service standards and capabilities. The council will balance the requirement for effective debt collection with the reasonable and lawful behaviour of its bailiff functions and contractors.
- 9.4 Bailiff performance and contract management will be in place to ensure that compliance with codes of conduct good practice. The Council manage performance across a range of areas including charges, hours of operation, levels and accuracy of distraint, entry and re-entry.
- 9.5 Bailiff payments and incentives will be reviewed as part of the procurement process to align performance to council objectives, maximise income and minimise cost to the council and the customer.
- 9.6 Bailiff services will comply with the National Standards for enforcement agents.

## **10. Debt Advice & Multiple Debt Management**

- 10.1 The Council recognises that some customers will experience financial difficulty either for short or longer periods. Customers who find themselves in debt will often have multiple debts and often experience a spiral of debt that affects the whole family and life quality and becomes a way of life. All staff dealing with families in difficult circumstances must be cognizant of this and recognise the effect being in debt has.

For Example:

A parent, recently separated may need help to claim benefit and put accounts into their own name. They require help to arrange regular payments for all bills and assistance in making payment arrangements to pay off any arrears accrued during a difficult separation, where focus had been on the children's welfare.

- 10.2 Customer Service and Recovery staff will be trained to work with colleagues and families or individuals in debt to understand their particular life circumstances and focus help around these.
- 10.3 The Outreach team within Revenues and Benefits assist in dealing with complex cases by allocating a case worker to work with all partner organisations and teams to develop solutions for families and individuals.
- 10.4 Customers will be signposted to assistance in managing debt using the Council's own help and independent partners (Appendix 2)
- 10.5 Where a customer owes more than one debt of the same type, these debts shall be amalgamated for the purposes of this policy.
- 10.6 The Council will seek to deal with all debt outstanding at the same time so that an holistic approach is adopted. If we are aware, through discussions with the customer or systems matching, that the customer has multiple debts with the Council we will review those debts in total and try to agree a special payment arrangement.
- 10.7 The arrangement will attempt to maintain ongoing payments and reduce arrears for all debts owed to the Council. See Appendix 2 for priority debt guidance.
- 10.8 Where the customer has multiple debts it is also likely they will owe money to other organisations. The Council does not itself offer debt management advice to individuals or business. However, the Council recognises the valuable role of local advice agencies in providing assisting to local residents experiencing difficult in managing debt and prioritising repayments to creditors and in maximising income available to the debtor. For example money advice for individual debtors is available through Capitalise, London's debt advice partnership. Appointments for clients can be made through Barking CAB.

## **11. Staff in arrears**

- 11.1 It is not acceptable for Council Members, staff or those employed by Elevate to owe money to the council
- 11.2 The council will use the information it holds on staff to assist with debt recovery and to make arrangements to clear the debt by salary deduction or Direct Debit

## **12. Treatment of costs**

- 12.1 The Council will seek to levy and recover all costs and fees that are legitimately due from the debtor to the Council or its agents. Only in cases where it would not be in the public interest to pursue costs/fees will they be waived.
- 12.2 A distinction will be drawn between costs which are withdrawn because they were charged incorrectly and costs which are written off because they are considered to be irrecoverable under the guidance of this policy.
- 12.3 Where costs are considered as irrecoverable they shall be treated in the same manner as other debts for the purpose of this policy.

## **13. Debt Analysis and Segmentation**

- 13.1 The Council will use all available information to segment existing uncollected debts to maximise recovery before these are considered for write-off. Write off's of irrecoverable debt will be in accordance with the Council's Financial Rules set out in the Constitution as described below. Write off's will be agreed in line with the Revenues & Benefits Write Off Policy (Appendix 3) and total levels of write off each quarter will be reported to Cabinet.
- 13.2 Data will be considered from a range of sources and the Council will work with partners to develop an approach to debt recovery allowing the use of analytical software to sort and segment older debts so that it can be processed by the most appropriate specialist according to the data analysis undertaken.
- 13.3 The purpose of this approach is to take a fresh view of older debts and use specialist technical knowledge to maximise income that the Council may previously have found uncollectable.

## **14. Write-Off Policy (all debts)**



- 14.1 The Council will take all necessary action to recover what is due. Debts will be subject to the full recovery, collection and legal procedures as outlined in this policy.
- 14.2 The Council recognises that where a debt is irrecoverable, prompt and regular write off of such debts is good practice.
- 14.3 Irrecoverable debts are subject to the Financial Rules set out in the Council's Constitution. The rules for writing off irrecoverable debts are those contained within the Council's Financial Rules and are set out below. The text below is a copied extract from the Council's current Constitution, agreed on February 2011 and the paragraph numbering relates to that part of the Constitution:

*14 Write Off and Disposal of Assets and Debts*

*14.1. Write offs: If assets have been lost, stolen or damaged and the loss is not recoverable from insurance or other sources, they may be written off by the Chief Officer in conjunction with the Chief Financial Officer as Section 151 Officer or Nominated Deputy.*

*14.2. Chief Officers may write off other non repeating sums to the value of £2,000. Sums above this limit may be written off in agreement with the Chief Financial Officer as Section 151 Officer or Nominated Deputy up to a value of £10,000. Other write offs proposed in excess of this sum must be subject to a report by the relevant Chief Officer to the Cabinet, supported by the Chief Financial Officer as Section 151 Officer or Nominated Deputy.*

*14.3. Debts in relation to Revenues and Benefits may be written off in accordance with the debt write off policy as agreed from time to time by the Cabinet.*

*14.4. Write offs in excess of £2,000 will be reported to the Cabinet on a quarterly basis.*

- 14.4 The rules (14.3) stipulate write-off relating to revenues and benefits are to be carried out in accordance with the write-off policy as agreed from time to time by the Cabinet. The proposed write off policy relating to Revenues and Benefits is set out at Appendix 3.
- 14.5 In considering the approval to write off a debt the authorising staff shall give consideration to:
- This Policy
  - The interest of the local community
  - The Council's fiduciary duty
  - The rights of the customer and the effect of continued enforcement action

- 14.6 Any member of staff, Member or Contractor who has an interest in any debt must not participate in the decision making process regarding the write off of the debt and must declare their interest.
- 14.7 For the purposes of this policy an interest includes those in the following list, however, the list is not intended to be exhaustive. Where a member of staff is unsure whether they have an interest they should seek advice from their line manager or internal audit.
- The debt is owed by a relative, including relatives by marriage
  - The debt is owed by a relative of a current or former partner
  - The debt is owed by a friend or neighbour
  - The debt is owed by an organisation of which you are a member
  - The debt is owed by an organisation of which a relative is a member
  - The debt is owed by a company or individual with whom you have a business relationship

## **15. Performance Monitoring**

- 15.1 The Council will monitor the implementation of the process to ensure that it is effective. Monitoring will include:
- Quarterly Reports to Cabinet on Debt Management performance and write off levels
  - quality checks on work processes to ensure fairness and consistency
  - audit and quality checks on work processed by individuals
  - rate of collection – to identify our performance against the targets set for the collection of debts
  - number of cases at each stage of the recovery process
  - complaints received – to assist us with making service improvements
  - setting targets to improve performance
  - regular monitoring of Service Level Agreements
  - Analysis of Advice Centre feedback/surveys to ensure that the service is customer focused
  - benchmark our services with other local authorities
- 15.2 Performance reporting will continue to be on an income stream and collection rate basis and the effectiveness of the policy will be seen through the levels of income that individual services achieve.

## **16. Review of this policy**

- 16.1 The Council is committed to continuous improvement and it is critical that new approaches and ways of working will be introduced. This policy will be reviewed annually to allow it to be updated and to take any service improvements or changes into account.

**Appendix 1**

**Table 1: Debt Types & Recovery Methods**

	Request for Payment	1 <sup>st</sup> Reminder 2 <sup>nd</sup> Reminder/ Final Notice (min.times cales)	Claim Form or Summons	Court	Bailiffs and Distraint	Attachment of Earnings or Benefit	Charging Order	Bankruptcy or Insolvency	Committal to Prison	Withdrawal of Service / Eviction
Council Tax	Annual Bill	✓ 1 <sup>st</sup> =14 days 2 <sup>nd</sup> =7 days	✓ Summons = 14 days	Magistrate	✓	✓	✓	✓	✓	x
Business Rates	Annual Bill	✓ 1 <sup>st</sup> =14 days 2 <sup>nd</sup> =7 days	✓ Summons = 14 days	Magistrate	✓	✓	✓	✓	✓ (sole traders)	x
Rent	Weekly Charge	✓ 1 <sup>st</sup> =7 days 2 <sup>nd</sup> =7 days	✓ Pre notice = 7 days Notice seeking possession = 7 days	County Court	✓	✓	✓	✓	x	✓
Parking Charge Notice (PCN)	PCN	✓ Charge Cert = 21 days	✓ Referral to TEC = 35 days	Traffic Enforcement Court (TEC)	✓	x	x	x	x	x
Lease-holders	Annual Bill	✓ Quarterly reminders	✓ Persistent non payment	County Court	✓	x	✓	✓	x	x
Commercial Rents	Quarterly Bill	✓ Reminder = 21 days Final notice	✓ Claim form = 7 days	County Court	✓	x	✓	✓	x	x

		= 14 days								
Trade Refuse	Invoice	✓ As above	✓ As above	County Court	✓	x	✓	✓	x	✓
Hall Hire	Invoice	✓ As above	✓ As above	County Court	✓	x	✓	✓	x	x
PCT invoices	Invoice	✓ As above	✓ As above	County Court	✓	x	✓	✓	x	x

	Request for Payment	1 <sup>st</sup> Reminder 2 <sup>nd</sup> Reminder	Claim Form or Summons	Court	Bailiffs and Distraint	Attachment of Earnings or Benefit	Charging Order	Bankruptcy or Insolvency	Committal to Prison	Withdrawal of Service
Nurseries	Invoice	✓	✓	County Court	✓	x	✓	✓	x	✓
Care Lines	Invoice	✓	✓	County Court	✓	x	✓	✓	x	x
Fairer Charging Contribution	Invoice	✓	✓	County Court	✓	x	✓	✓	x	x

## **Appendix 2**

### **Advice on priority debts from the Citizens Advice Bureau**

The following advice is supplied to debtors by the Citizens Advice Bureau for information. It does not override the Council's debt policies and process.

#### **Priority debts**

All debts are important, but some debts are more pressing than others. Priority debts are debts owed to creditors who can take the strongest legal actions against you if you do not pay. It is not the size of the debt that makes it a priority, but what the creditors can do to recover their money.

Priority debts are:

- Mortgage arrears
- Rent arrears
- Council Tax and Rates
- Water rates
- Gas and electricity
- Unpaid Magistrate Court fines
- Unpaid maintenance and child support
- Income Tax and VAT/National Insurance
- Telephone
- Hire Purchase for goods that are essential e.g. a car needed for work

**If you have any of the debts above, you must deal with them before you offer to repay any of your non-priority debts.**

#### **Non-priority debts**

Examples of non-priority debts are:

- Credit Card and Store Card arrears
- Catalogue arrears
- Bank overdrafts and loans
- Hire Purchase for goods that aren't essential e.g. a television
- Money borrowed from family and friends

You cannot be imprisoned for not paying non-priority debts. You are unlikely to lose your home or your essential goods. However, if you make no offers to pay,

without explaining why, the creditors will take you to court. If you still fail to pay when the court has ordered it, the creditors can take further action – for example, they can get another court order allowing them to send bailiffs in.



## **Write-Off Policy**

### **Enforcement action to taken be prior to considering write off**

All reasonable and economical debt recovery action should be taken before consideration is given to writing off a debt. The degree of enforcement action attempted should be dependent on the amount owed, the type of debt and the customer's personal circumstances where they are known.

### **Approved reasons for write off of debts**

Debts to be written off fall into two broad categories, firstly those debts that the Council is unable to collect and secondly those debts that are deemed uneconomic to collect. The following reasons are recognised as valid reasons for the write off of debts, subject to all appropriate action to enforce payment having been attempted.

#### *Unable to recover:*

- The customer is deceased and has left no estate
- The customer is subject to a formal insolvency order (*in such cases any accruing debt to be written off will only be up to the date of the order*)
- The debt has been remitted by the Court
- It would cause the customer hardship to enforce payment, or it is in the interests of the Council or the wider community to write off the debt. This includes the use of the Council's powers under Section 49 of the Local Government Finance Act 1988 in respect of writing off a Non-Domestic Rate on the grounds of hardship when appropriate
- The customer has absconded/gone away and cannot be traced
- The customer is living outside the jurisdiction of the English Courts and is unlikely to return.
- The Court has refused to make an order in respect of the debt
- The customer has served a prison sentence to discharge the debt
- The debt is an overpayment of Housing or Council Tax Benefit which is deemed to be unrecoverable in accordance with the Housing Benefit General Regulations 1987 and the Department for Work and Pensions overpayment guidance manual
- The age of the debt precludes recovery or the debt is Statute Barred.

*Uneconomic to recover*

It is uneconomical to take action to enforce payment if the amount is a small balance (under £10) or it is in the Council's interest to agree a negotiated settlement of part of the debt

In general, recommendation for debts to be written off should be made only where one of the above categories applies. However, it is recognised that it is difficult to anticipate all potential circumstances where write off may be justified, and that on occasion it may be appropriate to write off a debt for other reasons. Where this is the case a full written report justifying the recommendation must be provided to the appropriate authorised Officer, who will make a decision regarding the writing off of the debt.

**Authorisation to write off debts**

The Council's Financial Rules allow for debts in relation to Revenues and Benefits to be written off in accordance with the debt write off policy as agreed from time to time by the Cabinet. For Revenues and Benefits in accordance with paragraph 14.3 of the Financial Rules debt write-off may be approved in accordance with the following table:

Value of Debt / Credit	Staff Authorised to Write Off Debt
Up to £2000	Head of relevant service area, i.e. Benefits, Revenues, Rents (Elevate)
£2000.01 to £10,000	Group Manager Revenues and Benefits (Client Unit), Assets & Commercial Services / Divisional Director of Assets & Commercial Services
Over 10,000	Corporate Director Finance and Resources

Authorisation may only be given by means of an original signature. A single signature may be applied to a schedule of debts of individual amounts within a single category.

**Guidelines to authorising write off of debts**

In considering the approval to write off a debt the authorising staff shall give consideration to:

- This Policy
- The interest of the local community
- The Council's fiduciary responsibilities
- The rights of the customer and the affect of continued enforcement action.

**Links to Existing Policy & Policies**

1. **Fraud Prosecution Policy** – the Council holds a ‘zero tolerance to fraudulent activity’
2. **Staff & Members Code of Conduct** – Staff, Member’s and Contractors should not owe debts to the Council
3. **Customer Access Strategy** – customers have ease of access to information, assistance and payment methods and are signposted to independent advice where required
4. **Council Policy House** – well run organisation delivering its statutory duties in the most practical and cost-effective way

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## CABINET

18 OCTOBER 2011

<b>Title:</b> European Social Fund (ESF) – Access to Sustainable Employment	
<b>REPORT OF THE CABINET MEMBER FOR REGENERATION</b>	
Open Report	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Terry Regan, Group Manager Employment & Skills	<b>Contact Details:</b> Tel: 020 8227 5329 E-mail: terry.regan@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Jeremy Grint, Divisional Director for Regeneration	
<b>Accountable Director:</b> Tracie Evans, Corporate Director of Finance and Resources	
<p><b>Summary</b></p> <p>This report sets out an opportunity to match borough funding 1:1 against European Social Fund (ESF) monies to support a project helping residents into work. The programme would be overseen by London Councils, who have managed the borough's previous ESF programmes, and would provide 50% of project costs via ESF. It thereby allows the Council to double the available funding to tackle worklessness.</p> <p>Officers from the Regeneration and Economic Development Division have requested an indicative allocation of just over £1.02m in ESF over 2011-March 2014. The match funding would come from existing resources allocated to the Regeneration and Economic Development Division. The specification has been drawn up to ensure added value to mainstream provision.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Approve the Access to Sustainable Employment project as detailed in the report; and</li> <li>(ii) Authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services, to enter into an agreement with London Councils in the sum of £1,028,518.</li> </ul>	
<p><b>Reason(s)</b></p> <p>To assist the Council in achieving its objective of 'Raising Household Incomes'.</p>	

## **1. Introduction and Background**

- 1.1 The borough has previously match funded European Social Fund (ESF) monies drawn down by London Councils over two previous programmes. Over 2009-11 four projects were funded that have assisted around 500 residents into employment under an outcome-based funding model.
- 1.2 London Councils have contacted boroughs to indicate that additional ESF monies have become available in London over 2011-14. Borough funds would be matched under this programme on a 50% basis by ESF, allowing participating authorities to double the level of their programme (although 5% is retained for programme management purposes). The programme would run over late 2011-March 2014 (three financial years).
- 1.3 In February 2011 an Expression of Interest was registered with London Councils that the Council would wish to participate in this programme, signed off by the Acting Chief Executive and Cabinet Member for Regeneration. The Council's match was indicated at £1.02m in total over three financial years. This would be resourced from within existing allocations to the Regeneration and Economic Development Division.

## **2. Proposal and Issues**

- 2.1 The key focus for the service would be the community-based delivery of employment and skills services, in particular from the borough's Children's Centres. Existing projects within the centres have shown that many families who are accessing children's centre core services are able to make a natural progression into job brokerage services in an environment they are already familiar with. Evidence of the success of job brokerage services within children's centres can be seen in the three reports from Ofsted where each of the centres, Abbey, Sue Bramley and Furze, achieved outstanding in the area of 'achieving economic wellbeing'. Comments from the inspectors expressed how well job brokerage services were embedded into children's centres and how well supported families were as they had the opportunity to access these services.
- 2.2 A key concern for the Council will be that any funding does not duplicate existing programmes or displace other public funding. In particular, the Government's new Work Programme is in place and the Council already funds three Job Shops in high street locations. The specification ensures that there is no duplication and has been signed off by other ESF co-financers, including the Department of Work and Pensions.
- 2.3 In addition to this, job brokerage services in Children's Centres help support the child poverty priorities outlined under the Children & Young People's Plan and also within the child poverty strategy.
- 2.4 The programme would be managed by Greater London Enterprise on behalf of London Councils. A single prospectus would be issued, listing borough level specifications. All beneficiaries would be borough residents and open and competitive tendering would be used. Almost 60% of funding would be paid on the basis of residents securing jobs (800 into work of which 600 to stay in work for 26 weeks), with just under 10% on the basis of achievement of skills for life

qualifications (250 qualifications to be achieved). A copy of the detailed specification is shown at Appendix 1.

### **3. Options Appraisal**

- 3.1 The Council could commission services directly but would thereby lose the European Social Fund match-funded element of this proposal. The specification drawn up has not been amended in substance following consultation with the Greater London Authority or Department of Work and Pensions. It is thereby entirely a locally generated project.

### **4. Consultation**

- 4.1 Consultation has been undertaken with Jobcentre Plus, Children's Services Targeted Support and the outline expression of interest was signed off by the Acting Chief Executive and Lead Member for Regeneration.

### **5. Financial Implications**

Implications verified by: David Abbott, Principal Accountant

- 5.1 This is a match funded project, which commits the Council to provide £1,028,515 over the three years 2011/12 to 2013/14 (profiled £452,547; £287,984; £287,984 respectively). This funding will be matched 1:1 by London Councils (less 5% for management), in quarterly instalments, providing total funding for the project of just over £2 million. The Council funding will come purely from existing Regeneration & Economic Development budgets, specifically from within the Employment & Skills section. This entails a combination of core expenditure (project) budgets; the underspend on the staffing budget in 11/12; S106 funding (cash already received); and income streams to the extent that they exceed the teams' main income target. A risk assessment has been carried out on these different funding elements, and they have been deemed low risk in terms of their [non] availability / occurrence. To the extent that such funding streams do not materialise (and the available funding is reduced), it would represent an overspend on the budget, and this would be dealt with within the overall Regeneration & Economic Development budget. The funding is also front heavy (is reduced in years two and three) which is prudent, and limits the Council's long-term commitments and exposure to risks in terms of flexibility to make savings.

### **6. Legal Implications**

Implications verified by: Paul Field, Senior Lawyer

- 6.1 The scope and terms of the project will be agreed and set out in a grant agreement for which legal support in terms of drafting and advice will be provided. If section 106 monies are identified a source of funding checks will be carried out to ensure that the use is in accordance with the terms of the respective funding agreement.

## **7. Other Implications**

- 7.1 **Risk Management** – all provision is paid for on the basis of payment by outcomes.
- 7.2 **Contractual Issues** – a funding agreement will be entered into with London Councils. Provision will be procured by open and competitive tendering. Local voluntary sector organisations will be encouraged to apply.
- 7.3 **Customer Impact** – this programme will help more residents into sustainable employment. It should therefore positively impact on a number of other agendas, given that it should assist in raising incomes e.g. lower rent arrears.
- 7.4 **Health Issues** – employment is positively correlated with improved physical and mental health.

### **Background Papers Used in the Preparation of the Report:**

None

### **List of appendices:**

Appendix 1 Borough specification: 'Community-based provision of employment services'



### **Community-based delivery of employment services**

This project will ensure that employment and skills support is easily accessible from the heart of the borough's communities, including Children's Centres. The project will be marketed as 'Job Shop Community Outreach' and there will be close working with the borough's job brokerage service, delivered from:

- Barking Job Shop in Vicarage Field Shopping Centre, Barking;
- Dagenham Job Shop in Heathway Mall, Dagenham;
- Green Lane Job Shop, Dagenham; and
- Job Shop Community Outreach, St Mary's Parade, Gascoigne Estate, Barking.

Project activity should include:

- Targeted outreach at Children's Centres and engagement with parents/carers at the school gates and through Parent Support Advisors.
- Engagement with local voluntary and community sector organisations, including those supporting carers.
- Coaching, mentoring and other support that ensures any issues relating to wellness and stability are addressed.
- Peer support mechanisms that broaden the social connections of participants.
- A diagnostic assessment to ascertain skills for life needs.
- Provision of information, advice and guidance with a structured skills action plan for the individual.
- Practical employment and skills support, including confidence building, jobsearch, CV writing and interview skills.
- Signposting to in-work benefit/tax credits advice (available within Children's Centres).
- Active support to secure flexible working opportunities.
- Support for participants for a period of up to 26 weeks after they leave the project.

#### **Discretionary budget**

The successful provider will also be required to allocate a Discretionary Budget of £69,184 within its budget. This Discretionary Budget can be utilised by the successful provider, only following specific agreement with LBB, for the purposes of meeting the holistic needs of the participant in bringing them closer to the labour market, and to meet project target outcomes. Examples of effective use of this Discretionary Budget would be to cover the cost, where necessary, of short vocational training courses, travel expenses or occasional childcare costs to support a participant in their first month into work, or the purchase of equipment required to undertake a job opportunity. For the list of eligible cost items, please refer to the Financial information section of the general prospectus.

The funding of the Discretionary budget has been built into the unit costs listed at the end of this specification.

All evidence towards spend of the Discretionary Budget will be closely monitored by GLE during regular monitoring visits.

Key target groups will be:

- Those with parental and/or caring responsibilities, whether receiving benefits or not, including lone parents.
- JSA customers unemployed for 6+ months.
- ESA, Income Support and Incapacity Benefit claimants whose participation in the Work Programme is voluntary but prefer to access support through this project.

The project will support individuals who face a combination of barriers which prevent them from taking up learning opportunities and developing employability skills. These barriers might be the long-term unemployment, insecure housing tenure, involvement in petty crime, domestic violence, poor family relations, etc.

The provider will work closely to identify individuals that are not currently on the DWP / ESF programme to support families to ensure there is no duplication of provision. Providers will need to ensure that updates with participants continue to establish that this is the case over the life of the project.

The service will **not** be available to those accessing support through the Work Programme and providers will need to ensure that updates with participants continue to establish that this is the case over the life of the project.

### **Suggested strategic partners**

- L.B. Barking & Dagenham Children's Services (link to Children's Centres and schools/Parent Support Advisors)
- L.B. Barking and Dagenham Adult & Community Services (link to specialist support services for people with disabilities and voluntary and community sector organisations)
- L.B. Barking and Dagenham Regeneration & Economic Development (employer engagement and job brokerage linkages)
- Jobcentre Plus
- FE providers including the Adult College of Barking and Dagenham and Barking and Dagenham College

## CABINET

18 OCTOBER2011

<b>Title:</b> East London Solutions	
<b>REPORT OF THE CABINET MEMBER FOR FINANCE, REVENUES AND BENEFITS</b>	
Open Report	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> No
<b>Report Author:</b> Heather Wills, Divisional Director Corporate Policy & Public Affairs	<b>Contact Details:</b> Tel: 020 227 2786 E-mail: heather.wills@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Heather Wills, Divisional Director Corporate Policy & Public Affairs	
<b>Accountable Director:</b> Tracie Evans, Corporate Director Finance & Resources	
<p><b>Summary:</b></p> <p>This report advises Cabinet on how the East London sub region is moving forward shared services. In 2009, East London Solutions was created covering Tower Hamlets, Newham, Redbridge, Waltham Forest, Havering and Barking and Dagenham, to focus on increasing sub regional activities in a structured approach.</p> <p>Since its creation, numerous joint procurements are being progressed and boroughs are also taking forward shared service opportunities as well as having improved communications.</p> <p>The Leaders and Chief Executives of each borough have met to review progress and given the proof of concept, have now agreed to raise the ambitions of the sub region and take forward some bigger collaborative projects which enable greater outcomes and savings. The Partnership arrangements are embodied within a Memorandum of Understanding which is in the process of being signed by the Leaders/Mayors.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Note the report; and</li> <li>(ii) Agree that the Council participate in and sign up to the revised ELS Memorandum of Understanding at Appendix A, subject to consultation with and the approval by the Divisional Director for Legal &amp; Democratic Services of the final MoU terms.</li> </ul>	
<p><b>Reason(s)</b></p> <p>To assist the Council in achieving its priority theme of being a Well-Run Organisation.</p>	

## **1. Introduction and Background**

- 1.1 In 2009, East London Solutions was formed covering Tower Hamlets, Newham, Redbridge, Waltham Forest, Havering and Barking and Dagenham, to focus on increasing sub regional activities in a structured approach.
- 1.2 The purpose was to establish shared solutions, which create a range of opportunities for east London authorities to work together to achieve demonstrable improvement and efficiencies in service design, management and delivery and/or procurement and market management.
- 1.3 The aim was, through incremental change to prepare the ground for transformational change and innovation. The outcomes being targeted were:
  - Re-shaped services that better meet customer needs
  - Deliver greater efficiencies and savings to release funding for priority areas
  - Make better use of capacity and skills
  - Improve the ability to deliver services in partnership.
- 1.4 The above was set out in a memorandum of understanding signed by the boroughs and funding was secured from Capital ambition to fund a small programme office.
- 1.5 The approach adopted by the ELS programme office has had two main areas of focus:
  - Ensuring that authorities in ELS are aware of what opportunities exist, engaging where appropriate and maximising opportunities. This includes reviewing established information and metrics, providing challenge and improving communication and knowledge of what is there.
  - Taking forward shared services and procurement in a variety of ways from planning to aligning arrangements for future gain, examining business cases and actually implementing arrangements.
- 1.6 It has not been about trying to get all 6 of the authorities to agree to move with certain services at a specific time but to identify where two or three at the most have sufficient things in common to progress a shared service or opportunity such as joint procurement.
- 1.7 The activities being undertaken by the Programme office cover:
  - Communicating activity that is taking place.
  - Co-ordinating activity that is taking place at strategic level.
  - Ensuring opportunities to maximise shared service concepts are considered.
  - Facilitating the taking forward of shared services.
  - Promoting and brokering networking and collaboration between the participating boroughs.
- 1.8 A management group chaired by the Chief Executives of Havering with representation from each borough at Director Level meets every quarter to steer and oversee the work taking place. The programme office consists of 1.25 fte and is

peripatetic but has a base provided by Waltham Forest. Havering provides the ICT, Barking and Dagenham manage the resources and Newham provide the Website.

#### 1.9 The current position

In respect of the work to date:

- Officer Boards were set up in a number of areas to scope and agree opportunities.
- Procurement has been a key area with over 20 joint procurements now progressing.
- A number of other shared arrangements are progressing e.g. joint posts.
- Business cases are being completed for different shared service arrangements.
- Communication and information exchange has increased across boroughs.
- The boroughs are now more engaged more in London-wide matters.
- There is a recognition that the sub region is delivering shared services.

#### 1.10 Examples of what is taking place include

- Joint procurements include:
  - Highways and Street Lighting being a path finder for the London wide project
  - Children's Domiciliary Care
  - Semi Independent housing
  - Taxis
  - Construction
  - Minor works
- Newham are providing Translation services to ELS boroughs under a hosted Partnership Agreement.
- Children's Placements Pilot Project is in place to reduce Placements costs both in the long and short term.
- Three boroughs have appointed a joint Principal Educational Psychologist
- Newham and Havering have a shared ICT arrangement
- Two boroughs are merging print units
- Three boroughs are working together on customer services systems and processes

1.11 The Capital Ambition funding has virtually come to an end and now that the boroughs have proof of concept, they have agreed with effect from 2011/12 to core fund the ELS programme office by borough contributions of £20k each.

## 2. **Proposal and Issues**

2.1 Leaders and Chief Executives have met to review work to date and to consider how ELS should move forward. During this meeting:

- There was a commitment to shared services
- There was a recognition it takes time and not all have to be involved at the same time or in all things given local circumstances
- There had clearly been successes in working sub regionally

- There was a belief that the sub region should look at bigger opportunities which would provide bigger prizes. There was a need to be clear on the prize and what should be the priorities so there was a focus.
- There was a recognition that procurement and social care were the biggest spend areas.

2.2 With this clear appetite to raise the ambitions of the sub region and take forward some bigger collaborative projects which enable greater outcomes and savings, the Leaders agreed:

- To receive more detailed proposals on procurement organisational opportunities at the next meeting.
- At the same meeting to receive feedback on the results of what had taken place on aspects of adult and children's social care commissioning along with how this could be extended.
- To commit up to £20k to move the procurement and commissioning activity into more ambitious projects.
- To meet quarterly for the next year and agree a programme of work.
- To agree a new Memorandum of Understanding which would be signed by the Leaders. This is attached as Appendix A.

2.3 Leaders and Chief Executives recognised the importance of communication within the boroughs and that this needed to be consistent. Briefings have since been prepared along with the content of this report for use by all the boroughs.

2.4 The Leaders also recognised the important part other Members had to play in moving forward shared services and have requested that the Chief Executives propose a governance model to incorporate this for Leaders to review at their next meeting.

### **3. Options appraisal**

3.1 There are two options open to the Council, to continue to participate in East London Solutions (with the associated financial implications) or to withdraw.

3.2 Continued participation in East London Solutions does not prohibit the Council to seeking joint working arrangements with other local authorities or organisations as may be most advantageous to the Council. It is considered that the financial contribution to be made to East London Solutions offers best value in light of the potential savings to be achieved through this route.

### **4. Consultation**

4.1 This report has been prepared in consultation with the other member boroughs of East London Solutions.

### **5. Financial Implications**

Implications verified by: Jo Moore, Finance Manager

5.1 Capital Ambition funding of £338k was secured as seed funding to create East London Solutions. This funding has been utilised and now that the boroughs have proof of concept, the boroughs have agreed to core fund the programme office at a

cost of £20k per annum. The total costs of the programme office are £120k. The personnel are not permanently recruited in order to provide flexibility as matters evolve and the current arrangements have been put in place until 31 March 2013.

- 5.2 As well as the non-financial outcomes being delivered such as increased knowledge and sharing between boroughs, the financial outcomes include:
- Cost avoidance
  - Non cashable savings
  - Cashable savings
- 5.3 The work to date assessed so far suggests that efficiency savings identified up to March 2014 may amount to some £20m.
- 5.4 Each borough makes its own arrangements to review financial savings and ensure these are accounted for within its own budget strategy e.g. assisting in implementing savings plans already agreed or providing new savings to include in borough budget strategies. If ELS as a whole is judged not to be achieving the outcomes set out the management group will consider changes to its method of operation and ultimately its future.
- 5.5 In addition, the Leaders have committed up to £20k from each Authority to specifically work on procurement and commissioning in a more ambitious way.
- 5.6 The work carried out by East London Solutions will be in conjunction with the Council's procurement arrangements under the joint venture contract. In the savings identified above there may be an element of gain share that will be attributable to Elevate but this will need to be considered on a case-by-case basis.
- 5.7 The London Borough of Barking & Dagenham will manage funding and payments. Funding and arrangements for other specific projects are agreed as and when necessary.

## **6. Legal Implications**

Implications verified by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 A Memorandum of Understanding for the ELS signed by each of the partner boroughs has been in place since 2009. Changes within the composition and governance structure of ELS as detailed in this report are being proposed. It is proposed that once agreed, the revised MoU will be again be signed by each borough. The draft MOU is attached as Appendix A.
- 6.2 This arrangement is not a partnership as defined in the Partnership Act 1890 and there is no intention to create such a partnership under this MoU.
- 6.3 It is important that the terms of the revised MoU are reviewed and agreed by each borough following receipt of legal advice from their respective legal advisers. The draft MoU is being reviewed by LBB Legal Practice with a view to reaching agreement with the other Boroughs.

## **7. Other Implications**

### **7.1 Risk Management**

7.1.1 There would be a need to consider risk on a case by case basis and to ensure that appropriate risk mitigation measures were put in place wherever a shared services project was pursued.

### **7.2 Contractual issues**

7.2.1 There would be a need to consider existing contractual arrangements on a case by case basis.

### **7.3 Customer Impact**

7.3.1 The delivery of the projects will ensure that no individual or group are discriminated against or disadvantaged by the work being undertaken. This applies equally to employees of the council, external customers and those we work in partnership with.

7.3.2 Central to the work is to value diversity in our communities, promote an inclusive society and oppose all form of intolerance and prejudicial discrimination, whether it is intentional, institutional or unintentional. The partnership is therefore committed to:

- Working in partnership with all boroughs to ensure they are fully involved in democratic decision making processes;
- Opposing all forms of prejudicial discrimination
- Ensuring all council services are shaped to meet the different needs of our communities.

### **7.4 Safeguarding Children**

7.4.1 In entering into any arrangements the Council would need to satisfy itself that these new arrangements pay sufficient regard to safeguarding both children and vulnerable adults.

### **7.5 Health issues**

7.5.1 In entering into any arrangements the Council would need to satisfy itself that these new arrangements pay sufficient regard to tackling the health inequalities of Barking & Dagenham residents. Particular attention needs to be paid to any health impact assessments that are undertaken to ensure that in aggregating the results across the proposed geographic area that the particular needs of Barking and Dagenham are not masked.

### **7.6 Crime and disorder issues**

7.6.1 In entering into any contractual arrangements due regard would have to be given to S17 of the Crime and Disorder Act, particularly in terms of commissioned services and their location to avoid unreasonable clustering of services that may impact adversely on local residents and services.



**7.7 Property/ asset issues**

7.7.1 The potential to share properties and assets with others will be considered on a case by case basis, subject to the development of a robust business case.

**8. Background Papers Used in the Preparation of the Report:**

None

**9. List of appendices:**

Appendix A: Memorandum of Understanding

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**DRAFT**

**EAST LONDON SOLUTIONS**

**MEMORANDUM OF UNDERSTANDING**

**Statement of Intent**

As leaders of six East London Boroughs, we recognise the scale of the challenge we face from cuts in funding to local government.

Our first priority must be to protect as many of our residents' cherished services as we can, while continuing to provide our taxpayers with the best possible value for money.

All councils share common services and common support functions. They may operate in different ways to meet different local needs, but the machinery of one council does not differ significantly from that of its neighbour.

As east London leaders, we should endeavour wherever possible to find shared solutions to the financial challenges that we all face.

Where we can share the machinery of local government, to reduce our running costs and help protect frontline services, we will do so.

Where we can bring together the management of our organisations to streamline the way we work, we will do so.

And where we can work together to develop new and innovative ways to deliver local services, while still meeting the unique needs of our own local communities, we will do so.

The priorities of our boroughs may differ, but we all share a commitment to providing best value and promoting the interests of local residents ahead of the interests of bureaucracy and fixed borough borders.

This undertaking will help define a new consensus across our six boroughs, under which we can act together in the best interests of all east London taxpayers and every east London community.

**Scope**

This memorandum of understanding concerns the relationship between the following partners, co-operating under the designation of East London Solutions.

London Borough of Barking & Dagenham  
London Borough of Newham  
London Borough of Havering  
London Borough of Waltham Forest  
London Borough of Tower Hamlets

## London Borough of Redbridge

It sets out underpinning principles, roles/responsibilities and accountabilities, and is intended to act as a point of reference for all members of the partnership.

As ELS is not a separate entity, the London Borough of Barking & Dagenham has agreed to act as the lead borough for financial and staffing matters in relation to ELS. Specific projects involving some or all of the partners which involve on-going contractual relations with each other and/or external providers will be the subject of separate governance agreements.

### **Purpose and principles**

- The common purpose underlying the activities of ELS is to identify joint areas of work that will deliver improved value for money services, improved outcomes or better support the long term quality of service delivery for the residents of the partner bodies;
- Participation in any project is subject to approval from each relevant body;
- ELS will take collective responsibility for driving forward collaboration and shared services, seeking out opportunities both service improvement and cash savings;
- ELS will ensure that the aims and activities of ELS are consistent with, and complement, those of the partners;
- ELS will monitor its performance by a process of self-evaluation and external review to ensure that it is operating in an optimal way. Internal self evaluation against outcomes will be integral to the partnership working principles.

### **Overall vision**

Deliver and commission shared and collaborative services and products to facilitate improvement, efficiency and innovation.

### **Core Values**

- Challenge the status quo
- Seek innovative solutions to improve service delivery
- Be open to challenge from peers, regional and national bodies
- Be open to utilising best, and “next/future practice” approaches to procurement
- Be pragmatic
- Be partnership oriented
- Accountability - achieved through delivery of agreed outcomes within a sound governance framework
- Be open in sharing information and best practice

## **Objectives**

- Communicating activity that is taking place.
- Co-ordinating activity that is taking place at strategic level.
- Ensuring opportunities to maximise shared service concepts are considered.
- Facilitating the taking forward of shared services.
- Promoting and brokering networking and collaboration between the participating councils
- To act as a vehicle for bidding and accessing funding to develop shared services

## **Outcomes**

- Re-shaped services that better meet customer needs
- Deliver greater efficiencies and savings to release funding for priority areas
- Make better use of capacity and skills
- Increased collaboration in east London
- Improve the ability and capability to deliver services in partnership

## **ELS and Partner general responsibilities**

### **General Responsibilities**

- ELS and the partners will abide by the aforementioned values.
- ELS and the partners will keep each other up to date on all activities which impact on the delivery of the ELS Delivery Plan.

### **General responsibilities of ELS**

- To develop and maintain a delivery plan that delivers the vision and objectives of ELS.
- To coordinate or achieve activities as agreed. The relevant outcomes and targets will be met from a combination of direct activity, project working and commissioning. This may be achieved through individual members or collectively, or by brokering services from other public or private sector providers.
- To maintain effective financial management of funding delegated to the ELS.

- To comply with all applicable legislation; pay proper regard to the statutory duties of the Local Authority and pay proper regard to relevant legislation, formal guidance, codes of practice, and national policies.
- ELS will be responsible for communicating and promoting its work as well as ensuring it is properly co-coordinated and integrated with other activities.
- ELS will be responsible for ensuring that the Partner authorities are kept informed of specific matters relating to their authority.
- ELS will be responsible for ensuring pragmatic solutions and approaches are adopted and to actively seek solutions to issues that arise in achieving of the delivery plan.

### **General responsibilities of the Partners**

- Each local authority will support ELS in the performance of its responsibilities and achievement of the stated vision, outcomes and objectives.
- Each local authority will use its position to encourage the co-operation of all the partner councils within the ELS and address issues within its own organisation where these are creating problems.
- The partners will provide to the ELS any data it holds which is reasonably required by the ELS for the performance of its responsibilities. This work will develop a partnership approach to needs assessment and intelligence gathering. Each partner remains the data controller of and is legally responsible for the personal data it holds<sup>1</sup>.
- Each local authority will inform ELS about forthcoming procurement activity and will undertake this in a way to enable other authorities to join.
- Where needed, the partners will aim to provide appropriate advice, guidance, financial and physical resources (e.g. accommodation) to help ELS achieve its visions and objectives.
- Where a partner authority is a lead, that authority will be fully committed to delivery.
- The partners will retain responsibility for their statutory duties.

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<sup>1</sup> Specific legal advice is as follows;

ELS would be processing data on behalf of the partners. Each Partner can agree to share that data within the ELS group under a clear agreement that:

- The data is shared for use for the agreed purposes only.
- The persons whose data is being shared with other Partners & ELS are informed of that fact and the purposes for sharing it. This is the Fair Processing Notice requirement which should be given to all these affected.

There should be an indemnity provision between the Partners for any misuse of data by others under the agreement. The Information Commissioner has powers to impose penalties for breaches of the Data Protection Act 1998.

Freedom of Information Act 2000 - A Partner will be under the general duty to release information collected by other Partners (subject to the usual exemptions).

- The partners will not have any responsibilities in respect of the day-to-day operational issues, inputs and processes of the ELS.

## **Management and Accountability**

### **Management**

- The ELS management group comprises:
  - A nominated Chief Executive
  - A Director / Head of service nominated from each partner body
  - ELS representative
  - Advisory members as necessary
- The management group is responsible for agreeing and monitoring the overall delivery plan and outcomes. This will include priorities, the allocation of available funds and applications for other funding.
- The ELS Co-ordinator will facilitate partnership working and to manage the day to day affairs of the ELS in order to deliver the overall delivery plan. This Co-ordinator will have delegated authority to manage the shared partnership fund and to recruit/ procure additional support via the appropriate lead authority as required by the agreed delivery plan.
- The management group will report to the East London Leaders and Chief Executive's group quarterly.
- Authorities leading aspects of the delivery plan are empowered by the partners to make decisions in order to progress activities subject to not making a financial or legal commitment on behalf of partners unless agreed in writing.

### **Performance management, monitoring and evaluation**

- The success of ELS will be based on the achievement of outcomes.
- The management group of ELS will have responsibility for monitoring and reviewing the performance of ELS.
- ELS will undertake a process of self evaluation and a full annual review in December each year.
- The management group of ELS will report to the Leaders and Chief Executives on performance.
- Each member of ELS accepts that the achievement of outcomes is the responsibility of ELS partners collectively. Each member accepts to make every reasonable effort towards the achievement of these outcomes.
- If matters are failing to be achieved rectification processes will be instituted.
- ELS will be subject to audit in accordance with partner's proper practices and will maintain this framework of governance and accountability.

## Rectification processes

The ELS Co-ordinator will escalate to the nominated Chief Executive issues that have been unable to be resolved by negotiation with the relevant Council within a reasonable time.

If any individual member of ELS is judged by all of the other members of ELS to be failing to work in accordance with the principles laid out in this agreement, and/or to be failing to contribute appropriately to the achievement of the outcomes set and/or the completion of the delivery plan, ELS will advise the management group who after consideration and discussion can take one or more of the following actions:

- Withdraw the right to attend partnership meetings
- Withdraw access to facilities shared across the partnership

If ELS as a whole is judged not to be achieving the outcomes set out the management group will consider changes to its method of operation and ultimately its future.

## Funding

The boroughs each provide core funding of £20k. This funds the programme office. Additional contributions are agreed for specific pieces of work. The London Borough of Barking & Dagenham will manage funding and payments. Funding for specific projects will be agreed as and when necessary.

## Status

This arrangement is not a partnership as defined in the Partnership Act 1890 and there is no intention to create such a partnership under this MoU.

Organisation	Capacity	Name	Signature
L.B. Barking and Dagenham		Leader Cllr. Liam Smith	
L.B. Havering	Leader	Cllr. Michael White	
L.B. Newham	Mayor	Sir Robin Wales	
L.B. Redbridge		Leader Cllr. Keith Prince	
L.B. Tower Hamlets	Mayor	Mayor Lutfur Rahman	
L.B. Waltham Forest	Leader	Cllr. Chris Robbins	

September 2011



## THE CABINET

18 OCTOBER 2011

<b>Title:</b> Polling Districts and Polling Places Review	
<b>REPORT OF THE CHIEF EXECUTIVE</b>	
Open report	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> John Dawe, Group Manager Democratic Services	<b>Contact Details:</b> Tel: 020 8227 2135 E-mail: john.dawe@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Tasnim Shawkat, Divisional Director of Legal and Democratic Services	
<b>Accountable Director:</b> Stella Manzie, Chief Executive	
<p><b>Summary:</b></p> <p>The Council has a duty under the Electoral Administration Act 2006 to conduct a review of Borough polling districts (areas within ward boundaries) and associated polling places (stations) every four years. The review process, undertaken by the Chief Executive as the Proper Officer for Electoral Registration, requires public consultation with relevant interested persons / organisations following which the final proposals, as agreed by the Authority, are published and become subject to challenge through the Electoral Commission for a further six week period. The proposals come into effect upon the publication of the Register of Electors on 1 December 2011.</p> <p>The review, which is the second since the implementation of the legislation, was announced by way of a public notice in "The News". Details of the review together with proposals for change were circulated to all Councillors, both local Members of Parliament and local political parties, together with identified relevant organisations such as those that may have an expertise in access to premises or facilities for people with disabilities. The consultation period closed on 1 August 2011.</p> <p>Details of the proposals for polling districts and polling stations, together with a summary of representations made on a ward by ward basis, are set out in <b>Appendix A</b>. In summary there are no proposed changes to 13 of the 17 wards. In the light of the representations made a number of alternative sites for polling stations have been identified and recommended.</p> <p>The wards affected are:</p> <p><b>Chadwell Heath</b> where it has been recognised that the cricket pavilion in St Chads Park (QD) falls below the normal public accessibility and safety standards, and as such the Baptist Church in Havering Gardens has been identified as a more suitable venue.</p> <p><b>River</b> where because some electors at the last election were required to travel further to cast their vote, the former River Community Centre in Oval Road South should again be used as a polling place,, subject to the successful outcome of discussions with the</p>	

Council's Asset Management division to improve the internal facilities and with the Dagenham Boxing Club

**Thames** where following an assessment of the Scout and Community Hall in Blessing Way, it is recommended that the building be designated as the polling station for the JD polling district with a consequential reconfiguration of both the JA and JD polling districts in order to reduce potential voter confusion arising from the current arrangements, create a better balance of electors to locations and address the emerging new developments at Barking Riverside, and

**Whalebone** where following an assessment of the Christian Fellowship Hall in Green Lanes, it is recommended that the building be designated for the LC polling district which will result in that section of the electorate voting within its own polling district.

Maps showing the locations of polling places within the polling districts as a result of the review are set out in **Appendix B**.

### **Recommendation(s)**

The Cabinet is recommended to:

- (i) Approve for publication the final proposals arising from the review of polling districts and associated polling places as detailed in Appendix A to the report; and
- (ii) Authorise the Chief Executive to agree any permanent or temporary arrangements within the next four year period that are deemed appropriate in respect of alternative polling stations and/or reconfiguration of polling districts, subject to consultations with relevant ward councillors.

### **Reason(s)**

In order for the Council to meet its statutory responsibility to review polling districts and polling stations every four years.

## **1. Introduction and Background**

- 1.1 Every local authority area is divided into wards and those wards are divided into polling districts for voting purposes. A polling place (station) is designated for each polling district. Electors on the register for a particular polling district can vote in person only at their allocated polling place. The review dealt with identifying polling places within defined polling districts. Actual ward, constituency and borough boundaries are unaffected by the review.
- 1.2 In line with the guidance which accompanied the legislation, any representations made within the review period which do not support the original proposals are required, where possible, to provide alternatives. The Chief Executive must take account of the comments received and make necessary changes where appropriate, and to report on the outcome of the review to the Cabinet for determination.
- 1.3 Once the final arrangements are adopted all relevant correspondence, representations, minutes and details will be published on the Council's website.

- 1.4 Following the publication of the final arrangements the following are, by law, entitled to appeal direct to the Electoral Commission within a period of six weeks:
- Groups of no less than 30 electors in a constituency who have not previously made representations.
  - An elector who has previously made representations during the Review.
  - A person who is not an elector in the area but who the Commission decides has expertise in access to premises or facilities for disabled people.
- 1.5 All representations to the Electoral Commission must be in writing. They must be based on the grounds that the Council has not properly conducted the review because it has either failed to meet the reasonable requirements of electors, and/or taken insufficient account of accessibility for disabled people to the polling places within a polling district.

## **2. Proposal and Issues**

- 2.1 The following statutory guidelines must be taken into account as part of the review:
- The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
  - The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.
- 2.2 Other guidelines are recognised good practice, but may not always be possible:
- The polling place should be in its own polling district;
  - All polling places should relate to a single ward;
  - Natural, well-defined boundaries are preferred;
  - All properties in a minor road or estate should be in the same polling district (unless the ward or constituency boundary makes this impossible);
  - There should be an even spread of polling places;
  - The polling district should be the 'catchment area' for the polling place and no elector should have to pass another polling place to get to their own;
  - The polling places that voters are familiar with are not changed unless there is a strong need to do so.
- 2.3 The initial review in 2007 took into account all of the above factors to ensure, as far as practicable, all sites were compliant and Electoral Services staff have continued to monitor the suitability of polling places through visits and reports of presiding officers and polling station inspectors at elections.
- 2.4 As both Council and non-Council premises are used as polling places it is not always possible to ensure full accessibility, such as disabled car parking, but where permanent access ramps are not in place temporary ramps are provided by Electoral Services for the day of the election. Access issues are also mitigated by the option that exists for all registered voters to apply for a postal vote, negating the need to vote in person.
- 2.5 With regard to the types of buildings used as polling places, every effort is made to find alternatives to schools, as this can require the school to be closed for the day and causes disruption to pupils, teachers and parents. However this is not possible

in all cases due to the lack of suitable and available alternatives within each polling district.

2.6 Set out at Appendix A is a schedule showing each ward, its polling districts, the number of electors allocated to each polling district as at 1 August 2011 and details of the existing polling place. General observations are set out under each ward where relevant, together with a summary of any representations made and the final recommendation in each case.

2.7 It should also be noted that the review represents the circumstances that exist at this point in time and it is possible that alternative arrangements may need to be made by the Chief Executive come the time of an election / referendum. This could be due, for example, to the unavailability of a particular polling place owing to refurbishment works or a significant change in the size of the electorate. Any such changes would not require a formal review. Recommendation (ii) above seeks to address these eventualities.

### **3. Options Appraisal**

3.1 A number of alternative sites for polling places were considered as part of the review but were rejected, principally for reasons of accessibility to voters and with disability issues in mind.

### **4. Consultation**

4.1 The Act places a duty on local authorities to ensure that all relevant groups and individuals are given the opportunity to comment on the proposals being put forward for polling places, particularly in relation to access to premises or facilities for persons with disabilities. Attached at **Appendix C** is a list of all those consulted as part of this review.

4.2 The representations received were principally from Members and officers of the Council and are referred to in Appendix A.

### **5. Financial Implications**

Implications confirmed by: David Abbott, Principal Accountant

5.1 There are no specific financial implications associated with this proposal. The cost of this review (including employee costs, general office expenses, and the cost of consultation) will be met from within the existing Democratic Services revenue budget.

### **6. Legal Implications**

Implications confirmed by: Doreen Reeves, Group Manager, Legal Services

6.1 Each constituency is divided into polling districts for the purposes of Parliamentary elections. The Electoral Administration Act 2006 provides that the Council must divide its areas into districts and keep the polling districts under review.

6.2 A polling district must have a designated polling place. Section 18C of the Electoral Administration Act 2006 places a duty on the Council to conduct four yearly reviews

of polling districts and polling places. This report provides details of the compliance for the review under Schedule A1 of the Act.

## **7. Other Implications**

7.1 **Risk Management** - It is important to conclude and publish the Council's final arrangements for polling districts and places so as to properly plan for the scheduled GLA and Mayoral Elections in May 2012. The booking of venues will take place early in the New Year to ensure that buildings will be available and any issues will be dealt with on a case by case basis.

7.2 **Customer Impact** - Electoral Services has previously been subject to an Equalities Impact Assessment (EIA) including the provision of elections, which included analysis of polling station locations taking into account the needs of particular communities as regards race, faith, disability, age and gender.

As part of the requirements of the review relevant organisations with a focus on disability were consulted on the proposals. A short refresh EIA has been undertaken as part of the current review.

In addition to the issues referred to in the report regarding disability access, alternative arrangements, most typically postal voting, can be made for those voters not wishing for reasons of religious belief to vote in person in those religious buildings used as polling places..

7.3 **Crime and Disorder Issues**- The review has sought to ensure that polling places are in open and accessible areas for a range of reasons including matters of crime and disorder as well as public safety. The particular proposal to relocate QD polling district (Chadwell Heath ward) from St Chad's Park cricket pavilion to the Baptist Church in Havering Gardens is in response to concerns regarding the lack of lighting in the immediate area and the safety of voters and staff.

7.4 **Property / Asset Issues** - There are no direct property and/or assets issues, although by the very nature of the proposals any future change of use or availability of current polling places may require alternative arrangements to be made.

### **Background Papers Used in the preparation of the Report:**

- Electoral Administration Act 2006 and associated Guidance
- Public Notice advertising the review

### **List of appendices:**

Appendix A - List of proposals with comments and recommendations  
Appendix B - Maps showing the locations of the polling places within districts  
Appendix C - List of consultees

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### Abbey Ward

#### Existing arrangements

Polling district	Electors	Polling Place
AA	2027	Eastbury Comp School, Rossllyn Road, Barking
AB	2561	The Lodge, Barking Park, Longbridge Road, Barking
AC	2290	Abbey Community Centre, Cowbridge Lane, Barking
AD	1282	Barking Learning Centre, Town Square, Barking

#### General observations

Eastbury Comprehensive School (AA district) is marginally outside the ward boundary but there are not considered to be any more suitable venues within the area.

**Recommendation:** No change to existing arrangements.

### Eastbury Ward

#### Existing arrangements

Polling district	Electors	Polling Place
CA	1805	Eastbury Primary School, Dawson Avenue, Barking
CB	3035	St John The Divine Church, Goresbrook Road, Dagenham
CC	1508	Eastbury Manor House, Eastbury Square, Barking
CD	1261	Eastbury Primary School, Dawson Avenue, Barking

#### General observations

Due to building works at Eastbury Primary School at the time of the 2011 Referendum, the electorate in the CD polling district was temporarily relocated to the former Mayesbrook OAP Centre in Bevan Avenue and the electorate for CA district was relocated to Eastbury Manor House. Whilst the Mayesbrook OAP Centre was more local for the electorate in CD district the poor condition of the building and future proposals for the site mean this is not a viable option for future elections. Eastbury Primary School is considered to be the only suitable venue in the area at this time and, therefore, it is proposed that both CA and CD districts continue from this site.

**Recommendation:** No change to existing arrangements.

### Gascoigne Ward

#### Existing arrangements

Polling district	Electors	Polling Place
DA	4128	Gascoigne Community Centre, St Anns, Barking
DB	1306	Salvation Army Hall, Morley Road, Barking
DC	1287	Salvation Army Hall, Morley Road, Barking
DD	708	Ripple Centre, St Erkenwald Road, Barking

**Recommendation:** No change to existing arrangements.

### Goresbrook Ward

#### Existing arrangements

Polling district	Electors	Polling Place
EA	1853	Hatfield Community Centre, Hatfield Road, Dagenham
EB	2692	Dawson Christian Centre, 330 Hedgemans Road, Dagenham
EC	1538	St. Peters Parish Centre, Goresbrook Road, Dagenham
ED	1468	Harmony house, Baden Powell Close, Dagenham

**Recommendation:** No change to existing arrangements.

### Longbridge Ward

#### Existing arrangements

Polling district	Electors	Polling Place
FA	2431	Faircross Community Assn Hall, Hulse Avenue, Barking
FB	3589	Manor Junior School, Sandringham Road, Barking
FC	1477	Lovelace Gardens Community Hall, Lovelace Gardens, Barking
FD	590	Barking United Reformed Church Hall, Upney Lane, Barking

**Recommendation:** No change to existing arrangements.

### Mayesbrook Ward

#### Existing arrangements

Polling district	Electors	Polling Place
HA	2258	St Cedds Church Hall, Lodge Avenue, Dagenham
HB	1903	Mencap Society, 27-29 Woodward Road, Dagenham
HC	1608	Ted Ball Hall, Neasham Road, Dagenham
HD	1043	St. Teresa's Primary School, Bowes Road, Dagenham

**Recommendation:** No change to existing arrangements.



## Thames Ward

### Existing arrangements

Polling District	Electors	Polling Place
JA	3491	Thames View Hall, Bastable Avenue, Barking
JB	559	Scrattons Farm Hall, Morrison Road, Barking
JC	602	St. John The Divine Church, Goresbrook Road, Dagenham
JD	1677	Thames View Aid and Advice Centre, Bastable Avenue, Barking

### General Observations

At the last polling station review in 2007, the polling district for the Thames View Estate was split into JA and JD - previously all electors on the Thames View Estate and the surrounding areas were in JA and would visit Thames View Hall to vote. This was to take account of an increase in the size of the electorate and the ability to accommodate it in the one polling place. At that time, the only suitable additional venue in the area was identified as the Thames View Aid and Advice Centre.

### Representations

Councillor Poulton commented that this caused voter confusion as the two sites are opposite one another and electors often have to be redirected between the two sites. He stated that he believed it would be better to return to Thames View Hall being the only polling place in that particular area and that a new polling place should be introduced in the Barking Riverside area, at either the emerging George Carey Church of England Primary School or the Scout and Community Hall in Blessing Way which is situated at Great Fleete.

### Recommendation

In seeking to avoid the use of school sites and following an assessment of the Scout and Community Hall, it is recommended that the Scout and Community Hall be designated as JD polling district and that the JA and JD districts be reconfigured to reduce voter confusion and address the emerging new developments at Barking Riverside.

### Revised arrangements

Polling District	Electors	Polling Place
JA	3590	Thames View Hall, Bastable Avenue, Barking
JB	559	Scrattons Farm Hall, Morrison Road, Barking
JC	602	St. John The Divine Church, Goresbrook Road, Dagenham
JD	1578	Scout and Community Hall, Blessing Way, Barking

## Alibon Ward

### Existing arrangements

Polling district	Electors	Polling Place
KA	2826	St George's Church Hall, Rogers Road, Dagenham
KB	1391	Richard Alibon Primary School, Alibon Road, Dagenham
KC	886	Dagenham Evangelical Cong. Church Hall, Osborne Road, Dagenham
KD	1907	Bethel Church, Parsloes Avenue, Dagenham

**Recommendation:** No change to existing arrangements.

## Whalebone Ward

### Existing arrangements

Polling district	Electors	Polling Place
LA	1906	Hartley Brook Church, Rosslyn Avenue, Dagenham
LB	2298	Catterall Hall, Cecil Road, Chadwell Heath, Romford
LC	1337	Becontree Heath Methodist Church Hall, The Broadway, Dagenham
LD	1714	Forsters Close Comm. Room, Forsters Close, Chadwell Heath

### Representations

Councillor A Jamu commented that LC polling station should be relocated to either Robert Clack School, Tenterden Road or the Christian Fellowship Hall in Green Lane, as these sites are within the LC district (Becontree Heath Methodist Church Hall is within LA district, close to the boundary with LC) and therefore more local for the electorate.

### Recommendation

In seeking to avoid the use of school sites and following an assessment of the Fellowship Hall, it is recommended that the Fellowship Hall be designated as LC polling district which will result in the LC electorate voting within its district.

### Revised arrangements

Polling district	Electors	Polling Place
LA	1906	Hartley Brook Church, Rosslyn Avenue, Dagenham
LB	2298	Catterall Hall, Cecil Road, Chadwell Heath, Romford
LC	1337	Christian Fellowship Hall, Green Lane
LD	1714	Forsters Close Comm. Room, Forsters Close, Chadwell Heath

### Eastbrook Ward

#### Existing arrangements

Polling district	Electors	Polling Place
MA	3825	Rush Green Infant School, Dagenham Road, Rush Green
MB	1881	Wantz Centre, Rainham Road North, Dagenham
MC	1856	Dagenham & Redbridge F.C, Victoria Road, Dagenham

**Recommendation:** No change to existing arrangements.

### Parsloes Ward

#### Existing arrangements

Polling district	Electors	Polling Place
NA	1580	Kingsley Hall, Parsloes Avenue, Dagenham
NB	2270	Fanshawe Hall, Barnmead Road, Dagenham
NC	1888	St Mary's Church Hall, Grafton Road, Dagenham
ND	999	Kingsley Hall, Parsloes Avenue, Dagenham

**Recommendation:** No change to existing arrangements.

### Heath Ward

#### Existing arrangements

Polling district	Electors	Polling place
PA	613	Wantz Hall, Rainham Road North, Dagenham
PB	1281	Beacontree Heath Methodist Church Hall, The Broadway, Dagenham
PC	2674	Heath Park Hall, Rusholme Avenue, Dagenham
PD	2609	Five Elms School, Wood Lane, Dagenham

**Recommendation:** No change to existing arrangements.

## Chadwell Heath Ward

### Existing arrangements

Polling district	Electors	Polling Place
QA	2016	Marks Gate Community Complex, Rose Lane, Chadwell Heath
QB	1527	Marks Gate Baptist Church Hall, Bardfield Avenue, Chadwell Heath
QC	2653	United Reformed Church Hall, Mill Lane, Chadwell Heath
QD	762	Cricket Pavilion, St Chads Park, West Road, Chadwell Heath

### General Observations

It was recognised that the Cricket Pavilion in St Chads Park (QD) fell below the normal public accessibility and safety standards. Officers have identified the Baptist Church in Havering Gardens as a more suitable venue. As this site is further north than the current venue for QC district, it will require a reconfiguration of QC and QD districts to provide a better balance of electors.

**Recommendation:** That the Baptist Church, Havering Gardens, Chadwell Heath, be designated as QC polling district and the United Reformed Church Hall, Mill Lane as QD district and the reconfiguration of QC and QD districts to provide a better balance of electorate across the two districts.

### Revised arrangements

Polling district	Electors	Polling Place
QA	2016	Marks Gate Community Complex, Rose Lane, Chadwell Heath
QB	1527	Marks Gate Baptist Church Hall, Bardfield Avenue, Chadwell Heath
QC	1445	Baptist Church, Havering Gardens, Chadwell Heath
QD	1969	United Reformed Church Hall, Mill Lane, Chadwell Heath

## River Ward

### Existing arrangements

Polling district	Electors	Polling Place
RA	1657	Dagenham Library, 1 Church Elm Lane, Dagenham
RB	1387	Dagenham Park Sports Hall, School Road, Dagenham
RC	2408	Dagenham Park Sports Hall, School Road, Dagenham
RD	1678	Thomas Arnold School, Arnold Road, Dagenham

### General Observations

Prior to 2011 the building in Oval Road South, which was formerly the River Community Centre and in more recent years has been the base of Dagenham Boxing Club, was used as the venue for the RC polling district. However, due to the condition of the facilities in the building the decision was taken to relocate RC polling district to Dagenham Park Sports Hall, as this was already the site for RB polling district and there were no other suitable venues within the specific area covered by RC polling district.

### Representations

Councillor Smith did not support RC polling district being located at Dagenham Park Sports Hall as electors were required to travel considerably further than previously to cast their vote.

### Recommendation

That the former River Community Centre in Oval Road South again be used as the polling place for RC district, subject to the successful outcome of discussions with the Council's Asset Management division and Dagenham Boxing Club.

### Revised arrangements

Polling district	Electors	Polling Place
RA	1657	Dagenham Library, 1 Church Elm Lane, Dagenham
RB	1387	Boxing Club, Oval Road South
RC	2408	Dagenham Park Sports Hall, School Road, Dagenham
RD	1678	Thomas Arnold School, Arnold Road, Dagenham

## Valence Ward

### Existing arrangements

Polling district	Electors	Polling Place
TA	1040	Education Suite, Visitors Centre, Valence House Museum, Margery Road, Dagenham
TB	1788	Henry Green School, Chitty Lane, Dagenham
TC	1842	Henry Green School, Chitty Lane, Dagenham
TD	2077	Grafton Junior School, Grafton Road, Dagenham

### General observations

For the Referendum in May 2011 the electorate in TB and TC polling districts were temporarily relocated to the former Brockelbank Lodge OAP home in Becontree Avenue due to building works at Henry Green School. Brockelbank Lodge was a far from ideal venue and would not be suitable in its current condition for future elections. An extensive assessment of potential buildings in the ward, and particular polling district TC, has not identified any suitable alternative buildings and, therefore, it is proposed to continue to use Henry Green School. Officers will, however, continue to review the electoral arrangements in the area, particularly in the light of the new housing development at Lymington Fields.

### Representations

A member of the public queried the change of polling place of the former OAP home at Brockelbank Lodge for the Referendum for their polling district of TC.

**Recommendation:** No change to existing arrangements.

## Village Ward

### Existing arrangements

Polling district	Electors	Polling Place
UA	1854	Village Ward Community Centre, Vicarage Road, Dagenham
UB	2237	Village Church Hall, Exeter Road, Dagenham
UC	966	Teresa Greene Hall, Leys Avenue, Dagenham
UD	2249	John Perry School, Charles Road, Dagenham

**Recommendation:** No change to existing arrangements.

## Becontree Ward

### Existing arrangements

Polling district	Electors	Polling Place
VA	2221	Bethel Christian Centre, Bennetts Castle Lane, Dagenham
VB	1792	The Vibe, 195-211 Becontree Avenue, Dagenham
VC	1608	St. Thomas Church Hall, Haydon Road, Dagenham
VD	2021	Erkenwald Tuition Centre, Marlborough Road, Dagenham

### Representation

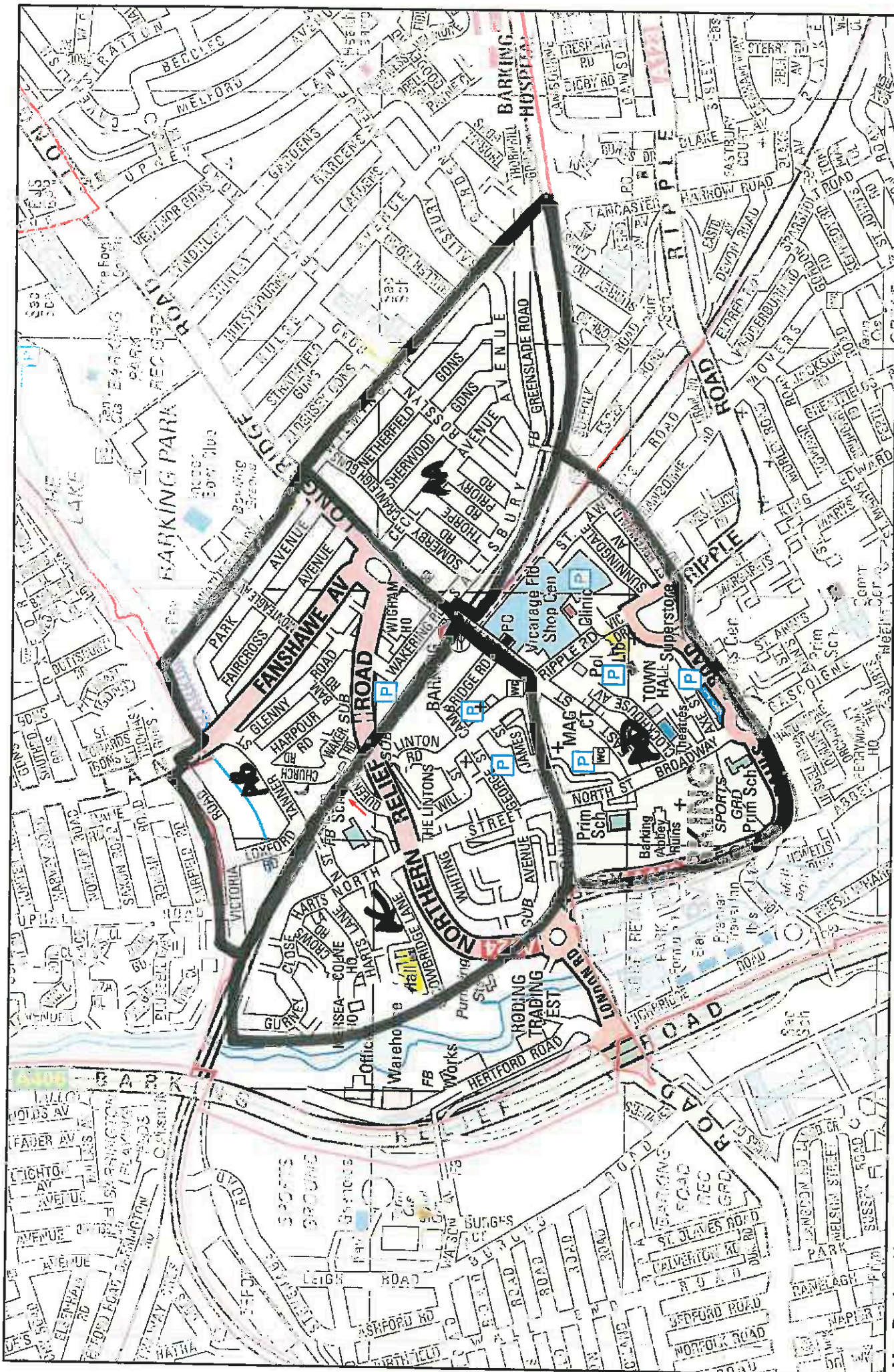
Councillor Evelyn Carpenter suggested that officers look at reviewing locations at a future date as and when Academy Central has been completed.

Officers will keep the situation under review having regard to available locations and the size of the electorate.

**Recommendation:** No change to existing arrangements.

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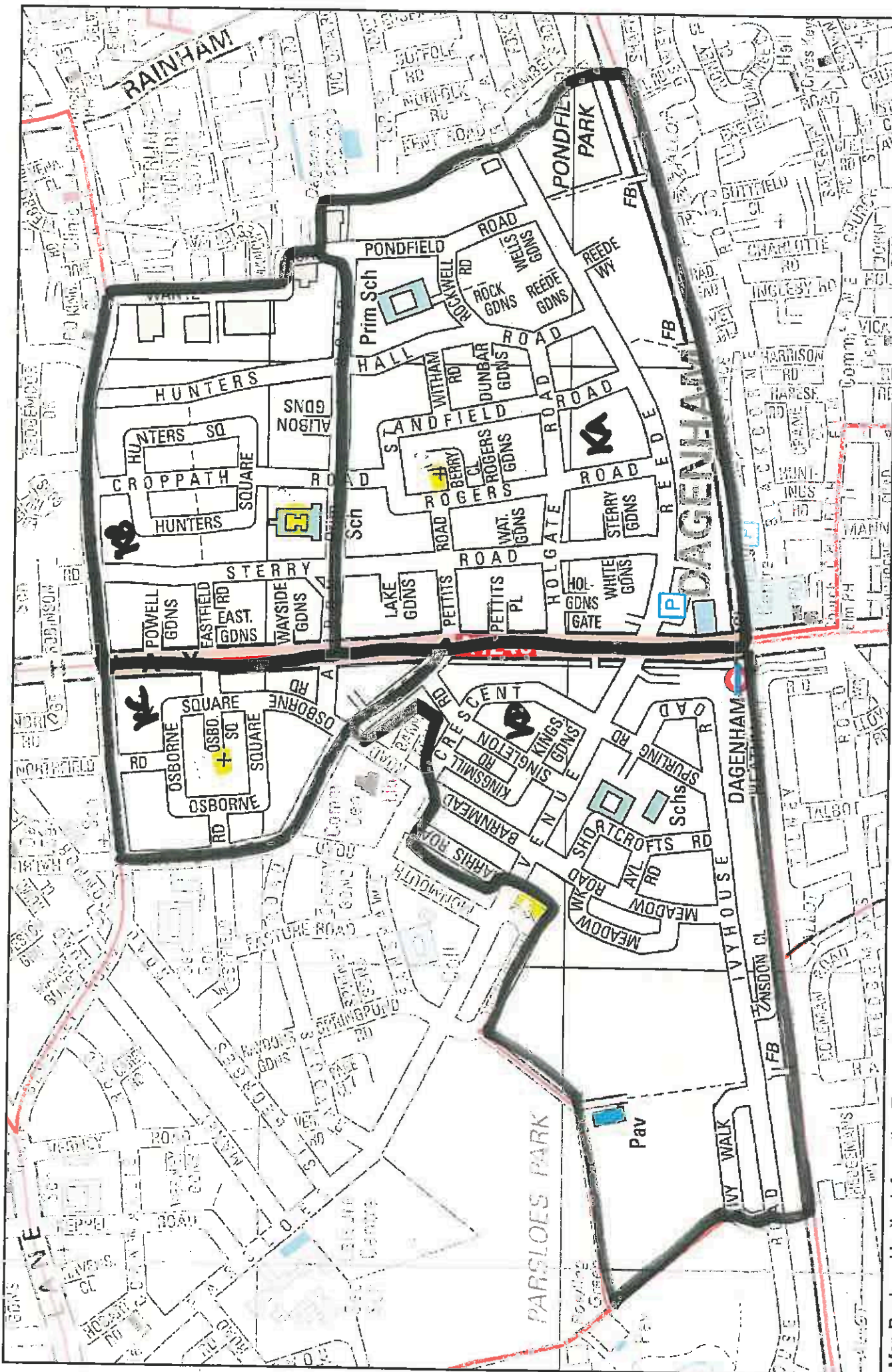


# Abbey Ward

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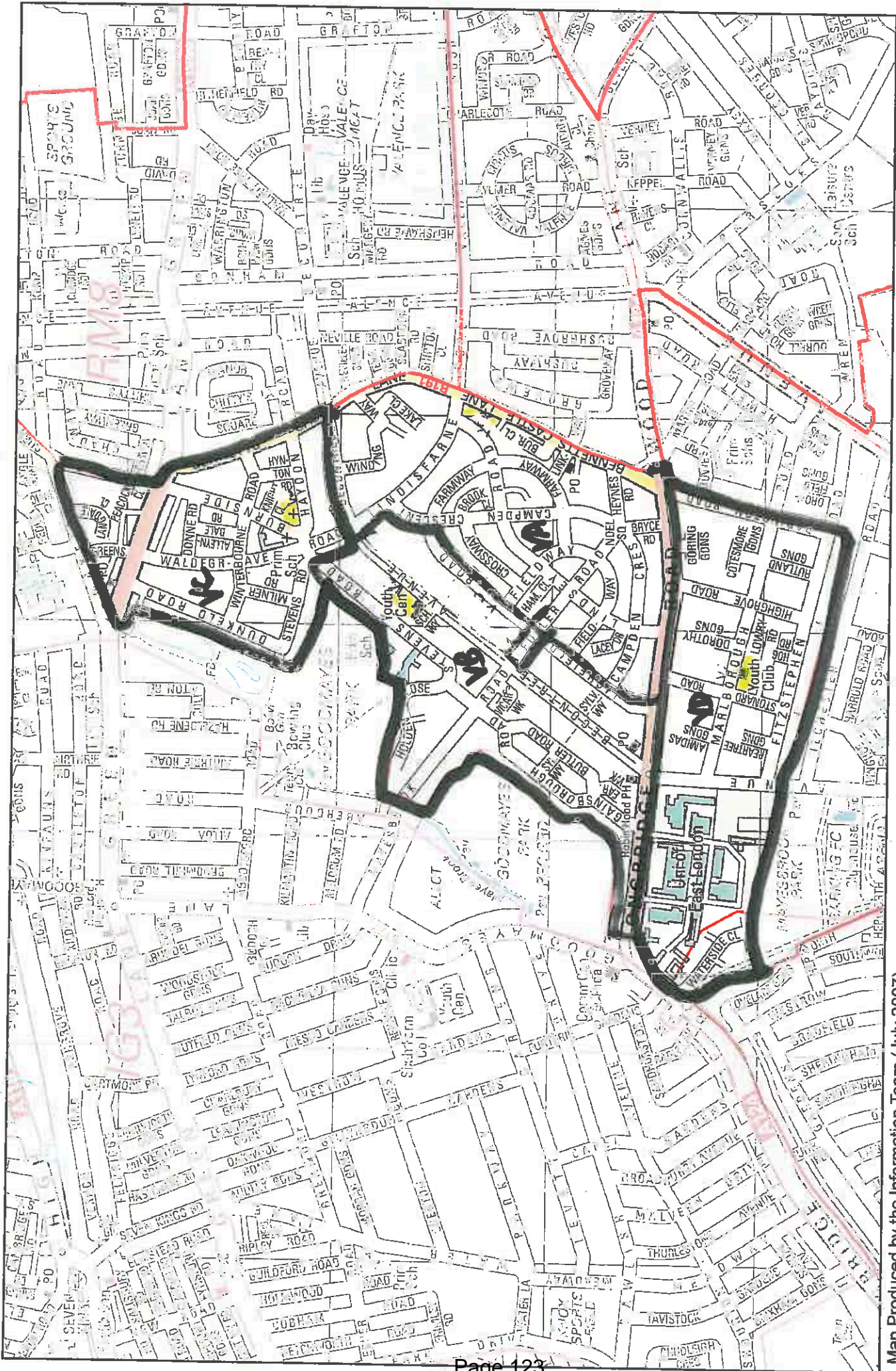


# Alibon Ward

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# Becontree Ward

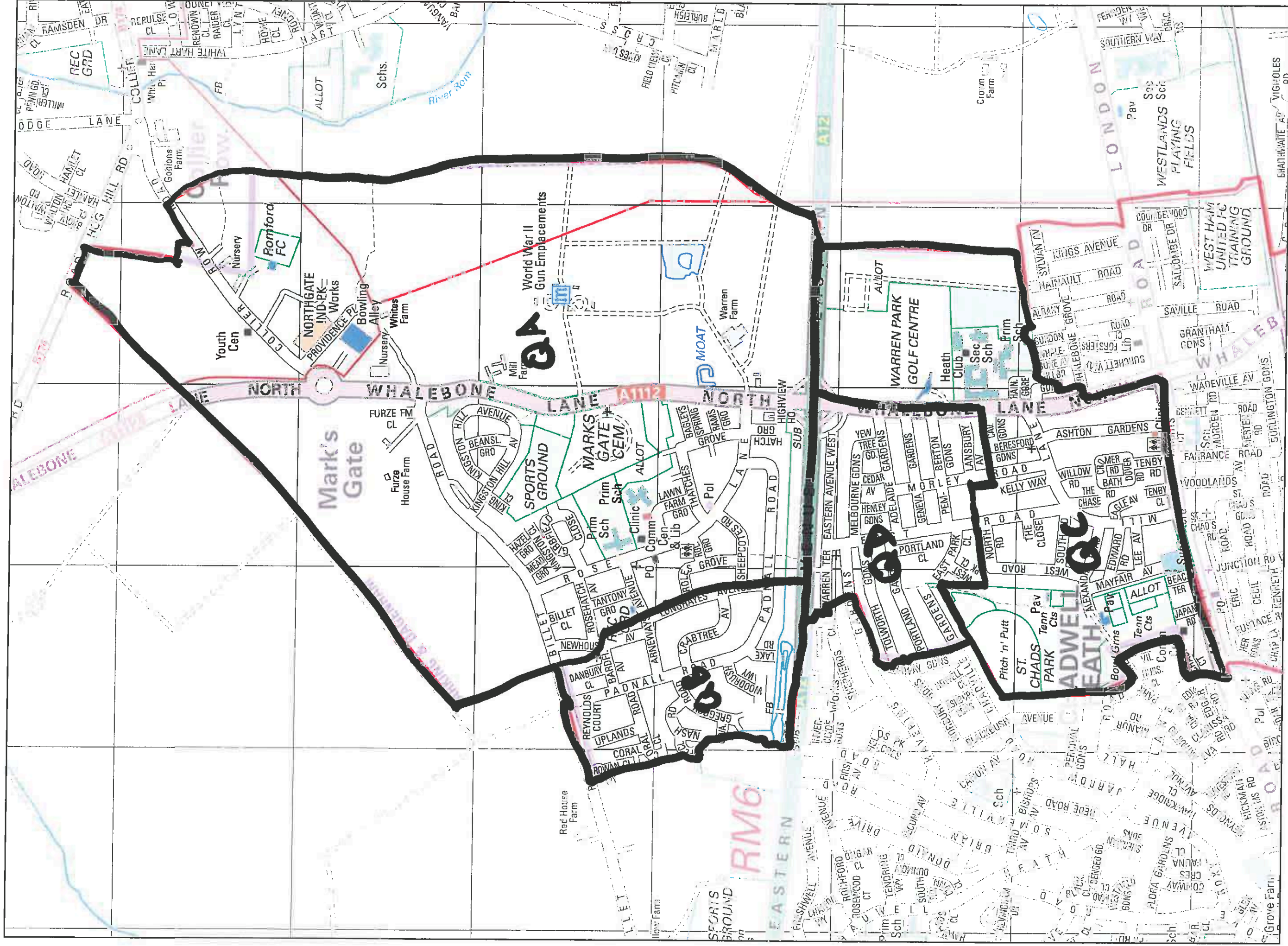
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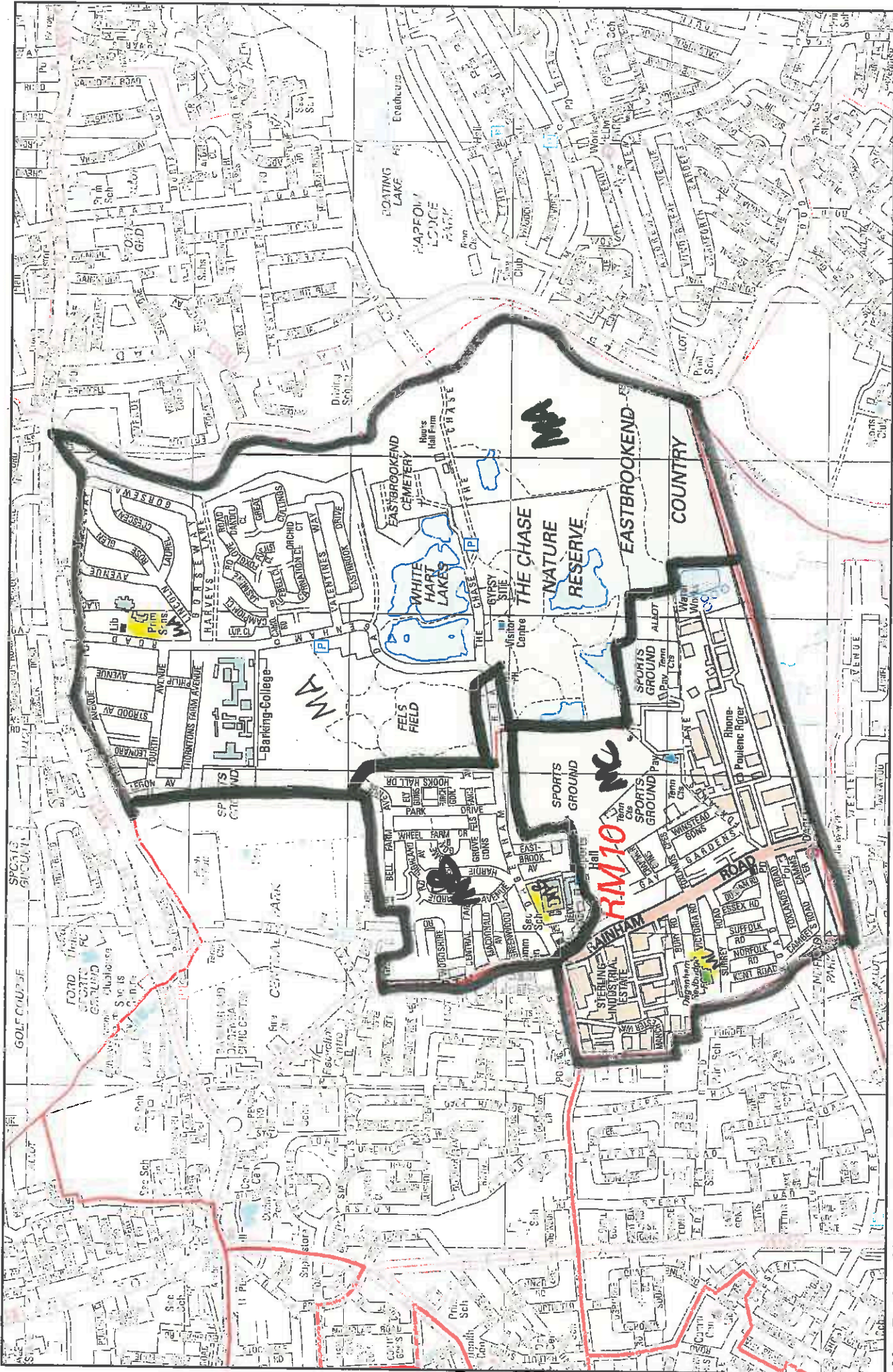




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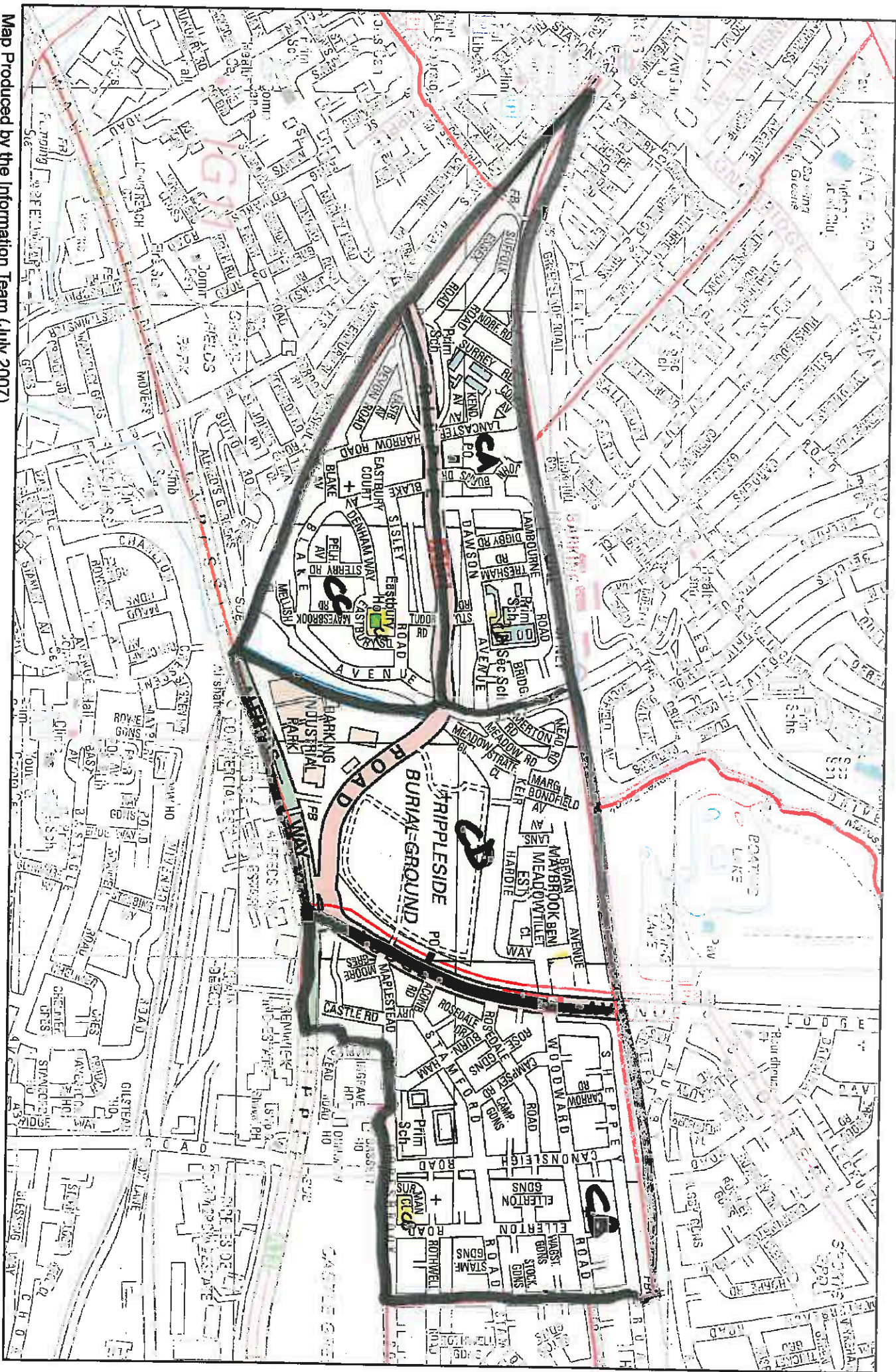


# Eastbrook Ward

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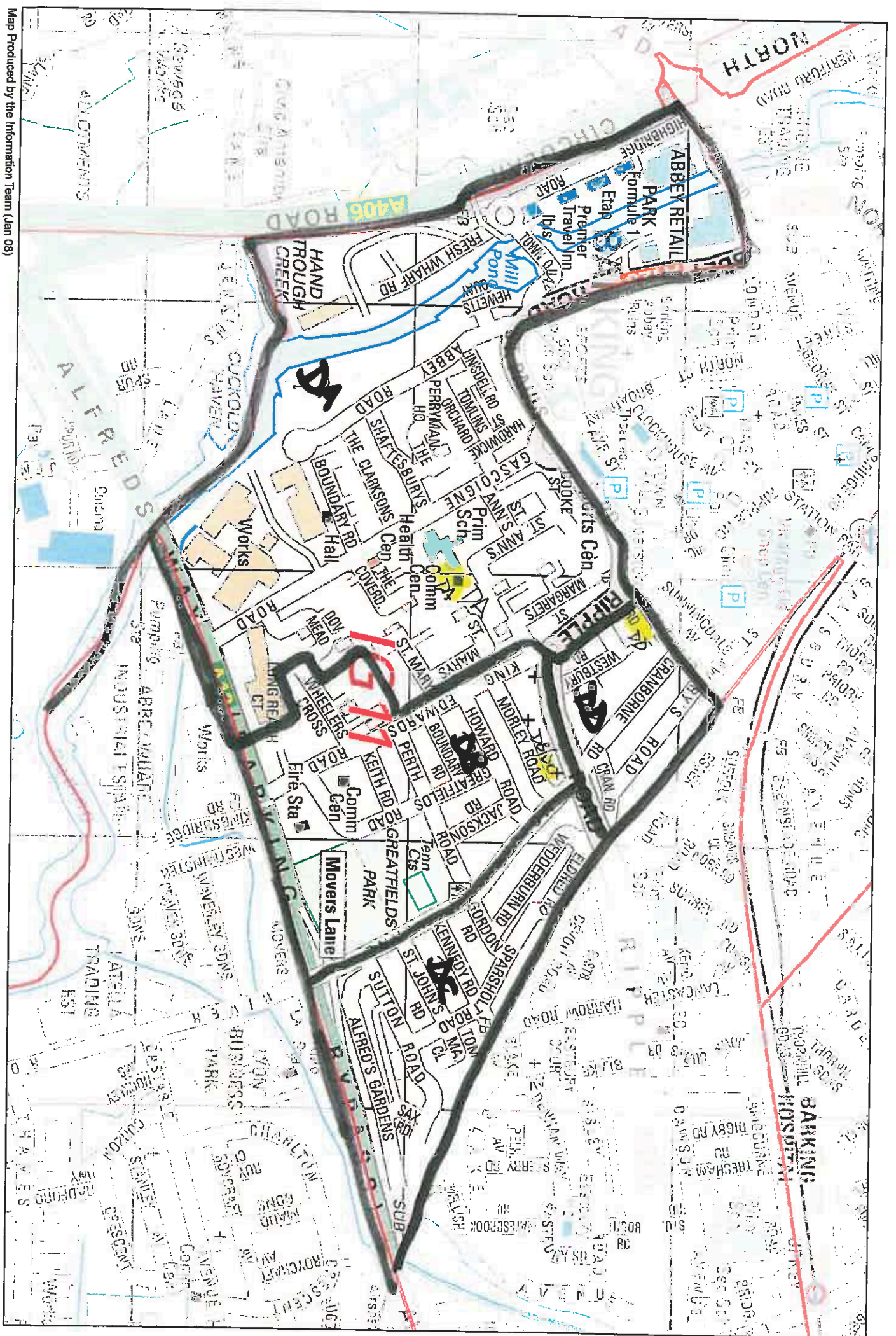
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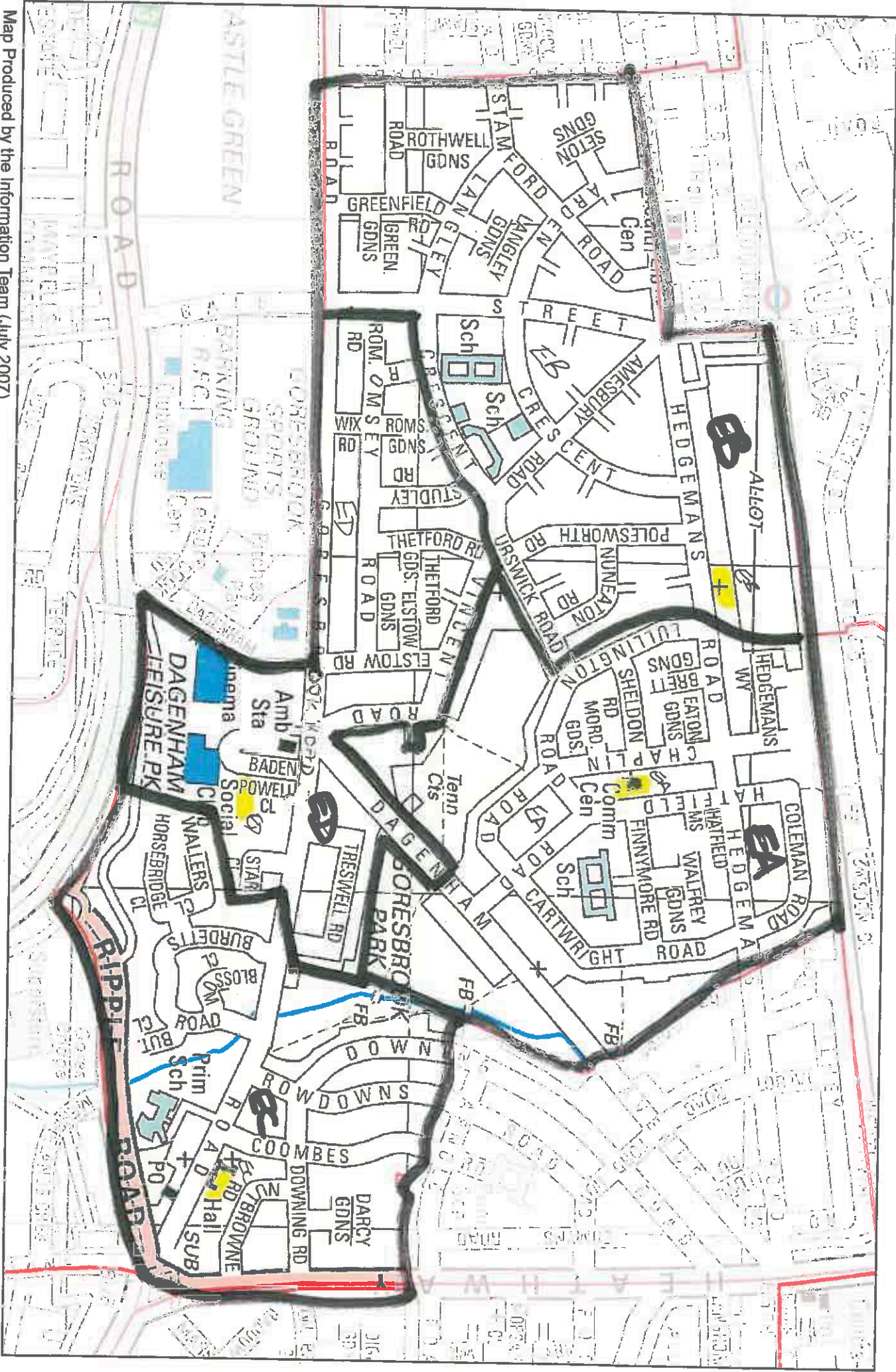
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# Gascoigne Ward

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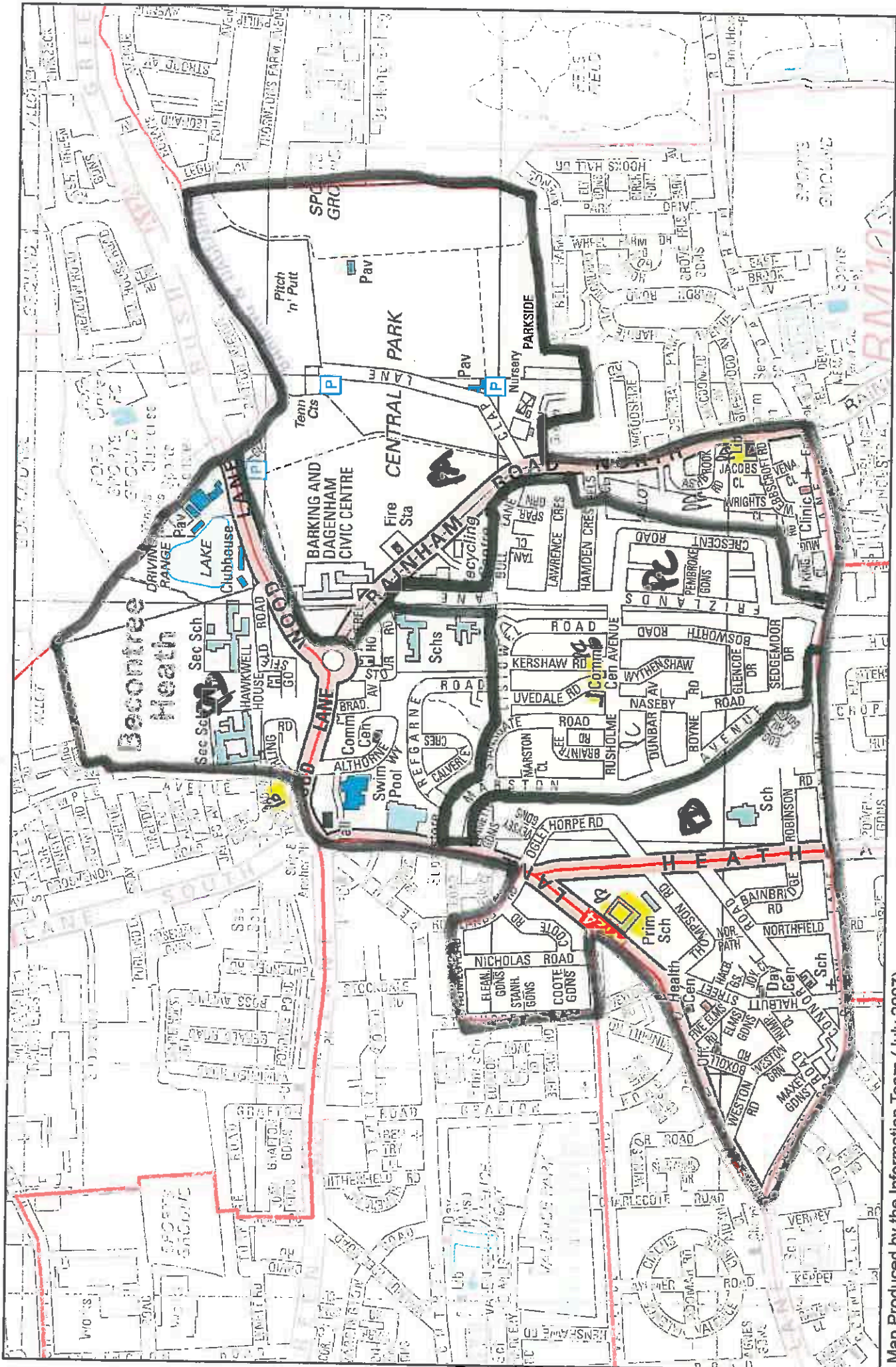
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# Goresbrook Ward

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# Heath Ward

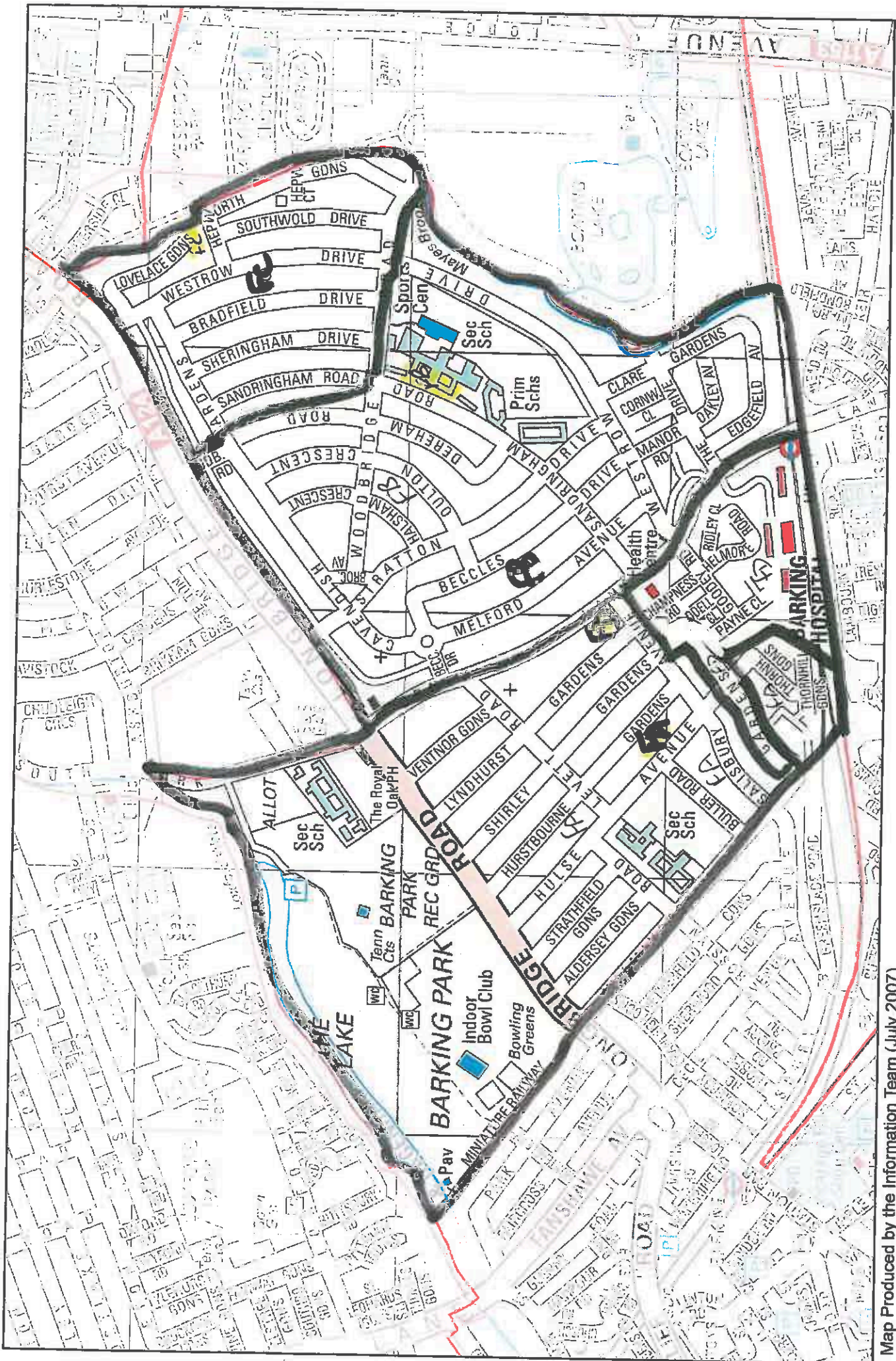
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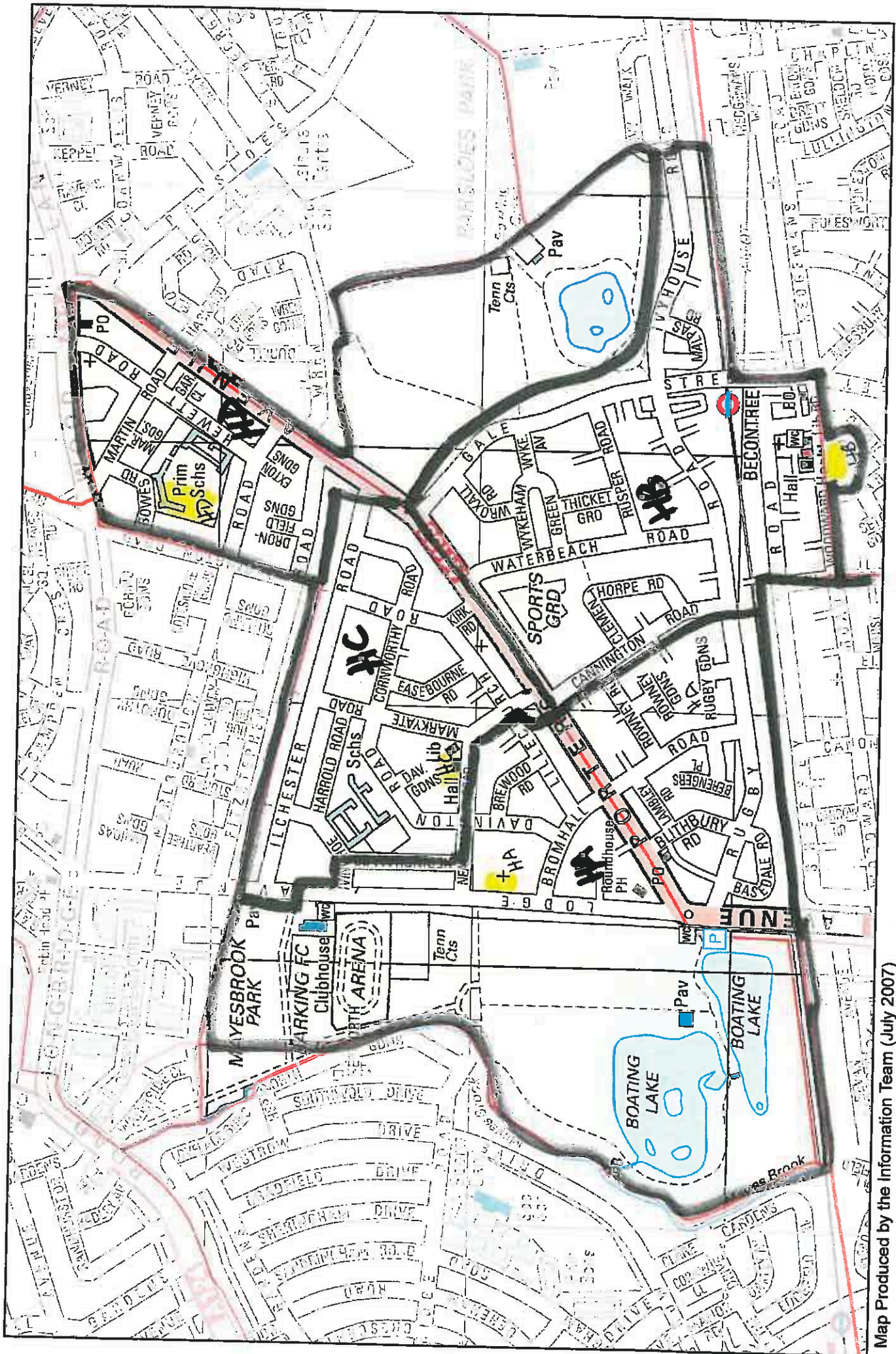
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# Longbridge Ward

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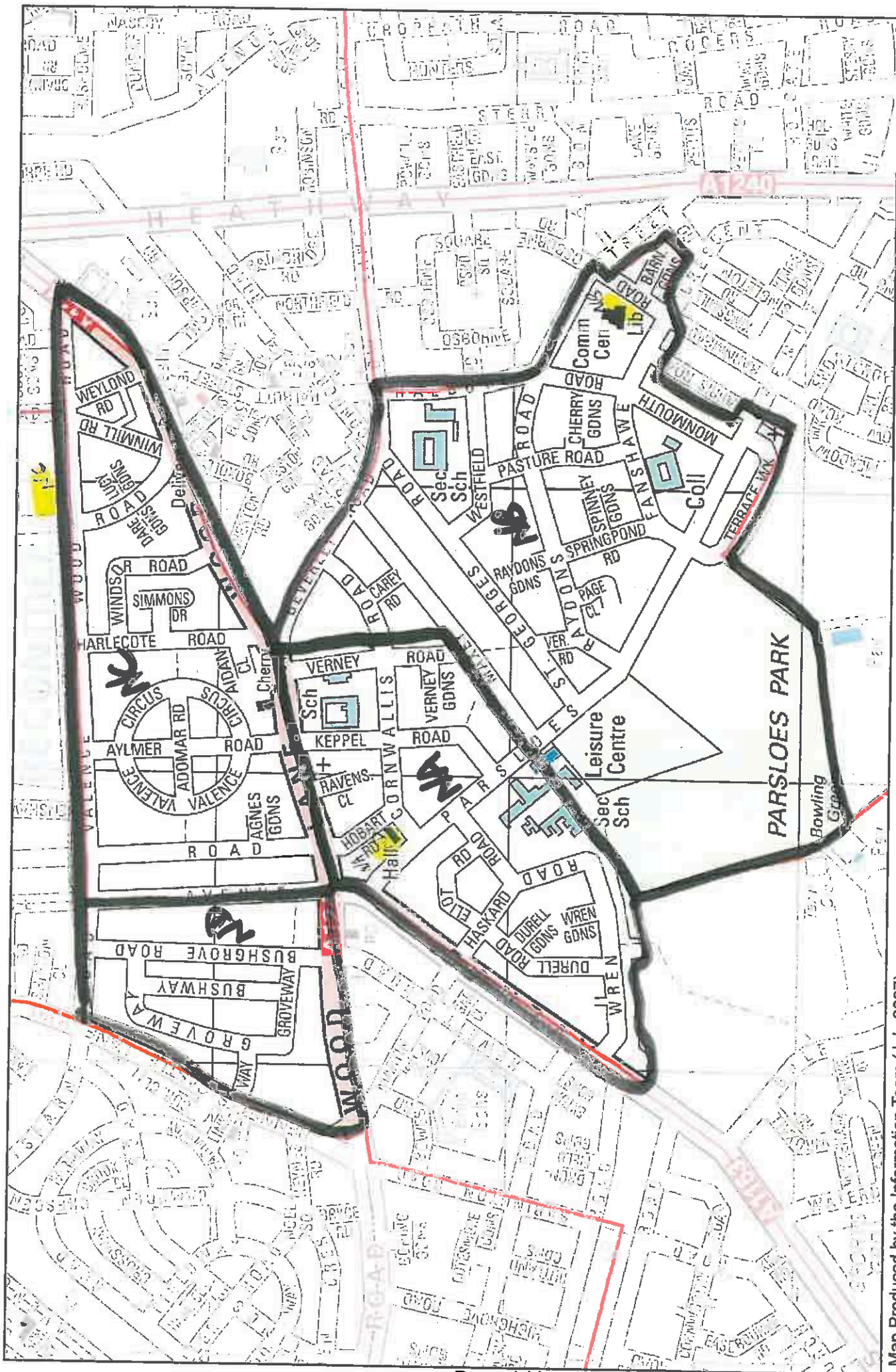


# Maysbrook Ward

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# Parsloes Ward

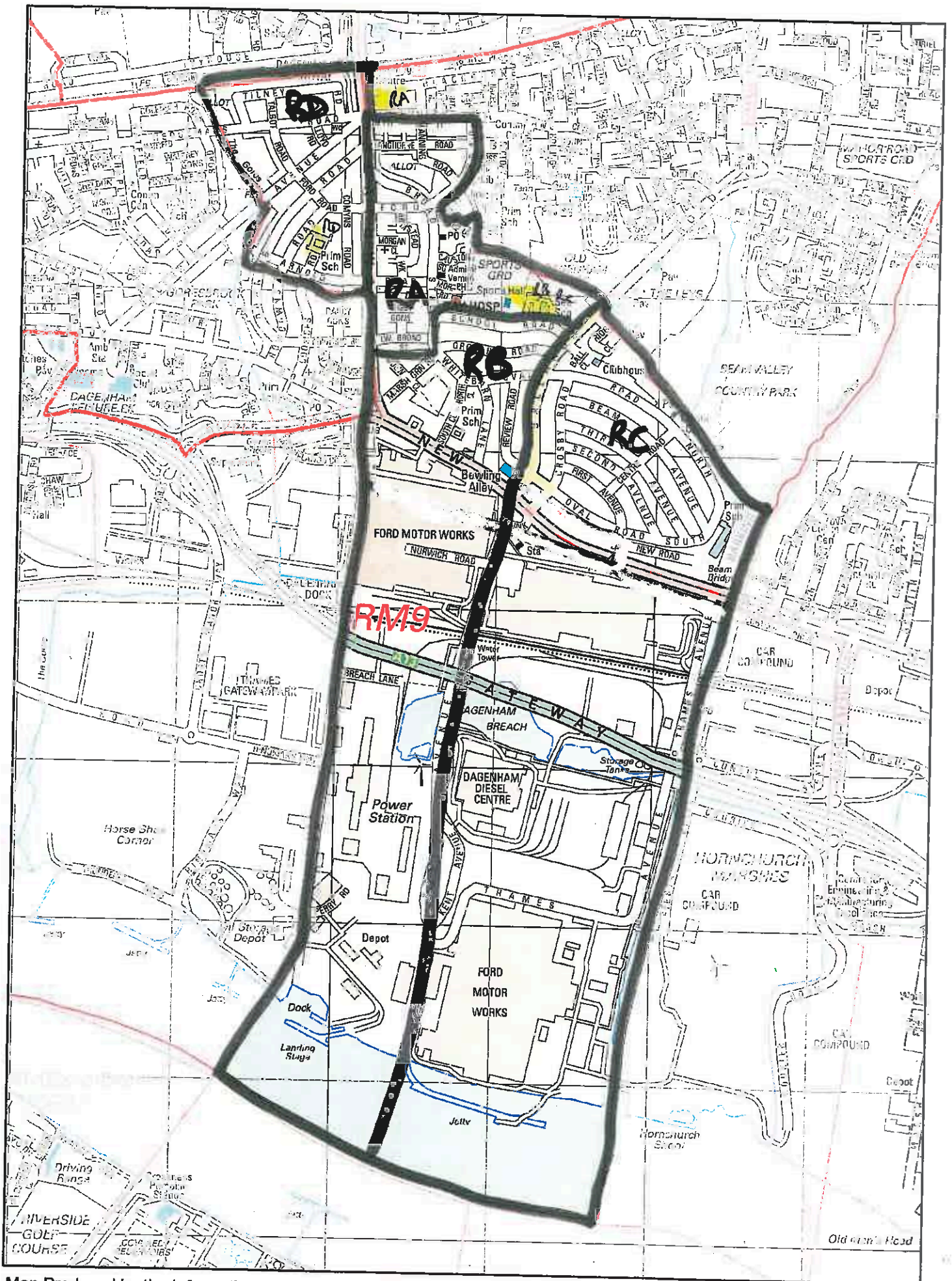
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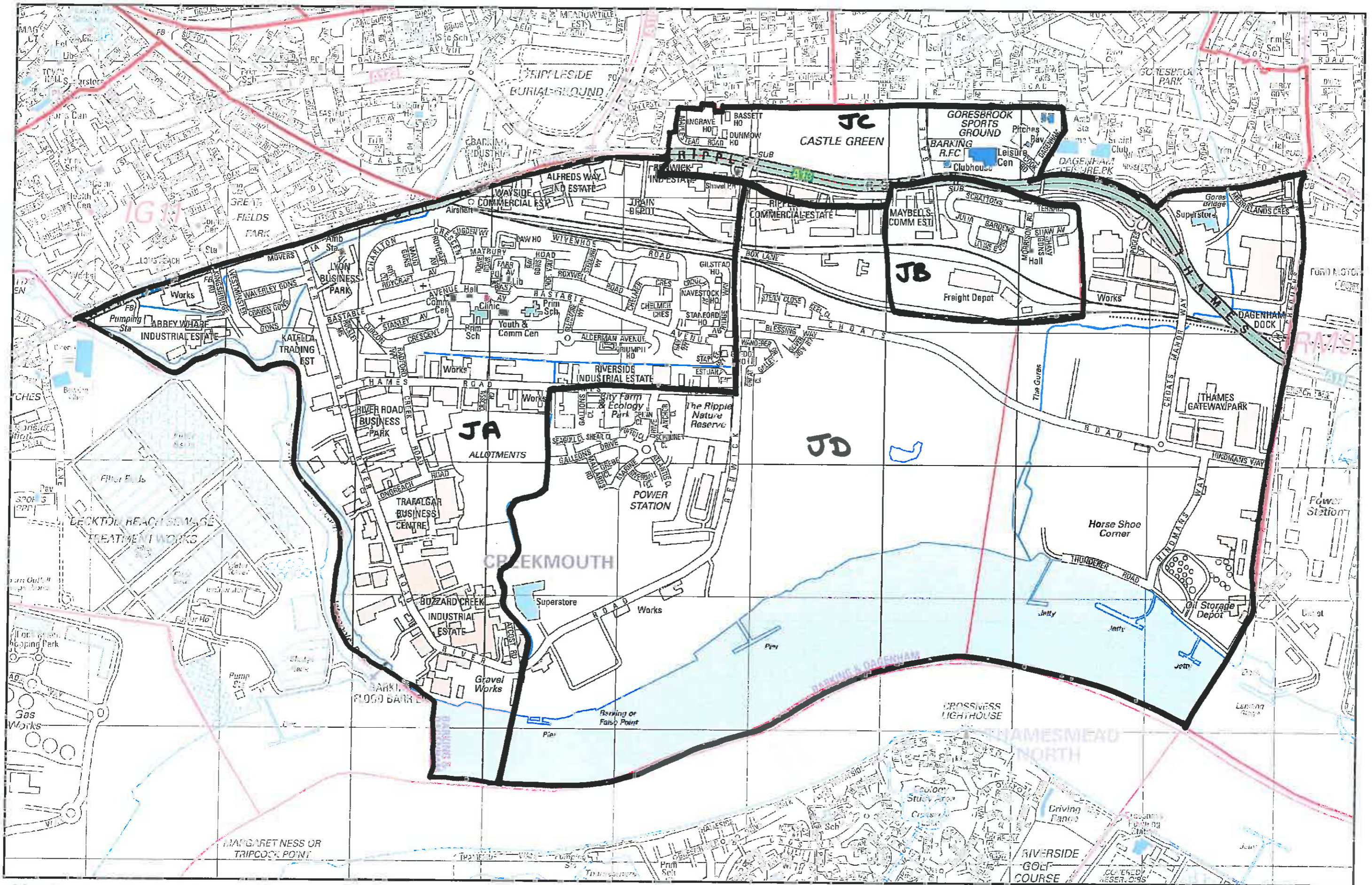




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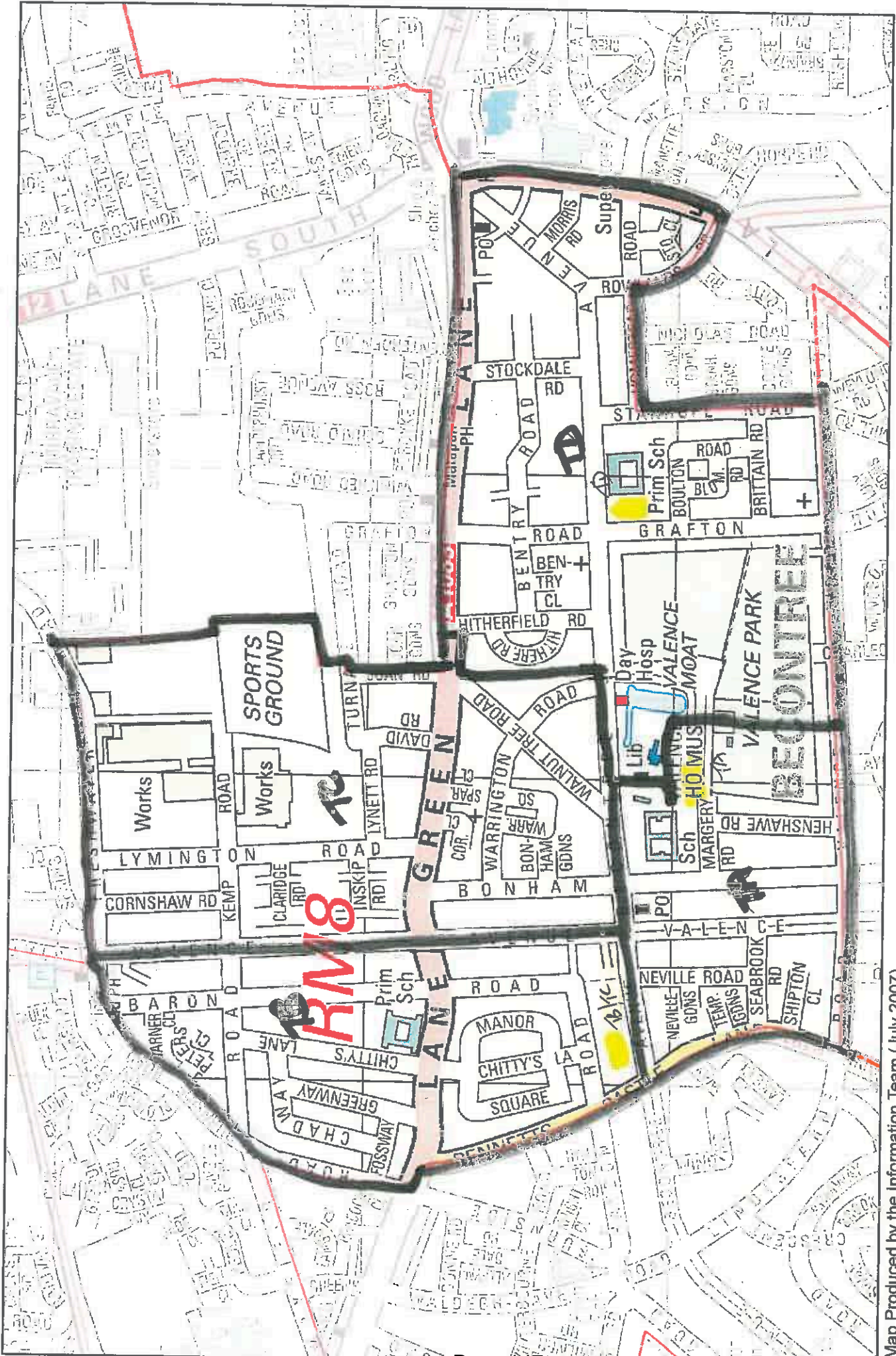




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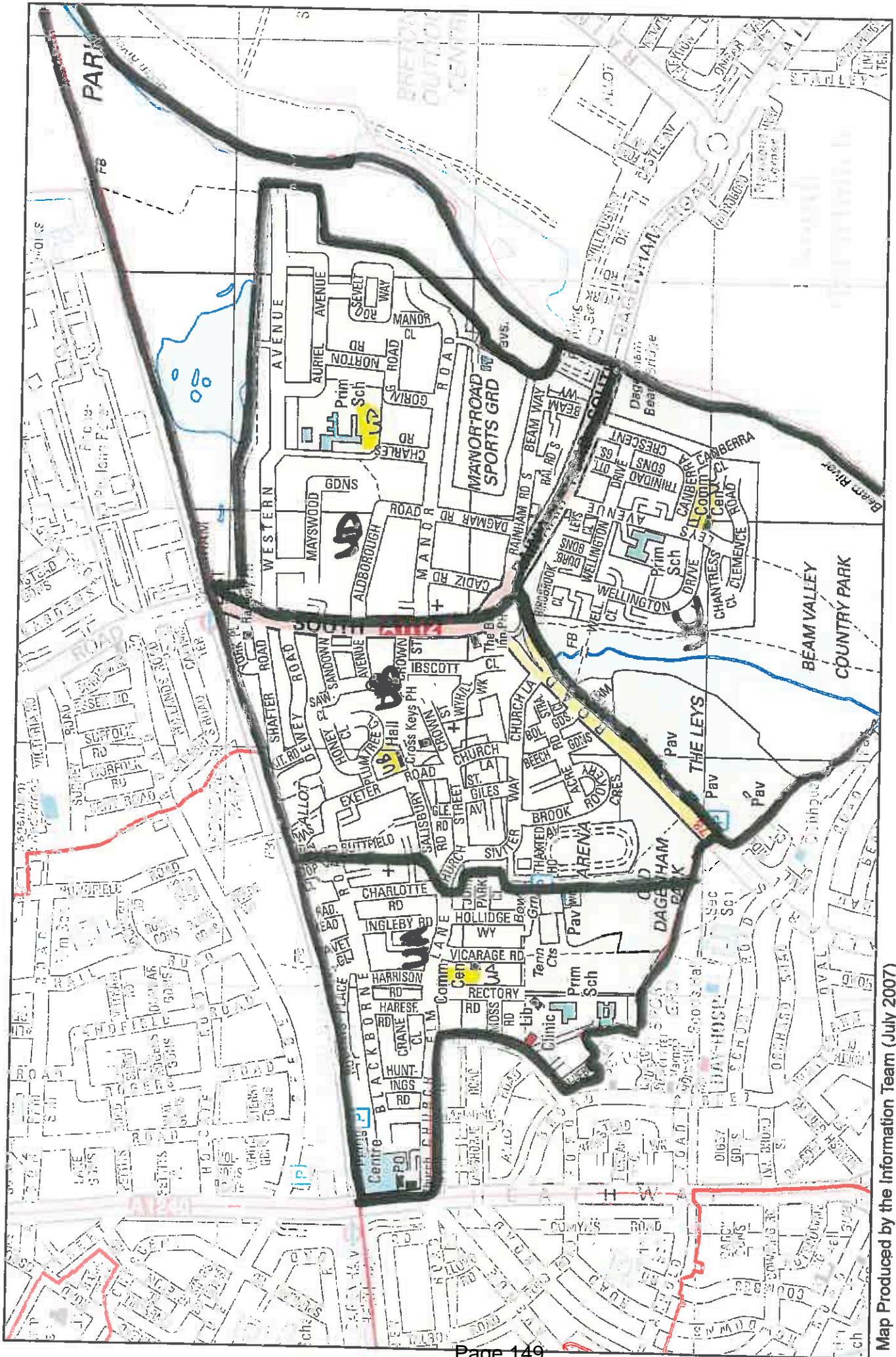


# Valence Ward

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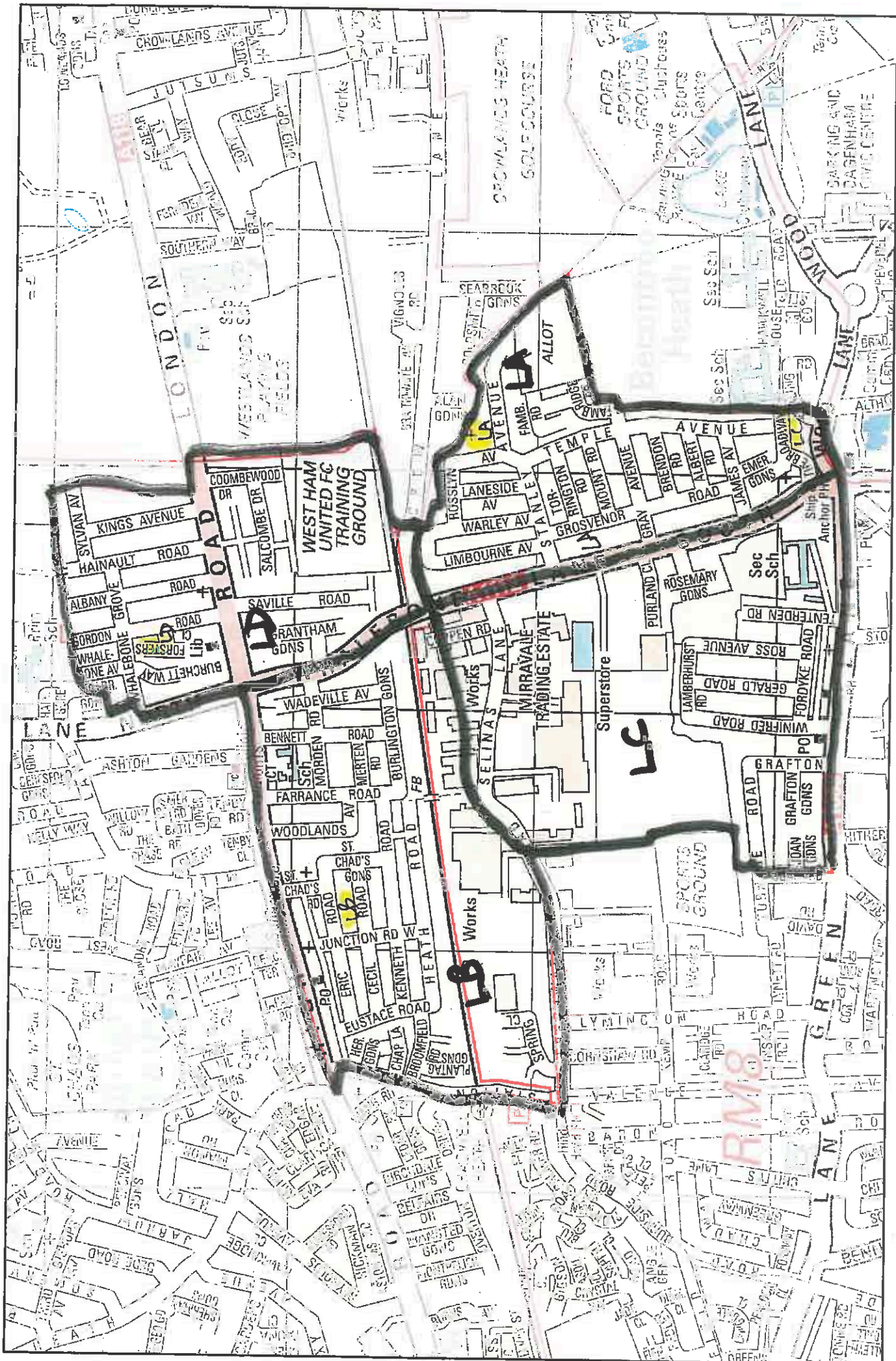


# Village Ward

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# Whalebone Ward

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Appendix C

Review of Polling Districts and Places

First Name	Surname	Ward	Response Received
Sanchia	Alasia	Alibon	
Jeannette	Alexander	Eastbury	
Saima	Ashraf	Gascoigne	√
Ralph	Baldwin	Mayesbrook	
George	Barratt	Mayesbrook	
Pam	Burgon	Eastbrook	
Laila	Butt	Abbey	
Evelyn	Carpenter	Becontree	√
Josephine	Channer	Thames	
James	Clee	Goresbrook	
Herbert	Collins	Parsloes	
Louise	Couling	Goresbrook	
John	Davis	Alibon	
Rob	Douglas	Becontree	
Abdul	Gafoor Aziz	Gascoigne	
Cameron	Geddes	Thames	
Nirmal	Gill	Longbridge	
Rocky	Gill	Longbridge	
Dee	Hunt	Mayesbrook	
Manzoor	Hussain	Abbey	
Inder Singh	Jamu	River	√
Amardeep Singh	Jamu	Whalebone	√
Elizabeth	Kangethe	Parsloes	
Eileen	Keller	River	
Graham	Letchford	Goresbrook	
Mick	McCarthy	Eastbrook	
Jim	McDermott	Eastbury	
Milton	McKenzie	Chadwell Heath	
Dave	Miles	Heath	
Margaret	Mullane	Village	√
Emmanuel	Obasohan	Valence	
James	Ogungbose	Becontree	
Tony	Perry	Whalebone	
Barry	Poulton	Thames	√
Hardial Singh	Rai	Eastbury	
Tony	Ramsay	Eastbrook	
Linda	Reason	Heath	
Chris	Rice	Parsloes	√
Lynda	Rice	Longbridge	
Darren	Rodwell	Alibon	
Tariq	Saeed	Abbey	
Abdus	Salam	Valence	

Liam	Smith	River	√
Sam	Tarry	Chadwell Heath	
Dominic	Twomey	Gascoigne	
Gerry	Vincent	Heath	
Jeff	Wade	Chadwell Heath	
Lee	Waker	Village	√
Phillip	Waker	Village	
John	White	Whalebone	
Maureen	Worby	Valence	

BAMER (Black and Minority Ethnic and Refugee Forum)			
LGBT forum			
Disability Forum - CIIL			
Faith Forum			
Older People's Forum			√
Council's Access Officer			
Council's Community Safety and Public Protection			√
Disabled Staff Network			
Margaret Hodge			√
Jon Cruddas			√

## CABINET

18 OCTOBER 2011

<b>Title:</b> Framework Contract for Taxi Provision	
<b>REPORT OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION</b>	
Open Report	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> Yes
<b>Report Author:</b> Paul Cosens, Commissioning and Procurement Officer, Children's Services	<b>Contact Details:</b> Tel: 020 8724 8695 E-mail: paul.cosens@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Meena Kishinani, Divisional Director for Strategic Commissioning and Safeguarding	
<b>Accountable Director:</b> Helen Jenner, Corporate Director of Children's Services	
<p><b>Summary:</b></p> <p>This Cabinet report requests authorisation for the Council to be named as a participating authority in a tendering exercise for taxi provision.</p> <p>The London Borough of Newham is seeking expressions of interest from suitably qualified and experienced firms interested in a Framework Agreement to provide passenger transport by taxi, including provision of passenger assistants for the transport of children and adults with special needs.</p> <p>The framework will be accessible to the boroughs which constitute the East London Solutions group who have given a formal expression of interest to be named in the development of this Framework, currently being the London Boroughs of Barking &amp; Dagenham, Havering, Newham, Redbridge and Tower Hamlets.</p> <p>This Framework Agreement will result in an approved list of taxi providers which meets the Council's quality and safety criteria. This includes all drivers and passenger assistants being CRB checked for transporting children and adults.</p> <p>There is no financial commitment involved with this agreement.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to agree:</p> <p>(i) the Council to be named as a participating authority in a tendering exercise led by the London Borough of Newham and involving a number of other participating authorities, for inclusion in a four-year Framework Contract for Taxi Provision, which includes the provision of SEN, safeguarding transport for adults and children, as described within this report.</p>	

- (ii) to indicate whether the Cabinet wishes to be further informed or consulted on the progress of the procurement and/or the use of the Framework Agreement, or whether it is content for the Corporate Director of Children's Services to monitor the progress of the Framework Agreement procurement and, upon conclusion of the procurement, to award contracts for the provision of taxi transport, as and when required by the Council, via the Framework Agreement.

### **Reason(s)**

To secure and appropriate best value taxi services for the Council ensuring responsive transport service, promoting local suppliers and managing a contract to control costs / generate savings.

To support:

- The Council's key theme of "Better Health & Well-being" for both adults and children

To ensure:

- Best value use of the London Taxi card scheme and to promote independence for adult taxi service users
- Vulnerable adults and young people are supported to live independent lives in our community
- We have "A borough with high quality social care services for those that need them" (Council Policy Framework: Building a Better Life For All / theme: Better Health and Wellbeing).

And also to achieve:

- Children and Young People Plan strategic priorities (2011-16):
  - Priority 1: Ensure children and young people in our borough are safe
  - Priority 4: Improve support and fully integrate services for vulnerable children, young people and families (particularly children in care and children with disabilities)
- Corporate parenting responsibility - Children in care are not the sole responsibility of Children's Services. Corporate parenting emphasises the collective responsibility of the local authority and its partners to achieve good parenting, that is, to do at least what a good parent would do. This includes:
  - accepting responsibility for children in the Councils' care
  - making their needs a priority
  - seeking for them the same outcomes any good parent would want for their own child.
  - Elected Members knowing that children in care are safe, well looked after and supported.

## **1. Introduction and Background**

- 1.1 The purpose of this paper is to explain the reasons for establishing a cross-borough Framework Contract for Taxi Transport and seek approval to participate further. This is underpinned by the overall vision: to create a framework of competent companies capable of providing a managed service of transport for those with and without special needs where the service is provided on behalf of the local authority.
- 1.2 From the perspective of the five Every Child Matters outcomes, transport impacts on 'staying safe' in its broader interpretation, as well as outcomes under the heading

'enjoy and achieve' in terms of access to education and other opportunities (such as sports provision), and 'making a positive contribution' in terms of work.

- 1.3 The proposed procurement will ensure that local companies are enabled to tender for the provision of taxi, coach and special vehicle provision, all with drivers.
- 1.4 The providers must be capable of ensuring continuity of supply, including tight management of safety, vehicle and driver provision to ensure minimum disruption of supply to vulnerable members of the community. Separate lots will ensure provision of special needs transport with appropriately qualified, vetted and trained passenger assistants.
- 1.5 The Framework will drive savings by joint working, economies of scale and by use of shared services where possible.
- 1.6 The previous contract for taxi provision expired in March 2011. Currently, provision is being paid for on a spot purchase basis. The Council requires a renewed contract with providers of taxi provision to be in place to assure continuity of provision.
- 1.7 There has been no previous or related report to Cabinet on this matter.

## **2. Proposal and Issues**

- 2.1 The London Borough of Newham is seeking, on behalf of participating authorities, expressions of interest from suitably qualified and experienced firms interested in a Framework Agreement to provide passenger transport by taxis, buses and coaches, including provision of passenger assistants for the transport of children and adults with special needs.
- 2.2 The framework will be accessible to the boroughs which constitute the East London Solutions group who have given a formal expression of interest to be named in the development of this Framework, currently being the London Boroughs of Barking & Dagenham, Havering, Newham, Redbridge and Tower Hamlets.
- 2.3 Each of the above boroughs have indicated their wish to participate (in whole or part of the Framework Agreement), - with the exception of Redbridge at a later date.
- 2.4 The maximum number of participating firms will be 28 and the Framework Agreement will run for 48 months from the anticipated commencement in March 2012. The framework comprises 15 lots according to vehicle, passenger assistant and boroughs' requirements. Two of these lots are specifically for Barking and Dagenham:
  - Special Needs Taxi Services provided to London Borough of Barking & Dagenham with passenger assistants
  - General Taxi Services for ad hoc journeys provided to London Borough of Barking & Dagenham.
- 2.5 There are a number of advantages to agreeing a contractual framework over spot-purchasing. Quality assurance monitoring can take place across the participating authorities both with regard to statistical returns, as well as regular meetings with providers. Good practice and training opportunities can be shared amongst

providers and forums held with local partners. Good quality services should lead to more consistent, needs-focused, transport for children, young people and adults, allowing them to live more normal lives.

- 2.6 The particular contractual method recommended to Cabinet, that is a Framework Agreement, would have additional advantages. It would not oblige the local authority to purchase any particular volume from a provider. As the tender would be issued on behalf of some or all of the participating authorities the quality assurance requirements would be identical, leading to efficiencies on the local authorities' side in their respective commissioning and procurement services.

### **3. Options Appraisal**

- 3.1 "Do nothing" – there is currently no contract in place (it has expired). Continuity of taxi provision is not assured and providers can prioritise alternative options. There is a risk that during the Olympics taxi providers can prioritise more lucrative options at the expense of Council priorities. The quality criteria for an approved list of taxi providers needs to be reviewed to ensure that the Council's residents are receiving transport that is safe and secure.
- 3.2 "Do something" – option 1: initiate an independently-run Council procurement process. If the Council was to act independently to create its own Framework Agreement, it could take an officer around 6 months through from the start to the end of the process.
- 3.3 "Do something" – option 2: continue with Newham-led framework as significant contribution has already been made by LBBD. There are no direct costs of participating in the Framework Agreement which is led by the London Borough of Newham. As Newham is leading the tendering process, it is expected that the cost of our involvement will be managed within the existing staffing budgets.

### **4. Consultation**

- 4.1 This report has been circulated to members of DMT and CMT for discussion, refinement and approval.

### **5. Financial Implications**

Implications verified by: Kathy Freeman, Finance Manager Children's Services

- 5.1 There are no direct costs of participating in the Framework Agreement which is led by the London Borough of Newham. If the Borough was to act independently to create its own Framework Agreement, it could take an officer around 6 months through from the start to the end of the process. As Newham is leading the tendering process, it is expected that the cost of our involvement will be managed within the existing staffing budgets.
- 5.2 The primary focus of the Framework Agreement is to maximise community benefits, safety and quality. It is also expected that there may be financial benefits arising through the re-negotiation of terms and agreements to provide better value for money, joint working and economies of scale in terms of combined purchasing power. However, the level of potential savings generated cannot be quantified until



after the tender exercise. Operationally, the Framework Agreement will be monitored on an ongoing basis, to ensure that it is delivering good value for money, over the 4 year duration of the contract.

5.3 The Framework Agreement in no way commits the Council to any expenditure with any particular provider. The Framework Agreement will secure the quality, reliability and safety of provision of appropriate transport and secure savings on the council-wide spend of approximately £800,000 per year on SEN taxi provision.

5.4 Categories areas of expenditure include the following:

- **Children's Safeguarding** - this category contains all transport for children in foster care, children who have court-directed contact with parents, transport for children with disabilities who go to centres, respite, etc
- **Adult Services** - this category caters for all adult services transport – adults being transported into centres, into and out of respites and ad hoc requests
- **In Borough Transport** - this is a category that caters for all transport to the Council's primary and secondary schools.
- **Trinity School Transport** - this category is for Trinity Special School pupils who are not able to be transported on borough buses
- **Out of Borough Transport** - this category is for pupils attending out of borough schools and who are not able to be transported on borough buses.
- **Residential School Transport** - this category is for SEN transport to weekly boarder placements.
- **College Transport** - this category caters for any pupils attending colleges, and who are not able to be transported on borough buses.
- **Various Other** - this would include all transport for CEO's, colleagues, special requests etc and transport that could not be categories into the above categories

5.5 There are various case studies of Local Authorities that have benefited from cost savings which result from rationalisation in the area of transport e.g. Glasgow City Council has realised a reduction of between 20%-25% in scheduled SEN taxi usage due to refinements made in their service provision and LB Ealing have also delivered significant savings through the retendering of the Day centre transport contract. LB Newham as the lead authority are undertaking detailed modelling of the potential savings.

## 6. Legal Implications

Implications verified by: Eldred Taylor-Camara

6.1 The Legal Practice has been consulted in the preparation of this report and their comments have been incorporated in the body of the report.

6.2 The Legal Practice will be consulted by and will provide legal advice and support to officers in their co-operation with LB Newham in the conduct of the procurement.

## **7. Other Implications**

### **7.1 Risk Management**

7.1.1 There is no current Framework Agreement in place as the previous agreement expired. It is a good time now to renegotiate better service options on behalf of Barking and Dagenham taxi users.

7.1.2 As a Framework Agreement there is no specific guarantee to any provider of a level of service. A Framework on behalf of all participating boroughs is likely to attract a higher level of interest from potential providers than one borough alone, so encouraging more competitive pricing and minimising the risk from default by any individual provider.

7.1.3 A suitable and safe taxi service provision for children, young people and adults with special needs is required. However, with the introduction of Independence Travel Training and other transport changes, this demand is expected to decrease over time. The Framework would tie providers into contractual obligations that would better ensure continuity of provision, as well as service quality for young people:

- vehicles will carry a first aid kit, at least one appropriate fire extinguisher, a kit adequate to deal with any spillages (including bodily fluids), safely and without hazard to the driver, or other passengers
- contractors will provide Passenger Assistants as required by the Council
- contractors must arrive at the specified collection and drop-off points by the times stated in the Schedule of Journeys
- all taxi drivers and passenger assistants will be CRB checked (for work with adults and children)

7.1.4 The risk to service users will be minimised considerably through providers being held to key quality standards within the terms of the Framework Agreement, such as:

- people are individuals and have the right to courtesy, dignity, privacy and independence
- all those involved in the provision of transport services are acquaintances in the passengers' lives and should act with respect
- all those involved in providing transport should acknowledge and respect people's gender, sexual orientation, age, ability, race, religion culture and lifestyle
- services should respond sensitively and flexibly to people's changing needs.

7.1.5 The provider must ensure that all passengers provided with transport by the Council be allocated an appropriate seat including the provision of any harnesses, standard booster seats or child seats (appropriate to the age, height and weight and mobility needs of the child) or secured wheelchair space. There is to be no standing at any time. The vehicle shall be so equipped as to enable passengers to be transported comfortably and should be heated when necessary. Passengers are not to be conveyed in any sideways facing seat.

7.1.6 LB Newham legal team initially asked partnering boroughs to sign an indemnity agreement which would indemnify the procurement process collectively between

partnering boroughs. Partnering boroughs raised concern about this proposal and so Newham legal time are due to have confirmed that an indemnity agreement will not be required for the purposes of this procurement, by the time Cabinet meets to consider this paper.

## 7.2 **Contractual Issues**

7.2.1 The Framework Agreement concerns the London Boroughs engaged in developing a collaborative Special Needs and other Transport Services with and without Passenger Assistants (Framework) which is to be led by LB Newham, with Project Support also from the London Borough of Newham.

7.2.2 The procurement is an EU Restricted procedure for the maximum duration of a Framework Agreement (4 years). The London Boroughs to have the framework in place and contract awarded by March 2012.

7.2.3 Newham is the lead authority and each borough will enter into a contract with a supplier through an access agreement.

7.2.4 At this stage, Newham has received approval of a pre-procurement report to Mayoral Proceedings which allows Newham to proceed with the process.

7.2.5 The following local authorities and members of East London Solutions (ELS) have already given a formal expression of interest to be named and actively engaged in the development of this Framework:

- London Borough of Barking & Dagenham
- London Borough of Havering
- London Borough of Newham
- London Borough of Redbridge, and
- London Borough of Tower Hamlets.

7.2.6 The Project is driven by Newham Strategic Procurement and Passenger Transport and by invitation through Heads of Procurement for all other input.

7.2.7 The Procurement will be overseen by a Project Board. The Project Board will be chaired by the lead procurement officer from the London Borough of Newham and Newham will report to ELS Procurement Board through the Shared Services Project Manager of East London Solutions. All participating boroughs will have representation on the Project Board.

7.2.8 The 'Official Journal of the European Union (OJEU) notice' has not yet been issued. Newham want to issue the OJEU notice as soon as possible and require confirmation that the Council is willing to be a participating borough (please see appendix for updated procurement timetable).

7.2.9 A set of stringent evaluation criteria have been established for potential providers (see appendix 'Tender evaluation criteria').

7.2.10 The maximum number of participating firms will be 35 and the Framework Agreement will run for 48 months from the anticipated commencement in March

2012. The framework comprises of several lots according to vehicle, passenger assistant and boroughs' requirements.

7.2.11 The proposed Framework Agreement will secure more competitively priced services through joint-commissioning arrangements (with local boroughs), in conjunction with enhanced quality assurance through the improved monitoring of providers and information-sharing between participating authorities.

7.2.12 The Council's previous contract for taxi services expired in March 2011. Taxi services are currently being spot purchased. If the Council Members choose to pursue a single borough tender the cost will be greater. This will incur at least 4- 6 months full time of a council officer and may not secure the full range of qualified providers the Council requires.

#### 7.4 **Customer Impact**

7.4.1 Reducing inequalities – Newham have carried out an Equality Impact Assessment (EIA) on the procurement process. Within the Pre-qualifying Questions (PQQ) for this procurement process, section 4 scrutinises potential providers on their Equality and Diversity measures. The project board will monitor usage of the taxi Framework Agreement to ensure that equitable and appropriate usage is made, liaising with relevant departments of the Council as appropriate.

#### 7.5 **Safeguarding Children**

7.5.1 Wellbeing of children in the borough – ensuring that potentially vulnerable children and young people are safely transported and, where appropriate, escorted, is a fundamental responsibility for the Council, staff and Members. Indeed, this is a responsibility for all Members as corporate parents.

7.5.2 Integrated service provision – the ability for children and young people to be safeguarded while transported to school allows them to experience services within the community in a safe way. Thereby, contributing to positive life chances, educational and social development.

#### 7.6 **Health Issues**

7.6.1 A Framework Agreement will ensure that the health needs of vulnerable members of society are better supported, particularly with regard to mobility and where passengers have complex physical, psychological and/or sensory needs.

#### 7.7 **Other Issues**

7.7.1 Members have expressed concern that a sector-wide procurement exercise could have an adverse economic impact on **local taxi providers**. There are at least two ways of addressing this: firstly, by ensuring that local providers are aware of the procurement exercise and have an opportunity to participate; secondly, the specification for individual Barking and Dagenham lots will require taxi providers to work within specific response times. In practice, this will ensure that Barking and Dagenham taxi providers will be well-placed to qualify for key criteria in the specification.

- 7.7.2 **Taxi card scheme** - the review of the Taxi card scheme may impact how much the Council subsidises the personal take-up of taxi services. However, this is not likely to impact on the aim of the Framework Agreement which is to secure responsive, high quality and safe transport for local people. The Framework Agreement essentially an agreement to identify a list of providers who meet our quality standards. There is no obligation for the Council to purchase services from these providers. By participating in this process we will have saved time and money on procurement costs and benefitted from collective negotiation with partnering boroughs.
- 7.7.3 **Personal budgets** - The Framework Agreement establishes an approved list of taxi providers that will be able to be accessed by the Council and by individuals directly.
- 7.7.4 This Framework Agreement will produce a list of qualified providers for taxi services which the Council can use. There has been concern raised about **potential fraud** in working with taxi services. It is important that the Council monitors the use of taxi provision to ensure that services are being provided in accordance with the quality requirements specified and in a legal and legitimate manner. The purpose of this paper is to establish a list of qualified providers and it is for each department to ensure that utilisation of these services is monitored and controlled. The partnering boroughs to the Framework Agreement will monitor the agreement via a project board including all partnering boroughs to address any potential issues.
- 7.7.5 **Safety** - Public Carriage Office (PCO) registration and CRB are required at the first stage of the tendering process (as noted in the draft OJEU notice and PQQ questions). All drivers and passenger assistants transporting children and adults will be Enhanced CRB checked (includes Protection of Vulnerable Adults).

**Background Papers Used in the Preparation of the Report: None**

**List of appendices:**

- Appendix A - Tender evaluation criteria for the Framework Contract for Taxi Transport
- Appendix B - Indemnity agreement

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Tender Ref	Tender Title	Section Title	Question Number	Evaluation Question	Scored out of	Weight	Response	Allow Attachment	Autoscore	Allow Override	Autoscore	Supplier Guidance Notes
1864 W		Section 1: General Information	1.01	Registered name of the organisation	1	1.1	Line	No	No	No	All score 1	Must be provided. The name should be the same as it appears on your NECTR registration. Used for information only
1864 W		Section 1: General Information	1.02	Has your organisation changed its name within the last 3 years	1	1	None	No	Yes	Yes	No = 1; Yes = 0 Company's previous name and VAT registration number provided = 1; Else = 0	Must be provided. Used for information only
1864 W		Section 1: General Information	1.02a	If the answer to 1.02 is 'YES', please provide the previous name of the company and the VAT registration number	1	1.1	Line	No	No	No		Must be provided. Used for information only Please select from drop-down list
1864 W		Section 1: General Information	1.03	What is the legal status of the organisation?	1	1.1	Line	No	Yes	Yes	All score 1 unless blank or spoiled	Must be provided. For information only. Status: means Sole Trader, Partnership, Limited Liability Partnership, Private, Limited Company, Public Limited Company, etc. Please select the correct choice from the drop-down list then write the number in the space provided
1864 W		Section 1: General Information	1.04	How many people are employed by your organisation	1	1.1	Word	No	Yes	Yes	All score 1 unless blank or spoiled	Must be provided. For information only. If the answer is 'No' please go to question 1.06.
1864 W		Section 1: General Information	1.05	Are you applying as part of a consortium?	1	1	None	No	Yes	Yes	No scores 1; Yes scores 0	Must be provided. All individual firms who are part of a consortium must submit an individual Corporate Questionnaire. If this is not complied with, the submission of the consortium, and in that context all other individual members, will not be considered further.
1864 W		Section 1: General Information	1.05a	If the answer to 1.05 above is 'YES', list the name of all members of the consortium and identify the lead organisation	1	1.10	Lines	No	No	No	Information provided scores 1; Else scores 0	NOTE: all individual member firms of the consortium MUST complete and return a separate questionnaire with their own Form of Declaration or Undertaking!
1864 W		Section 1: General Information	1.06	Are you part of a group of companies?	1	1	None	No	Yes	Yes	No scores 1; Yes scores 0	Must be provided. All individual firms who are part of a consortium must submit an individual Corporate Questionnaire. If this is not complied with, the submission of the consortium, and in that context all other individual members, will not be considered further.
1864 W		Section 1: General Information	1.06a	If the answer to 1.06 is 'YES', list the name of all members of the group and identify the lead organisation	1	1.10	Lines	No	No	No	Information provided scores 1; Else scores 0	Use the format shown on Page 6 of the Questionnaire Guidance.
1864 W		Section 1: General Information	1.07	PLEASE LEAVE BLANK FOR OFFICE USE ONLY	1	1.1	Word	No	No	No	Score = 1 for Name, Position and Contact Details; Else Score 0	Authorisation must have been granted by the appropriate authority for this application to be considered further.
1864 W		Section 2: Company Information	2.01	Name, position and contact details of person(s) responsible for this form for further queries	1	1.5	Lines	No	No	No		Use the format shown on Page 6 of the Questionnaire Guidance.
1864 W		Section 2: Company Information	2.02	Is your organisation a local authority or local authority controlled?	1	1.1	Word	No	Yes	Yes	No scores 1; Yes scores 0	If the answer is 'No' then there are no further questions for you to answer in this section!
1864 W		Section 2: Company Information	2.02a	If your answer to 2.02 is 'yes', has your council (or organisation) authorised your organisation to make this application for this proposed tender opportunity?	1	1	None	No	Yes	Yes	Yes scores 1; Else scores 0	Use the format shown on Page 6 of the Questionnaire Guidance for all entries in this section.
1864 W		Section 2: Company Information	2.03	Has your organisation received any kind of grant or state aid in the last three years?	1	1	None	No	Yes	Yes	No scores 1; Yes scores 0	The format for return of this information is on Page 6 of the Questionnaire Guidance
1864 W		Section 2: Company Information	2.03a	If the answer to 2.03 above is 'YES', please provide details	1	1.10	Lines	No	No	No	Details provided scores 1; Else scores 0	Authorisation must have been granted by the appropriate authority for this application to be considered further.
1864 W		Section 2: Company Information	2.04	Is your organisation registered as a Charity, an Industrial and Provident Society, a Community Interest Company or other registered organisation?	2	1	None	No	Yes	Yes	No scores 2; Yes scores 0	Where the Organisation is in receipt of a grant or loan or other form of financial aid or resource which is subject to the provisions of the Charities Act 2006, the Organisation must provide evidence of reducing the overhead of the Organisation, the EU State Aid rules may apply, in which case the Council may determine not to proceed with the Application.
1864 W		Section 2: Company Information	2.04a	If your answer to Question 2.04 is 'YES', please enter the registration number and the name of the registering body	1	1.5	Lines	No	No	No	Registration number score = 1; Registering body score = 1. Example: (P)ASSEDY or (S)ALEPT in this section?	Where the Organisation is in receipt of a grant or loan or other form of financial aid or resource which has a value that supports the running of the Applicant's Organisation, and where it has the effect of reducing the overheads of the Organisation, the EU State Aid rules may apply, in which case the Council may determine not to proceed with the Application.
1864 W		Section 2: Company Information	2.05	PLEASE LEAVE BLANK FOR OFFICE USE ONLY	1	1.1	Word	No	No	No	Please provide reasons	Unqualified accounts are required. The latest year's accounts must not be more than 10 months old - refer to page 6 of the Guidance.
1864 W		Section 3: Financial Information	3.01	Please attach your last two years' full set of audited, certified or final accounts and annual reports	2	1	None	Yes	No	No	Attached accounts attached evaluation score = 1. Annual Report attached score = 1	The evaluation will consider a firm's financial capacity to carry out the proposed contract and will be based upon key ratios in line with recognised industry standards. The value of the contract will make the company eligible for the DB. Further specific information on the evaluation criteria can be found in the tender information on the DB. Please note: Draft or Management Accounts are not acceptable. Further guidance on the evaluation criteria is given below.

1864 W	Section 3: Financial Information	3.02	Are there any outstanding claims or litigations against the Company?	1	1	None	No	Yes	Yes	Yes=0; No=1	All information supplied will be assessed in context. Where there is any named action, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will, however, be jeopardised where there is evidence of fraud, criminal activity, intended negligence or deliberate intent to provide a service below the standard and quality required in the contract that is the subject of the PQD process and promised through tender by the company.
1864 W	Section 3: Financial Information	3.02a	If the answer to 3.02 is 'YES', please provide the details in the space provided	1	1	Screen	No	No	No	Details Provided and satisfactory Score = 1; Else = 0	All information supplied will be assessed in context. Where there is any named action, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will, however, be jeopardised where there is evidence of fraud, criminal activity, intended negligence or deliberate intent to provide a service below the standard and quality required in the contract that is the subject of the PQD process and promised through tender by the company.
1864 W	Section 3: Financial Information	3.03	Has any director, partner, associate or your company secretary been involved in an organisation that has been liquidated, gone into receivership, been the subject of administration or been made personally insolvent/bankrupt?	1	1	None	No	Yes	Yes	Yes=0; No=1	All information supplied will be assessed in context. Where any named event has occurred, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will be jeopardised, however, where it is considered there is evidence of substantial mismanagement, fraud or other criminal activity. An application will be rejected if the firm's or an individual's history demonstrates they may put the nature of the contract, the Council, its reputation or anyone within its care, or assets within its control, at undue risk.
1864 W	Section 3: Financial Information	3.03a	If your answer to 3.03 is 'YES', please provide details	1	1	Screen	No	No	No	Details provided = 1; else = 0	All information supplied will be assessed in context. Where any named event has occurred, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will be jeopardised, however, where it is considered there is evidence of substantial mismanagement, fraud or other criminal activity. An application will be rejected if the firm's or an individual's history demonstrates they may put the nature of the contract, the Council, its reputation or anyone within its care, or assets within its control, at undue risk.
1864 W	Section 3: Financial Information	3.04	Please leave blank	1	1	1	Word	No	No	Has Supplier PASSED or FAILED this section? Please provide reasons	All information supplied will be assessed in context. Where any named event has occurred, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will be jeopardised, however, where it is considered there is evidence of substantial mismanagement, fraud or other criminal activity. An application will be rejected if the firm's or an individual's history demonstrates they may put the nature of the contract, the Council, its reputation or anyone within its care, or assets within its control, at undue risk.
1864 W	Section 4: Equal opportunities	4.01	Does your organisational operate Equal Opportunities in accordance with the Equality Act 2010 or equivalent?	1	1	None	No	Yes	Yes	YES = 1; No = 0	Any Organisation wishing to work for Newham will be expected to comply with the required legislation. Details of any such finding or investigation must be declared.
1864 W	Section 4: Equal opportunities	4.02	In the last 3 years has any finding of unlawful discrimination been made against your organisation by any court or industrial or employment tribunal?	1	1	None	No	Yes	Yes	YES = 0; No = 1	Of greatest interest are the steps taken in light of any findings to rectify the situation and preclude a re-occurrence. Any such steps must demonstrate themselves to be at least adequate to address the issues that have arisen. Any Organisation wishing to work for Newham will be expected to treat all persons equally regardless of any of the characteristics listed. Details of any such finding or investigation must be declared.
1864 W	Section 4: Equal opportunities	4.03	In the last three years has your organisation been the subject of a formal investigation by the Commission for Equality and Human Rights (or persons) on grounds of alleged unlawful discrimination?	1	1	None	No	Yes	Yes	YES = 0; No = 1	Of greatest interest are the steps taken in light of any findings to rectify the situation and preclude a re-occurrence. Any such steps must demonstrate themselves to be at least adequate to address the issues that have arisen. Details of any such finding or investigation must be declared.
1864 W	Section 4: Equal opportunities	4.04	If your answer to Question 4.02 and/or Question 4.03 is 'YES', what steps did your organisation take as a result of those findings or investigations?	2	1	Screen	No	No	No	Score = 1 for each answer to each question where failing identified	Any such steps must demonstrate themselves to be at least adequate to address the issues that have arisen. Any Organisation wishing to work for Newham will be expected to comply with the required legislation. Documents may be requested in order to substantiate responses to this section.
1864 W	Section 4: Equal opportunities	4.05	If requested, could you provide relevant examples of internal or external literature to demonstrate your compliance with current and previous Equalities legislation?	1	1	None	No	Yes	Yes	YES = 1; No = 0	Of greatest interest are the steps taken in light of any findings to rectify the situation and preclude a re-occurrence. Details of any such finding or investigation must be declared.
1864 W	Section 4: Equal opportunities	4.06	Is your organisation currently subject to United Kingdom legislation?	1	1	None	No	Yes	Yes	YES = 1; No = 0	Any such steps must demonstrate themselves to be at least adequate to address the issues that have arisen. Any Organisation wishing to work for Newham will be expected to comply with all relevant UK legislation. Details of any such finding or investigation must be declared.
1864 W	Section 4: Equal opportunities	4.07	If your organisation is not currently subject to United Kingdom legislation, are you willing to comply with all the UK legislation listed on page 7 of the Specification Guidance?	1	1	None	No	Yes	Yes	YES = 1; N/A = 0; No = 0	Of greatest interest are the steps taken in light of any findings to rectify the situation and preclude a re-occurrence. Any such steps must demonstrate themselves to be at least adequate to address the issues that have arisen.



Failure to demonstrate compliance with equalities requirements of the place or registration will result in loss of score. Evidence of previous compliance may be requested during the tender process.

All policies relating to Equal Opportunities must be made readily available to all staff and other stakeholders within the Organisation and made clear in any recruitment process and associated publicity.

A firm's Health & Safety Policy must be signed and dated by the person who has overall responsibility for H&S

Must be provided. Used for information only.

Where a firm employs 5 or more employees, the company H&S Policy must be in writing. A signed and dated policy is required that demonstrates commitment to H&S and which details individuals' duties at each level of management and lays down procedures to deal with hazards and risks in the workplace. This must be attached to the response.

These procedures must be in place where a company employs less than 5 people.

Where a notice has been served, we will assess the degree of negligence that caused the event, the frequency of any such occurrences and whether the action taken to prevent a recurrence is considered adequate and reflects a concern for the H&S of all employees.

The incident will need to be investigated and the findings will influence the outcome of this evaluation. Score = 1 if appropriate remedial actions taken, Else score 0 Has Supplier 'PASSED' or 'FAILED' this section?

For office use only

All information supplied will be assessed in context. Where any named event has occurred, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will be jeopardised where it is considered there is evidence of fraud, criminal activity, intended negligence or deliberate intent to provide a service below the standard and quality required in the contract and promised through tender by the company.

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All information supplied will be assessed in context. Where any named event has occurred, firms will not necessarily be precluded from proceeding to the next stage of the procurement process. Such progress will be jeopardised where it is considered there is evidence of fraud, criminal activity, intended negligence or deliberate intent to provide a service below the standard and quality required in the contract and promised through tender by the company.

The organisation must show that they are compliant with the laws of the country of registration. Yes=1, No=0

Has Supplier 'PASSED' or 'FAILED' this section? Please provide reasons Score 1 for name, job title and contact details else = 0

All scores 1 unless blank or spoiled

Current Health & Safety Policy attached = 1, Else scores 0

YES scores 1, N/A Scores 1, Else scores 0

YES scores 0, Else scores 1

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

Acceptable details provided = 1, else = 0

If your answer to 4.07 was No can you confirm that you have policies and procedures in place which comply with all relevant legislation and you are able to provide evidence of registered location of your organisation?

PLEASE LEAVE BLANK

State the name, position and contact details of the person responsible for health and safety within your organisation. State the name, position and contact details of the person who acts as your competent Health and Safety advisor

If you have 5 or more employees, does your company have a Health and Safety Policy, including statement, organisation and arrangements sections as required under Section 2 (9) Health and Safety at Work etc Act 1974 and the relevant statutory provisions?

If you do NOT have more than 5 employees, do you have written emergency procedures for evacuation and first aid?

Have any enforcement notices or prosecutions been served on your company in the last 5 years by your Health and Safety Enforcing Authority.

If your answer to 5.05 is 'YES', please provide details including remedial action and the reference code from the H&E website

PLEASE LEAVE BLANK

Has your organisation suffered a deduction of fees or other payments as a consequence of failure to perform a contract or had to pay liquidated or other damages in respect of a failure to perform to the terms of a contract in the last three years?

If your answer to 6.01 is 'YES', please provide details

Has your organisation ever had a contract terminated or your employment determined under the terms of a contract or withdrawn from a contract before the end of the contract period?

If your answer to 6.02 is 'YES', please provide details

Has your organisation ever had a situation where a contract was not awarded due to failure to perform to the terms of the contract?

If your answer to 6.03 is 'YES', please provide details

Has your organisation ever been suspended from an approved/select list of contractors?

If your answer to 6.04 is 'YES', please provide details

Is, or has, your organisation ever been subjected to court/legal arbitration or alternative dispute resolution as a result of works/services carried out by your organisation?

Section 4: Equal opportunities 4.08

Section 4: Equal opportunities 4.09

Section 5: Health & Safety 5.01

Section 5: Health & Safety 5.02

Section 5: Health & Safety 5.03

Section 5: Health & Safety 5.04

Section 5: Health & Safety 5.05

Section 5: Health & Safety 5.05a

Section 5: Health & Safety 5.06

Section 6: Operational Information 6.01

Section 6: Operational Information 6.01a

Section 6: Operational Information 6.02

Section 6: Operational Information 6.02a

Section 6: Operational Information 6.03

Section 6: Operational Information 6.03a

Section 6: Operational Information 6.04

Section 6: Operational Information 6.04a

Section 6: Operational Information 6.05



1864 W	Section E: Assurances	8.02	Do you currently have Public Liability Insurance cover at (or above) the level of cover required for this contract?	2	1 None	Yes	Yes	Yes	<p>Please attach a copy of your current certificate.</p> <p>Applicants should check what levels of cover are being demanded.</p> <p>Insurance levels must be - or it must be assured they will be - at least equal to those required for the contract being tendered.</p> <p>If neither of these conditions are met, the Application will progress no further in the process.</p> <p>Professional Indemnity: Applicants should check the tender and contract documentation to determine whether Professional Indemnity Insurance is required, and what level of cover is being demanded.</p> <p>If you do not currently have the required level of PI, please attach a letter from your broker confirming that the required cover will be provided and one from your organisation confirming the cover will be taken up if your tender is successful.</p> <p>PI cover may not be required - refer to documentation.</p> <p>Applicants should check what levels of cover are being demanded.</p> <p>Insurance levels must be - or it must be assured they will be - at least equal to those required for the contract being tendered.</p> <p>If neither of these conditions are met, the Application will progress no further in the process.</p> <p>Professional Indemnity: Applicants should check the tender and contract documentation to determine whether Professional Indemnity Insurance is required, and what level of cover is being demanded.</p> <p>YES and document attached Scores 2: YES but no document OR below required level Scores 1; 'NO' scores 0</p>
1864 W	Section E: Assurances	8.03	If your organisation is a member of a group of companies, would the parent company be prepared to guarantee your contract performance as its subsidiary and to enter into the form of Parent Company Guarantee agreement used by Newham Council?	2	1 None	Yes	Yes	Yes	<p>YES and document attached Scores 2: YES but no document OR below required level Scores 1; 'NO' scores 0</p> <p>Letter from broker (confirming it will be provided) and letter from organisation (confirming it will be taken up) if successful also Scores 2.</p> <p>YES' scores 1; N/A, scores 1; 'NO' and satisfactory explanation scores 1; else scores 0</p>
1864 W	Section E: Assurances	8.04	Would you or your parent/ultimate holding company be prepared to guarantee your contract performance? This is normally only applicable to contracts over £200,000.	1	1 10 Lines	No	Yes	Yes	<p>A Bond (or Parent Company Guarantee) will normally be required for any contract above £200,000 in value. A Bond (or PCG) may also be required for contracts below this value.</p> <p>Tender documents will advise whether a Bond (or PCG) is required for the contract to be let 3</p> <p>For office use only</p>
1864 W	Section E: Assurances	8.05	PLEASE LEAVE BLANK	10	1 1 Word	No	No	No	<p>YES' scores 1; 'NO' scores 0</p> <p>Has Supplier 'PASSED' or 'FAILED' this section?</p> <p>Please provide reasons</p>
1864 W	Section E: Assurances	8.06	General Information	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.01	Company Information	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.02	Financial Information	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.03	Equal Opportunities	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.04	Health & Safety	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.05	Operational Information	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.06	Sustainability	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section E: Assurances	9.07	Assurances	10	1 1 Word	No	No	No	<p>Pass score = 10; Else = 1</p>
1864 W	Section A: Technical Ability	9.1	Please define for which numbered lots your organisation wishes to make a bid. Have you attached the completed Lot Submission Sheet?	10	1 1 Word	Yes	Yes	Yes	<p>Bidders must provide an attached Lot Submission Sheet showing a wish to submit for at least one lot.</p> <p>You must complete the Lot Submission Sheet which forms part of the downloadable documents pack and attach your saved file to this response. Question is weighted: 1. Attachment required.</p>
1864 W	Section A: Technical Ability	9.2	Please provide a list of three councils or other organisations with details for obtaining references for which you have provided a similar service to the lot(s) now requested. Please provide copies of valid operator licences and records relevant to the lots you have selected	10	3 5 Lines	Yes	No	Yes	<p>Have three similar previous contract details including reference details been provided? Check for the lots which have been requested.</p> <p>Check licence date validity</p> <p>Attach Private Hire operator Licence, PCV Licences, C carriage Office Licences, training records, first aid records etc as applicable to the lots requested.</p>
1864 W	Section A: Technical Ability	9.3	Please give details of your fleet profile (vehicle range, volume and availability, adaptations for special needs and other passenger transport) as relevant to the lot(s) for which you are applying to tender.	10	1 5 Lines	Yes	No	Yes	<p>No. of Councils, range of similar work shown, referee details included. Attachment allowed. This question is weighted: 3.</p> <p>Attach Private Hire operator Licence, PCV Licences, C carriage Office Licences, training records, first aid records etc as applicable to the lots requested.</p>
1864 W	Section A: Technical Ability	9.4	Please provide details of your organisation's rate of staff turnover over the past two years for drivers (all jobs) and escorts (for lots requiring escorts).	10	6 Screen	Yes	No	Yes	<p>Ensure you enter relevant information relating to the descriptions of vehicle requirements for each lot that you are applying to tender for (as listed in the Lot Bid Submission Form). Attachment allowed. Weighting for this question: 6.</p>
1864 W	Section A: Technical Ability	9.5	If you are applying to tender for any lots requiring escorts, please define the type of escorts (for or free) you have provided escorts for transporting passengers with special needs.	10	1 5 Lines	No	No	No	<p>Organisation has employee turnover records and systems in place.</p>
1864 W	Section A: Technical Ability	9.6	Client, dates, value, scope of contract(s) and referees. This question is weighted: 5. This score will not be included in the evaluation for lots not requiring escorts. No attachment.	10	5 5 Screen	No	No	Yes	<p>Client, dates, value, scope of contract(s) and referees. This question is weighted: 5. This score will not be included in the evaluation for lots not requiring escorts. No attachment.</p>

1864 W	Section A: Technical Ability	9.7	Provide examples of previous transport route planning your organisation has undertaken to deliver cross-borough transport and/or transport with multiple collection and delivery sites.	10	3-10 lines	Yes	No	Yes	1 to 10 is outlined in the scoring methodology. Evidence should demonstrate your organisation's experience of delivering complex transport requirements effectively and economically.	Problem-solving approach. Experience of delivering complex transport requirements effectively and economically. Question is weighted: 3.
1864 W	Section A: Technical Ability	9.8	Provide details of your organisation's policies and procedures relating to the safeguarding of children and vulnerable adults.	10	Full 5 Screen	Yes	No	Yes	1 to 10 is outlined in the scoring methodology. Policies exist and there are systems for monitoring, promoting and maintaining policies and procedures.	Existing policies. Monitoring, promoting and maintaining policies. Question is weighted: 5.

### **INDEMNITY AGREEMENT**

#### **Framework for Special Needs and Other Transport Services**

#### **1. Scope**

This Agreement concerns the London Boroughs engaged in developing a collaborative Special Needs and other Transport Services with and without Passenger Assistants (Framework) which is to be led by LB Newham, with Project Support from the London Boroughs listed below (the Project).

The following local authorities and members of East London Solutions (ELS) have already given a formal expression of interest to be named and actively engaged in the development of this Framework (hereinafter shall be referred to as Participating Councils or Participants):

- London Borough of Barking & Dagenham
- London Borough of Havering
- London Borough of Newham
- London Borough of Redbridge, and
- London Borough of Tower Hamlets.

This Agreement sets out the overall vision, roles, responsibilities and accountabilities of the Participants, and is intended to act as a point of reference for all members of the Project Board.

The Project is driven by Newham Strategic Procurement and Passenger Transport and by invitation through Heads of Procurement for all other input.

The Heads of Procurement, Adults and Children's Services and Transport Management have, throughout the Project, been invited to input to the service specification and tender documentation.

#### **2. Overall Vision**

Establishing a cross borough framework arrangement is underpinned by the overall vision:

To create a Framework of competent companies capable of providing a managed service of transport for those with and without special needs where the service is provided on behalf of the local authority.

The procurement will ensure that local companies are enabled to tender for the provision of taxi, coach and special vehicle provision, all with drivers.

The providers must be capable of ensuring continuity of supply, including tight management of safety, vehicle and driver provision to ensure minimum disruption of supply to vulnerable members of the community. Separate lots

will ensure provision of special needs transport with appropriately qualified, vetted and trained passenger assistants.

The Framework will drive savings by joint working, economies of scale and by use of shared services where possible.

### **3. Responsibilities**

#### **3.1 General Responsibilities of Participants engaged with the Framework**

- Be open and honest with information relevant to the Framework
- Provide information when required by the Project Board in a timely manner
- Ensure full representation at the Project Board
- Ensure that all stakeholders are fully engaged within each authority, and that communication is ongoing
- Ensure that necessary sign off to be named in the Framework is in place at the appropriate level
- Ensure that they comply with all relevant timescales for any decision making processes under the Project (including compliance with their own decision making processes for approval of the invitation to tender and/or approvals for the award of contracts as may be required by each of them)
- Ensure that they take their own legal advice in relation to the Project and tender documents.
- Ensure they comply with their constitution, internal contract standing orders, and
- Take their own independent legal advice in relation to the procurement at each stage.

#### **3.2 General responsibilities of Framework Project Board members:**

- Attend, wherever possible, all Project Boards
- Give sufficient notice if unable to make any Project Board
- Arrange for a deputy to attend in substitute if unable to attend any Project Board
- Provide information when required by the Project Board in a timely manner

- Where needed, members of the Project Board will aim to provide appropriate advice, guidance, and resources to help the Project Board achieve its overall vision.

### 3.3 General responsibilities of the Newham member, as Lead Borough:

- To comply with all applicable legislation, formal guidance, and codes of practice
- To fully consult with engaged Participants on all aspects of the Procurement
- To direct the procurement process according to the project plan approved by the Project Board
- To coordinate and facilitate variations to the contract beyond those day to day contractual issues which will be managed by each Participant
- To ensure that all Participants have access to representation on the Project Board at all evaluation stages, and there is agreement with the chosen evaluation model.

## 4. Management and Accountability

### 4.3 Management

The Procurement will be overseen by a Project Board. The Project Board will be Chaired by the lead procurement officer from the London Borough of Newham and Newham will report to ELS Procurement Board through the Shared Services Project Manager of East London Solutions. All Participants will have representation on the Project Board.

### 4.2 Performance management, Monitoring and Evaluation

The success of the Project Board will be based on the achievement of the overall vision.

Each member of the Project Board accepts that the achievement of the vision is the responsibility of the Project Board.

### 4.3 No Legal Advice

No act performed, thing done or said or document supplied by Newham (including through or by its employees, servants, agents and contractors) during the course of this project shall amount to the

provision of legal advice by or on behalf of Newham to any one or more of the Participating Councils or any other bodies taking part or seeking to take part in the procurement and each Council (or other body) shall be responsible for taking their own legal advice in relation to this Project.

- 4.4 Newham gives no guarantee or warranty as to the suitability of the proposed Framework for any individual Participant.
- 4.5 Where appropriate to do so, Newham may abandon the procurement of the Framework in consultation with the other Participants. Newham shall have no liability to the Participants if it decides to abandon the procurement.

## **5. Indemnities**

### **5.1 Indemnity from Newham:**

- 5.1.1 Newham will indemnify the other Participant Councils in relation to any negligent act or default wholly on the part of Newham (which shall include its employees, servants, agents and contractors) giving rise to any loss or expense pursuant to a cause of action whether against Newham or any/all of the Participant Councils.
- 5.1.2 Newham shall not be liable to any of the Participant Councils or other Participating bodies under 5.1.1 to the extent that any one or more of them have actively considered or approved of any process or document that is the cause (whether in whole or in part) of the relevant cause of action.
- 5.1.3 Newham shall have no liability where it acts in accordance with a course of action agreed by the Project Board.

### **5.2 The indemnity from each of the Participating Councils to each other:**

- 5.2.1 The Participants hereby jointly and severally indemnify each other in relation to all loss and expense arising from any negligent act or omission of theirs or breach of any of the terms of this Agreement (which shall include by their employees, servants, agents and contractors).

### **5.3 Indemnity to Newham from each other Participant:**

- 5.3.1 Each Participant (excluding Newham) hereby indemnifies Newham in relation to all costs, expenses, losses and damages (howsoever arising) incurred by Newham following the commencement of any legal challenge against Newham commenced by any person in relation to this procurement. For the purposes of this Agreement, "legal challenge" shall include not only the actual issue of legal proceedings but also the



submission of any correspondence threatening or contemplating the issue of any such proceedings.

- 5.3.2 Newham shall have sole conduct of proceedings issued solely against Newham in relation to this procurement, including the authority to settle any such action whether such decision includes the payment of damages or any sum in lieu of damages, notwithstanding the indemnity provided under 5.3.1 above to Newham by the other Participants.
- 5.3.3 In the event that a legal challenge is issued or threatened against Newham in connection with this procurement the Participating Councils shall provide all necessary information, documentation and co-operation as shall be required to defend the challenge or proposed challenge.
- 5.3.4 In the event that the Court makes an order requiring Newham to pay damages or if an out of court settlement is reached with the claimant then such costs shall be divided equally between (inclusive of Newham) the Participating Councils and each shall pay their share of the costs to Newham.
- 5.3.5 Newham shall have no liability to the other Participants in the event that it decides to abandon the procurement process, re-run it or take any other measures advised by its legal advisers in the event of a legal challenge or threatened legal challenge.

## Signatures

Organisation	Name	Signature	Capacity
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L.B. Barking  
and Dagenham

L.B. Havering

L.B. Tower Hamlets

L.B. Newham

L.B. Redbridge

June 2011

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## CABINET

18 OCTOBER 2011

<b>Title:</b> Mental Health Section 75 Agreement	
<b>REPORT OF THE CABINET MEMBER FOR HEALTH AND ADULT SERVICES</b>	
<b>Open</b>	<b>For Decision</b>
<b>Wards Affected:</b> None	<b>Key Decision:</b> Yes
<b>Report Author:</b> David Horne, Joint Operational Director, NELFT and LBBD	<b>Contact Details:</b> Tel: 0844 600 1201 ext. 5408 E-mail: <a href="mailto:david.horne@nelft.nhs.uk">david.horne@nelft.nhs.uk</a>
<b>Accountable Divisional Director:</b> David Horne, Joint Operational Director, NELFT and LBBD	
<b>Accountable Director:</b> Anne Bristow, Corporate Director of Adult and Community Services	
<p><b>Summary:</b></p> <p>Joint working arrangements between the North East London NHS Foundation Trust (NELFT) and LBBD for the provision of integrated Mental Health Services in Barking and Dagenham are well established.</p> <p>However, given the current financial climate, and the proposed reforms for the NHS generally, it is important that frontline services are not destabilised in any way. Therefore, officers from the two authorities have been working to ensure that the current arrangements can be placed on a more formal footing through the development of a Section 75 Agreement (under the National Health Service Act 2006) to cover these services.</p> <p>Each of the Mental Health Services within the scope of the putative Section 75 agreement is an existing, not a new, team. The Agreement would secure the existing arrangements until March 2013, whilst still giving both entities appropriate room to negotiate and adjust the arrangements to meet the needs of residents within the scope of the pooled budget. The current services consist of a number of LBBD staff, NELFT staff and joint appointments between the two organisations. Under the Section 75 agreement, the LBBD employees would be seconded on a full-time basis to NELFT whilst still working to LBBD terms and conditions.</p>	
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to authorise the Corporate Director of Adult and Community Services, in consultation with and subject to the final approval of the Divisional Director of Legal and Democratic Services, to enter into an agreement with North East London Foundation Trust for the continued joint delivery of Mental Health Services as outlined in this report via the attached draft Section 75 Agreement.</p>	

## Reason(s)

The Mental Health Section 75 Agreement between LBBD and the North East London NHS Foundation Trust (NELFT) contributes to the Council's Vision of 'Working together for a better borough', most particularly through assisting the Council in achieving its Community Priorities of 'Healthy' and 'Safe'. The services also fit with the Council Values of 'Putting our Customers First' and 'Working Together'.

### 1. Introduction and Background

- 1.1 In February of this year, the Coalition Government published its Mental Health Strategy, "No health without mental health". An overarching theme of this strategy is that mental health is everyone's business. Employers, schools, third sector bodies, criminal justice agencies, benefit advisers and Councils all have a part to play in the delivery of an effective public mental health strategy.
- 1.2 Barking and Dagenham already benefits from fully integrated adult mental health services with both health and social care staff based in multi-disciplinary teams. There has also been a history of local investment in early intervention. This includes CAMHS, early access to 'talking therapies' and a small dedicated team working with residents experiencing a first episode of psychosis.
- 1.3 In January 2011, four of the Borough's integrated community services for mental health moved in to the redeveloped Barking Community Hospital site. These teams are the Barking Community Recovery Team, the Borough's Intensive Case Management Team (Assertive Outreach), our Home Treatment Team and the local intake service, known as the Mental Health Initial Contact and Assessment Service (MHICAS).
- 1.4 This leaves the Dagenham Community Recovery Team based at the Hedgecock Centre (a building adjacent to Barking Community Hospital). Planning is underway to ensure that this team is relocated within the Dagenham area.
- 1.5 The remaining relevant care services currently under the joint management of LBBD and North East London NHS Foundation Trust are:
  - Early Intervention in Psychosis (based in a Council building in Woodward Road);
  - The Advice and Brief Intervention Team (A&BIT). This team ensures access to psychological therapies for residents of the borough. At present, A&BIT receives approximately 200 referrals a month, of which some 75% go on to engage in therapy. At any one time, the service will be working with approximately 620 residents.
  - Mental Health Services for older people. These teams consist of an Older People's Community Mental Health Team, the Morland Road Day Hospital and Memory Services, all of which are co-located at Broad Street.
  - Secondary psychological therapy services are provided through a team normally based at the Becontree Psychological Service (BPS). This service has temporarily decanted to the Goodmayes Hospital site, whilst their old building is being completely refurbished. BPS are still, however, offering therapeutic interventions within the Borough, at satellite venues, pending their return to a base within LBBD in the late autumn of this year.

- 1.6 Section 75 of the National Health Service Act (2006) provides the framework for which this agreement is made. Section 75 allows for health bodies and health-related local authority services to pool money, delegate functions and integrate resources and management structures. The framework allows for the commissioning of existing or new services and join-up provide arrangements.

## **2. Proposal and Issues**

- 2.1 It is proposed that the Council enter into a Section 75 Agreement with the North East London NHS Foundation Trust (NELFT) for the provision of mental health services in the borough. Although partnership arrangements already exist and are well established for the joint delivery of these services locally, it is important to formalise these within legal agreements under the National Health Services Act (2006) to protect them in the future. A draft of the Agreement is appended to this report as Appendix 1.
- 2.2 LBBB has recently been working with NHS Outer North East London on negotiating a number of Section 75 Agreements for local health services, in order to place recognised partnership arrangements on a proper legal footing during a time of transition for the NHS. Similar work has now been undertaken with NELFT to secure local Mental Health Services and to set the current arrangements within a contractual framework. The agreement does not propose provision of new services.
- 2.3 The Section 75 Agreement sets out a partnership agreement between the Council and NELFT, demonstrating how both organisations are contributing to the delivery of Mental Health Services in the borough. In terms of the Council's contribution, this includes 26 members of staff that are currently employed by LBBB. These members of staff are currently managed within the NELFT management structure with accountability to the Barking and Dagenham Joint Operational Director. The Section 75 Agreement proposes to formalise these arrangements through a secondment of the staff to NELFT. The staff members will, however, remain as LBBB employees with no changes to their terms and conditions. An Executive Steering Group will also be established with senior officer representation from both organisations to monitor arrangements relating to the agreement.

## **3. Options Appraisal**

- 3.1 As the Section 75 Agreement does not propose any new services or any changes to the current provision of services, the principal alternative option would be to do nothing and leave the working arrangements in their current state. However, were the agreement for the funding contributions and the staff management arrangements to remain relatively informal, this would leave the services at risk of being destabilised. By entering into this legal agreement, both organisations are setting out their commitment to improving the health and wellbeing of local residents by securing the funding contributions for Mental Health Services until 2013. Nonetheless, the framework contains enough flexibility to allow for future service changes in line with the requirements for both partners to offer value for money and make necessary efficiency savings in the future. This will be managed by the Executive Steering Group which will be established as a result of the agreement

## **4. Consultation**

- 4.1 The Section 75 Agreement has been the subject of negotiation between Senior Officers of the Council and NELFT to reach an agreed position. Representatives from the Finance teams within both entities have been heavily involved to ensure the agreement accurately reflects the financial contributions.
- 4.2 The Portfolio Holder for Health and Adult services has been consulted on the report and the Section 75 agreement has also been reported to CMT and Informal Cabinet, in line with the corporate reporting process. As the Section 75 does not propose any new services or changes to existing ones, service users and the wider community have not been formally consulted with on this agreement.
- 4.3 Staff affected by the agreement and the proposed secondment to NELFT have been formally consulted with. 2 drop-in sessions have been held for staff to raise any concerns regarding the process face to face with the Joint Operational Director. The main issues raised were regarding the Terms and Conditions and the general day-to-day working arrangements, which staff were assured would not change as a result of this process. Trade Union representatives have also been engaged in the consultation. The statutory consultation period of 30 days ended on Friday 7 October 2011.
- 4.4 At the time of dispatch of these papers to Cabinet, the consultation period had not yet closed. It is not envisaged that any further issues will be raised, however Cabinet will be updated verbally at the meeting should any concerns come up.

## **5. Financial Implications**

Implications completed by: Ruth Hodson, Finance Group Manager

- 5.1 Finance staff for NELFT and the council have met to agree the funding of this arrangement. One invoice will be raised per month from NELFT for a 12<sup>th</sup> of the budget agreed in the Section 75 agreement.
- 5.2 The council will then invoice NELFT for all payments that have been made by the council on their behalf for services agreed in the Section 75 agreement.
- 5.3 The risk of overspend will have to be managed in the budgets held by NELFT. If any overspends are agreed this would need to be funded by in year contributions from the partners.

## **6. Legal Implications**

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The Legal Practice has been consulted with and has assisted in the discussions leading to and preparation of the S75 Agreement referred to in this report. The draft Agreement appended to this report contains all the key terms of the Agreement agreed between the parties although there are still a few minor drafting amendments to be made. The Legal Practice will assist officers in finalising the Agreement which will remain substantially the same as the draft appended hereto.

## **7. Other Implications**

### **7.1 Risk Management**

There is an element of risk in the Council entering into the agreement with NELFT, in terms of agreeing a financial commitment to the partnership arrangement. However, the budget totals that are included within the agreement (including the staffing element) are only for the first financial year of the agreement 2011/12, which the Council has already agreed. To minimise the risk to the Council regarding future financial commitment, appropriate clauses have been incorporated within the agreement to allow for potential changes in future financial years. This will offer the Council flexibility, within the contract, to respond to changing needs of the service as well as the Council's overall financial position and any need to make efficiency savings. This will be managed and negotiated between LBB and NELFT by the Executive Steering Group, for which the Corporate Director of Adult and Community Services will be the Chair. The agreement also sets out a clear basis for dealing with any predicted budget variance between the partners.

If agreed, appropriate updates will be made to the Adult & Community Services Department and Corporate Risk Registers to ensure that senior officers are monitoring any emerging concerns with the operation of the agreement.

On balance, it is submitted that greater corporate risks are associated with continuing to deliver these services through an informal partnership agreement at a time of significant organisational change within the National Health Service.

### **7.2 Contractual Issues**

In signing the Mental Health Section 75 Agreement, the Council will be entering into a contract with NELFT until April 2013. The agreement proposes the establishment of an Executive Steering Group with senior officer representation (and finance representatives) from both organisations. The steering group would oversee the management of the contract and deal with any issues that might arise through the clauses pertaining to Review, Variation, Indemnities, Dispute Resolution and Termination.

### **7.3 Staffing Issues**

The Section 75 Agreement includes the secondment of 26 members of LBB staff to NELFT. The full details of the staff posts that are included within the agreement are set out in Schedule 7 of the Section 75 Agreement. The staff will remain as employees of the Council, with the same contracts and terms and conditions. Line management responsibilities of the staff will be undertaken by NELFT with overall accountability to the Barking and Dagenham Joint Operational Director. This will include supervision and appraisals.

These arrangements are already in place, however the Section 75 seeks to formalise this. The affected staff members have been subject to a full consultation exercise on the secondment proposals which finished on Friday 7 October 2011. Trade Unions have been fully involved in the consultation process regarding the proposals.

#### **7.4 Customer Impact**

The services covered within the Section 75 Agreement are all extant and no changes are proposed. Therefore the proposal to place the arrangements within a contractual framework will not have any adverse impacts on customers. Placing the services in this legal setting will actually reduce the risk of service users feeling negative impacts of any uncertainty over the future provision of the services. Equality Impact Assessments are conducted regularly for all of Barking and Dagenham's Mental Health Services and this will continue to be managed and monitored through the Executive Steering Group.

#### **7.5 Safeguarding Children**

The teams within the scope of this agreement are all adult Mental Health Services. Staff deployed within these teams are trained to 'think family' and to apply local safeguarding procedures relating to both children and vulnerable adults.

The joint Operational Director will continue to attend the Local Safeguarding Children Board and will ensure that there is appropriate representation from Mental Health Services on the sub-groups of the Board.

Members of staff within all of the Mental Health Services have been trained to apply the Common Assessment Framework (CAF) process for children and young people with needs below the safeguarding threshold. There is an agreed local pathway for the CAF which will continue to be used by the services in question.

#### **7.6 Safeguarding Adults**

The Operational Director for Mental Health Services already attends the Safeguarding Adults Board for the borough. This arrangement will continue and the Operational Director will also ensure NELFT representation on each of the sub-groups engaged with workstreams beneath the Board. Safeguarding adults remains the business of all staff within Mental Health Services and the host partner will ensure that members of staff have up to date training at the required tier for their job role.

Mental Health Services will continue both to raise safeguarding alerts in regard to vulnerable adults, and to administer initial investigations in line with the current procedures when an alert relates to a mental health issue. To this end, NELFT and LBBB staff in all relevant teams have been trained in such investigations.

#### **7.7 Health Issues**

The Section 75 agreement will have a positive impact on the health of the local population, most particularly concerning Mental Health. The agreement will ensure that partnership funding is secured to continue to deliver key local services against agreed priorities for the borough until 2013. Without the funding arrangements being formalised within these agreements, there is a risk that alternative commissioning decisions may move funding to other services.



NELFT will continue to ensure that they have Director level representation for Mental Health Services and Community Health Services at the borough's Health and Wellbeing Board

## **7.8 Crime and Disorder Issues**

The Section 75 agreement will help to address crime issues in the borough. Mental Health Services play an important part in addressing the dual diagnosis of substance misuse and mental health problems. Substance misuse remains a major driver of crime for those trying to fund their use, particularly within the borough's 'volume' crime types such as Domestic Burglary, Robbery and Motor Vehicle offences. Drug and Alcohol Misuse is highlighted as an area of priority for the borough within the current Community Safety Partnership Plan.

Mental Health Services are also able to access forensic psychiatric assessment and treatment for residents requiring specialist interventions. The services in question also contribute to the effective multi-agency planning of public protection through MARAC and MAPPA.

### **Background Papers Used in the Preparation of the Report:**

*'No health without mental health': a cross-government mental health outcomes strategy for people of all ages* – Department of Health publication 2011

### **List of appendices:**

Appendix 1 – Mental Health Section 75 Agreement

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**APPENDIX 1**

**DATED**

- (1) NORTH EAST LONDON NHS FOUNDATION TRUST
- (2) THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BARKING  
AND DAGENHAM

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**AGREEMENT**

For the integration of functions and funding in respect of mental health and social services between the London Borough of Barking and Dagenham and North East London NHS Foundation Trust pursuant to Section 75 of the National Health Services Act 2006.

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**THIS AGREEMENT** is made the day of

BETWEEN:

- (1) **THE NORTH EAST LONDON NHS FOUNDATION TRUST (NELFT)** of Trust Head Office, Goodmayes Hospital, Barley Lane, Goodmayes, Essex, IG3 8XJ.
- (2) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BARKING AND DAGENHAM (LBBD)** of Civic Centre, Rainham Road North, Dagenham, Essex, RM10 7BN

(together **‘the Partners’**)

**WHEREAS:**

- (A) The Partners wish to enter into arrangements which formalise the contractual and funding terms in relation to the respective services provided by each Partner for the overall benefit and improvement of the service provision.
- (B) Each Partner separately functions as either a health and/or social care provider for mental health services to residents in the London Borough of Barking and Dagenham. LBBD is responsible for the strategic planning, development and commissioning and provision of certain social care services for persons resident in the London Borough of Barking and Dagenham. NELFT is responsible for the provision of goods and services for the purposes of the health service in England to persons resident in or registered with General Practitioners situated in the London Borough of Barking and Dagenham.
- (C) The Partners agree and acknowledge that this Agreement sets out the Partners obligations in respect of the partnership arrangements referred to herein. The arrangements are pursuant to Section 75 of the National Health Service Act 2006 (hereinafter referred to as “the 2006 Act”) and the NHS Bodies and Local Authorities Partnership Regulations 2000 (“the Regulations”) which enable the integration of the Partners respective Relevant Functions relating to the provision of services referred to above.
- (D) This Agreement shall specify the basis upon which further arrangements can be entered into.
- (E) The parties are satisfied that the arrangements are likely to lead to an improvement in the way in that their respective functions are exercised.
- (F) The parties will jointly notify the relevant office of the Department of Health of this Agreement.

**NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:**

**1. INTERPRETATION AND GENERAL**

1.1 The following definitions are used in this Agreement

<b>“2006 Act”</b>	The National Health Service Act 2006
<b>“2007 Act”</b>	The Local Government and Public Involvement in Health Act 2007
<b>“Barking and Dagenham Operational Director”</b>	A post within the establishment of NELFT, the post holder of which acts as Pooled Fund Manager to manage the Pooled Fund
<b>“Budget”</b>	the Partnership’s annual budget details of which are given in Schedule 4

<b>“Commencement Date”</b>	the 1 <sup>st</sup> day of November 2011
<b>“Eligibility Criteria”</b>	The eligibility for mental health specialist services and social services in the area of the London Borough of Barking and Dagenham, as set out in schedule 1.
<b>“Executive Steering Group”</b>	the group of senior officers of the Partners described in Clause 3.4.1
<b>“Financial Year”</b>	means each financial year running from 1 <sup>st</sup> April in one calendar year until 31 <sup>st</sup> March in the subsequent calendar year and “First Financial Year” means the period from the 1 <sup>st</sup> April 2011 to 31 <sup>st</sup> March 2012
<b>“FOIA”</b>	means the Freedom of Information Act 2000 and all regulations made and guidance issued there under from time to time in force or any superseding or amending enactment, regulations and guidance
<b>“Health and Wellbeing Board”</b>	The statutory board that will lead on improving the strategic coordination of commissioning across NHS, social care, and related children’s and public health services within a local authority area, as set out within the Health and Social Care Bill.
<b>“Host Partner”</b>	means NELFT who shall be the Partner responsible, pursuant to Regulation 7(4) of the Regulations, for the operation and management of the Pooled Fund
<b>“Information Sharing Policy”</b>	means the ‘East London Health and Social Care Inter Organisation General Protocol for Sharing Information between Local Authorities and the NHS 2006’, of which LBB and NELFT are party to.
<b>“JSNA”</b>	A Joint Strategic Needs Assessment in relation to health and social care prepared by a local authority and its partner PCTs under section 116 of the 2007 Act
<b>“LINKs”</b>	Local Involvement Networks established under the Local Government and Public Involvement in Health Act 2007
<b>“Local Safeguarding Children Board”</b>	Statutory multi-agency partnership under the Children Act 2004 to coordinate local work to safeguard and promote the welfare of children
<b>“Mental Health Act 1983”</b>	means the Mental Health Act 1983, as amended to include the Code of Practice in relation to the Act and Memorandum on parts I to VI and VIII
<b>“Mental Health Act 2007”</b>	means the Mental Health Act 2007
<b>“NHS Employment Check Standards”</b>	means the legal and mandatory checks employers must carry out for the appointment and on-going employment of all individuals in the

NHS and include all pre-appointment checks that are required by law, those that are mandated by Department of Health policy, and those that are required for access to the NHS Care Record Service. The standards apply to permanent staff, staff on fixed-term contracts, temporary staff, volunteers, students, trainees, contractors as well as on the appointment of locums and agency staff (in which case the standards must be met by providers of such staff).

<b>“Partner Contract”</b>	any contract with a Service Provider in respect of the Services entered into by an individual Partner during the Term
<b>“Partnership Contract”</b>	any contract with a Service Provider in respect of the Services entered into after the Commencement Date by the Host Partner on behalf of the Partners or either one of them
<b>“Partnership Posts”</b>	the posts referred to in Schedule 7 of this Agreement
<b>“Partnership Resources”</b>	the resources comprised in: <ul style="list-style-type: none"><li>• the Partnership Posts</li><li>• the Services</li><li>• the accommodation goods services and Service Contracts available under Clause 5</li></ul>
<b>“Personalisation”</b>	Means the Government vision of enabling individuals to live independently and have complete choice and control in their lives, as set out within ‘Putting People First’.
<b>“Pooled Fund Manager”</b>	The Barking and Dagenham Operational Director or other officer of NELFT appointed to act as manager of the Pooled Fund as agreed by the Partners
<b>“Pooled Fund”</b>	the fund which the Partners have created to provide the Services as set out in Schedule 4
<b>“Regulations”</b>	the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (S1 2000/617), as amended
<b>“Relevant Functions”</b>	the functions of NHS bodies and the relevant health and social care functions of local authorities as set out in Regulations 5 and 6 of the Regulations and which are set out in Schedule 2 but for the avoidance of doubt excluding any functions carried out in connection with Section 115 of the Mental Health Act 1983 as amended by Schedule 2, paragraph 8 of the Mental Health Act 2007
<b>“Safeguarding Adults Board”</b>	Multi-agency Partnership to safeguard the independence, choice and wellbeing of adults at risk: anyone with social care needs who is or may



be at risk of significant harm

<b>“Service Contracts”</b>	Contracts with third parties for or in connection with the provision of the Services (as set out in Schedule 3) which are in place prior to the Commencement Date
<b>“Service Providers”</b>	third parties providing goods or services under Service Contracts
<b>“Service User”</b>	any adult for whom NHS Barking and Dagenham or LBBB have a duty or power to provide advice, support or direct health or social care services relating to mental health
<b>“Services”</b>	The services described in Schedule 3 and any other services provided by the Partners pursuant to this agreement
<b>“Staff”</b>	Means the current postholders of the Partnership Posts
<b>“Standing Orders”</b>	the Contract Standing Orders and Financial Standing Orders of NELFT and or LBBB (as set out in the Council’s Constitution)
<b>“Term”</b>	the period from the Commencement Date until 31 <sup>st</sup> March 2013 or such longer term as the Partners may agree pursuant to Clause 16 subject to earlier determination in accordance with Clause 21
<b>“Working Day”</b>	Means any day other than a Saturday or Sunday or public holiday in England and Wales

1.2 This Agreement is governed by English Law

1.3 References to any Act or Regulations include reference to any amendment or re-enactment thereof

1.4 References to:-

- masculine include the feminine
- singular include the plural
- persons include companies and corporations

and vice versa where the context so admits

1.5 The headings of the Clauses of this Agreement are for reference only and shall not be construed as part of this Agreement or deemed to indicate the meaning of the relevant clauses to which they relate

1.6 References made to clauses sub-clauses schedules and annexes are to clauses schedules and annexes of this Agreement

1.7 Any decision or act or thing which any Partner is required or authorised to take or do under this Agreement may be taken or done by any person authorised generally or specially by the Partner to take or do that decision act or thing provided that each Partner shall provide any other with the name of any person so authorised upon receipt from that other Partner of a written request for the same

- 1.8 This Agreement is intended to be binding on any successor body to any of the Partners which is created during the Term by or under primary or secondary legislation

## **2. AIMS AND OUTCOMES OF THE PARTNERSHIP**

- 2.1 The purpose of this Agreement it is to improve the health, social care and wellbeing outcomes of the residents of Barking and Dagenham, with particular reference to their mental health, by:
- 2.1.1 Ensuring effective management of integrated mental health services in the London Borough of Barking and Dagenham, thereby ensuring that delivery meets the requirements of both the Recovery and Personalisation agendas;
  - 2.1.2 Improving the provision and development of mental health and social care services for service users and carers through closer working between the National Health Service and Local Government;
  - 2.1.3 Reducing duplication and bureaucracy;
  - 2.1.4 Ensuring gaps in the service provision are avoided;
  - 2.1.5 Simplifying access to Services and making them more seamless;
  - 2.1.6 Developing user and recovery focused services which are responsive, co-ordinated and of high quality;
  - 2.1.7 Ensuring that services are delivered effectively;
  - 2.1.8 Sharing information and experience between partners;
  - 2.1.9 Ensuring the effective and efficient use of public funds; and
  - 2.1.10 Developing and maintaining trust between all stakeholders, users, carers, the community staff, statutory bodies and the independent and voluntary sector.

### THE PURPOSE OF THE ESTABLISHMENT OF THE PARTNERSHIP

- 2.2 With the intentions:
- of using the flexibilities available to the Partners under the 2006 Act;
- and
- that the Partnership should be implemented in a manner which is consistent with and complimentary to the Local Authority's respective duties and powers under the 2007 Act in respect of LINKs and JSNAs insofar as these impact upon the delivery of the Services

the Partners have agreed to do the following:

- 2.2.1 to enter into the partnership arrangements;
- 2.2.2 to establish the Executive Steering Group to oversee the implementation of the Partnership in accordance with the terms set out herein; and
- 2.2.3 to establish the arrangements set out herein to enable the Executive Steering Group to be kept informed of and where appropriate to offer advice to the London Borough of Barking and Dagenham upon the operation of the Partnership

- 2.3 The Partners agree and acknowledge that:-
- 2.3.1 the Partnership is established by the Agreement under section 75 of the 2006 Act and all related legislation and Regulations. The agreement has been formed with particular regard to the 1999 Act Circular Guidance as amended;
  - 2.3.2 before the Commencement Date they carried out the consultation required pursuant to Regulation 4(2);
  - 2.3.3 the Partnership contributes to meeting the objectives of both parties' strategies for adult mental health, which shall be agreed between the Partners within a timescale set by the Executive Steering Group; and
  - 2.3.4 the local authority's health related functions and NHS body functions which are relevant to this Agreement are the Relevant Functions.
- 2.4 Under section 82 of the 2006 Act the Partners are committed to co-operating with one another under the Partnership to secure and advance the health and welfare of users of the Services by securing the availability and continuous improvement of the Services. To this end the Partners have agreed that the Partnership shall embrace the following two 2006 Act flexibilities:-
- the pooling of budgets
  - integrated provision
- and such other actions as are incidental or conducive to the achievement of the same.

### **3. DURATION COMPOSITION AND GOVERNANCE OF THE PARTNERSHIP**

- 3.1 The Partners agree that the Partnership shall take effect on the Commencement Date and shall subsist for the Term.
- 3.2 The Partners agree that:-
- 3.2.1 the Partnership is not intended to create a legal partnership for the purposes of the Partnership Acts but rather a statutory relationship between the Partners as provided for under the 2006 Act and the Regulations;
  - 3.2.2 although the Partnership will be used to secure an integrated arrangement for the provision of services all responsibilities relating to any Partner Contract made by one Partner shall be enforceable only by that Partner; no other Partner shall, unless otherwise provided for in a particular Partner Contract, have any right to enforce such a Partner Contract. But this clause shall not:-
    - 3.2.2.1 prevent reference being made to the Partnership in any Partner Contract; nor
    - 3.2.2.2 affect a Partner's statutory obligations; and
    - 3.2.2.3 any person who is not a party to this Agreement shall have no right under the Contracts (Rights of Third Parties) Act 1999 to enforce or to enjoy the benefits of it.
- 3.3 Unless agreed otherwise no Partner can act as the agent of any other Partner.
- 3.4 London Borough of Barking and Dagenham hereby delegates to NELFT its Relevant Functions, to the extent necessary to enable NELFT to comply with its obligations pursuant to this Agreement.
- 3.4.1 The Executive Steering Group shall comprise of six members as follows:
    - For NELFT, the Managing Director of the MHS Business Unit or their nominee

- For LBBB, the Director of Adult and Community Services or their nominee;
  - For NELFT the Barking and Dagenham Operational Director (the designated Pooled Fund Manager) or any senior manager who is required to discharge the responsibilities of the Barking and Dagenham Operational Director post during any period when it is vacant
  - For LBBB, the Divisional Director for Adult Commissioning
  - Two Finance Officers, one from NELFT and one for London Borough of Barking and Dagenham
- 3.4.2 The Chair of the Executive Steering Group shall be the senior of the LBBB officers. The Chair shall not have a casting vote in relation to any item of business transacted by the Executive Steering Group. If a dispute arises over any matter which is voted on this shall be managed following the processes set out with clause 19.
- 3.4.3 The Partners agree that Executive Steering Group's purposes are:
- to provide high level management in respect of the Services;
  - to be responsible for agreeing the approach to all relevant issues arising from the provision and procurement of the Services including the commissioning of reports on the provision of the Services and the making of recommendations on their procurement and management;
  - to identify, where appropriate, senior managers employed by the Partners to manage the Services and to commit through delegated responsibility from the Pooled Fund Manager an agreed level of funding to them from the Pooled Fund;
  - to consider the Pooled Fund Manager's reports referred to in Clause 3.8 and to ensure that the reports take account of the respective reporting cycles of both Partners and, having regard to the contents and recommendations of such reports, to take all actions which the Executive Steering Group considers appropriate.
- 3.5 The Executive Steering Group will report to the borough's Health and Wellbeing Board and be a part of its substructure.
- 3.6 All decisions of the Executive Steering Group must be unanimous in order to bind the Partners.
- 3.7 The quorum required for the Executive Steering Group shall be one representative of each of the Partners represented on it.
- 3.8 The Partners shall make such arrangements as may command their unanimous agreement as to the application of all or any of the following matters to the Executive Steering Group:
- attendance requirements
  - frequency of meetings (which should be at least quarterly)
  - secretarial requirements
  - policy and delegation framework from the Partners
  - such other constitutional and related matters which are necessary to ensure of Executive Steering Group's effective operation

3.9 The Partners agree that the following responsibilities shall be assigned to the Barking and Dagenham Operational Director of NELFT, in accordance with Regulation 7 (4) of the Regulations:

- management of the Pooled Fund
- management of the Budget
- day to day management of the Partnership Posts
- line management responsibility for the Partnership Resources in accordance with the provisions relating to the Services
- management of the procurement of Partnership Contracts, in accordance with the Regulations and any other applicable legislation, with required consultation and notification to the Department of Health in line with applicable legislation
- management of the delivery of the targets set by the Partners pursuant to Clause 13 hereof
- preparation of quarterly reports and annual return to the Executive Steering Group on income of and expenditure from the Pooled Fund
- preparation of quarterly reports and annual return to the Executive Steering Group on the Partnership's aims and objectives (to include achievement and forecasting of the same)
- ensure that the recommendations put forward by the Executive steering Group are enacted
- such other responsibilities as the Executive Steering Group or the Partners may agree

#### **4. WORKFORCE ARRANGEMENTS**

4.1 Pursuant to Section 75 (2) (d) of the 2006 Act and Regulation 10 (1) of the Regulations the Partners will continue to make available the staff resources required to facilitate the Partnership including the secondment of staff of London Borough of Barking and Dagenham to NELFT pursuant to existing arrangements and those arrangements which have been agreed and the details of which are attached as Schedule 6.

4.2 The Partners shall subject to each Partner consulting with its Staff (and their representatives) and where required having obtained their written consent, subject to all applicable legal requirements, at the outset of and throughout the Term, continue the employment of each of their respective Staff members on their existing terms and conditions, make the Staff available for the purposes of the Partnership the services (including any relevant proportion of such services in relation to non-dedicated staff) of such staff, whether commissioning, procurement and finance staff or administrative or clerical staff or professional support staff or administrative or clerical support staff, or staff providing management and support services, as either:

- have been utilised for the purposes of the Services up to the Commencement Date; or
- are agreed to be utilised for the purposes of the Services at any time after the Commencement Date.

4.3 Both the Partners warrant that with respect to the Staff which each party makes available hereunder it has carried out all pre-employment as further detailed herein and regulatory checks reasonably required of it as an employer and, for NELFT as an NHS body, including but not limited to registrations, police checks or applications for a Disclosure from the Criminal Records Bureau as may be required and each Party shall indemnify the other in

respect of any claim, finding or award made in respect of any breach of such warranty. The pre-employment checks required include:

- NHS Employment Check Standards
- London Borough of Barking and Dagenham Employment Check Standards and
- Enhanced CRB, professional registration confirmation and any such other checks which are to be undertaken in accordance with current and future national guidelines and policies.

- 4.4 Both the Partners warrant that the Staff which each party make available for the Service have all relevant qualifications to perform the Services required by the Service. NELFT as Host Partner will provide assurance to the London Borough of Barking and Dagenham that they have a sufficient number of Approved Mental Health Practitioners (AMHPs) to fulfill duties set out under the Mental Health Act 2007 and provide a service which can meet the needs of people with Mental Health problems and their carers in Barking and Dagenham. This will be either through new appointments of Approved Mental Health Practitioners or through the training of existing staff. In all cases, the approval of persons to be deployed as AMHPs remains a function of the Local Authority, such approval will be provided to NELFT in writing.
- 4.5 If at any time during the term of this Agreement it becomes necessary or desirable for any employee of any other Partner to be transferred to the employment of the Host Partner such transfer shall be effected pursuant to a staff transfer order made by the Secretary of State under Schedule 18 to the 2006 Act and each relevant Partner will be separately responsible for its part in and any professional costs associated with any application for such an order.
- 4.6 In the event that TUPE is determined to apply to the Staff of either Partner who are made available for the Services or any other person, the Partners agree to cooperate in a manner consistent with the principles of this Agreement and the Partnership Regulations to determine the required financial contributions and other arrangements which are thereafter required by and from each party in order to meet the obligations which arise under TUPE and otherwise.
- 4.7 NELFT as Host Partner will in respect of each of the following posts dedicate to the extent necessary for the operation of the Services the post to the Partnership;
- the Barking and Dagenham Operational Director
  - the post details of which appear in Schedule 7
  - such other management posts as are agreed by the Executive Steering Group
- 4.8 Staff occupying the Partnership Posts will be managed by the Barking and Dagenham Operational Director of NELFT. Direct, day to day line management arrangements of the staff providing Services will be organised by NELFT, however overall accountability of the staff will be with the Barking and Dagenham Operational Director of NELFT (unless agreed otherwise by the Executive Steering Group).
- 4.9 The Partners may consider that it is necessary for new or replacement staff ("New Staff") to be appointed in order to fulfill the aims and objectives of this Agreement. The recruitment and appointment of New Staff will be carried out in accordance with the London Borough of Barking and Dagenham Recruitment Protocol as the employing organisation.
- 4.10 The provision of all professional supervision, training and staff development will remain the responsibility of the employing organization but will be discharged jointly with the Host Partner. As such, the employing organisation will ensure that their staff members continue to have access to resources to support their professional and personal development within the framework of that organisation's agreed training and development arrangements.
- 4.11 Any staff occupying the Partnership Posts or providing Services may be designated as delegated managers by the Barking and Dagenham Operational Director of NELFT subject to

the needs of the Partnership and Partners' financial standing instructions. Designated managers may line manage staff from each Partner organisation or employing organisation irrespective of the staff's employer.

- 4.12 The Partners agree to review the arrangements for the provision of training and development and other support functions as set out above from time to time in the light of in particular (but without limitation):
- 4.12.1 any material changes to the proportion of staff employed by one or other of the Partners as a result of the operation of this Agreement: and/or
- 4.12.2 either Party considering that it is or is likely to become disproportionately responsible for the costs of such obligation in the provision of the Services.
- 4.13 During the term of the secondment, as set out within Clause 4.1, any staff providing Services will abide by the requirements set out in the Codes of Conduct, policies, procedures and practices of both the Partners. Local Authority staff will continue to be contractually bound by the policies and procedures of their employer. Where the policies, procedures of the Host Partner are at variance with those of LBBB, then the appropriate policies and procedures of the London Borough of Barking and Dagenham will apply in relation to the employees of the London Borough of Barking and Dagenham. The Barking and Dagenham Operational Director of NELFT will consult with the employing organisation's Human Resources Services for advice and support.
- 4.14 For recruiting to vacant established posts, the Barking and Dagenham Operational Director of NELFT will use the NELFT Human Resources Services to carry out the recruitment process and will consult with the Human Resources Services of the Partner who is funding the post in order to undertake any job evaluation required for the post and make arrangements for the post to also be advertised within the Partner's organisation. Staff recruited to these posts as employees will have the option of remaining in their current employing sector, for the purposes of continuous service, through employment with either the Host Partner or a Partner organisation. The Partners will liaise where necessary to ensure consistency. It is the Barking and Dagenham Operational Director of NELFT's responsibility to ensure that the recruitment is carried out in an integrated manner, and in accordance with the procedures (such as advertising period) set out within the LBBB recruitment protocol.
- 4.15 Staff will be performance managed according to the policies and procedures of the relevant Partner or other employing organisation and subject to the overall functions and objectives of the Executive Steering Group.
- 4.16 Staff terms and conditions will be those applicable to the relevant Partner or other employing organisation and any such changes of these terms and conditions will be subject to the employing organisation's policies including staff consultation. Where another member of staff or a third party wishes to make a complaint or has an enquiry about any act or omission of a member of staff providing Services then that person may raise the matter with or make the complaint to the Barking and Dagenham Operational Director of NELFT who will as necessary refer the matter through to the member of staff's employing organisation whose complaints grievance and/or disciplinary procedures shall be followed in resolving the matter.
- 4.17 Where a Partner proposes to take action in relation to one of its employees who is providing available staff services and that action is likely to affect the performance of the obligations of any other Partner then any such action will be notified to that other Partner prior to it being implemented.
- 4.18 Where it is necessary for the purposes of either Partner's personnel procedures for a member of Staff employed or contracted by the other Partner to co-operate with the operation of any discipline or grievance procedures, the employing party shall use all reasonable endeavours to ensure that such co-operation is forthcoming. For avoidance of doubt, such co-operation shall include any assistance which may reasonably be required by a party in the event of any proceeding being brought by any Staff member relating to matters which are the subject matter of this Agreement.

- 4.19 Where a member of Staff employed by one party (the manager) is the manager of a member of Staff employed by the other party (the managed person), the manager is authorised by virtue of the Partnership Arrangement to give instructions to the managed person and to take all appropriate management action in respect of the managed person. This is provided that any such instructions shall not contravene the managed person's terms and conditions of employment.
- 4.20 Each party shall be responsible for all emoluments and outgoings in respect of the Staff employed by them (or who were so employed immediately prior to the Commencement Date) including without limitation all wages bonuses commissions, holiday entitlements, PAYE National Insurance contributions, statutory or contractual redundancy payments and pension contributions including any early retirement benefits or entitlements incurred or payable prior to, during the continuation of, or following the termination of this Agreement and each Party shall indemnify the other in respect of any claim, finding or award made in respect of the same
- 4.21 Each Partner or other employing organisation as the case may be will continue to be responsible for its employees in respect of the range of risks normally associated with their employment, including, without prejudice to the generality, employer's liability, third party liability and premises liability risks and each Party shall indemnify the other in respect of any claim, finding or award made in respect of such liabilities
- 4.22 In the event of a growth in the Partnership's need for Services after the Commencement Date then any additional staff required shall be recruited by the Barking and Dagenham Operational Director of NELFT in accordance with the terms of clause 4.3.3 and will be employed pursuant to Clause 4.3 by the Partner agreed by the Executive Steering Group. The salary or wages (as the case may be) costs of any such staff shall be met from the Pooled Budget unless otherwise agreed by the Executive Steering Group. To maintain an overview of the workforce, particularly in relation to the representation of social care professionals, the Barking and Dagenham Operational Director of NELFT will undertake an annual review of the workforce profile, in consultation with the Human Resources Services of the Partners, for the consideration of the Executive Steering Group.
- 4.23 Upon the termination of this Agreement for any reason, it is the intention of the Partners that subject to the application of TUPE, each Partner shall resume direct management control and responsibility for all Employment Liabilities arising or payable in respect of any and all Staff engaged in the provision of the Services who were so employed by them immediately prior to the termination of the Agreement.

## **5. ACCOMMODATION SERVICES AND GOODS**

- 5.1 Pursuant to Section 75 (2)(d) of the National Health Service Act 2006 and Regulation 10(1) of the Regulations the Partners will from the Commencement Date provide in connection with the Partnership such accommodation, goods and Service Contracts relating to the Services as are indicated in respect of each of them in Schedule 5 or as are agreed by the Partners from time to time
- 5.1.1 The Partners will so far as is necessary and appropriate to the achievement of the purposes of the Partnership cooperate over the Term of the Agreement to utilise the accommodation, goods, services and Services Contracts described in Schedule 5 in an integrated manner and periodically to review the needs of the Partnership for accommodation goods and services on the same basis and shall make additional or substituted accommodation goods or services available by agreement in the light of such periodic review.
- 5.1.2 The Host Partner is required to acknowledge the Partnership of the London Borough of Barking and Dagenham in all communications material it produces and where practicable on all capital items, vehicles and/or buildings provided through the Pooled Fund throughout the duration of this agreement.



- 5.1.3 In respect of the accommodation provided by each Partner that Partner shall be responsible for arranging all FM and other estates services for that accommodation, for the payment of all outgoings in respect of that accommodation and for complying with any lease or other legal requirements relating to the accommodation.

## **6. COMMISSIONING AND CONTRACTING FRAMEWORK**

- 6.1 All Services directly provided pursuant to this Agreement shall be subject to the requirement of the Local Authority's commissioning and procurement principles.
- 6.2 The individual Partners, in respect of any Partner Contract, will:
- 6.2.1 Seek to agree common contract formats and policy requirements with Service Providers;
- 6.2.2 Abide by any standing orders and contracting policies of the relevant individual Partner;
- 6.2.3 Comply with applicable UK and EU legislation.
- 6.3 In relation to any Partnership Contract the Host Partner shall apply Standing Orders so far as relevant to commissioning as if references therein to the Host Partner as an individual agency were to the Host Partner in its lead capacity for the purposes of the Partnership.

## **7. RECORD KEEPING, INFORMATION SHARING, CONFIDENTIALITY AND DATA PROTECTION**

- 7.1 The Executive Steering Group, NELFT as Host Partner and LBBB as the case may be shall keep the necessary records to ensure that decision making by each is referenced to appropriate statutory powers or to relevant provisions of this Agreement.
- 7.2 In the event of disputes arising such records may be used to establish the basis of decisions made and where necessary to assign individual or organisational responsibility for any particular matter.
- 7.3 The Executive Steering Group, NELFT as Host Partner and LBBB as the case may be shall in relation to information sharing between agencies, having proper regard to the principles of client confidentiality and the need to comply with the Data Protection Act 1998 observe and comply with the obligations set out in the Information Sharing Policy or any similar replacement Government guidance and the Freedom of Information Act 2000. In relation to record management, NELFT as Host Partner will have proper regard to the principles set out within the Social Care Record Guarantee for England (as produced by the National Information Governance Board for Health and Social Care) and Caldicott Standards.

## **8. FREEDOM OF INFORMATION ACT 2000 AND RELATED STATUTES**

- 8.1 Each Partner ("the First Partner") acknowledges that in responding to a request received by the other Partner ("the Other Partner") under the FOIA or the Environmental Information Regulations 2004 ("the EIR") the Other Partner will be entitled to provide information held by it relating to this Agreement or which otherwise relates to the First Partner.
- 8.2 The Other Partner shall use reasonable endeavours to notify the First Partner of any request under the FOIA or the EIR and the intention to disclose the information within 10 Working Days (as defined in the FOIA) of receipt of such request. Before disclosing any information, the Other Partner shall consider any representations made by the First Partner within 4 Working Days (as defined in the FOIA) of notification from the Other Partner to the First Partner in accordance with this Clause 8.2.
- 8.3 The First Partner acknowledges that, if it does not revert to the Other Partner within the period set out in Clause 8.2, or if its representations do not alter the view of the Other Partner that the information should be disclosed, the Other Partner is under a duty to disclose such information.

8.4 The First Partner shall co-operate with the Other Partner in connection with any request received by the Other Partner under the FOIA or the EIR in compliance with the statutory timescales and such co-operation shall be at no cost to the Other Partner.

8.5 Both partners acknowledge that members of the public can also make requests for information under the Audit Account Regulations 2003 and the Audit Commission Act 1998 and shall liaise and assist each other as required.

## **9. THE HOST PARTNER**

9.1 The Partners agree that NELFT, as the Host Partner shall have the following responsibilities (which shall be discharged on a day-to-day basis by the Barking and Dagenham Operational Director of NELFT):

9.1.1 To apply the relevant parts of the constitution and the Standing Orders and other relevant regulations of the Host Partner to the management of the Pooled Fund, within the context of the arrangements made under Clause 9;

9.1.2 To lead on the implementation of the delivery of the Services in accordance with the terms of this Agreement and decisions of the Executive Steering Group and utilising the Partnership Resources in the way best designed to promote the purposes of the Partnership efficiently and cost effectively;

9.1.3 To provide financial administrative and other relevant support to enable effective and efficient management of the Pooled Fund;

9.1.4 To be responsible for the accounts of the Executive Steering Group and the Pooled Fund and to integrate and maintain a clearly identifiable accounting structure to ensure effective monitoring and reporting of the Partnership;

9.1.5 To provide such information as the Executive Steering Group or either of the Partners may require enabling the effective management of the Services and the Pooled Fund;

9.1.6 As soon as possible after the Commencement Date to introduce effective audit arrangements in accordance with the Regulations which will take account of relevant guidance from relevant regulatory bodies and the Health Act Circular;

9.1.7 To produce a year end memorandum of account showing income received, expenditure and any balance remaining in the Pooled Fund (such report to be provided to the Partners for inclusion in their statutory accounts);

9.1.8 To have due regard to HM Customs & Excise directions and guidance regarding the VAT aspects of the Partnership;

9.1.9 To ensure that the integrated mental health services will always be branded in line with the corporate expectations of both partners and the Executive Steering Group. In particular the logos of both LBBD as employing organisation and NELFT as the Host Partner will be used on public documentation;

9.1.10 To ensure that the Operational Director continues to represent NELFT at Barking and Dagenham's Safeguarding Adults Board and the Local Safeguarding Children Board, and to ensure that there is appropriate representation from Mental Health Services on the sub-groups of both Boards; and

9.1.11 To ensure NELFT Director level representation for mental health services and community health services at the borough's Health and Wellbeing Board.

## **10. POOLED FUND, CONTRIBUTIONS AND BUDGET**

10.1 The Partners agree that:

- 10.1.1 Their respective Contributions for the First Financial Year and relating to the Services are set out in Schedule 4, but shall be subject to the in year adjustment provisions contained in this clause 10.
- 10.1.2 For the second and all subsequent Financial Years of the Term, the Executive Steering Group may agree that due to budget pressures and organisation efficiency savings requirements of Partners that they wish to revise the budget levels for subsequent financial years. Provided the necessary information has been provided by the Host Partner to LBBB in writing before the 30<sup>th</sup> March, the Partners shall use reasonable endeavours to agree to commit funding for the Partnership and their respective Contributions before the 28th February. Once agreed, they shall sign a record of the Contributions and these shall be formally reported to a meeting of the Executive Steering Group. Those Contributions shall similarly be subject to the in-year adjustment provisions contained in this Clause 10. If agreement on them is not reached the provisions of Clause 21.1.5 shall apply, except where the Partners agree that termination is not appropriate.
- 10.2 NELFT's responsibility as Host Partner for managing routine upwards and downwards fluctuations in monthly expenditure from the Pooled Fund against the expected profile of expenditure shall be managed on a day to day basis by the Barking and Dagenham Operational Director.
- 10.3 In relation to any in year variation to the Budget which reasonably appears to the Barking and Dagenham Operational Director of NELFT to be required as a result of an anticipated overspend the following provisions shall apply:
- 10.3.1 Following the reporting by the Barking and Dagenham Operational Director to the Executive Steering Group of any anticipated overspend in respect of the Council's functions, which will be done immediately on becoming aware of the overspend, the Executive Steering Group shall discuss how such overspend shall be resolved and propose to the Partners a method of addressing the expected overspend. This overspend should be managed within the budgets of the Partners. Only as the last option should this include revising the relevant Financial Year's Contributions of the Partners. Upon authorisation from the Partners in writing the Executive Steering Group will authorise the Barking and Dagenham Operational Director to take any appropriate remedial action within such time as is agreed between the Partners
- 10.3.2 For the avoidance of doubt, nothing in this Agreement is intended to:
- 10.3.2.1 result in NELFT's Contribution to the Pooled Fund being higher than the payment made to the Host Partner (whether under this Agreement, commissioning agreement with the PCT or otherwise) for the provision of the Services; or
- 10.3.2.2 otherwise result in NELFT being liable for any shortfall between the Pooled Fund and the costs of the integrated provision of the Services (other than as a result of the Host Partner failing to make reasonable endeavours to manage the budgets and take any remedial action as specified at 10.3.1) – NOTE THIS CLAUSE IS STILL UNDER NEGOTIATION WITH NELFT
- 10.4 In relation to any in-year variations to the Budget which reasonably appear to the Barking and Dagenham Operational Director to be required as a result of any anticipated under spend the following shall apply:
- 10.4.1 Following the reporting by the Barking and Dagenham Operational Director to the Executive Steering Group of any anticipated under spend, which will be done immediately on becoming aware of the under spend the Executive Steering Group shall discuss how such under spend shall be resolved and propose to and agree with the Partners a method of addressing the expected under spend including revising the relevant Financial Year's Budget and Partner's Contributions and shall authorise the

Barking and Dagenham Operational Director to take any appropriate remedial action within such time as is agreed between the Partners

- 10.4.2 In default of such Agreement the Partner on whose account the under spend has arisen shall have the option of:-
- reducing its in year Contribution to the Pooled Fund proportionately
  - having an amount equivalent to the amount of the under spend carried forward to be netted off against the amount of its due Contribution for the following year.
- 10.5 The Executive Steering Group may agree from time to time to achieve an under spend in a particular Financial Year and carry it forward to the following Financial Year of the Term. This would require subsequent agreement by the Cabinet of London Borough of Barking and Dagenham
- 10.6 The Executive Steering Group may agree that due to budget pressures they wish to plan an under spend to enable a planned withdrawal of funds.
- 10.7 The Pooled Fund shall only be used for the provision of or procurement of the Services.
- 10.8 The Partners shall pay their Contributions in 12 monthly installments payable on the 15<sup>th</sup> of each month unless otherwise agreed.
- 10.9 The Partners (including the internal auditors) shall have the right of access to relevant accounting records relating to the Pooled Fund. In terms of responsibility both Partners' through their Internal Audit Sections shall be responsible for auditing the areas pertaining to their individual organizations and will work together in areas where an overlap of interest occurs.
- 10.10 The Budget shall be calculable as the initial Budget for the previous Financial Year of the Term plus or minus any in year changes agreed by the Executive Steering Group or the Partners (where it is decided that these should be recurrent); plus any agreed inflation uplift in the coming Financial Year; plus any planned changes for the coming Financial Year; less any agreed efficiency savings.
- 10.11 The Executive Steering Group will apply the Host Partner's virement framework to apply to the Pooled Fund and this framework may be varied only with the Partner's consent; no other virement shall take place on any part of the Pooled Fund.
- 10.12 The costs which are incurred by the Partners in connection with the administration of the Partnership shall be met from the Pooled Fund except where otherwise agreed and the Partners accept the need to make provision for these costs in determining their Contributions to the Budget.
- 10.13 All payments made in respect of this Partnership Agreement will be made by the Pooled Fund Manager.

## **11. ASSESSMENT AND ELIGIBILITY CRITERIA**

- 11.1 The persons who are within the scope of the provision of Services pursuant to the Partnership are those defined as 'Service users' at clause 1.1. The partners will ensure that Eligibility Criteria for particular services are considered and met at all times when implementing delivery of the Services.
- 11.2 Persons may fall into eligibility criteria for other services funded by the Partners, such as housing, education and generic health, in addition to the Services. Nothing in this Agreement shall prevent any Service User from using such services if he meets the relevant criteria.
- 11.3 If case law, legislation or national Government policy alters the responsibilities of the respective Partners to this Agreement in relation to eligibility or service provision/funding then

such law or policy shall take precedence. In such a case the Partners agree to reflect such changes in the delivery of Services under this Agreement through the Partnership.

- 11.4 All local policies determined by the Partners that impact on this Agreement must be agreed by the Partners through the Executive Steering Group and cannot be incorporated into this Agreement without the prior consent of all Partners

## **12. CHARGES**

- 12.1 Nothing in this Agreement shall detract from the principle that NHS services and services provided under Section 117 of the Mental Health Act 1983 are free at the point of delivery and may not be charged for.
- 12.2 The London Borough of Barking and Dagenham shall be at liberty to levy charges for such elements of the Services for which legislation requires or permits them to charge provided that those charges comply with any charging policy agreed by the Executive Steering Group. The Host will be required to supply information relevant to the usage of services, as necessary to enable the LBBDD to implement charging policies for services, which exist or may be introduced.
- 12.3 Where a Service User makes it clear to Mental Health Services that they think that the distinction between charged for and non-charged for Services is blurred, whether through the operation of assessment arrangements or arrangements for the delivery of integrated Services under this Agreement, then the Barking and Dagenham Operational Director in consultation with relevant officers of the Local Authority will be responsible for identifying to the relevant Service Users the Partner levying the charges and the nature of the Services charged for and for making it clear to Service Users as to which element of the Services a charge is being levied.

## **13. PERFORMANCE MANAGEMENT**

- 13.1 The Partners will, through the Executive Steering Group and with close regard to the performance framework and the local priorities of the Health and Wellbeing Board, work to develop a performance management framework for the partnership arrangements with relevant indicators for measuring effectiveness. In doing so the Partners will have regard to paragraphs 51-53 of the 1999 Act Circular.
- 13.2 The performance measures will demonstrate:
- How far the aims of the Partnership Agreement are being achieved;
  - The extent to which outputs including timescales and milestones are being met, as defined in clauses 13.3. – 13.5
  - The extent to which agreed outcomes are being fulfilled and targets met, as defined in clauses 13.3 – 13.5
  - Budget monitoring for all staffing and Partnership budgets.
- 13.3 The targets used to measure quality will primarily relate to those contained in the L.A. key performance indicators, the Monitor targets and the PCT contractual targets and any replacement of such targets mandated through Health sector reform.
- 13.4 In relation to any targets set by the Partners pursuant to clause 13 above, the Partners agree that it shall be the responsibility of the Barking and Dagenham Operational Director to manage the delivery of such targets, in particular:
- the Barking and Dagenham Operational Director will take the lead in ensuring actions plans are prepared in response to Delivery and Improvement Plans, Social Services Indicators and targets
  - to put in place and monitor a clearly identifiable performance monitoring process

- 13.5 The Host Partner shall provide LBBB such information/data and reports to enable the Local Authority to comply with its statutory management requirements
- 13.6 The Host Partner will lead on ensuring that the delivery of information required by LBBB service user database is inputted accurately until such time that LBBB can be assured that the NELFT's IT software can reliably pass information onto LBBB's database. This will be carried out with due regard to the Information Sharing Policy.
- 13.7 The Partners agree that it shall be the responsibility of LBBB, with the assistance of the Host Partner to submit all the required data and reports to the Department of Health each year.
- 13.8 The Host Partner will ensure that any changes to the data required in light of new guidance/legislation by Central Government are communicated and changes made in accordance with the new requirements.

#### **14. INSPECTION AND REPORTING ARRANGEMENTS**

- 14.1 The Partners recognise the potential interest of the various agencies whose names appear below in inspecting different aspects of the provision of Services and agree to cooperate with each other to facilitate any such inspections or reporting requirements by, *inter alia*:
- The Care Quality Commission
  - The Department of Health
  - Monitor
- or their respective successors and similar statutory regulatory bodies.

- 14.2 The Host Partner will allow access for audit and inspection by representatives from the organisations set out in clause 14.1 or other designated officers of LBBB.
- 14.3 Each Partner will report to the next due meeting of the Executive Steering Group the key findings of any inspection in respect of the Services to which it has been subject.

#### **15. COMPLAINTS**

- 15.1 Without prejudice to the complaints procedures under section 7B of the Local Authorities Social Services Act 1970, complaints will be dealt with by the Host Partner's and/or Service Providers complaints procedures internal to their organisation which enable Service Users to be heard in respect of any complaint concerning any element of the Services which are provided by or on behalf of a particular Partner and in accordance with each Partner's statutory obligations in this regard. Nothing in this paragraph shall preclude the Service User from making a complaint to the relevant Partner
- 15.2 Complaints by third parties in respect of the provision of Services to Service Users will also be dealt with initially by the Host Partner or Service Provider within its own complaints procedures.
- 15.3 In any case where the Service User does not feel that his complaint has been adequately addressed through the Host Partner or Service Provider's procedure then he will be entitled to refer his complaint for consideration as one relating to the Partnership.
- 15.4 Any such referred complaint shall in the first instance be considered by the Barking and Dagenham Operational Director of NELFT but additionally the Partners through the Executive Steering Group shall consider the establishment of a formal Complaint Review Body to act as final arbiter pursuant to Regulation 10 (2) – (3) of the Regulations and having regard to the guidance on good practice contained in paragraph 71 of the Health Act Circular.
- 15.5 The Host Partner shall be responsible for keeping a record of complaints and any action as a result on them is to be available at any time for inspection by the Executive Steering Group

## **16. REVIEW**

- 16.1 The Executive Steering Group shall review the operation of the Partnership at appropriate intervals and not less than annually to ensure that this Agreement is operating in the most satisfactory manner.
- 16.2 The Executive Steering Group may review the operation of this Agreement on the coming into effect of any relevant case law legislation or guidance affecting the delivery of Services.
- 16.3 The Executive Steering Group will during the second year of this Agreement review the Partnership working arrangements and consider its scope and subject to the provisions of Clause [17] shall agree any necessary changes to
- 16.3.1 the partnership arrangements; and/or
  - 16.3.2 the financial arrangements; and/or
  - 16.3.3 the service provision or demand which may influence funding.

## **17. VARIATION**

- 17.1 If any Partner proposes a variation to any of the terms of this Agreement that Partner shall initially report its proposal to a meeting of the Executive Steering Group.
- 17.2 Variations will only be effective if agreed by all Partners through the Executive Steering Group and if agreed will be evidenced by a document confirming the details of the variation signed on behalf of each Partner by its senior representative on the Executive Steering Group or, in the case of LBBB and if required, through approval by the Council's Cabinet.

## **18. INDEMNITIES**

- 18.1 This Clause 18 applies where one Partner ("the Indemnified Partner") incurs direct losses or is subject to claims from third parties as a result of the negligent actions or omissions of the other Partner or its/their employees or agents ("the Negligent Partner") and the Indemnified Partner reasonably settles any such claim or is found liable at law in respect of such a claim having reasonably opted to defend such a claim.
- 18.2 In the circumstances outlined in Clause 18.1 the Negligent Partner shall indemnify the Indemnified Partner against any such losses or claims to the extent which such losses and claims result directly from the negligence of the Negligent Partner.
- 18.3 The Indemnified Partner shall not be entitled under this Clause 18 to recover from a Negligent Partner any loss of income or any indirect or consequential loss suffered by the Indemnified Partner.

## **19. DISPUTE RESOLUTION**

- 19.1 The Parties agree that, where a dispute raises multiple issues under this Agreement, they shall so far as practicable endeavour to consolidate the resolution of such disputes.
- 19.2 Any dispute shall in the first instance be referred to the Executive Steering Group who shall endeavour to resolve it within 28 days. If no resolution is possible within that period the dispute shall be referred to the Chief Executives of the Partners affected who shall endeavour to resolve the dispute within a further 28 days.
- 19.3 Nothing in this dispute resolution procedure shall prevent the Parties from seeking from any court of the competent jurisdiction an interim order restraining the other Party from doing any act or compelling the other Party to do any act.
- 19.4 If the dispute cannot be resolved by the Parties pursuant to Clause 2.2 the dispute shall be referred to mediation pursuant to the procedure set out in Clause 2.6 unless:
- 19.4.1 LBBB considers that the dispute is not suitable for resolution by mediation; or
  - 19.4.2 NELFT does not agree to mediation.

- 19.5 The Agreement shall not be suspended or cease by the reference of a dispute to mediation and the Partners (or employee, agent, supplier or sub-contractor) shall comply fully with the requirements of the Agreement at all times.
- 19.6 The procedure for mediation and consequential provisions relating to mediation are as follows:
- 19.6.1 a neutral adviser or mediator ("the Mediator") shall be chosen by agreement between the Parties or, if they are unable to agree upon a Mediator within 10 Working Days after a request by one Party to the other or if the Mediator agreed upon is unable or unwilling to act, either Party shall within 10 Working Days from the date of the proposal to appoint a Mediator or within 10 Working Days of notice to either Party that he is unable or unwilling to act, apply to the Centre for Effective Dispute Resolution ("CEDR") to appoint a Mediator.
- 19.6.2 The Parties shall within 10 Working Days of the appointment of the Mediator meet with him in order to agree a programme for the exchange of all relevant information and the structure to be adopted for negotiations to be held. If considered appropriate, the Parties may at any stage seek assistance from CEDR to provide guidance on a suitable procedure.
- 19.6.3 Unless otherwise agreed, all negotiations connected with the dispute and any settlement agreement relating to it shall be conducted in confidence and without prejudice to the rights of the Parties in any future proceedings.
- 19.6.4 If the Parties reach agreement on the resolution of the dispute, the agreement shall be reduced to writing and shall be binding on the Parties once it is signed by their duly authorised representatives.
- 19.6.5 Failing agreement, either of the Parties may invite the Mediator to provide a non-binding but informative opinion in writing. Such an opinion shall be provided on a without prejudice basis and shall not be used in evidence in any proceedings relating to the Contract without the prior consent of both Parties.
- 19.6.6 If the Parties fail to reach agreement in the structured negotiations within 60 Working Days of the Mediator being appointed, or such longer period as may be agreed by the Parties, then any dispute or difference between them may be referred to the Courts.

## **20. STATUTORY COMPLIANCE**

- 20.1 The Partners shall comply with all relevant legislation relating to the Partnership. For the avoidance of doubt the Partners acknowledge that as the Services include functions of a public nature the Partners (at all times) and the Service Providers (at appropriate times) constitute public authorities within the meaning of section 6(3) of the Human Rights Act 1998.
- 20.2 Each Partner in relation to its own Partner Contracts and the Host Partner in respect of Partnership Contracts shall wherever applicable require the acceptance by Service Providers of their status as either public authorities within section 6 (3) of the Human Rights Act 1998 when exercising functions of a public nature or as by analogy public authorities in such circumstances and shall in either case require such Service Providers to enter into appropriate indemnities in respect of any elements of any claims which arise under any provision of the Human Rights Act 1998.

## **21. TERMINATION**

- 21.1 This Agreement shall terminate where:
- 21.1.1 One Partner gives at least twelve months written notice to the other Partner that they wish to terminate this Agreement;
- 21.1.2 A Partner ceases or threatens to cease to carry on all or any part of its undertakings as constituted at the date of this Agreement where this would in the reasonable opinion of the other Partner have a material effect on the ability of the Partners to comply with this Agreement;



- 21.1.3 Any Partner reasonably considers that reasonable circumstances at any time arising as a result of legislation or policy requirements of central Government results in the terms of this Agreement no longer being tenable and has given the other Partner written notice;
  - 21.1.4 There has been service failure, as determined by the Executive Steering Group, as a consequence of which the continuation of the Agreement would be detrimental to Services or a Partner and at least six month's written notice is given;
  - 21.1.5 The Partners are unable to agree the resourcing of this Agreement either in respect of the Contributions or the Services or the accommodation services and goods made available under Clause 5 such that the joint arrangements are no longer functional. Where such a situation arises the Partners will first have fully discussed the implications through the Executive Steering Group and agreed on a joint strategy for the dissolution for the Agreement. A minimum of three months notice will be required to determine the Agreement under this provision.
- 21.2 Where this Agreement is terminated the Partners agree to cooperate fully in ensuring that Partnership is dissolved without harm to Service Users or Services and there is an orderly transition to the arrangements that are to supersede this Agreement.
- 21.3 Any costs resulting from the termination of the Agreement or from the termination of any part of the Services (including in respect of any staff redundancies) shall be paid for:
- 21.3.1 Where that termination is agreed by the Partners, out of the Pooled Fund or in the event of termination of the agreement, by the Partners pro rata to their Contribution to the Pooled Fund;
  - 21.3.2 Where one Partner decides, without the agreement of the other Partner, to cease providing part or all of the Services, by that Partner;
  - 21.3.3 Where that termination is caused by one Partner having acted unreasonably, (which in the case of dispute shall be determined by paragraph 19.1) by that Partner
  - 21.3.4 Ongoing costs which arise as a consequence of the termination of the Agreement and its replacement with new arrangements shall be borne separately by the Partners.
- 21.4 In the event that this Agreement is terminated (whether by effluxion of time or by notice of termination):
- 21.4.1 The Parties agree to co-operate to ensure an orderly wind down of their joint activities as set out in this Agreement and to avoid, or minimise the disruption of the Services to the Service Users;
  - 21.4.2 The Parties agree to comply with any consultation requirements in the event of termination of this Agreement;
  - 21.4.3 Any underspend in relation to the Pooled Fund upon termination shall be apportioned between the Parties in accordance with their contributions to the Pooled Fund in the relevant Financial Year and the Parties shall make such payments to each other as shall be required to reflect this.
  - 21.4.4 Any overspend existing at the date of termination shall be apportioned between the Parties in accordance with their contributions to the Pooled Fund in the relevant Financial Year and the Parties shall make such payments to each other as shall be required to reflect this.
  - 21.4.5 The Partners shall continue to be responsible for any liabilities that arise following distribution of the Pooled Fund pursuant to clause 21.3. Any liabilities that are subsequently quantified shall be apportioned between the Parties in accordance with

the provisions of clause 21.3 and the Parties shall make such payments to each other as shall be required to reflect this.

21.4.6 The Partners shall act in good faith and in a reasonable manner in reaching agreement on the matters referred to in clause 21.4.4 and 22.4.5. In default of agreement the Parties shall refer the matter to be determined in accordance with the disputes procedure specified in clause 19. The Parties shall make such payments to each other as are necessary to reflect such apportionment of liabilities as may be agreed or determined.

21.5 In this Clause 21, "**liabilities**" shall be deemed to include all costs claims liabilities expenses and demands made against or suffered or incurred by the relevant Partner including (but not limited to) the following matters:

21.5.1 public liability;

21.5.2 employer's liability;

21.5.3 professional indemnity (including but not limited to officers liability and clinical negligence);

21.5.4 employment claims including (but not limited to) claims for:

a) damages, costs and expenditure including (but not limited to) claims for wrongful and unfair dismissal and under Transfer of Undertakings (Protection of Employment) Regulations 1981;

b) damages, costs and expenditure in relation to sex, race or disability discrimination and equal pay claims;

c) other claims for breach of employment contract;

21.5.5 Ombudsman awards;

21.5.6 claims for breach of the Human Rights Act 1998 and claims in public law;

and "liability" shall be construed accordingly

## **22. ASSIGNMENT AND SUB-CONTRACTING**

22.1 This Agreement and all rights under it may not be assigned or transferred by either Partner without the prior written consent of the other PROVIDED THAT no such consent shall be necessary for an assignment or novation to a statutory successor in respect of the functions relevant to this Agreement of either of the Partners.

22.2 Upon such assignment or transfer the assignor or transferor shall ensure that the assignee or transferee enters into a written undertaking to comply with the terms and conditions of this Agreement in consideration of which the other parties agree to release the assignor or transferor from further liability except in respect of liability accrued up to the date of such assignment or transfer.

## **23. SEVERANCE**

23.1 If any Clause of this Agreement not being of a fundamental nature shall be held to be illegal or un-enforceable the remainder of this Agreement shall not thereby be affected.

## **24. CONDUCT OF CLAIMS**

- 24.1 In respect of any claim by or against LBBB or NELFT which in any way relates to the Services and/or a Service User including without limitation the performance by the Partners of their obligations under this Agreement, each Partner agrees:
- 24.1.1 to notify the other in a timely manner of the details of any such Claims;
  - 24.1.2 to consult with the other and keep the other fully informed of the progress and details of the Claim; and
  - 24.1.3 that where the Claim relates to both Partners not to compromise, dispose of or settle the Claim without the other Partner's prior written consent (not to be unreasonably withheld); and
  - 24.1.4 that where the Claim relates solely to the Relevant Functions of one Partner (the "First Party") and has been made against the other Partner the Partners shall seek to agree which Partner shall have conduct of the Claim having regard to the requirements of each Partner's insurers (or equivalent); and neither Partner shall compromise, dispose or settle the Claim without the prior written consent of the other (not to be unreasonably withheld).
- 24.2 Each Partner agrees to co-operate and provide all such advice, assistance and information to the other Partner as may be reasonably required in respect of any such Claim or the conduct of any such Claim in a timely manner.

## **25. INSURANCE ARRANGEMENTS**

- 25.1 The Partners shall, so far as is possible at reasonable cost and allowable by law or guidance, agree and effect appropriate insurance arrangements in respect of all potential liabilities arising from the partnership arrangements. In the case of NELFT it may effect, through the National Health Service Litigation Authority, alternative arrangements in respect of NHS schemes in lieu of commercial insurance.

The obligations in this Clause shall include insurance (or equivalent) arrangements after the date of determination of this Agreement in respect of any events acts or omissions prior to such determination.

- 25.2 The Partners in consultation with their insurers (or equivalent alternative providers to cover NHS schemes) may agree from time to time, common policies and protocols for the handling of Claims covered by the Partners' insurance arrangements (or equivalent) for the Relevant Functions. Such policies and protocols as are agreed may be applied to the partnership arrangements.

- 25.3 Uninsured Liability Payments

- 25.4 Where a Partner makes an uninsured liability payment it may elect after consultation with the other Partner that the same be paid from the following:

25.4.1 the Pooled Fund

25.4.2 other financial resources available to the Partner.

- 25.5 Alternative Arrangements

The Partners may agree alternative insurance arrangements to the foregoing from time to time.

## **26. ENTIRE AGREEMENT**

The terms herein contained together with the contents of the Schedules constitute the complete agreement between the Partners with respect to the subject matter hereof and supersede all previous communications, representations, understandings and agreement and

any representation, promise or condition not incorporated herein shall not be binding on either Partner.

## **27. NOTICES**

- 27.1 Any notice of communication hereunder shall be in writing.
- 27.2 Any notice or communication to the LBBB hereunder shall be deemed effectively served if sent by registered post or delivered by hand to the LBBB at the address set out above and marked for the attention of the Corporate Director of Adult and Community Services or to such other addressee and address notified from time to time by the London Borough of Barking and Dagenham to NELFT for service on the London Borough of Barking and Dagenham.
- 27.3 Any notice or communication to NELFT hereunder shall be deemed effectively served if sent by registered post or delivered by hand to the address set out above and marked for the attention of the Managing Director, Mental Health Services or to such other addressee and address notified from time to time by NELFT to the LBBB for service on NELFT.
- 27.4 Any notice served by delivery shall be deemed to have been served on the date it is delivered to the addressee. Where notice is posted it shall be sufficient to prove that the notice was properly addressed and posted and the addressee shall be deemed to have been served with the notice 48 hours after the time it was posted.

## **28. WAIVERS**

- 28.1 The failure of any Partner to enforce at any time or for any period of time any of the provisions of this Agreement shall not be construed to be a waiver of any such provision and shall in no matter affect the right of that Partner thereafter to enforce such provision.
- 28.2 No waiver in any one or more instances of a breach of any provision hereof shall be deemed to be a further or continuing waiver of such provision in other instances.

## **29. SURVIVAL OF CERTAIN PROVISIONS**

- 29.1 Clauses 1 (Interpretation), 7 (Record Keeping, Information Sharing, Freedom of Information, Confidentiality and Data Protection), 8 (Freedom of Information Act 2000 and Related Statutes), 12 (Charges), 14 (Inspection Arrangements), 15 (Complaints), 18 (Indemnities), 19 (Disputes), 21 (Termination), 23 (Severance), 24 (Conduct of Claims), 25 (Insurance Arrangements), 26 (Entire Agreement), 27 (Notices) and 28 (Waivers) shall survive termination of this Agreement.

## **30. EQUAL OPPORTUNITIES**

- 30.1 The parties hereto shall do all they reasonably can to seek the elimination of all forms of discrimination in their employment practices, management and provision of services in relation to sex, religion, race, age, ethnicity, disability and sexual orientation in accordance with an established equal opportunities policy (as amended from time to time).
- 30.2 The parties shall not unlawfully discriminate within the meaning and scope of the provisions of the Race Relations Act 1976, the Sex Discrimination Acts 1975 and 1986, Disability Discrimination Act 1995 and the Equalities Act 2010 and shall take all reasonable steps to ensure that all persons employed in the execution of the Contract do not unlawfully discriminate.
- 30.3 In the event of any judicial or other official finding of unlawful discrimination by either party they shall take all reasonable steps to prevent a repetition of the unlawful discrimination and shall provide details of those steps to the other party upon request.
- 30.4 The parties shall ensure that their staff behave with courtesy and respect to everyone regardless of sex, religion, race, disability and sexual orientation.

The parties shall observe any and all Codes of Practice relating to equal opportunities, and shall comply at all times with the relevant Equal Opportunities policy

- 30.5 Neither party shall treat one group of people less favourably than others on grounds including their colour, race, nationality, ethnic origin, sex, sexual orientation, age, religion, beliefs or disability in relation to decisions to recruit, train, promote, discipline or dismiss its personnel.

**31. FORCE MAJEURE**

- 31.1 Either party shall give written notice to the other as soon as it becomes aware of any Force Majeure event, setting out details of the Force Majeure event, its likely duration and the steps being taken and to be taken by both parties to minimise the effect of the Force Majeure on provision of the Service.
- 31.2 Both parties shall use all reasonable endeavours to secure the resumption of the Service at the earliest possible opportunity following a Force Majeure event.
- 31.3 For the avoidance of doubt, a Force Majeure event shall not relieve the parties of their duty to provide the Service in accordance with the requirements of the Contract unless otherwise expressly agreed.

**32. LAW**

- 32.1 The Contract shall be governed by interpreted in accordance with English Law and shall be subject to the jurisdiction of the English Courts

**33. SUPPORT FUNCTIONS**

The London Borough of Barking and Dagenham agrees to continue to provide all of the current management and support functions in relation to the Services that it has been providing up to the date of this Agreement including without limitations:-

- 33.1 H.R and payroll support
- 33.2 Occupational health
- 33.3 Access to training
- 33.4 Finance/procurement/shared services
- 33.5 Management support
- 33.6 Governance
- 33.7 Performance
- 33.8 I.T. Support

**IN WITNESS** whereof the parties hereto have signed this Agreement the day and year first before written

Signed on behalf of The London Borough of Barking and Dagenham

.....

Authorised signatory

Signed on behalf of by THE  
NORTH EAST LONDON NHS FOUNDATION  
TRUST

.....  
Authorised signatory:

## **SCHEDULE 1: ELIGIBILITY CRITERIA**

**Eligibility to mental health services provided by London Borough of Barking and Dagenham and the NELFT will be assessed in accordance with:-**

The agreed NELFT service specification

## **SCHEDULE 2: RELEVANT FUNCTIONS**

### **London Borough of Barking and Dagenham**

Any function provided in relation to the adult social services included in Regulation 6 of the Regulations.

### **North East London NHS Foundation Trust**

Any function in relation to adult mental health services which is the responsibility of NELFT and included in Regulation 5 of the Regulations



### SCHEDULE 3: SERVICES

#### Mental Health Partnership – Services

The Services currently provided at the date of this Agreement relate to the following teams. The Section 75 Agreement will not vary the service specification for any of the listed services.

<b>Service</b>	<b>Provider</b>
Dagenham CRT	NELFT & LBBB
Barking CRT	NELFT & LBBB
Older Peoples CMHT	NELFT & LBBB
Assertive Outreach Team	NELFT & LBBB
Home Treatment Team	NELFT & LBBB
MHICAS (Access Team)	NELFT & LBBB
Moreland Road Day Hospital and Memory Services	NELFT & LBBB
Early Intervention in Psychosis Team	NELFT
A+BIT (IAPT Service)	NELFT
Becontree Psychological Services (Secondary psychological services)	NELFT

**SCHEDULE 4: NELFT AND LBBB CONTRIBUTIONS TO THE POOLED FUND**

<b>LBBB Cost Centre</b>	<b>NELFT Cost Centre</b>	<b>Service Area</b>	<b>LBBB 2011-12 Budget</b>	<b>NELFT 2011/12 Budget</b>	<b>Total 2011/12 Budget</b>
A60010		Residential Homes – Mental Health	£867,250	£0	£867,250
A60019	KBND	Older Persons CMHT	£243,090	£521,015	£764,105
A60022		Mental Health Management fee	£67,561	£0	£67,561
A10414		Older Person CMHT residential costs	700,000		700,000
A60025	EDGC /FBGC/ GBGC	Mental Health Assessments Team	£613,509	£1,425,103	£2,038,612
A60028	KB1C	Mental Health Initial Contact Assessment Service	£46,000	£610,132	£656,132
A60034	KBCR	Home Treatment Team	£144,650	£918,719	£1,063,369
A60037	KBGC	Assertive Outreach/ Intensive Case Management	£172,510	£300,913	£473,423
A60040		Mental Health Commissioning General	£11,270	£0	£11,270
A60046		Mental Health – Other Day Care	£229,420	£0	£229,420
	GADH	Morland Road Day Hospital	£0	£263,935	£263,935
	KBL1	Barking and Dagenham People Liaison	£0	£99,894	£99,894
	KBYD	Memory Service	£0	£199,476	£199,476
	EPBD	Becontree Psychotherapy Service	£0	£517,467	£517,467
	EPBD	EIP	£0	£369,743	£369,743
	KBB1	Brief Intervention Team	£0	£452,967	£452,967
	KBPT	Barking and Dagenham Access to Psychological Therapy	£0	£665,280	£665,280
<b>Total</b>			<b>£3,095,260</b>	<b>£6,344,644</b>	<b>£9,439,904</b>

**SCHEDULE 5: ACCOMMODATION**

**PREMISES**

**OWNER**

**Barking Community Hospital  
Upney Lane  
Barking  
Essex  
IG11 9LX**

**NHS ONEL, leased to  
NELFT**

**The Hedgecock Centre  
Barking Hospital  
Upney Lane  
Barking  
Essex  
IG11 9LX**

**NELFT**

**Broad Street Health Centre  
Morland Road  
Dagenham  
Essex  
RM10 9HU**

**NHS ONEL, leased to  
NELFT**

## **SCHEDULE 6: SECONDMENT AGREEMENT**

### **1 Introduction**

- 1.1 The Council and the Trust (the “Partners”) have today entered into an agreement (“the Agreement”) relating to the development of the Services.
- 1.2 Pursuant to the terms of the Agreement the Partners have agreed to enter into this Secondment Agreement for the secondment to the Trust by the Council of the Staff of the Council engaged in the delivery of Mental Health Partnership Services which are to be delivered by the Partners in accordance with the Agreement (the “Services”).
- 1.3 The purpose of this Secondment Agreement is to give effect to the terms of the Agreement whereby certain of the Staff of the Council will remain employed by the Council but will be seconded to and managed by the Trust during the currency of the Agreement (the “Seconded Staff”).
- 1.4 Provisions regarding the rights and obligations of the Partners in relation to any staff who are hereafter seconded are set out in this Secondment Agreement and the relevant sections of the Agreement. In the event that the obligations under this Secondment Agreement differ from those in the Agreement, the terms of the Agreement will prevail.

### **2 The Parties to the Secondment Agreement**

The parties to this Agreement are London Borough of Barking and Dagenham (the “Council”) and North East London NHS Foundation Trust (the “Trust”)

### **3 Responsibilities of Council**

- 3.1 The Council will identify staff engaged in the direct delivery of the Services. Once the Trust has confirmed this list, the Council will consult with the identified staff with respect to the secondment of these staff to the Trust. This will include temporary staff, trainees or locums assigned to the service as well as staff in permanent positions.
- 3.2 The duration of the secondment of any Seconded Staff will be for the term of the Agreement unless terminated earlier.
- 3.3 The Seconded Staff will remain employed by the Council which originally employed them for the duration of their secondment to the Trust. Throughout their secondment to the Trust the Council will remain responsible for the payment

of salary, allowances, and expenses, tax, NI and pension contributions due to and/or with respect to the Seconded Staff which the Council employs.

- 3.4 The Council will delegate responsibility to the Trust for any action short of dismissal. Any disciplinary actions will be taken in line with the relevant Discipline/Conduct procedure of the Council. The parties to this Secondment Agreement will determine which officers have delegated authority to make dismissal decisions for their own employees. Any appeals against dismissal will be determined by the Council using their own procedure.
- 3.5 The Council will ensure that the Seconded Staff are cleared to carry out their full duties having undertaken all necessary pre-employment checks and having alerted the Trust to any outstanding investigations. The Council is responsible for issuing the necessary paperwork to the Seconded Staff.
- 3.6 At the end of the secondment of Seconded Staff the Council will be responsible for all matters relating to the employment of the Seconded Staff which the Council employs.
- 3.7 The Council is responsible for the provision of accommodation and equipment for the Seconded Staff which the Council employs unless a subsequent agreement is reached.

#### **4 Responsibilities of the Trust**

- 4.1 The Trust will be responsible for providing the Council with all relevant management information to enable the Council to pay the Seconded Staff which the Council employs correctly and complete necessary returns eg. sickness, maternity, other absence, reportable incidents/accidents.
- 4.2 The Trust's health and safety policies will apply to all Seconded Staff working within the Trust under the direction of the Trust as soon as this is agreed via an integrated Trust Health & Safety Committee. Until agreement is reached the existing policies of the Council will apply with respect to the Seconded Staff which the Council employs.
- 4.3 The Trust will be responsible for the induction of Seconded Staff. This induction will cover the induction requirements of the Council.
- 4.4 The Trust will be responsible for ensuring all Seconded Staff receive regular supervision and appraisal. Pay progression will continue as per the council's policy.
- 4.5 The Trust is responsible for ensuring appropriate insurance cover exists for all Seconded Staff.
- 4.6 The Trust is responsible for allocating budgetary accountability.

## **5. Records**

- 5.1 The Council shall keep all records in relation to the Seconded Staff which each of the Council employ as required of an employer by Law and in accordance with the Agreed Policies and shall, upon the Trust's reasonable request and subject to compliance with the Data Protection Act 1998, provide the Trust with access to those records including, where appropriate, the taking of copies. The Trust shall keep all such records as are reasonably within its possession as a result of its obligations hereunder and upon the Council's reasonable request and subject to compliance with the Data Protection Act 1998, provide the Council with access to those records including, where appropriate, the taking of copies.

## **6. General**

- 6.1 The Council shall write to all the Seconded Staff informing them of the arrangements set out in this Secondment Agreement and in particular that the Trust has the authority to give management instructions to those Seconded Staff and to implement all Agreed Policies in respect of them (subject to the provisions of this Secondment Agreement).
- 6.2 Nothing in this Secondment Agreement will be construed to have effect as forming or recording any relationship of employer and employee between the Trust or the Trust and any member of Seconded Staff and nothing in this Secondment Agreement shall constitute or be construed as constituting or establishing any partnership or joint venture between the parties to this Secondment Agreement for any purpose whatsoever.

## **7. Term and Termination**

- 7.1 This Secondment Agreement shall commence on the date of execution of this Secondment Agreement and shall terminate on the date on which the Agreement terminates.
- 7.2 The termination of this Secondment Agreement shall not affect any rights or obligations of the parties which accrued prior to such termination.

## **8. Entire Agreement**

- 8.1 This Secondment Agreement and the Agreement (including its schedule and appendices) constitute the entire agreement between the Partners relating to the subject matter of this Secondment Agreement.

**9. Third Parties**

9.1 It is agreed for the purposes of the Contracts (Rights of Third Parties) Act 1999 that this Secondment Agreement is not intended to and does not give to any person who is not a party to this Secondment Agreement any rights to enforce any provisions contained in this Secondment Agreement.

**10. Governing Law**

10.1 This Secondment Agreement shall be governed by and construed in accordance with the laws of England and Wales and the parties agree to submit to the exclusive jurisdiction of the English Courts.

EXECUTED as an agreement under hand on the date specified at the beginning of this Secondment Agreement

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_  
North East London NHS Foundation Trust

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_  
London Borough of Barking and  
Dagenham

**SCHEDULE 7: POSTS INCLUDED IN AGREEMENT**

**LBBD posts**

CC	Client Group	Unit	SAP Service Area	Description	Grade for Post	Hrs for Post	WTE	SCP	Budget Total	VF	Total less VF
A60019	Older People	Older People's CMHT		Senior SW Practitioner	PO3	35	1		£45,142		
A60019	Older People	Older People's CMHT		Senior Practitioner	PO3	35	1		£45,142		
A60019	Older People	Older People's CMHT		Care Manager/ AMHP	PO1	35	1		£39,409		
A60019	Older People	Older People's CMHT		Care Manager	PO1	35	1		£39,409		
A60019	Older People	Older People's CMHT		Care Manager	PO1	35	1		£39,409		
A60019	Older People	Older People's CMHT		Community Care Worker	SO1	35	1		£35,646		
A60025		Barking CRT		Senior Social Worker	PO4	35	1		£49,592		
A60025		Barking CRT		Social Worker	PO3	35	1		£46,176		
A60025		Barking CRT		Social Worker	PO3	35	1		£46,176		
A60025		Barking CRT		Social Worker	PO3	35	1		£46,176		
A60025		Barking CRT		Social Worker	PO3	35	1		£46,176		
A60025		Barking CRT		Senior Support Worker	Scale 5	35	1		£29,406		
A60025		Dagenham CRT		Senior Social Worker	PO4	35	1		£49,592		
A60025		Dagenham CRT		Social Worker	PO3	35	1		£46,176		
A60025		Dagenham CRT		Social Worker	PO3	35	1		£46,176		



CC	Client Group	Unit	SAP Service Area	Description	Grade for Post	Hrs for Post	WTE	SCP	Budget Total	VF	Total less VF
A60025		Dagenham CRT		Social Worker	PO3	35	1		£46,176		
A60025		Dagenham CRT		Social Worker	PO3	35	1		£46,176		
A60025		Dagenham CRT		Senior Support Worker	Scale 5	35	1		£29,406		
A60025		Dagenham CRT		Receptionist	Scale 3	21	0.6		£14,020		
A60025		Dagenham CRT		Receptionist	Scale 3	21	0.6		£14,020		
A60028		Initial Contact and Assessment Service		Social Worker	PO3	35	1		£45,991		
A60034		Home Treatment Team		Care Manager – Crisis Resolution	PO3	35	1		£39,195		
A60034		Home Treatment Team		Care Manager – Crisis Resolution	PO3	35	1		£39,195		
A60034		Home Treatment Team		Care Manager – Crisis Resolution	PO3	35	1		£39,195		
A60037		Intensive Case Management Service		Senior Social Worker	PO4	35	1		£41,949		
A60037		Intensive Case Management Service		Approved Mental Health Practitioner	PO3	35	1		£48,994		
<b>Total</b>							<b>25.2</b>		<b>£1,054,120</b>		

**Barking and Dagenham Staff List as of 01/08/2011**

<b>Organisation (Section)</b>	<b>Cost Centre</b>	<b>Subjective Code</b>	<b>Position Title</b>	<b>Fte</b>	<b>Ctr Hrs</b>	<b>Employee Category</b>
Older People's CMHT	A60019	10010	Senior SW Practitioner	1	35	
Older People's CMHT	A60019	10010	Senior Practitioner	1	35	
Older People's CMHT	A60019	10010	Care Manager/ AMHP	1	35	
Older People's CMHT	A60019	10010	Care Manager	1	35	
Older People's CMHT	A60019	10010	Care Manager	1	35	
Older People's CMHT	A60019	10010	Community Care Worker	1	35	
Barking CRT	A60025	10010	Senior Social Worker	1	35	
Barking CRT	A60025	10010	Social Worker	1	35	
Barking CRT	A60025	10010	Social Worker	1	35	
Barking CRT	A60025	10010	Social Worker	1	35	
Barking CRT	A60025	10010	Social Worker	1	35	
Barking CRT	A60025	10010	Senior Support Worker	1	35	
Dagenham CRT	A60025	10010	Senior Social Worker	1	35	
Dagenham CRT	A60025	10010	Social Worker	1	35	
Dagenham CRT	A60025	10010	Social Worker	1	35	
Dagenham CRT	A60025	10010	Social Worker	1	35	
Dagenham CRT	A60025	10010	Social Worker	1	35	
Dagenham CRT	A60025	10010	Senior Support Worker	1	35	
Dagenham CRT	A60025	10010	Receptionist	0.6	21	
Dagenham CRT	A60025	10010	Receptionist	0.6	21	
Initial Contact and Assessment Service	A60028	10010	Social Worker	1	35	
Home Treatment Team	A60034	10010	Care Manager – Crisis Resolution	1	35	
Home Treatment Team	A60034	10010	Care Manager – Crisis Resolution	1	35	
Home Treatment Team	A60034	10010	Care Manager – Crisis Resolution	1	35	
Intensive Case Management Service	A60037	10010	Senior Social Worker	1	35	
Intensive Case Management Service	A60037	10010	Approved Mental Health Practitioner	1	35	

## **Appendix A - SECONDED STAFF EMPLOYMENT AGREEMENT LETTER**

Dear

### **Secondment to North East London NHS Foundation Trust**

As you are aware North East London NHS Foundation Trust (the "Trust") and London Borough of Barking and Dagenham (the "Council") are entering into a formal Agreement for the delivery of mental health services (the "Services") within the Trust's and the Council's areas of responsibility. The Services will be delivered by the Trust.

Staff of the Council who are engaged in providing these health and social care services will remain seconded to work for and under the management of the Trust but will also remain employed by the Council on their current terms and conditions.

The purpose of this letter is to explain how this will work and to provide reassurance that there will be no effective changes to the nature or terms of your secondment.

#### **THE TERMS OF YOUR SECONDMENT ARE AS FOLLOWS:**

- 1 The Council remains your employer during your secondment to and while working under the management of the Trust. Accordingly, you will continue to be employed by the Council under your contract of employment which shall remain in force save where temporarily varied by the terms of this letter. If there is any conflict in the terms of your existing contract and the terms of this letter, the terms of this letter will prevail.
- 2 Your pay, benefits and other entitlements will not be affected by your secondment. Salary enquiries should continue to be directed to the Council's Payroll Department.
- 3 During your secondment you will perform all the duties assigned to you by the Trust and you will be subject to the day-to-day management by your line manager who may be an employee of either the Council or the Trust. This means that during the secondment the Trust will (amongst other things):
  - 3.1 appraise and monitor staff on behalf of the Council (and in accordance with the Council's policies so far as reasonably practicable); and
  - 3.2 have the right to deal with all disciplinary, capability and other personnel issues on behalf of the Council and in accordance with the agreed policies. This right will not extend, however, to dismissing you from your employment. This means that in the event that you raise a grievance issue which arises after your secondment it will be dealt with in the same way as occurs currently.
- 4 You will consent to the supply by the Council to the Trust of copies of your personnel records and other relevant information and documents regarding your employment.

- 5 You agree that the Trust may have access to and process employment records and any personal data (including sensitive personal data), as defined in the Data Protection Act 1998, that they may reasonably require in connection with your secondment. The Trust may process, disclose or transfer such personal data (including sensitive personal data such as medical details and details of gender, race and ethnic origin) if it is required or permitted by law to do so.
- 6 While working under the terms of your secondment, you shall devote the whole of your time attention and skill to your duties and faithfully and diligently perform duties and exercise such powers as may from time to time be reasonably assigned to or vested in you by the Trust. You shall obey all lawful directions given to you by your line manager and the Trust.
- 7 Your holiday entitlement will remain unchanged and the scheduling of any holiday leave will be arranged through your line manager.
- 8 In the event of absence on medical or other grounds, you will be required to notify your line manager of your absence in accordance with the procedures set out in the Trust rules of which you will be advised.
- 9 The Council and the Trust will apply agreed policies, Code of Conduct and rules and regulations, [to the extent that they do not conflict with those of the Trust]. You will be provided with a full introduction by the Trust of the terms and location of all agreed policies, codes, rules and regulations.
- 10 While seconded to and under the management of the Trust, your employment will remain subject to the law relating to health and safety at work, data protection, anti-discrimination and equal opportunities, as well as the Trust's policies and procedures including for the avoidance of doubt work policies and procedures, smoking, anti-discrimination, equal opportunities, and harassment. You will be advised of all of these policies and procedures as well as their location.
- 11 Your secondment shall automatically terminate if your contract of employment with the Council terminates.
- 12 Nothing in this letter will be construed to have effect as forming or recording any relationship of employer and employee between you and the Trust.
- 13 All confidential records, documents and other papers together with any copies or extracts thereof, made or acquired by you in the course of your secondment shall be the property of the Trust, and must be returned to the Trust on the termination of your secondment.
- 14 During your secondment you may come across confidential information about the Trust or the Council. Accordingly, you agree not to disclose to a third party or make use of confidential information about matters connected with the Council, (or related to a subsidiary, supplier, customer or client of the Council), including without limitation information about patients, medical, scientific or technical processes, inventions, research activities, designs, business affairs, finances, employees or officers. Any breach of confidentiality will render you liable to disciplinary action and/ or to civil proceedings.

If you have any questions about any of the above or enclosed documentation, please contact Mr. Tony Fisher of the LBBD HR Department via Council Extension 8454.

Yours sincerely

**FORM OF ACCEPTANCE**

Two copies of this letter are enclosed. Please read the letter and the attachments included, and then sign both copies. **One copy is for your retention and the other should be returned to** Human Resources at London Borough of Barking and Dagenham.

I have read and understood the above and confirm my agreement to secondment to North East London NHS Foundation Trust on the terms set out. I understand that I will remain employed by London Borough of Barking and Dagenham during my secondment.

Signed

Name:

Date:

## **Appendix B - COUNCIL AND TRUST POLICIES**

### **NELFT Policies**

The web link to the NELFT policies is listed below:

[http://www.nelft.nhs.uk/about\\_us/policies](http://www.nelft.nhs.uk/about_us/policies)

### **LBBB HR Policies**

The web link to relevant LBBB policies is listed below:

<http://lbbd/hr/employee-relations/employee-relations-home.htm>

## CABINET

18 OCTOBER 2011

<b>Title:</b> Joint Strategic Needs Assessment 2011	
<b>REPORT OF THE CHAIR OF THE HEALTH AND WELLBEING BOARD</b>	
Open report	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> Yes
<b>Report Author:</b> Matthew Cole, Joint Director of Public Health	<b>Contact Details:</b> Tel: 020 8227 3657 E-mail: <a href="mailto:matthew.cole@lbbd.gov.uk">matthew.cole@lbbd.gov.uk</a>
<b>Accountable Divisional Director:</b> Matthew Cole, Joint Director of Public Health	
<b>Accountable Directors:</b> Anne Bristow, Corporate Director of Adult & Community Services and Helen Jenner, Corporate Director of Children's Services	
<p><b>Summary:</b></p> <p>This report presents the 2011 Joint Strategic Needs Assessment (JSNA) to Cabinet for their approval.</p> <p>The JSNA is a statutorily required document, which is to be produced jointly by the Primary Care Trust (NHS Outer North East London PCTs) and the Council. The JSNA provides a strategic assessment of the health and wellbeing needs of the area, and makes recommendations for commissioning strategies for services to meet those needs. It is refreshed annually to inform the local commissioning and business planning processes.</p> <p>The JSNA is a substantial document this year, providing a comprehensive 500-page account of health and social care strategic needs and service gaps. The report includes, as an appendix, the executive summary of the JSNA. Members may review the full document on a specially-constructed web page at: <a href="http://www.barkingdagenhampartnership.org.uk/jsna2011consultation">www.barkingdagenhampartnership.org.uk/jsna2011consultation</a></p> <p>For 2011, the JSNA has been structured around the main sections of the 'Marmot Review', led by Professor Sir Michael Marmot, which recommended action on the 'wider determinants' of health and recognised that health is affected by a wide range of societal factors, such as education, housing and family circumstances. By structuring the JSNA around these wider determinants, it is intended that the document captures activity and makes recommendations on the broadest range of issues that can impact on the health and wellbeing of the population of Barking &amp; Dagenham.</p> <p>The shadow Health and Wellbeing board at its meeting on 27<sup>th</sup> September 2011 passed a specific resolution of the Board to accept the analysis of the JSNA and recommend it to Cabinet. However all partners consider that given the breadth and scope of the recommendations and the current resource constraints that a prioritisation exercise would need to be undertaken. Following this, a phased implementation will be built into</p>	

<p>commissioning and business plans for future years. Additionally it will inform the development of a revised Health and Wellbeing Strategy that will be presented to members in the early part of 2012 for approval. Therefore the Cabinet is being asked to approve the JSNA and to note the further work around the recommendations in respect of the commissioning and business plans in future years.</p>
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> <li>(i) Approve the Joint Strategic Needs Assessment on behalf of the Council on recommendation of the shadow Health and Wellbeing Board;</li> <li>(ii) Agree that the shadow Health and Wellbeing Board will undertake an exercise to prioritise which JSNA recommendations will be taken forward through the commissioning and business planning processes;</li> <li>(iii) Encourage all service areas of the Council to have regard to its findings and in the planning and review of services; and</li> <li>(iv) Request any changes, further work or additional briefings that arise out of their consideration of the JSNA 2011 documentation.</li> </ul>
<p><b>Reason(s)</b></p> <p>A comprehensive strategic assessment of the health and wellbeing needs of the borough is an essential basis for planning effective services. Our strategic understanding of need, the prevalence of disease and of the changing picture of broader wellbeing needs to be examined on an annual basis as we are in a period of significant change. The JSNA describes the strategic needs of the borough and makes relevant recommendations on how they may be addressed and developed throughout the year.</p> <p>The JSNA is being put to Members for endorsement as one of our statutory documents just as the Council and NHS ONEL PCTs are beginning their service planning for 2012/13 and beyond. As such, it is intended to be a timely intervention to ensure that service planning is needs-led. Members' approval of the document and their request that service managers take its recommendations into account are essential in ensuring coherent service planning for the coming years.</p>

## 1. Introduction and Background

- 1.1 The Joint Strategic Needs Assessment (JSNA) has been produced for the past three years, since it became a statutory requirement placed upon the Council and NHS Barking & Dagenham through the 2007 Local Government & Public Involvement in Health Act.
- 1.2 This year's JSNA is a comprehensive look across a wide range of the determinants of health. It draws on the work of Professor Sir Michael Marmot, whose commission reviewed the impacts of social factors in health and wellbeing, resulting in the publication of *Fair Society, Healthy Lives*, which is a crucial document in the



formulation of the Government's strategy for public health, *Healthy Lives, Healthy People*.

## **Process and timetable for the JSNA**

- 1.3 The JSNA commenced in February 2011 and is due for completion in order to coincide with the initiation of the business planning processes for both the Council and NHS ONEL PCTs running through the autumn. In addition, work is about to begin on a new Health & Wellbeing Strategy which will also be informed by the JSNA's recommendations.
- 1.4 The shadow Health and Wellbeing board at its meeting on 27<sup>th</sup> September 2011 passed a specific resolution of the Board to accept the analysis of the JSNA and recommend it to Cabinet. However all partners consider that given the breadth and scope of the recommendations and the current resource constraints that a prioritisation exercise would need to be undertaken. Following this, a phased implementation will be built into commissioning and business plans for future years. Additionally it will inform the development of a revised Health and Wellbeing Strategy that will be presented to members in the early part of 2012 for approval.

## **2. Proposals and Issues**

### **Structure of the JSNA**

- 2.1 With the full document running to some 500 pages, it is essential that it is presented as an accessible reference to aid service planning and review. It is broken down into nine sections, as follows:
  - **Section 1:** Introduction, including information on population changes and demography and an overview of Barking & Dagenham's health profile;
  - **Section 2:** Give every child the best start in life, including health in pregnancy, screening, breastfeeding, immunisation and child development;
  - **Section 3:** Enable all children, young people to maximise their capabilities and have control over their lives, including school attainment and attendance, special education needs, those not in education, employment or training, and children's lifestyles;
  - **Section 4:** Create fair employment and good work for all, including long-term unemployment, disabilities or mental illness in employment, incapacity benefit and keeping people in work;
  - **Section 5:** Ensure a healthy standard of living for all, including poverty, housing and homelessness, fuel poverty, supported living, residential care, and access to green space and sports and play environments;
  - **Section 6:** Create and develop healthy and sustainable places and communities, including environmental pollution, noise, antisocial behaviour, domestic violence, crime, offending and community cohesion;
  - **Section 7:** Strengthen the role and impact of ill health prevention, including training, support and lifelong learning, the needs of carers, adult autism, active ageing, physical and sensory disability, communicable diseases and health protection, and emergency planning (including for the London 2012 Olympic & Paralympic Games), health legacy of the Games, obesity, smoking, alcohol, substance misuse, physical activity and health eating,

sexual health, diabetes, cancer, dementia, mental health and wellbeing, and end of life care;

- **Section 8:** Safeguarding, including both children and vulnerable adults and older people;
- **Section 9:** Practicalities, including details of how the JSNA was developing, including consultation, equality impact assessment and consultation.

All of these sections can be accessed and downloaded as complete pdf documents at [www.barkingdagenhampartnership.org.uk/jsna2011consultation](http://www.barkingdagenhampartnership.org.uk/jsna2011consultation).

- 2.2 The structure is based around the recommendations of the Marmot review into health inequalities, published in 2010. Professor Marmot's work was an important intervention in the debate on how health inequalities can be reduced, reinforcing the importance of a wider set of variables on health and wellbeing. He proposed action under six broad headings, referred to as policy objectives. These six headings are the titles of sections 2-7 of the 2011 Barking & Dagenham JSNA. Already this wide-ranging approach has provoked interest from other boroughs.
- 2.2 A shorter Executive Summary is included with this report as appendix 1, and is also available from the same web link.
- 2.3 To aid commissioners in responding to the recommendations of the JSNA, they have been distilled into a single document and it is included with this report in appendix 2.

### **Headlines from the JSNA**

- 2.4 With reference to the Council's policy framework, reproduced below is a selection of the assertions and recommendations made in the JSNA which Members may wish to note in particular:
- In terms of housing, more intelligence is needed on the health service needs of new households. These needs should be planned for in advance in terms of the physical infrastructure that will be required, so the likely, age, race and disability profile of new households should be predicted in advance. Health impact assessments of major development proposals should be undertaken.
  - In March 2011 there were 439 young people (16-18 years) not in employment, education or training (NEET) in the borough, which is 7% of the 16–18 year old young people in the borough. Substantial work has been done in Barking and Dagenham to improve employment and training opportunities for young people, including investment in public sector apprenticeships, and there has been a sustained downward trend in the NEET rate since 2008.
  - The increase in the number of school age children in Barking & Dagenham is dramatic. In January 2011 there were 34,682 pupils in all primary and secondary schools, a rise of 4.6 percentage points on last year. The school roll has increased by 13.3% in primary and 6.2% in secondary schools from 2007 to 2011, an overall increase of 10.4%.
  - Barking & Dagenham saw a 35.5% increase in births between 2004 and 2010, notably higher than the other Outer North East London boroughs.

- Barking & Dagenham was one of only two London boroughs significantly worse than England average for all indicators in a 2011 review of health inequalities measures.
- Barking & Dagenham is estimated to have the highest prevalence of adult obesity in London, 32% compared to the England average of 24.2%.
- Commissioners need to be prepared for a wide range of potential disruptions arising from the 2012 Olympic Games, ranging from lack of availability of temporary staff and regular staff experiencing travel problems to a serious untoward incident that requires implementation of major emergency plans.
- The Independent Domestic Violence Advocacy Service (IDVAS) asked their clients over a period of 7 weeks about their previous contact with health services. Out of the 70 domestic violence victims asked they found that: of a total of 125 visits made to their GPs, 18% (23) of the visits in the last 6 months were due to domestic violence; of the 84 visits to A&E, 25% (21) of the visits were due to domestic violence.
- In 2009 modelled smoking prevalence in Barking & Dagenham was the highest in London at 32%, and 8th highest in England. By 2010 it was estimated that local prevalence had declined to 29%.
- The mortality rate from chronic liver disease in women in Barking & Dagenham is significantly higher than anywhere else in Outer North East London or the London and England average.
- Barking & Dagenham is one of the worst two London boroughs in four of the six indicators of physical activity used by the Active People Survey.
- Mental ill health is associated with socio-economic deprivation, and Barking & Dagenham is the 21st most deprived borough in England. Considerable evidence is emerging of the impact of inequalities on mental health, but the relationship between these factors is not well understood.

Whilst only a small cross-section of the headlines emerging from the JSNA, they give a flavour of the key issues that the report is raising and on which commissioners should consider action.

## **Proposal**

- 2.6 Members of Cabinet are recommended to approve the JSNA for further distribution and use as a comprehensive account of the health and wellbeing needs of the borough at this point in time.
- 2.7 Members of Cabinet are recommended to request that officers from all Council departments give due regard to the JSNA in drawing up their business plans for 2012/13, and further request that corporate teams reviewing those plans have the JSNA recommendations as part of any appraisal process.

## **3. Options Appraisal**

- 3.1 The Council has no option but to sign off a JSNA. Any concerns, comments or suggested amendments will be gratefully received and responded to, but it is a statutory requirement to complete the JSNA. The JSNA has been recommended to Cabinet for approval by the shadow Health & Wellbeing Board.

#### **4. Consultation**

- 4.1 The consultation process is outlined in Section 9 of the JSNA. The formal consultation period ended following the shadow Health & Wellbeing Board meeting on 27 September 2011.

#### **5. Financial Implications**

Implications completed by: Ruth Hodson, Finance Group Manager

- 5.1 The Joint Strategic Needs Assessment (JSNA) is a statutory document. There could be a financial pressure if we need to commission more services to meet the local population demand. However, we would need to do this within the existing budget constraints.

#### **6. Legal Implications**

Implications completed by: Fiona Taylor, Legal Group Manager)

- 6.1 The Joint Strategic Needs Assessment (JSNA) is a statutory document produced in accordance with the Local Government & Public Involvement in Health Act 2007. In accordance with the act Members are asked to approve the JSNA which will inform the business planning processes for services for the council and its health partners in 2012/13.

#### **7. Other Implications**

##### **7.1 Risk Management**

A sound understanding of need minimises the risks associated with commissioning decisions, and ensures that the services purchased are appropriate to the local population. The comprehensiveness of the document minimises the risk of omission, but equally increases the risk of all recommendations appearing to be of equal weight. To minimise this latter risk, the shadow Health & Wellbeing Board engaged in a prioritisation exercise around the recommendations and the resulting selection is that attached at appendix 2, providing a more focused set of recommendations on which to act.

##### **7.2 Customer Impact**

The entire focus on the JSNA is on ensuring that services are delivered according to strategic need. It takes account of the population's breakdown by protected characteristics (gender, age, ethnicity, sexuality, disability, etc.) as well as providing a comprehensive account of varying health and wellbeing needs. Accordingly, the JSNA is a key source of intelligence for officers compiling future reports on health and wellbeing related issues.

##### **7.3 Safeguarding Children and Vulnerable Adults**

The JSNA includes an assessment of the issues around safeguarding both children and vulnerable adults, particularly as that relates to health and social care services, making recommendations to commissioners.

#### 7.4 Health Issues

The JSNA is the single most comprehensive reference point for data about the borough's health and wellbeing and its service needs. Therefore, its dissemination and use should improve the impact that the partnership can have on the borough's substantial health inequalities.

#### 7.5 Crime and Disorder Issues

Again, as a very significant contributor to wellbeing, and from known correlations between prevalence of crime and health inequalities, the JSNA deals with crime and disorder issues. In two particular areas, alcohol & drugs and domestic violence, there is a substantial shared interest between the work programmes of the Community Safety Partnership and the shadow Health & Wellbeing Board, and this is reflected in the JSNA analysis.

#### **Background Papers Used in the Preparation of the Report:**

Full Joint Strategic Needs Assessment for Barking & Dagenham for 2011

[www.barkingdagenhampartnership.org.uk/jsna2011consultation](http://www.barkingdagenhampartnership.org.uk/jsna2011consultation)

Fair Society, Healthy Lives: the Marmot Review (Strategic Review of Health Inequalities in England post-2010 <http://www.marmotreview.org/>)

Local Government & Public Involvement in Health Act 2007

#### **List of appendices:**

Appendix 1 Executive Summary for the Joint Strategic Needs Assessment 2011

Appendix 2 Recommendations for commissioners from the Joint Strategic Needs Assessment 2011

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**Joint Strategic Needs Assessment 2011 – Barking & Dagenham Partnership**

**Executive Summary**

**About the Barking and Dagenham Partnership**

The Barking and Dagenham Partnership brings together all of those who want to make Barking and Dagenham a better place to live, work, study and visit. The Partnership was established in 2001 to work together to develop a strategic and co-ordinated approach to delivering services, and improving the quality of life for local people and communities in the borough.

The Partnership brings together the statutory bodies within the borough, as well as representatives of the voluntary and community sector and members of the local community.

**The Joint Strategic Needs Assessment**

This is the fourth Joint Strategic Needs Assessment (JSNA) which has been developed by the Barking and Dagenham Partnership.

This document analyses local health and wellbeing needs, through a comprehensive digest of statistics and data. It identifies clear strategic priorities for the new Health and Wellbeing Strategy which is being developed by the Partnership.

The approach of the JSNA is based on Sir Michael Marmot's independent review into health inequalities in England.

The Marmot report highlighted key policy objectives to:

- Give every child the best start in life.
- Enable all children, young people and adults to maximise their capabilities and have control over their lives.
- Create fair employment and good work for all.
- Ensure a healthy standard of living for all.
- Create and develop healthy and sustainable places and communities.
- Strengthen the role and impact of ill health prevention.

The JSNA shows that there has been much progress in Barking and Dagenham in tackling health inequalities and driving up outcomes. However, substantial inequalities remain and the challenges are many – not least those posed by a rapidly growing population. That changing demographic is placing exceptional strain on already challenged resources and facilities at a time of severe financial constraint.

There are significant challenges in the area of health in pregnancy (both of the mother and of the child), smoking cessation, obesity the use of drugs & alcohol and the need to increase physical activity across all social groups in the borough.

Barking and Dagenham also faces significant challenges in making sure that employment and educational opportunities are available for all. The JSNA demonstrates that far too many local residents are struggling to find work. There are more people living at or below the poverty line in the borough than both the London and national average.

Much work also needs to be done on the ‘bricks and mortar’ issues in the borough. In a borough where there is such a high prevalence of social and council housing, changes in policy aimed at housing benefit claims will hit many of the poorest hard. The Partnership will also need to develop strategies to increase housing opportunities and effectively tackle fuel poverty, especially at a time of reduced income and raised costs.

Fear of crime far exceeds the likelihood of being a victim of it in Barking and Dagenham. While research shows that the fear of crime is reducing overall, the numbers of respondents to research shows that the view that the Council and local Police are effectively dealing with crime and anti-social behaviour is actually increasing.

Health outcomes will be a major focus for the Partnership going forward. The JSNA demonstrates that Barking and Dagenham’s rates of teenage pregnancy, levels of sexual transmitted diseases, rates of good dental health as well as cardiovascular disease are all higher than both the London and national average. There has been a significant increase in rates of diabetes in the borough.

Despite these challenges, the Partnership is determined to work hard and positively to make sure that the delivery of outcomes is driven by local need.

## **Key Findings**

In Barking and Dagenham:-

- The most up-to-date data available shows that Barking and Dagenham remains England’s 22<sup>nd</sup> most deprived local authority area.
- There is more deprivation, child poverty, childhood obesity and teenage pregnancy and a lower life expectancy than the England average.



- Areas that are more deprived in the borough have a wider gap in life expectancy at birth between males and females.
- Mortality rates are higher than the England averages for all ages, including in death rates from stroke, heart disease and cancer.
- Immunisation rates in Barking and Dagenham remain lower than the national average and below target uptake.
- The 2011 school census identified 7,098 children and young people with special educational needs, equating to 20.3% of the entire school population.
- As of March 2011, there were 439 people aged 16-18 not in employment, education or training or 7% of all 16-18 year olds in the borough.

There are however, areas of success which demonstrates that our joint work is achieving outcomes to celebrate:-

- While Barking and Dagenham has the highest teenage pregnancy rate in the Outer North East London (ONEL) boroughs, the trend is now downwards.
- GCSE results are improving – more young people in the borough achieved five (or more) A\* - C grades than the national average in 2010.
- Barking and Dagenham has consistently reduced overall adult reoffending and is one of the few London boroughs to reduce crime in 2010/11.
- Barking and Dagenham has one of the lowest rates of reported infectious disease in North East or North central London.

### **Key Recommendations**

A comprehensive list of recommendations to be followed in procuring services to meet the demands of the borough's population is enclosed in Appendix 2 of this report.

In outline, the recommendations call for a strategic approach to commissioning, governed by the needs of this JSNA across each of the priority outcome areas as outlined in page 1 of this Executive Summary.

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## JSNA RECOMMENDATIONS

### SECTION 2

#### 2.3 Maternity Need

##### Recommendations

Commissioners should review the resources needed to ensure safe maternity and neonatal services, recognising the increasing number of births and the greater complexity of the maternity case load.

Commissioners should ensure that there are appropriately inclusive education and information resources for potential parents and expectant mothers and fathers and parents of newborns.

Providers should collect data on all nine protected characteristics as outlined under the duties of the Equality Act.

Commissioners should commission a full equity audit of maternity services in 2012/13 to understand in more detail the needs of pregnant mothers and their partners.

Commissioners should ensure that services, specifically ante-natal and post-natal support is available locally through community hubs such as Children's Centres.

#### 2.4 Health in Pregnancy

##### Recommendations for Commissioners

Commissioners must ensure that the NICE guidance on support for supporting pregnant women to stop smoking (NICE PH26<sup>1</sup>) is fully implemented. In summary, the recommendations include:

Identifying pregnant women who smoke and referring them to NHS Stop Smoking Services.

NHS Stop Smoking Services following up and contacting all referrals.

NHS Stop Smoking Services providing initial and ongoing support.

<sup>1</sup> <http://www.nice.org.uk/guidance/PH26>

Use of Nicotine Replacement Therapy and other pharmacological support.

NHS Stop Smoking Services providing services that meet the needs of disadvantaged pregnant women who smoke.

NHS Stop Smoking Services providing support for partners and others in the household who smoke.

Training for midwives (and Family Nurse Partnership nurses) and NHS Stop Smoking services to deliver effective interventions to pregnant women.

Commissioners should require Stop Smoking Services and Maternity Services to collect data on the number of mothers who smoke at the time of booking as well as at the time of delivery, to collaborate with public health to analysis, and to identify ways to effectively reduce the number of women who smoke during pregnancy.

Further work is needed to shift the cultural acceptance of smoking during pregnancy so that women who live in the borough are discouraged from smoking during their pregnancy.

Commissioners should require that all community midwives are trained as Level 1 smoking cessation advisors and that the public health midwife team should be trained to Level 2.

Commissioners should require smoking cessation services to be delivered in co-location with other ante-natal services, such as in Children's Centres, providing integrated services that encourage mothers to quit smoking during and after their pregnancy.

## **Alcohol and Substance Misuse in Pregnancy**

### **Recommendations for Commissioners**

Commissioners should ensure an annual audit of the case load of women with substance misuse (alcohol and drugs) from BHRUT and other providers.

Commissioners should ensure that appropriate clinical pathways are in place to identify and support women with substance misuse issues.

Commissioners of Drug and Alcohol Services should ensure that service providers are equipped to discuss conception, contraception and pregnancy with service users.

Commissioners should ensure that health and non-health care agencies supporting women with alcohol or drugs-related problems routinely ask about whether they have any plans to have a child in the near future, or whether they might be pregnant.

## Domestic Violence in Pregnancy

### Recommendations for Commissioners

Commissioners should include domestic violence in pregnancy outcomes as part of the data collection framework for maternity services providers.

Commissioners across the local strategic partnership should ensure that there is core cross-agency training on domestic violence for all staff that may come into contact with pregnant women, families with newborns and parents planning a pregnancy.

Decisions regarding the future of the maternity support service for women experiencing domestic violence should be made based on evidence over a reasonable timescale.

## Maternal mental health

### Recommendations for Commissioners

A review of the implementation of the NICE guidance on antenatal and postnatal mental health should be commissioned and a service review of perinatal mental health services should be undertaken.

Providers should ensure that all staff working with pregnant women and parents of newborn babies are trained to recognise post-natal depression and are able to access support.

## Obesity in Pregnancy

### Recommendations for Commissioners

Commissioners need to be aware of the burden of obesity in pregnancy in the local population of pregnant women and should commission regular prevalence reporting from BHRUT.

Commissioners must be assured that the NICE guidelines on weight management before, during and after pregnancy are being fully implemented.

Commissioners should ensure that there are clear pathways of care for obese and morbidly obese pregnant women.

Service Providers should ensure that there are appropriate clinical facilities to monitor and support obese pregnant women.

## **Sickle Cell Disease in Pregnancy**

### **Recommendations for Commissioners**

Commissioners must ensure appropriate clinical pathways and specialist capacity is in place for the care and support of pregnant women with long term conditions during pregnancy and in the pre-conception period.

The Children's Trust and the shadow Health and Wellbeing Board should consider how guidance material on the impact of pregnancy for women with chronic conditions should be signposted through primary care, maternity services and children's centres.

Commissioners should consider how information on maternal disease/condition demographics can be standardised across providers so that in future reports information can be routinely presented across providers and boroughs.

## **2.5 Screening in pregnancy and the newborn child**

### **Recommendations for Commissioners**

Commissioners must ensure that the national standards are implemented and delivered at BHRUT, particularly in relation to Bloodspot and Foetal Anomaly screening.

Commissioners should ensure that all screening programmes have appropriate policies and governance in place in both community and acute settings.

Commissioners must ensure that there are adequate resources available to support ante-natal screening programmes and that pathways of support and care are in place for parents and for children who are affected by these conditions.

The shadow Health and Wellbeing Board should remain request regular reports from ONEL commissioners on screening performance against the national standards as part of the performance framework.

The Children's Trust, through the workforce strategy, should ensure that front line staff, including children's centre staff understand the context of screening and the implications for parents.

## 2.6 Outcomes for mothers and babies

### Recommendations for Commissioners

Specific research needs to be undertaken to understand the variation in infant mortality rates and the death rate between 28 days and 1 year.

The shadow Health and Wellbeing Board and Children's Trust should pay specific attention to the variation in maternal outcomes given the importance of early years on long term population health and the potential to affect preventable deaths.

NHS ONEL PCTs Commissioners must explicitly review maternity outcomes as part of regular performance reviews of maternity, primary care and community services provision.

Commissioners should ensure that service provision is sufficient to meet demand, especially as the maternal case load and complexity increases, specifically the midwife capacity and training.

Clinical Commissioning Groups should work with their constituent practices to review and reduce maternity practice variations.

Neonatal performance must be reported on a regular basis against the national audit framework and NHS ONEL PCTs should review the business case for a level 3 Neonatal Intensive Care Unit at Queens Hospital.

Maternal outcomes, including patient satisfaction, should be viewed as a priority set of indicators for the local strategic partnership through the shadow Health and Wellbeing Board.

## 2.7 Supporting Parents and Children Once They Are Born

### Recommendations for Commissioners

Commissioners should ensure that the potential of Children's Centres is maximised by all partners through the Multi-Agency Locality Teams (MALTs) and that access is signposted to all parents.

Commissioners should review the demographic of uptake of Children's Centres services against the profile of children locally to understand if barriers to access exist.

Children's Centres are well networked with families who are highly likely to need support. Commissioners should ensure that strong links are built between Children's Centres and other services, through co-location and stronger partnership working with primary care, especially with the health visiting service.

Commissioners need to work collaboratively to utilise the information from Portage to project forward the demand for services for children with complex needs and targeted support.

The locality variation in Portage should be examined to understand the reasons behind the higher use in Central locality.

Service providers should be aware of the role and pathway to portage services, and the service should develop strong links with primary care and health visiting.

### Health Visiting Service

#### Recommendations for Commissioners

Commissioners should review the resources allocated to the health visiting service, which falls well below the recommendations made by Lord Laming.

Commissioners should address the risk mitigation that is needed in the light of the shortfall in health visitor resources.

The shadow Health and Wellbeing Board and Children's Trust should require evidence that commissioners have identified and put in place key performance measures that will enable assessment of demand and delivery, including caseload reporting and referral profiles, including indicators of caseload complexity (Common assessment framework referrals, children subject to Child Protection Plans).



## Family Nurse Partnership (FNP)

### Recommendations for Commissioners

Commissioners should consider widening the range of parents supported by intensive programmes of support from before birth, including the Family Nurse Partnership programme, to meet the support needs of young parents in Barking and Dagenham.

## 2.8 Breastfeeding

### Recommendations for Commissioners

Commissioners should ensure that there is adequate resource to promote breastfeeding in the community to reduce the gap between initiation of breast feeding and continuing to breastfeed when the baby is checked at 6 to 8 weeks.

Commissioners should look at how the pilot work to implement good practice, such as the peer support service, can be scaled up to an industrial level to ensure maximum impact.

Commissioners should ensure that interventions are linked to outcomes in a explicit way so that assessments on effectiveness can be made.

Commissioners should ensure that infant feeding is a core training element for all health visitors, midwives, practice nurses and Children's Centre staff.

Clinical Commissioning Group leads should address performance issues around reporting of breastfeeding status at the 6 to 8 week check.

Clinical Commissioning Groups will need to address under-reporting of key targets such as breastfeeding, which may limit the validity of the evidence about need.

Schools should work with public health leads to ensure that breastfeeding awareness is part of the teaching program in order to promote uptake and improve community perceptions of breastfeeding.

## 2.9 Immunisation

### Recommendations for Commissioners

Commissioners should ensure that the contract for Child Health Records services include provision of quarterly practice level data reporting of all childhood immunisation programmes, including neonatal BCG and HPV.

Commissioners should commission social marketing research to understand barriers to immunisation uptake in the local community and address them.

Commissioners should ensure that there is adequate resource to enable achievement of the 95% uptake required for herd immunity.

NHS ONEL PCT Community Health Services Commissioners should review the delivery of the HPV immunisation programme through the Child Health Services and the Immunisation Support Team as a key performance outcome.

The Clinical Commissioning Group's clinical leads should support a local performance target of 98% in order to ensure achievement of the 95% performance target across the borough.

Service providers, including general practice, should consider how to increase access to immunisation and explore provision of immunisation through venues such as Children's Centres and schools.

Commissioners should consider pathways to immunisation for at-risk families (including refugees, homeless people, travelling families, very young mothers, those not registered with a GP and those who are new to an area).

Immunisation promotion should be included into preparation for school messages.

Commissioners should ensure that all service providers working with children and young people, either directly or through contact services such as libraries and leisure, have provided staff with core training on immunisation awareness and promotion.

Commissioners should look to improve access to immunisation services for those with transport, language or communication difficulties, and those with physical or learning disabilities –for example, by providing longer appointment times, walk-in vaccination clinics, services offering extended hours and mobile or outreach services. The latter might include home visits or vaccinations at Children's Centres.

Commissioners should seek to improve local call and recall systems, in conjunction with the Child Health Information System (RIO) and local GP Systems, coupled with the utilisation of Practice based Birthday Card Immunisation reminders.

Commissioners should ensure that there is a clear process and implementation for the local infant hepatitis B vaccination programme, including a failsafe system.

## 2.10 Child Development

### Recommendations for Commissioners

Commissioners should ensure that all staff working with children are aware of the parenting programmes and referral pathways.

Commissioners should work to increase the percentage of 3 and 4yr olds accessing early education.

## 2.11 Accidental Injury in children under the age of 5

### Recommendations for Commissioners

Commissioners should ensure that core messages on accident prevention form part of the common induction programme for all staff working with children and young people in commissioned services.

Service providers should ensure utilisation of national resources on accident prevention for children, young people and parents to promote awareness.

Commissioners should consider a more detailed review of accident and emergency, walk-in centre and GP out of hours attendances due to accidental injuries, particularly in the under 5 year age group.

The Children's Trust and Community Safety Partnership should work together to address road safety to prevent accidental injury and death related to road traffic accidents.

Service providers of maternity, health visiting and early years support should be aware of accident prevention and safe sleeping advice.

## 2.12 Looking forward

### **Recommendations for Commissioners**

Commissioners will need to incorporate a model of population growth into the forward financial planning for health and social care services, building on the experience of the school places planning.

Commissioners need to work effectively across housing and planning and service commissioners to strategically align the expansion of the population and the development of services, particularly in relation to new school places.

Commissioners will need to influence the workforce development strategies locally and regionally to reflect the changing profile and needs of children and young people in the borough.

Commissioners will need to explicitly consider how the changing profile of the population impacts on the scale and complexity of demand for services.

## SECTION 3

### 3.1 The School population

#### Recommendations for Commissioners

Commissioners need to reflect the significant projected population growth in the school population in the financial and commissioning plans for services for school aged children such as school nurses, allied therapies, etc. This will require substantial increase in service capacity, by approximately a third again of all services.

Commissioners should ensure that all providers have appropriate training in place which reflects the diverse needs of the population served, i.e. all staff working with children and young people should have a basic awareness and understanding of sickle cell disease and trait and health care professionals working with this age group should have an enhanced level of understanding.

Service providers for children need to consider how they engage and communicate with families and carers whose primary language is not English.

Commissioners for health and social care services need to ensure that additional capacity is factored into commissioning intentions to reflect the growth in demand for children with special needs (including educational needs).

### 3.2 Special Educational Need<sup>2</sup>

#### Recommendations for Commissioners

Commissioners need to ensure the presence of integrated care pathways for early recognition of speech and language and emotional wellbeing issues amongst the under 5 year old age group as well as for school aged children.

Specific analysis work is needed to explore the significantly higher proportion of children recorded as having special educational needs attributed to speech, language and communication needs in Barking and Dagenham.

Clinical commissioning groups and NHS Commissioners actively engage in utilising education outcomes as markers of population health for children and young people.

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<sup>2</sup> Data on SEN is for children who are resident in the borough.

Clinical commissioning group's education leads work on training and awareness for primary care staff on the interventions which can reduce persistent school absenteeism.

### **3.3 School Attendance**

#### **Recommendations for Commissioners**

Clinical commissioning group's education leads work on training and awareness for primary care staff on the interventions which can reduce persistent school absenteeism.

### **3.4 Exclusions from school**

No recommendations

### **3.5 Young People not in education, employment or training (NEET)**

#### **Recommendations for Commissioners**

Commissioners need to address the high level of unknown status young people in the NEET cohort and identify them and how they can be supported into employment, education or training.

### 3.6 Educational Attainment

No Recommendations

### 3.7 Barriers to achieving potential

#### Infectious diseases in children and young people

##### **Recommendations for Commissioners**

NHS Outer North East London PCTs commissioners need to ensure that appropriate clinical community pathways are in place to support parents with their children's incontinence (urinary and faecal).

Commissioners need to undertake work to review pathways of clinical care and support for children and young people with long term conditions, specifically asthma, diabetes and epilepsy in community and acute settings.

Providers of parenting courses should look at the potential for targeted parenting courses to support parents and families of children with long term conditions.

The Cancer Network is asked to undertake specific work to consider if there is variation in the local incidence of paediatric cancer compared to the regional and national average.

#### 3.8 Children and young people attending hospital

##### **Recommendations for Commissioners**

Commissioners and clinicians should learn from the partnership work around Delayed Transfer of Care to review the Urgent Care Pathways for children and young people as a specific piece of partnership work.

Further work is needed to understand the detail behind the higher proportion of children using ambulance or helicopter to attend Barking Havering and Redbridge University Hospitals NHS Trust and the nature of the event/incident leading to these attendances.

## Hospital Admissions

### Recommendations for Commissioners

NHS Outer North East London PCTs commissioners should undertake further work to understand the borough to borough variation in hospital episode data on a routine basis.

Clinical commissioning groups should work with strategic partners to improve management of non-emergency child health issues in the community.

## 3.9 Vulnerable Groups

### Recommendations for Commissioners

Commissioners should review the cost per head for North East London Foundation Trust as the 2009-2010 mapping suggests that Barking and Dagenham is a significant outlier in the per capita spend compared with neighbouring boroughs.

Commissioners should ensure that there is appropriate specialist capacity for vulnerable groups with mental ill health and that pathways exist at all tiers of service accessible to these populations.

Commissioners should require an equity audit of CAMHS services which demonstrates access uptake for vulnerable populations of children and young people.

## 3.10 Children and Young People's Lifestyles - Health risk behaviours

### Recommendations for Commissioners

Commissioners need to commission an alternative needs assessment tool to gather population based health behaviours amongst young people, potentially through the Access and Connect framework.



## Childhood Obesity

### Recommendations for Commissioners

Commissioners should invest in early prevention of childhood obesity, including increasing breastfeeding and supporting parenting interventions for weaning and active play through children's centres, ranger's service in park and leisure services engagement staff.

Commissioners should ensure that there are appropriate and adequate capacity of, weight management interventions which support obese and overweight children, involving their families and carers, to gain a healthy weight.

Commissioners should undertake a review of tier 4 obesity services and clinical obesity pathways for children and young people with a view to evaluating impact and value for money outcomes.

Commissioners should look at how health services can interact with Access and Connect to ensure a whole system approach to prevention and gather routine and robust data on health behaviours at a population level.

The Director of Public Health should ensure a strategic and whole system approach to tackling obesity which includes planning, education and health as well as communities themselves in order to deliver improved outcomes for children and young people.

## Young Carers

### Recommendations for Commissioners

Commissioners should be cogniscent of the needs of young carers and ensure collaboration across the strategic partnership to implement the Carers Strategy through all providers.

Commissioners should ensure that young carers are identified in services and in performance data as a protected group under the Equalities Act.

## Section 4:

### 4.1 Proportion of people in long-term unemployment No recommendations

### 4.2 People with disabilities or mental illness in employment

#### Recommendations for Commissioners

Commissioners need to consider the opportunities for paid employment, job carving, volunteering, job coaches etc within commissioning strategies.

There should be clearly defined outcomes for the employment opportunities for disabled people included in the partners commissioned contracts.

### 4.3 Employment for people with learning disability

#### Recommendations for Commissioners

Future commissioning of specialist employment services should continue to build on the offer of existing mainstream programmes and enhance the capacity and knowledge of those through co-location and collaborative approaches.

Current services should be reviewed and refocused to enable collaborative delivery of key outcomes including supporting people to move on through the development of clear progression routes for people with learning disabilities to access paid and unpaid employment.

Public sector agencies as both employers and procurers of services should support the employment of disabled people through the tender and contractual process and give guidance on good practice and reasonable adjustments such as working interviews and job carving for disabled people.

Commissioners should stimulate a mix of employment opportunities need to be developed including paid work, self employment social enterprises and Community Interest Companies.

Young people, particularly in transition should continue to be offered routes into employment as a real option.

#### 4.4 People with mental illness in employment

##### Total number of all mental health service users on a Care Programme Approach (CPA) 709

###### Recommendations for Commissioners

Future commissioning of specialist employment services should continue to build on the offer of existing mainstream programmes and enhance the capacity and knowledge of those through co-location and collaborative approaches.

Future commissioning of traditional day services should be co-designed with service users and focus on supporting service users to achieve outcomes in all areas of life including volunteering and employment.

Commissioners should promote volunteering as a means of positively contributing economically both as an end in itself and as a pathway to paid employment. This will require ensuring that existing organisations that recruit volunteers have systems and practices in place to support people with mental health needs and that they are linked into training and work opportunities.

Public sector agencies as both employers and procurers of services should support the employment of disabled people through the tender and contractual process and give guidance on good practice and reasonable adjustments such as working interviews and job carving for people with learning difficulties and people with mental health needs.

Commissioners should stimulate a mix of employment opportunities need to be developed including paid work, self employment, social enterprises and C-ICs. Ensure future commissioning of services supports New Models of Care<sup>3</sup> launched in June 2011 and the North East London Foundation Trust Employment, Education and Training 2010–2013 strategy.<sup>4</sup>

<sup>3</sup> London Health Programmes <http://www.londonhp.nhs.uk/joining-the-dots-for-mental-health/>

<sup>4</sup> [www.monitor-nhsft.gov.uk/sites/all/modules/.../](http://www.monitor-nhsft.gov.uk/sites/all/modules/.../)

#### **4.5 Occupational health and work including incapacity benefit (IB) and employment support allowance (ESA) sickness**

##### **Recommendations for Commissioners**

There needs to be a detailed piece of work carried out over the next 6 months for inclusion in the Joint Strategic Needs Assessment Refresh in May 2012.

#### **4.6 Back to work (Keeping people in work and maximising in-work incomes)**

##### **Recommendations for Commissioners**

A range of employment and skills providers are now funded on the basis that the people they assist secured sustained employment. Health services can play a crucial role in this for many individuals and health providers need to ensure that there is widespread understanding and knowledge of relevant provision. The requirement to establish these links should be built into the commissioning process.

There is a need to actively use local mechanisms to sell the business case for health and wellbeing policies to Small and Medium Enterprises in Barking and Dagenham, as set out in the Health and Wellbeing Strategy.

All health spend should require the payment of the London Living Wage by contractors and sub-contractors.

All health strategies and commissioning activities should require that workplace initiatives to promote health and well-being are in place on behalf of all contractors and sub-contractors delivering any service procured with public monies. This should be actively monitored.

## Section 5

### 5.1 Children and adults in poverty

#### Recommendations for Commissioners

Reducing poverty reduces demand on services and lowers costs. Strategies and services need to be commissioned taking account of their impact on poverty and their potential to prevent poor children becoming poor adults.

Service providers need to be more aware of the scale and impact of poverty on both children and adults. Data and analysis should be used to educate staff about how best to mitigate the effects of adult and child poverty, prevent future poverty and break the cycle of poor children becoming poor adults.

All services provided by key partners across the borough should consider their contributions to mitigating the impact of poverty on the local community.

### 5.2 Relationship between benefits and social housing

#### Recommendations for Commissioners

At this stage, specific recommendations for commissioners cannot be made. It will be necessary for detailed monitoring of the impact of welfare benefits changes to be undertaken in order to develop specific recommendations to address the impact on the people of Barking and Dagenham.

There needs to be a detailed piece of work carried out over the next 6 months for inclusion in the Joint Strategic Needs Assessment Refresh in May 2012.

### 5.3 Homelessness

#### Recommendations for Commissioners

Commissioners need to develop and raise the profiles of a range of housing options including increasing the supply of affordable housing, and associated tenancy sustainment where necessary, to meet the rising demand for housing.

The number of new public sector properties being built in the borough should be increased.

### 5.4 Housing stock and decent homes

#### Recommendations for Commissioners

More intelligence is needed on the health service needs of new households. These needs should be planned for in advance in terms of the physical infrastructure that will be required, so the likely, age, race and disability profile of new households should be predicted in advance. Health impact assessments of major development proposals should be undertaken.

All new homes should be built to Lifetime Homes standards, and to the Code for Sustainable Homes Level 4<sup>5</sup> to reduce the risk of fuel poverty.

The Mayor of London's Housing Design Standards<sup>6</sup> should be applied and the council should ensure these are met in new housing schemes.

The findings of the Barking and Dagenham Strategic Housing Market Assessment should be acted on, when known.

<sup>5</sup> <http://www.energysavingtrust.org.uk/Publication-Download/?p=1&pid=1321>

<sup>6</sup> [http://www.lda.gov.uk/Documents/London\\_Housing\\_Design\\_Guide\\_interim\\_August\\_2010\\_9460.pdf](http://www.lda.gov.uk/Documents/London_Housing_Design_Guide_interim_August_2010_9460.pdf)

## 5.5 Fuel Poverty

### Recommendations for commissioners

Work needs to be undertaken to better assess how to identify and target those at risk of fuel poverty. Nationally it is estimated that 42% of fuel poor households are not eligible for free energy efficiency programmes. The relative nature of fuel poverty and fluctuating energy prices require constant monitoring.

With increasingly finite resources, commissioners need to concentrate targeting on those with the lowest incomes living in the most fuel inefficient worst homes, that is those on benefits in housing with low Single Assessment Procedure ratings. In Barking and Dagenham this means better targeting of the private rented and owner-occupied sectors.

Commissioners need to target works around 'whole house measures' similar to those under the Community Energy Saving Programme rather than easy and quick-fix measures. (A long-term roll out of Low Carbon Zone approaches will also be used as the template to develop this strategy).

To help with identifying and targeting those most at need, the housing department need to make more extensive and targeted use of the Experian population profiles.

## 5.6 Accommodation for those with special needs – young care leavers

### Recommendations for Commissioners

Commissioners should closely monitor accommodation based support and floating support to ensure that young people are supported to achieve their full potential.

Commissioners will develop and support joint protocols to enable effective joint working to ensure that young people achieve their full potential in all areas of life.

Commissioners will monitor and manage the flow of referrals and placements to ensure the best use of resources.

Commissioners will monitor the length of stay and support the development of pathways to ensure access to accommodation and sustainable independent living.

Children's Services should supply data and information on the numbers and anticipated needs of young people due to leave care over the life of strategies and plans, alongside more qualitative needs analysis involving young people and key stakeholders, to inform these strategies and plan.

## 5.7 Accommodation for people with mental illness

### Recommendations for Commissioners

A detailed needs assessment should be undertaken to identify gaps in provision, improve service specifications and to inform future commissioning. This should include further investigation of overall outcomes for those in supported and residential accommodation to measure the levels of positive outcomes. Current providers should be included in this work to ensure that there are no gaps in delivery and to enable a smooth transition from existing model to new generic service.

Pathways should be developed to enable service users to move on from supported accommodation on to independent living. The use of Floating support provision may be effective as part of this pathway.

Best practice for Mental Health Models of care for London<sup>7</sup> should be implemented for those in crisis or with long term mental health conditions.

Work with housing to explore the move-on options from supported accommodation and impact of new housing benefit rights for single people that may impact on opportunities to live independently in the community.

In the May 2012 refresh this sub section needs to examine the use of residential or nursing care and examine hospital in-patients for this vulnerable group. In respect of this attention should be paid to tenancy sustainment for those in hospital/short term care settings

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<sup>7</sup> Mental Health Models of Care for London, NHS London Health Programmes, 2011.  
<http://www.londonhp.nhs.uk/wp-content/uploads/2011/03/2.-Models-of-care-low-res.pdf>



## 5.8 Supported living for older people and people with physical disabilities

### Recommendations for Commissioners

In order to continue to effectively support older people and people with physical disabilities with their housing needs, care models should be developed and an assessment of the impact of changes to the housing grant will be needed. Specific recommendations are as follows:

An agreed “housing pathway” is required, setting out the pathway from independent living (with floating support, assistive technology etc) through sheltered and extra-care, with the emphasis upon independent living and extra-care models, thereby reducing the requirement for residential or nursing places. The pathway will need to be agreed as part of the Older Peoples Housing Strategy<sup>8</sup>.

The current sheltered housing stock is ageing – the key concerns are design/suitability and ongoing maintenance. The lack of available resources restricts options but an updated review will be required for 2012.

The new Government has cut the housing grant by 50%. This means the Council’s ability to implement any new options is severely curtailed. Sites may need to be sold to fund new developments. The external extra care schemes in the borough will be re-tendered in autumn 2011 as the current contracts with external providers come to an end. There will need to be an emphasis on using community space creatively to enhance the independence of residents living in and close to the schemes.

A long term proposal to convert Fewes Lodge into extra care housing for people with dementia is being considered (to help with the demand for specialist dementia care provision).

## 5.9 Reasons for admittance in residential care

### Recommendations for Commissioners

There needs to be a detailed piece of work carried out over the next 6 months for inclusion in the Joint Strategic Needs Assessment Refresh in May 2012.

<sup>8</sup> <http://modern.gov.barking-dagenham.gov.uk/mgConvert2PDF.aspx?ID=26603>

## 5.10 Reasons for breakdown of informal care

### Recommendations for Commissioners

There needs to be a detailed piece of work carried out over the next 6 months for inclusion in the Joint Strategic Needs Assessment Refresh in May 2012.

## 5.11 Access and utilisation of green space

### Recommendations for Commissioners

Parks and open spaces are important assets that make a significant contribution to the health and well being of everyone living in the borough. Investment is required to deliver and maintain high quality improvements to existing parks and creation of new green spaces to meet the needs of future population increases. There is scope to develop community based solutions for the management of some of the borough's parks and open spaces, which could incorporate health improvement initiatives.

Specific actions which should be addressed include:

The lack of geo-demographic health statistics related to utilisation/benefits of parks and limited data on usage, satisfaction and equalities and diversity needs to be addressed.

An increase in the number of allotments and community food growing opportunities in the borough's parks and open spaces.

Encouragement of more formal sporting use of the borough's parks and open spaces by improving the quality of playing pitches and changing facilities.

Encouragement of more opportunities for informal recreation, physical activity and community cohesion through events and access to good quality play and health improvement programmes, like walking for health.

Improve perceptions of parks and open spaces as being safe places to visit. Rangers and other staff need to be a visible presence.

Reduce distance residents have to travel to reach a good quality open space.

## 5.12 Access to safe sport and play environments

### Recommendations for Commissioners

Safe sport and play environments make an important contribution to the health and wellbeing of the local population, with a positive impact on both physical and mental health. Barking and Dagenham has actively developed these environments in recent years, but further actions are needed to be considered if these improvements are to be maintained. These include:

Updating the Borough Playing Pitch Strategy 2005–2010<sup>9</sup>.  
Identifying additional funding to enable improvements to parks buildings and to address deficiencies in playing pitch and informal play provision. In addition to identifying opportunities to realign existing revenue resources to ensure good standards of management of sports and play facilities, external sources of funding are likely to be required.

Opportunities to look at different arrangements for grounds maintenance in parks to achieve greater efficiencies and effectiveness. These could include:

Communities to contribute to parks maintenance responsibilities.

Increase biodiversity such as letting grass grow into meadows in some areas  
Adopt revised maintenance specifications and standards.

Focus attention on priority parks and priority areas within parks, relaxing regimes in other areas.

Work with local sports clubs to improve the number and quality of coaches sporting pathways from school into clubs, and the overall capacity to take on new players.

Data on current usage of play areas is limited. Better data would help to identify those facilities which should be prioritised for improvement and maintenance.

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<http://www.lbbd.gov.uk/Environment/PlanningPolicy/LocalDevelopmentFramework/Documents/KeyEvidenceBase/4.Communities/8.lbbd-pitch-strategy-april-2005.pdf>

## Section 6:

### 6.1 Levels of air and environmental pollution

#### Recommendations for Commissioners

Take full advantage of grants available from Defra for improving air quality.

Include air quality issues in future bids through the transport local Implementation Plan (LIP).

Identify funding for future air quality review and assessment and action planning.

Support regional and national measures such as the London Low Emission Zone.

Invest in interventions to improve lung capacity; Get more people off the roads, eg Boris bikes, car sharing, use of public transport, more free exercise for old and young, safer routes to school, walking business, promotion of public transport, use of our parks and green spaces, plant a tree etc.

Review service contracts to establish if any gaps occur in delivery to target inequalities across equality groups.

### 6.2 Fire safety and awareness

#### Recommendations for commissioners

This project demonstrates how consumer insight can be used to identify and support people in the borough and improve their health and wellbeing. Continuation of the analysis and development of the capability to apply the learning to 'on the ground' projects can bring a wide range of benefits and should be supported.

Further work needs to focus on the following questions: Where are the estates where the fires happen, household, non accidental, etc

What could we do on these estates to impact on the incidence of fires?

### 6.3 People affected by environmental and neighbourhood noise

#### Recommendations for Commissioners

The service is a statutory duty but the interpretation of 'reasonable steps' is a local one. The council has historically seen this as requiring a positive and intensive response outside the normal working day.

The increase in the borough population will increase the demands of the service. During summer months the team have difficulty in meeting the night time response target, particularly at weekends. Increasing population will make this situation worse. Additional resources during high volume periods will enable the service to meet its objectives.

Service gaps at weekends in particular present challenges with the current staffing levels. Introducing additional working days will impact on staff availability during the week.

To help combat the high numbers of Cardiovascular Disease deaths in the borough, noise protecting measures need to be supported and increased.

Future complaint statistics should be monitored to identify trends in service demand. Data should be collected on who uses the service to ensure access to all members of the community.

The classroom noise should be investigated because of its effects on learning, by measuring noise levels and links to exam results.

### 6.4 People affected by environmental and neighbour related antisocial behaviour

#### Recommendations for Commissioners

Providing sustainable resourcing for the Safer Homes Plus service that commissioned by the Council (current providers are Victim Support) to provide target hardening measures to the homes of those who are targets of hate crime. Resources for this service are currently identified on an annual basis.

Exploring the feasibility of extending the role of the race hate commissioned service to cover other forms of hate.

Developing referral pathways to mental health services for ASB perpetrators and victims where there is a potential link with undiagnosed or unrecognised mental health problems.

Developing a single point of contact for the ASB team and police with mental health services to discuss and refer residents for whom there is concern re mental health issues.

Development of and investment in the ASB team to enable resources to tackle lower level asb issues to reduce the need for long-term intervention.

## **6.5 Risk of death and serious injury on the roads in Barking and Dagenham**

### **Recommendations for Commissioners**

Identify a clear lead agency and coordinate action to improve road safety, including the involvement of Transport for London. With road safety impacting on all partners but with no clear lead agency, there is a danger that in the current economic climate road safety will be a low priority.

Find better ways to achieve more and to involve others, reaching out to the community, local businesses and other parties and working together. Every opportunity must be taken to secure benefits, both direct and indirect.

Explore how to discourage parents from going to the school gate by car, and to explore the potential to reduce car journeys overall.

Recognise the risk of death and injury faced by young drivers and their passengers. One third of the accidents in the past three years have involved drivers aged 18 years or under. The Partnership needs to identify methods of tackling this together, including investing in the 'Safe Drive, Stay Alive' campaign.

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## 6.6 Incidents of domestic abuse and violence

### Recommendations for Commissioners

The Partnership launch of a borough based Violence Against Women and Girls Strategy as part of the DV strategy 2011-2014.

All Partnership recording systems to have alerts for domestic and sexual violence (including female genital mutilation, honour based violence, forced marriage and no recourse to public funds).

Maintaining the IDVAS service (borough based and maternity based provision).

Maintaining the community DV perpetrators programme – this costs £35, 000 per year to ensure men who are concerned about their abusive/violent behaviour can access specialist group work support. 97% referrals from this service are from Children's Services as part of child safeguarding arrangements.

Maintaining the Woman's Trust specialist DV counselling service. In 2010/11 131 referrals were made to this service. This is a small three year mental health contract of £25 000 per year. Local mental health services value this service.

Examine the need to maintaining access to the East London Rape Crisis centre after March 2012 when Greater London Authority funding ceases.

Developing specialist provision for children and young people who experience domestic and sexual violence, including female genital mutilation, honour based violence, forced marriage. This could be through a specialist worker located within Refuge.

Provision of dedicated DV support to GPs and Practice Nurses (and their patients), and support for the development of a DV champion in each GP practice. This would improve identification of DV, recording of DV concerns, disclosures and injuries, generate more referrals to DV services and improve the safeguarding response by GPs to children and adults experiencing DV.



Monitor through DV performance indicators the response of provider services in relation to domestic violence.

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## 6.7 Perceptions of community safety

### Recommendations for Commissioners

The Community Safety Partnership should continue to monitor the police Public Attitude Survey question on the effectiveness of the partnership as a measure of local confidence.

The Council should consider the feasibility for commissioning additional bespoke police teams, such as an estate Safer Neighbourhood Team.

Further and wider consultation with children and young people and older people and other vulnerable groups on crime and community safety issues should be built into the programmes of the Children's Trust and Community Safety Partnership and through the work of the Engagement Team, the Community Safety Coordinators and Safer Neighbourhood Teams.

Shared communication opportunities with health in relation to both health and community safety products should be explored, such as the feasibility of inserting news of health developments into the SNT newsletters or inserting community safety advice into health brochures.

## 6.8 First time entrance into the Youth Justice System

### Recommendations for Commissioners

Analysis of young offenders and pre-court disposals is undertaken to ascertain whether there is over-representation of young people from BME backgrounds locally.

Services such as Child and Adolescent Mental Health and Drugs Services are safeguarded and included within the YOS model, as part of the Multi-Agency Locality Teams.

A strong focus on prevention is built and maintained.

## 6.9 Rates of violent crime including sexual violence

### Recommendations for Commissioners

Domestic Violence and Violence Against Women – with a recommendation to maintain the current DV focus but develop responses to young people around sexual violence and the Olympics and sexual exploitation.

Serious Youth Violence – with a focus on targeting resources towards gang territories and members to reduce youth offending by enforcement and development of exit strategies.

Continue with the development and delivery of the local Violence Against Women and Children Strategy as part of the wider DV Strategy.

Maintain borough access to the East London Rape Crisis Centre.

Commission analysis on the impact of offences on male population.

Commission analysis on the impact and effect of alcohol related offences.

## 6.10 Crime and Violent Crime Victimization

### Recommendations for Commissioners

Victims of violent crime can suffer a range of physical, emotional, financial, and mental health problems. It is important to have services in place to provide immediate, targeted protection and support, reduce the long-term impact of these crimes, and prevent re-victimisation. Addressing victims' health and support needs requires a multi-agency response from criminal justice agencies, the health service, local authorities, and the voluntary sector. Ensuring a streamlined and supportive Criminal Justice System is also integral to maintaining victims' engagement with the process, reducing attrition rates, increasing conviction rates, and reducing re-offending.

Specific attention should be paid to the needs of young people:

Focusing on the needs of young victims of crime and in particular early recognition and addressing of their physical and mental health needs.

Preventing young people from getting involved in crime (particularly gangs and gang-related activities), through targeted anti-gang strategies and the establishment of a gangs unit.

## 6.11 Reducing re-offending

### Recommendations for Commissioners

Mapping of existing offender management provision across the area is necessary to fully identify current resources that can be used to assist integrated offender management and ensure no duplication.

#### Young Offenders

Gang activity is expected to increase over the next 5 years. Offender management for gang members will require a different approach across partnership services. A Gangs Unit to deliver offender management to gang members is required. The Serious Youth Violence partnership is currently completing a project initiation pilot on this. A Partnership approach would include provision of premises and mental health support such as psychology services and systematic therapies to dismantle gang affiliations and move to positive lifestyles. This unit would ideally consist of a Police Sergeant, Police Officer(s), a Police Analyst, YOS Deter Officer, a Probation Service Officer and a Youth Worker.

Support to the YOS to address the physical health related interventions for clients including sexual health is needed, whilst the focus on mental health and substance misuse is maintained.

#### Adult re-offenders

Pooling of resources is needed to set up a dedicated multi agency and co-located team to drive the coordination of Integrated Offender Management for the most persistent re-offenders. Such a team could incorporate the Gangs unit above and also include staff from probation and DIP with additional input from courts, prisons and drug treatment services. The majority of staff are already in place in organisations and resources would be used to set up premises where the team could be co-located and supported by dedicated administration. This team should include mental health support such as psychologists to case manage offenders with mental health problems.

### **Case management**

Membership of the multi agency tasking forum may need to be expanded to better select or deselect individuals for intensive case management.

Key selection criteria for selecting and deselecting Hi risk / priority re-offenders to be taken on for case management need to be agreed. Offenders should be targeted based on high risk and high need irrespective of statutory status and continuously reassessed.

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## 6.12 Mixed communities - sustainable communities

### **Recommendations for Commissioners**

There needs to be a detailed piece of work carried out over the next 6 months for inclusion in the Joint Strategic Needs Assessment Refresh in May 2012.

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## Section 7:

### 7.1 Access to training, support and lifelong learning

#### Recommendations for Commissioners

Commissioners need to explore new ways of funding courses and maintaining provision of education and training at all levels but specifically for those with low literacy, numeracy and ICT skills.

### 7.2 Understanding and supporting the needs of Carers

#### Recommendations for Commissioners

Commissioners are recommended to implement the action plan set out in the Barking and Dagenham Carers Strategy 2011-15, and particularly to maintain budget levels and to meet the timescales proposed in the plan.

### 7.3 Adults with Learning Disability and the health issues they face

#### Recommendations for Commissioners

Following the health equity audit carried out in 2010, a number of recommendations were made about the commissioning of health and social care services. The issues that commissioners must take into account to ensure that services are accessible and provide quality care for people with learning disabilities include:

**Legal requirements:** ensuring that healthcare providers make reasonable adjustments, as required by the Disability Discrimination Act.

**Person-centred care:** ensuring that services are based around a person-centred care plan and health action plan.

**Information sharing:** ensuring that GP practices, PCTs, local authorities and local Learning Disability Partnership Boards work together to share information about the health and care needs of people with learning disabilities.

**Promoting access to services:** taking pro-active steps to help people access general health services that meet the individual needs identified in annual health checks.

**Effective communications:** ensuring that particular care is given to communicating with service users and their families and carers to ensure that their needs, choices

and preferences are understood and that services are available to reflect individual choices.

Diagnostic overshadowing: overcoming the risk that people's reports of physical ill health or unusual behaviours are viewed as part of learning disabilities – and so are not investigated or treated.

Consent and capacity issues: ensuring that staff involved in providing healthcare understand issues of confidentiality, consent and mental capacity legislation for adults with learning disabilities and have access, where necessary, to expert advice

Knowledge and skills: improving the training of those providing healthcare across primary care, community services and secondary care.

Lead commissioner arrangements: establishing lead commissioner arrangements and appropriate governance to ensure a co-ordinated approach to the support provided by health, education, employment and social care. This includes managing the interface between NHS services that are free at the point of use and local authority services that are means-tested.

## **Acute Services**

### **Recommendations for Commissioners**

Commissioners need to address not only specialist services but more particularly the general health needs and 'reasonable adjustments' that must be made by all mainstream services, including health improvement and promotion, acute, community and mental health. There should be a particular focus in care pathways for those conditions which have a higher prevalence in people with learning disabilities. Specifications should be written and included within all contracts.

### **Learning Disabilities Partnership Board**

The Board and its subgroups should continue to be reviewed against the self assessment template and action taken to address shortcomings.

### **Preventative Care**

Additionally, knowing that there are greater health inequalities and decreased life expectancy for this population, some of which is attributable to lifestyle choices such as diet and smoking, accessible preventative services should be commissioned aimed at bringing about changes in lifestyle.



## 7.4 Adult Autism

### Recommendations for Commissioners

A '*Local Autism Act Implementation Plan*' has been put into place and will be implemented over the next two years. In summary, this includes the following key elements:

Commissioning by the NHS of new local diagnostic pathways (by end of 2011/12)  
An extensive programme of awareness raising and specialist training of staff (completed by end of February 2012).

Developing joint NHS/council plans to better meet the support needs of adults with Asperger Syndrome (by December 2011).

The Council will review support services for adults with autism and learning disability and develop plans to address the gaps including local specialist supported living services and additional day time opportunities (by end of 2011/12).

Commissioning of improved information and advice and signposting to self-help options for people with mild forms of an Autistic Spectrum Disorder (by December 2011).

## 7.5 Active ageing

### Recommendations for Commissioners

The free leisure offer for those over the age of 60 has been successful in attracting residents and increasing their participation in physical activities.

Subject to the available funding commissioners should continue the programme beyond March 2012.

The programme should ensure that activities support an outcomes based approach. Particularly relevant outcomes are 'having things to do' and 'staying healthy'.

The Older People's Strategy Improvement Plan should be updated annually, with progress against actions monitored by an Older People's Board. This will support a more integrated approach and help to address the needs of carers and the need for culturally sensitive activities, as well as an overall increase in membership of the Active Ageing Programme.

## 7.6 Physical disability

No recommendations under this section

## 7.7 Sensory disability - eye health and low vision

### Recommendations for commissioners

Eye care services are delivered across a number of sectors, so strong joint commissioning arrangements are crucial to create a seamless service, reduce duplication and, most importantly reduce avoidable blindness whilst maximising independence and social inclusion for those with irreversible eye conditions.

The local Vision Strategy Group has developed The Barking and Dagenham Vision Strategy: Excellent eye care for local people<sup>10</sup>, launched in May 2011. Commissioners need to address the service development priorities set out in the strategy which are set out in Figure 7.12.

## Hearing Loss

### Recommendations for Commissioners

Consideration given for an information campaign to raise awareness and increase take up of diagnostic, preventative and support services.

Consideration in making assistive equipment for people who are hearing impaired more easily available via the local retail market (in line with the retail market adopted for the delivery of community equipment).

Consider making communication equipment such as sign translate available locally in GP practices; hospital departments; Council offices and other public sector organisations.

Establish a local access group for people who are deaf and hearing impaired.

Review arrangements for accessing interpreter services to ensure that there is adequate access to BSL interpreters.

<sup>10</sup> <http://www.lbdd.gov.uk/AdultSocialCare/Documents/vision-strategy.pdf>

## 7.8 Communicable diseases and health protection

### Recommendations for Commissioners

There needs to be awareness raising amongst primary care professionals of issues around infectious diseases, such as the provision of advice on Malaria prophylaxis, and diagnosis of tuberculosis.

There is a national recommendation that everyone who is diagnosed with tuberculosis also receives an HIV test, and performance management should ensure that this is happening locally.

### Seasonal Flu

### Recommendations for Commissioners

Proactive local planning is key to ensuring the robust delivery of a Seasonal Flu Programme. This includes the development of a local Action Plan, ensuring continuity of care in delivering this primary health programme, in an attempt to reduce health inequalities.

Collaborative work with Clinical Commissioning Groups is crucial, ensuring a multi-faceted approach across the borough. GP Practices need to be encouraged to engage a proactive programme of local service planning, ensuring an accessible seasonal flu clinic schedule is available to their local population. Opportunistic vaccination also needs to be encouraged within the entire practice skill mix.

Engaging community leaders and residents is key to ensuring understanding of the benefits of flu immunisation and the support of community groups, thereby giving confidence to local people to access flu immunisation.

## **7.9 Systems to respond to public health incidents and emergencies Emergency Planning, Business Continuity and the 2012 Olympic Games**

### **Recommendations for Commissioners**

Commissioners need to be prepared for a wide range of potential disruptions, ranging from lack of availability of temporary staff and regular staff experiencing travel problems to a serious untoward incident that requires implementation of major emergency plans.

All local NHS providers, the Council and their commissioned services have robust business continuity plans to maintain key critical services during an incident, and other local services and organisations should consider plans to enable a suitable response to all kinds of incidents.

Communications are critical both to maintaining 'business as usual' and responding to an incident.

## **7.10 Olympic health legacy for adults and children**

### **Recommendations for Commissioners**

Commissioners should work collaboratively across the local strategic partnership to ensure that the legacy of the Games is maximised in the borough to improve outcomes in a measurable and monitored way for residents.

Specific resource and capacity needs to be identified to ensure that the local strategic partnership can effectively deliver the borough response during Games time and for the Legacy.

Local schools should fully participate in the Get Set Network to maximise the opportunity for school children to access the Games and benefit from the educational resources available.

Work with schools and communities through education and leisure should be undertaken to embed pathways to sporting excellence and physical activity for all children and young people.

## 7.11 Excess seasonal mortality

### Recommendations for Commissioners

The Council's risk assessment for climate change includes the likely impacts on health and healthcare. It advises that health care services should have sufficient resources and be flexible to changes in demand of service.<sup>11</sup>

The local Heatwave Plan should be reviewed annually to ensure robust arrangements for implementation when heatwaves are forecast. Heatwave plans for schools needs to be developed and implemented locally.

Local services offering support for the vulnerable in heat waves could include voluntary groups offering drop-in sessions to people's homes or providing access to 'cool spaces' and respite from the heat such as churches or community halls. The same should apply in winter, offering warm heated community spaces.

Health and Housing Safety Rating System checks need to focus on cold weather assessments for the vulnerable and especially the elderly. An audit on the numbers of assessments conducted and the action occurring from them would be useful to monitor progress in this area

A clear position statement on the availability of home insulation grants and help in cold weather is needed as the current Government's plans and policy changes are hard to keep up with and create confusion for residents. Eligible people should be encouraged to take-up the benefits to which they are entitled.

Front line health and social care staff who work with the vulnerable should be familiar on how to signpost them into advice on increasing the warmth in their homes. This should be included in community and primary care contracts.

Older people and those with long term conditions should be encouraged to have seasonal flu immunisation and advice given about how to manage their conditions during periods of extreme temperatures.

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<sup>11</sup> <http://www.lbbd.gov.uk/Environment/Documents/ClimateChangeRiskAssessment.pdf>

## 7.12 Obesity and Healthy weight in Adults

### Recommendations for Commissioners

Commission an inter-agency training resource to provide:

- Baseline knowledge and awareness of obesity and the associated risk factors

- An introduction to conversational skills about weight

- Brief intervention training:

  - Introduction to motivational interviewing

  - Signposting to local services and a care pathway

Evidence around behaviour change interventions suggests that due to the high level of stigma associated with obesity, coping strategies should be incorporated into service delivery and care plans. This may aid in translating knowledge into long-term behaviour change.

There is a need to commission pre-conceptual services for women of childbearing age that are overweight or obese to assist them in losing weight prior to conceiving. Weight management programmes to support obese women during pregnancy and the postnatal period should also be commissioned.

## 7.13 Smoking

### Recommendations for Commissioners

The recommendations below incorporate some of those recommendations arising out of the external review of smoking cessation carried out in January 2011, as well as the recommendations of the Inquiry into smoking carried out by the Barking and Dagenham Health and Adult Services Select Committee in 2010/11.

The Tobacco Strategy agreed by the Tobacco Alliance should be resourced and implemented.

There should be clear outcomes built into specifications and contracts with anyone providing smoking cessation services or advice.

All front line health and social care staff should be trained to provide Level 1 advice on smoking cessation.

There should be investment and a significant increase in the number of local health and social care staff, including primary care staff, who can provide Level 2 smoking cessation services.

Stop Smoking Services should be commissioned which are effective, evidence-based and value for money, delivering a service that meets Department of Health requirements on targeting, monitoring and quality.

Commissioned services should be responsive to local need, i.e. delivered in a range of accessible venues, and available at evenings and weekends.

There should be staff trained to provide at least Level 1 advice in all local NHS Opticians and Dental Practices.

The commissioned service should provide training and support to all local GP Practices and Pharmacies to ensure that Level 2 support for smoking cessation is available from every site.

Services should be commissioned to deliver at least 3,000 quitters in order to achieve a reduction in smoking prevalence that will impact on the very high levels of morbidity and premature mortality in Barking and Dagenham.

Investment is needed to appoint a post at a senior level in Barking and Dagenham who can oversee tobacco control initiatives, marketing campaigns and performance management of commissioned services.

There should be additional investment in local enforcement activities to support the aspiration to reduce smoking prevalence

There should be significant investment in prevention initiatives and health promotion, aimed at both preventing people from taking up smoking, and at encouraging smokers to quit.

An evidence-based service should be commissioned specifically aimed at young people, with the aspiration of encouraging young people to quit smoking, or not to start smoking.

All service contracts let by members of the Barking and Dagenham Partnership should address smoking, both by staff and patients or clients. This principle should not only be applied in the obvious contracts for healthcare services, such as those with Barking, Havering and Redbridge University Hospitals Trust, but also to the wide range of general service contracts, where the provider should provide a statement of commitment to reducing smoking prevalence.

The Tobacco Alliance should secure membership of Trade Union representatives on the tobacco alliance to help reach and influence routine and manual workers with smoking cessation interventions.

Local Councillors have made a recommendation that the Partnership should give commitment to funding the posts of tobacco control co-ordinator and Tobacco Enforcement Officer as well as other related tobacco programme costs to mitigate risk of not reaching strategy targets.

More should be done to publicise high profile prosecutions that are related to tobacco control enforcement in the local media to deter sellers of illicit tobacco products.

The Tobacco Alliance should explore the possibility of implementing a smokefree award scheme for local businesses that adopt good smoking cessation practices.



## 7.14 Alcohol

### **Recommendations for commissioners:**

Funding for the Community Alcohol Team should be maintained or ideally increased to address the increased demand for services.

Integrated pathways and robust partnership working with hospitals should be further developed and data on alcohol related admissions and patients accessing services should be shared to support future service development.

Training for staff is an important part of a local alcohol service. Brief interventions and identification training for nurses, doctors and other staff should be encouraged. Only 20 GP Practices are currently signed up to the Direct Enhanced Service (DES) contract to carry out screening, brief interventions and referring into treatment agencies. All GPs across the borough should be encouraged to sign up to the contract and regularly monitored in order to increase the number.

Alcohol information should be included in all relevant mainstream health promotion strategies such as sexual health, obesity and health and wellbeing.

The feasibility of expanding the arrest referral service to include alcohol should be considered.

The DAAT, in conjunction with criminal justice services including the police, should develop and implement programmes of diversionary activities for alcohol users that will also address their alcohol related offending and lifestyle or social issues.

## 7.15 Substance Misuse

### Recommendations for Commissioners

The substance misuse treatment system for both adults and young people in Barking and Dagenham must change and adapt in ways that will bring more sustained outcomes and better value for money over the coming years. The workforce need to have the aspirations and belief that service users are able to achieve successful completion of treatment and go onto make a success of their lives and not keep re-presenting to treatment services and the criminal justice system.

Encouraging residents to seek help and treatment at an earlier stage is crucial if the harm and cost of substance misuse is going to be reduced within the borough. Too many residents allow substance misuse problems to become entrenched before seeking help. Earlier intervention is vital if the borough is to reduce the number of deaths due to alcohol and or drugs and allow adults and young people to prosper.

Commissioners need to:

Recognise the increased demand that the increase in the borough population will create for substance misuse services. Overall demand and activity needs to be monitored with a particular focus on access for people from all ethnic groups

Better understand the needs of clients from the BME community both in relation to drug misuse and criminal activity, and commission services that ensure access both to drug treatment services and to the wider support and life opportunities that are needed for them to build stable and successful lives

Earlier intervention and prevention helps to reduce the risk of developing long term drug use and criminal activity, particularly with 15-24 year olds. Services need to incorporate sufficient focus on early intervention opportunities

More diversion schemes are required for young people and adults together with the opportunity to work and experience work

The demand for greater value for money and improved outcomes will put pressure on providers to achieve the necessary economies of scale and efficiency savings, and providers need to respond to this challenge. Stronger partnership working is required to integrate one treatment system that achieves successful outcomes for individuals and the community.

The opportunity to have all services co-located within one building should be explored to maximise those windows of opportunity when working with such a disenfranchised group of people that are hard to reach and difficult to engage and bring about greater economies of scale.

## 7.16 Participation in physical activity

### **Recommendations for Commissioners:**

Increasing participation in physical activity is one of the priorities in the Health and Wellbeing Strategy. The evidence from the Active People Survey shows clearly the scale of the challenge.

Commissioners need to:

Review Start Active, Stay Active and consider the action needed by the Partnership to promote family friendly physical activity and increase the opportunities for local people to achieve a healthy lifestyle.

Maintain investment in physical activity and sports programmes, including provision of green spaces and the active ageing programme.

## 7.17 Sexual Health

### **Recommendations for Commissioners**

The commissioning actions and recommendations needed to improve sexual health prevent HIV and to reduce teenage conceptions are broadly the same. There should be commissioned services that are aimed at three key areas:-

- Prevention
- Early detection
- Treatment

More needs to be done in order to halt the spread of STIs and HIV as well as teenage pregnancy. Targeted work such as community outreach and near-patient testing needs to be done to encourage more people to be tested early, combined with messages about prevention.

Need to increase access (in terms of geography, timing and timeliness), to services that support better sexual health and address the challenges of teenage pregnancy.

Services must be non-judgemental and 'young person friendly'. Available services and screening should be promoted widely, to increase awareness of the need for better sexual health and to encourage people of all ages to attend for treatment and care.

Further preventative work aimed at improving sexual health is undertaken as part of the Chlamydia Screening Service commissioned from the Terrence Higgins Trust, and an element of the contract for provision of sexual health services from Barking, Havering and Redbridge NHS Trust is also focused on prevention. A free condom scheme is also being delivered in the borough with free condoms available from a number of locations including Children's Centres.

Because of advances in drug therapy for HIV, the demand for in-patient care for people with HIV has fallen dramatically over the past decade. However in Barking and Dagenham because people present late they are more likely to require in-patient care because their disease is more advanced. There is also a small demand for specialist in-patient and respite care for people with HIV who have HIV related dementia or neuro-cognitive impairment.

The Teenage Pregnancy National Support Team (NST) issued guidance on good practice. The NST advised that there is international evidence, as well as evidence from areas where teenage pregnancy rates have fallen fastest, which shows that all young people need effective sex and relationships education – which helps young people to deal with pressure to have sex, as well as equipping them with the knowledge and skills to avoid unplanned pregnancies and STIs – alongside easy access to young people-centred contraceptive and sexual health (CASH) services, when they need them.

The evidence is that young people place favour specific sexual health services targeted at their age group rather than attending their local GP for sexual health and family planning services.

## 7.18 Dental Health

### Recommendations for Commissioners

People living in Barking and Dagenham have poor dental health. Parents need to provide routine dental care to their babies and children as well as regular dental attendance, which should then be maintained throughout life. In particular, for children:

Twice daily brushing of needs to be promoted via modern mass marketing techniques.

Attendance at dentist needs to be promoted – starting in the first year of life and then annually thereafter.

Work needs to continue on decreasing intake of sugary drinks and foods

Children who visit the dentist should have existing disease treated using modern atraumatic techniques, and taught to use prophylaxis, such as dental sealant, to prevent decay.

For adults, regular use of dental services should also be promoted, in particular for those with low use, such as men aged 35-44 years.

NHS ONEL PCTs should have a clear system in place to monitor and improve the quality of dental treatment provided to all patients. Commissioners should develop a quality framework to assess the care given by NHS dentists.

Scientific evidence supports the effectiveness of minimal intervention techniques that preserve healthy tooth tissue. Commissioners should require dentists to use evidence-based treatment modalities and to monitor treatment failures as well as over-treatment.

People with learning disabilities need earlier and more comprehensive preventive dental interventions rather than using extractions as a major form a treatment. The contract for special needs dentistry should be reviewed to assess how this can be implemented and monitored.

National dental surveys provide useful benchmarking data on the state of dental health in the borough. Contracts need to be reviewed to include survey completion as a requirement.

## 7.19 Bone Health, falls and fractured hips

### **Recommendations for Commissioners:**

Education and awareness need to be increased in primary care to treat patients with poor bone health – mainly osteoporosis. This needs to be a multi-professional rolling programme with built in audits and peer learning sessions. There is national interest in including bone health in the GP Quality and Outcomes Framework (QoF), so in anticipation of this work should be started to ensure all practices:

Understand the importance and size of the osteoporotic fracture problem  
know how to identify people with previous fragility fractures  
know what drugs to use and in whom

New business cases need to be developed to demonstrate the throughput and outcomes of the current very small scale falls and fracture prevention services, and how the services could be extended at marginal cost. Department of Health assessments suggest that these services are cost neutral as long as appropriate drugs are prescribed to the people most at risk.

Multidisciplinary specialist work needs to be prioritised to ensure that low cost bone protective drugs are only being used in the patients who are above a threshold risk. Patient note and drug audits would need to be performed to ensure scarce resources are being used appropriately. This aspect would remain essential as a more comprehensive service developed.

Much of the fracture prevention service is currently focussed around Queen's Hospital. It would be advantageous if discussions on business cases, pathways and optimum use of bone protecting drugs could be applied to all patients who use Barking Havering and Redbridge University Hospitals NHS Trust to maximise service efficiency.

## 7.20 Cardiovascular disease

### Recommendations for Commissioners

The NHS Health Check programme would benefit from a 5 year guaranteed investment period so that sustainable programmes can be developed.

Adequate resources need to be allocated to the primary prevention services to which the NHS Health Check programme refers, for example stop smoking, weight management, exercise and dietary advice services.

Clinical Commissioning Groups and primary care commissioners need to establish a mechanism for delivery of health checks for patients of practices that are unwilling or unable to deliver them.

Targeted social marketing strategies are needed to ensure high uptake of the NHS Health Check by the 'hard-to-reach' groups.

In addition to the NHS Health Check programme, a systematic approach to case finding for CVD risk is needed with a view to closing the gap between expected and reported number of patients with cardiovascular conditions on GP disease risk registers.

### Cardiovascular Disease: Case Finding and Treatment

#### Recommendations for Commissioners

Avoid unnecessary hospital admissions and reinforce the prevention agenda, adequate funding needs to be allocated to primary and secondary prevention of cardiovascular diseases in Barking and Dagenham.

Clinical Commissioning Groups need to show commitment to the prevention and early detection agenda, and understand the cost benefit of good primary care disease management in reduction of unnecessary hospital admissions. Investing in the NHS Health Check programme is one way to demonstrate commitment.

Commissioners need to ensure that there is adequate provision of support for lifestyle interventions such as exercise, sensible drinking, smoking cessation and weight management; and consider the creation of a complete package of lifestyle intervention rather than a 'piecemeal' approach.

Clinical Commissioning Groups need to consider how to ensure comprehensive, proactive case finding to identify those at medium or high risk and those with single abnormal measures (for example blood pressure control, cholesterol lowering).

Clinical Commissioning Groups need to go beyond the limitations of QOF as a performance tool and use extended clinical criteria as well as the promotion of self-care and self-management.

All GPs should actively identify and manage atrial fibrillation using the Guidance on Risk Assessment and Stroke Prevention for Atrial Fibrillation Tool.<sup>12</sup>

GPs with the poorest QOF outcomes need to be actively encouraged to improve hypertension detection and control, heart failure detection and atrial fibrillation treatments.

Commissioners need to consider the value of a total CVD service review or evaluation to ensure services including tertiary services and cardiac and stroke rehabilitation are in line with best practice and achieving optimal outcomes.

Commissioners across the partnership need to identify how to integrate work on the wider long term conditions agenda to streamline pathways of care, with a focus on putting prevention first, reducing unnecessary hospital admissions, and ensuring early discharge from hospitals. The developing Health and Wellbeing Strategy may provide an approach to integration of commissioning and service provision.

## 7.21 Diabetes

### Recommendations for Commissioners

Industrial Scale approaches to obesity are the only interventions that can halt the year on year increase in number of cases of Type 2 diabetes. Interventions need to have the capacity to meet increasing need demographic increases and rising levels of obesity.

There is still a moderate proportion of undiagnosed diabetes in the borough and more case finding is needed. Diabetes screening as part of the NHS Health Check programme will help to find undiagnosed diabetics. Patients on other disease registers such as for hypertension should also be checked for diabetes.

Diabetic service provision needs to be planned recognising the increasing number of diabetics rather than based on historical provision. In many services this will mean expansions of at least 20%.

As a result of increasing diabetes prevalence and the increase in people whose diabetes is more difficult to control, including those from Black and Minority Ethnic

<sup>12</sup> <http://www.improvement.nhs.uk/graspaf/GRASPResources.html>



communities, there will be greater need for community health and social care services, such as low vision services, support for assisted living (for example after amputation) and community nursing care including diabetic ulcer care and home administration of diabetes drugs.

There are some relatively high drug and blood sugar testing costs for diabetes in this borough with no better outcomes. These need to be reviewed by Clinical Commissioning Groups as there are obvious costs savings with no detriment at all to patient care.

There is evidence that diabetes control as measured by HbA1C and hypertension is poor, which is likely to result in complications such as hospital admission and disability. Improving diabetes control should be a priority for improvement in primary care.

## 7.22 Diabetic Retinopathy

### Recommendations for commissioners

Diabetic retinopathy screening coverage is improving, although about 15% of people do not attend the programme. An unexpectedly high proportion of people who are screened require treatment, which makes it even more critical that the high attendance levels are achieved.

The demography of diabetes is changing and it is predicted that by 2030 there will be 50% more diabetics in the borough than there are today. The service will need to plan for a 2.5% increase in demand every year for the foreseeable future.

The characteristics of those who fail to attend need to be investigated and action is needed to ensure that the importance of the test is understood and that access is easy. Understanding the experience of those who do attend will be helpful.

Further work is required on why local residents need such high levels of retinal treatment.

More data is needed on the outcomes of screening and treatment. This might identify inefficiencies in the pathway.

## 7.23 Cancer

### Recommendations for Commissioners

A focus on interventions to reduce mortality from lung and bowel cancers will have the biggest impact on cancer mortality and survival for the borough. Lung cancer is currently addressed through smoking cessation which is the single most effective strategy for tackling the problem. The number of people who successfully stop smoking needs to increase dramatically to reduce lung cancer mortality.

Bowel cancer requires a combination of approaches including lifestyle interventions such as increased physical activity and healthy eating, and also secondary prevention which is aimed at promoting early awareness of symptoms and diagnosis. Health promotion for bowel cancer should be seen as a local priority for investment with the cessation of national funding. If resourcing is not picked up locally, the momentum that has been built up over the past year will be lost.

Programme budgeting data show that secondary care is prioritised over primary care interventions. Commissioners should aim to achieve a good balance by looking at ONS cluster group comparators that have managed to improve outcomes by investing more into primary care.

Screening uptake rates and referral practices in primary care are highly variable across the borough and the use of urgent referral pathways is not consistent. Primary care commissioning needs to use the levers available to improve uniformity and encourage best practice.

A higher than expected proportion of cancer cases present for the first time through accident and emergency. Unplanned admissions are not only costly but lead to poorer chances of survival. GPs should be encouraged to adopt measures that will optimise utilisation of other referral routes.

An evidence based programme of training and education needs to be developed to address service issues contributing to late diagnosis and referral in collaboration with secondary care. This will need to be well resourced.

Evidence from work done nationally has demonstrated the need for direct access to diagnostics for presenting symptoms which do not meet the NICE criteria for urgent referral. The Operating Framework for the NHS in England 2011/12 requires commissioners and providers to take address this.

## 7.24 Chronic Obstructive Pulmonary Disease mortality and morbidity

### Recommendations for Commissioners

The interventions with the best evidence base for delaying the progression of COPD are stopping smoking and the provision of home oxygen for those with advanced disease. Morbidity and mortality from COPD would be reduced by addressing the following:

**Active case finding:** Around a half of all patients with COPD remain undiagnosed. A proportion of these will have moderate and severe disease and would benefit from assessment, advice and case management.

**Stopping smoking:** Currently, an estimated 38% of patients with diagnosed COPD continue to smoke. It remains a priority to target these smokers for supported quitting. This should be seen as the most important intervention for all those involved in the diagnosis and treatment of those with COPD.

**Identifying cardiovascular disease:** All COPD patients in the borough should be tested for cardiovascular disease and for CVD risk. A low threshold should be used for starting cholesterol lowering drugs.

**Protecting from infection:** Influenza vaccination is an effective intervention in COPD and should be reviewed in the light of tremendous variation in performance between practices.

**Long Term Oxygen therapy (LTOT):** This has a strong evidence base for preventing decline in patients with moderate and severe COPD. There is a community LTOT assessment service but it is unclear what proportion of patients with moderate and severe disease are being assessed and appropriately managed. An audit needs to be performed to see the coverage of the service.

## 7.25 Mental health and wellbeing

### **Recommendations for Commissioners:**

A literature review<sup>1</sup> by the National Institute for Mental Health England suggested that those individuals who are identified and treated early in their psychosis have better outcomes, i.e. the shorter the duration of untreated psychosis the better. Barking and Dagenham has a smaller “Early Intervention for Psychosis service” caseload for its population need compared to the London average, and a smaller number of psychotherapy and counselling staff<sup>1</sup>. The adequacy of this service to meet local needs should be assessed.

Given the anticipated population increases and the high levels of deprivation in the borough, there is likely to be a much greater demand on services that improve the mental health and wellbeing of Barking and Dagenham residents. This would include a wide range of services and initiatives such as those promoting sports and leisure, access to green space and volunteering.

Promotion of both the existing ‘Mental Health Direct’ 24-hour support line and the ‘NHS 111’ service once the latter becomes available in the borough is necessary to improve access to both primary and secondary mental health services.

A procurement exercise is needed for both day support and vocational support services in order to increase the numbers of residents using mental health services who are in employment, training or education.

Full implementation of the Depression and Emotional Wellbeing Steering Group action plan and recommendations is needed.

The need for inpatient services for severe mental illness should be assessed. In London this is known to be 60% higher than the England average, but in Barking and Dagenham it is only 10% higher than the national average, suggesting there may be inadequate access to services.

There is a need for specialist services for people with the double diagnosis of learning disabilities and mental illness, and for other specialist services such as mother and baby placements, and eating disorder placements which are difficult to quantify, but should not be ignored.

Commissioned services should be required to demonstrate performance against outcomes targets to ensure health is improved as well as value for money.

## 7.26 Suicides and Self-Harm

### Recommendations for Commissioners

Rates for suicide and deliberate self harm are high in Barking and Dagenham. The National Suicide Prevention Strategy sets out a systematic approach to identifying and better supporting high risk groups to reduce suicide rates. Action needs to be taken to develop and implement a local strategy to address suicide and deliberate self harm.

## 7.27 Dementia

### Recommendations for Commissioners

Commissioners should be cautious with regard to relying too heavily on the ONS population projection of a fall in numbers of the older population. More accurate population estimates and projections are expected from the 2011 census.

While the current population with dementia rare of predominantly of white ethnicity, services would be designed for the longer term that will meet with needs of the changing population of the borough.

In 2001 it was estimated that 42% of people aged 65+ live alone. Future plans for care need to include assumptions that this population may not be able to rely on informal care from relatives or friends.

Commissioner should monitor and support increase in diagnosis by GPs.

Commissioners should consider exploring means of achieving reductions in hospital stay to assess their cost effectiveness. E.g. liaison nurses

Commissioners should lead and monitor progress in reducing anti-psychotic medicines.

Implement findings of audit into Memory services.

## 7.28 Emergency Re-admissions within 28 days of discharge from hospital

### Recommendations for Commissioners

Analysis of 2011/2 readmission and cost data should be undertaken to identify what action is necessary to avoid readmission wherever possible. In addition, those conditions where frequent admission may be appropriate should be reviewed to consider whether alternative care in the community could be introduced.

## 7.29 End of Life Care

### Recommendations for Commissioners

Commissioning for end of life care should be based on the published End of Life Care pathway. Four elements should be embedded throughout the commissioning process; information for patients and carers, spiritual care service, support for carers, and social care.

Using the necessary levers, commissioners should ensure that providers are compliant with national guidance and recommendations on best practice to facilitate improvements in provision of end of life care services, such as the Gold Standard Framework, Preferred Place of Care and the Liverpool Care Pathway.

Commissioners should ensure equitable, consistent and sustainable access to end of life care services including the provision of out of hours care to support patients and carers to be cared for and to die in a place of their choice.

## 7. 30 Sickle Cell Disease

### **Recommendations for commissioners**

Commissioners should ensure that the National Standards for the Clinical Care of Sickle Cell Disease in Childhood and Adulthood are incorporated into commissioning service specifications and that these standards form part of the quality assurance of service provision across providers.

The Community and Outpatient Service for Sickle Cell Disease is re-commissioned from BHRUT under a tiered tariff model. This will require some additional investment as the community provision is an additional new service and although some of this will replace existing outpatient attendance costs and the input for welfare and benefits support, there will also be some cost shift from replaced/reduced A&E attendance. The tariff model will provide a closer relationship between activity and cost and also allow commissioners a clearer connection between service numbers and complexity/severity of illness.

The support for ante-natal and newborn new diagnosis should remain a block contract but should have an equitable split of resources across the three commissioning boroughs. The recommendation is that this is split using a sixths model, reflecting the difference in prevalence across the three boroughs, i.e 3/6 B&D, 2/6 Redbridge, 1/6 Havering.

The Council's Children's Trust and Health and Wellbeing Board Partners should be aware of the growth in the number of children living with sickle cell disease and ensure that basic awareness forms a part of core training for staff.

Schools should ensure that staff are aware of sickle cell disease, the presentation and the care pathways to support school age children in education



## Section 8

### 8.2 Safeguarding Children and Young People

#### Recommendations for Commissioners

Commissioners should ensure that there is adequate resource to meet the needs of the increasing numbers of looked after children.

Commissioners should jointly commission across adult and child services using the Family Common Assessment Framework to ensure synergistic and cost effective interventions.

Commissioners ensure that all urgent care settings have appropriate child protection training and policies in place and that audit of this training forms part of the performance reporting for safeguarding.

Commissioners should performance manage the health checks of looked after children to ensure 95% compliance by 2011/12.

Commissioners should ensure specific and targeted support for Looked After Children, including unaccompanied asylum seekers, specifically:

- A clear multi-agency pathway of care and support for these children and young people under both section arrangements.

- Access to translation and advocacy support for children and young people

- Access to post-traumatic stress and abuse support for children and young people.

- Targeted support for integration into education.

- Target healthcare assessment on entering care which considers aspects such as developmental assessment and immunisation catch-up.

- Clarity of provision and pathways across all agencies for young adults not entitled to support.

Commissioners should review the effectiveness of a single borough approach to Child Death Overview Panel.

Commissioners to ensure that the services that protect children, when concerns are raised, are timely, efficient and effective and are commissioned in a way which reflects the growing numbers of children in the borough.



### 8.3 Safeguarding Adults and Older People

#### Recommendations for Commissioners

Commissioners have a key role in ensuring that multi agency capacity is sufficient to ensure that safeguards are effectively monitored and embedded across the borough.

Commissioners need to ensure that the Partnership is effectively resourced to respond as the number of referrals continues to increase.

Joined up working across health, social care and the criminal justice agencies is needed to ensure that each element of the safeguarding adult's jigsaw is fit for purpose.

Prevention and early intervention is important and personalisation packages of support also help adults at risk to access support.

Commissioners need to ensure that support, advice, advocacy and information are readily available for service users and their carers to ensure that as they take on more responsibility for their own packages of care that they know how and who to raise concerns with.

Commissioners have a key role in ensuring that providers are working in adherence with the London procedures, and that practice in the services is regularly reviewed by commissioning authorities.

Collaborative work with the Children's Safeguarding Commissioners is undertaken to ensure the Think Family approach is fully embedded.

Safeguarding professionals from across the Partnership more consistently record service users sexual orientation.

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## CABINET

18 OCTOBER 2011

<b>Title:</b> Older People's Strategy - Progress Update and Improvement Action Plan 2011-13	
<b>REPORT OF THE CABINET MEMBER FOR HEALTH AND ADULT SERVICES</b>	
Open Report	<b>For Decision</b>
<b>Wards Affected:</b> All	<b>Key Decision:</b> No
<b>Report Author:</b> Karen Ahmed, Divisional Director of Adult Commissioning	<b>Contact Details:</b> Tel: 020 8227 2331 E-mail: karen.ahmed@lbbd.gov.uk
<b>Accountable Divisional Director:</b> Karen Ahmed, Divisional Director of Adult Commissioning	
<b>Accountable Director:</b> Anne Bristow, Corporate Director of Adult and Community Services	
<p><b>Summary:</b></p> <p>The Older People's Strategy 2010-13 aims to assist in the planning and preparation for older age and to improve the quality of life of our residents, meeting the needs of the oldest members of our community and ensuring that they are healthy, active and involved in their community.</p> <p>This report summarises the progress made on the action plan accompanying the strategy for the ten priority areas identified by the borough's older residents. Highlights include:</p> <ul style="list-style-type: none"> <li>• Launching free leisure offer for over 60s</li> <li>• Older People's Day attended by over 500 residents</li> <li>• Large steps towards more independent services for older people with social care needs</li> <li>• More homes with improved security</li> <li>• Increased benefits take up</li> </ul> <p>This report also presents a new Improvement Plan. The new Improvement Plan is designed to reinvigorate delivery of the Older People's Strategy and enable a joined approach to achieving the best outcomes for the borough's older residents. We have encapsulated the vision of the Older People's Strategy into ten outcomes:</p> <ul style="list-style-type: none"> <li>• Somewhere comfortable to live</li> <li>• Enough money to live on</li> <li>• Feeling safe</li> <li>• Being in control of my life and being valued</li> <li>• Getting to where I need to go</li> <li>• Having friends and keeping in contact with family</li> <li>• Having things to do</li> <li>• Staying healthy</li> <li>• Being part of my community</li> <li>• Contributing to the green agenda</li> </ul>	

<p>If the outcomes and Improvement Plan are agreed by Cabinet, the Older People's Strategy Group and Silvernet, the new Older People's Forum, will monitor the actions quarterly to ensure progress continues to be made to benefit the borough's ageing population.</p>
<p><b>Recommendation(s)</b></p> <p>The Cabinet is recommended to agree the new Older People's Strategy Improvement Plan 2011-13 as set out at Appendix 1.</p>
<p><b>Reason(s)</b></p> <p>The implementation of the Older People's Strategy Improvement Plan will be an important element of delivery of the corporate vision of the borough - 'Better Together, Better Home, Better Health and Wellbeing, Better Future'.</p>

## Introduction and Background

- 1.1 The Older People Strategy 2010-13, which went to Cabinet on 28 September 2010, is an important document. As people grow older, various issues impact on their lives. For example, finance, housing, health and personal well being, the availability of community services, quality of life and the level of control and choice individuals can maintain over their lives can all be significant issues for residents. Our vision for older people living in Barking and Dagenham is that we work with partners to promote health, independence, well-being and mobility for older people.
- 1.2 The original strategy included a lengthy action plan. This report highlights the progress made on the actions.
- 1.3 In May, the new Older People's Strategy group met to discuss how to rejuvenate and refresh the action plan. The Older People's Strategy group membership includes representatives from Council Departments mainly at Divisional Director level as well as partners from the Third Sector. This group will subsequently be chaired by Anne Bristow, Corporate Director of Adult and Community Services.
- 1.4 The Older People's Strategy Group decided to restructure the action plan under ten outcomes. The Improvement Plan to deliver the ten outcomes can be found in Appendix 1.
- 1.5 The new Council commissioned Older People's Forum will monitor the Improvement Plan. The forum, run by Harmony House, is called 'Silvernet' and will meet approximately six times a year.
- 1.6 The steering group for the forum met on Friday 2 September and agreed the ten outcomes. At this meeting it was decided that the Improvement Plan will be brought to the steering group and any key issues escalated to the full steering group when necessary. The Chief Executive of Harmony House is a member of the Older People's Strategy Group.

## 2. Progress Report

The Older People's Strategy is split into priority areas reflecting the wide-ranging consultation that took place to develop the document. This section updates the progress on the priority areas as well as highlighting some of the future areas for improvement which have been included in the Improvement Plan. The ten new outcomes are broader cross cutting themes that do not necessarily reflect the internal structure of the council.

### 2.1 Communication

Good communication is essential so residents know the variety of opportunities available to them in Barking and Dagenham. This was emphasised in the first meeting of Silvernet. The offer for free leisure for residents aged 60 and above involved a successful marketing campaign. A direct mail shot reached 22,000 local residents. This was supplemented by a campaign on the ticket barriers at the four Underground stations in the borough for three months (at the cost of one month). In total 3,012 members have signed up to the offer (April 2010 – March 2011), with the centres achieving 36,916 visits from older people. The total visits to the leisure centres from April 2010 – March 2011 was 36,916. Between April and July 2011 11,966 have visited the leisure centres. The expected total visits for 2011/12 is 43,000.

The 'I Care' campaign has continued and is now in its sixth phase. After a heavy marketing campaign in 2009/10, promotion was scaled back last year. However, the number of reported cases continues to rise suggesting that the I Care campaign continues to reach its intended audience. Since 2009 safeguarding adult concerns have increased by 140%. Those relating specifically to older 'adults at risk' have also increased from 124 in 2008/09 to 411 in 2010/11.

In the attached updated Improvement Plan (Appendix 1), the Marketing and Communications team will continue to support specific initiatives, but 'Communications' will no longer be a workstream on its own. Silvernet will help establish what communication methods are particularly constructive.

### 2.2 Transport

The Older People's Strategy shows that local older people identified transport as one of the biggest issues for the borough's older residents. The Local Implementation Plan 2011-14 has been developed to help remove barriers to older people using public transport through a delivery plan of London Transport Schemes. Transport for London (TfL) has approved the plan which was put to Assembly in May for adoption.

To make it easier for people to get to King George's and Queen's Hospital, the Travel Advisory group has met a number of times to lobby TfL for bus route improvements. This includes the extension of the Number 5 and Number 128 bus routes to serve Queen's Hospital. The NHS is currently developing a Travel Plan for Queen's Hospital to help provide the evidence needed to justify TfL extending the service. TfL will consult on extending the Number 128 bus route in November 2011.

Station accessibility is also a priority. Chadwell Heath station and Dagenham East station will be made step free by July 2012 and March 2015 respectively. A study into the cost of these improvements is due to be received in September 2011.

### 2.3 Community Cohesion

The strategy shows that many residents feel that there was a lack of social activities for older people in the borough. An Older People's Day event on 1 October 2010 was attended by over 500 residents who tried new activities, visited a wide variety of stalls and took part in games with a local primary school. The event is about raising awareness about the range of activities that older people can take part in the rest of the year. Participation in events such as Tai Chi and line dancing has increased since Older People's Day. This year's Older People's Day will be on 30 September at Becontree Heath Leisure Centre.

The Council and partners have looked to address the negative perceptions of young people by older people and vice versa with a series of project. SWITCH ID over the last two years has seen young people come together to improve the image of their local area. This was demonstrated on Friday 12 August when 45 young people, wearing high visibility jackets, helped clear up the Gascoigne area four days after the disturbances in the area on. This was followed by another clean up at Abbey Green attended by 70 young people. The young people of Barking and Dagenham have challenged the negative perception of them and demonstrated their community spirit. The project has been well publicised to ensure residents are aware of this good work through local media.

The Council will launch a new intergenerational programme, 'Memory Games – The Peoples Chapter' at the Older People's Day this year on 30 September at Becontree Heath Leisure Centre. Older residents will be encouraged to share their memories of previous Olympic and Paralympics Games. The programme will see interviews with 25 borough residents, 10 reminiscence sessions in venues and care homes (one or two specialising in dementia care), six school workshops and a photography competition.

In order to engage with the community and provide information about what will happen locally with regards to the Olympics and Paralympics in 2012, the Olympics Ambition Team plan to attend various community events including the Partnership Conference, Dagenham Town Show, Count down, Older Peoples Day and International Day of Disabled People.

In order to increase participation in consultations with older people, Older People's Forum is being developed by Harmony House. The aforementioned forum, called Silvernet, aims to ensure that older people are better represented on partnership boards. It is anticipated that the steering group and full forum will each meet six times a year.

### 2.4 Health and Social Care

The Council has developed a number of projects designed to ensure the borough's pensioners remain as independent as possible. In September 2010, People 4 People, a four borough collaborative Personal Assistant programme was launched. People4People is a matching service designed to match service users with

personal assistants, so they can work together to help the service user. The Transforming Community Equipment Project (TCES), which uses a retail model to provide small items of equipment to help daily living, is fully implemented. 693 prescriptions were issued in 2010. Of those issued with a prescription, over 400 of these were redeemed by older people at a local pharmacy allowing choice over the items purchased.

The Council has changed the Home Meal Service for residents. This has enabled all service users to be able to choose from a range of options including those which would stimulate local businesses.

There are now more services in place which should improve outcomes for patients discharged from hospital including:

- Increased reablement services (up to six week support upon leaving hospital)
- Increased generic night services and introduction waking night services (night time support)

These services have helped reduce the numbers of people having to stay in hospital even though they are ready to leave by 50%.

Improvements have been made in end of life support also. All home care agencies have staff trained to support end of life care. Our approved providers work with district nurses to deliver person specific end of life care.

The Council's Adult Social Care directorate is making excellent progress towards delivering services that are more personalised to individual needs. At the end of March 2011, over 40% of service users are receiving a form of personal budget. Over the next year we will look to increase the numbers of older people receiving direct payments, meaning they arrange their own care, from 15% of older service users currently.

## 2.5 Crime and Personal Safety

Over the last year projects have continued to help older residents feel safer. The Safer Homes Project has seen 353 properties secured from April till December 2010 with improvements to security such as window locks, door locks and UVPC door alarms.

The Council, Police and partners has continued to identify and respond to the community safety concerns of older people over the last year. The Council and Police continue to work to provide accessible reporting systems for older people. Community safety co-ordinators lead ward specific issues which enable older people to raise their concerns and police to identify preventative measures. Accessible Anti-Social Behaviour (ASB) and police reporting structures also provide older people the opportunity to raise their concerns.

The approach to safeguarding has a clear outcome based framework which is informed by the views and experiences of older people. The partnership will implement a service user consultation strategy for safeguarding and deliver a routine satisfaction survey for adults at risk in order to ensure that older people's

concerns are met. A system to evidence and monitor person-centred outcomes for safeguarding will be developed. A tool to monitor the true aspirations and outcomes achieved through Social Care input will be introduced.

Improved efforts to reduce older people's fear of crime could be made through greater provision of intergenerational activities. In particular, the recent success of the community clean-ups after the disturbances in August could be built upon by such projects as Knit for Peace, the History Bank Project, and Time Banks to alter negative perceptions of young people.

## 2.6 Housing

The Housing Needs Survey has been completed and will be published in October 2011. The draft needs analysis indicates the focus of a Housing Strategy for Older People should be upon supporting people to live independently in their own homes. A new LBBD Housing Strategy 2012 – 2017 is being developed. Older People will be consulted during the latter part of 2011 and the priorities and objectives for an Older Persons Housing Strategy will be agreed.

## 2.7 Finance and Benefits

The Council is keen to help pensioners maximise their benefit take up. For instance, weekly surgeries are held at sheltered housing venues. This has seen an estimated 25% (£6 million) increase in benefit take up since 2006. The new Fairer Contributions Policy for non-residential care will also assist in ensuring residents are accessing the benefits they are owed. A similar programme operates to maximise income for residents placed in residential care through a further benefit review for any family members still at home who may also need support.

## 2.8 Planning and Climate Change

The Council has focused much work on the increasingly important issue of fuel poverty. The Affordable Warmth Work Programme has been developed which includes an action plan to tackle fuel poverty in private and public sector housing. The action plan is currently being implemented in order to reduce the number of households that spend more than 10% of their income on fuel.

The Council has established a domestic energy efficiency database. This will enable the Council to identify residents, including older people, suffering from fuel poverty and target resources accordingly. We will continue to deliver area based schemes to improve the energy efficiency of resident's homes including the Barking Low Carbon Zone and Dagenham Low Carbon Zone initiatives. These schemes target funding at those classified as vulnerable, including older people, to improve energy efficiency. However, it must be noted that the £3M funding from NPower referenced in the Older People's Strategy was withdrawn some time ago. The Council has secured other funding which we are spending to help tackle fuel poverty

A large scale scheme has been established to install solar panels to the Council's housing stock. The Council aims to provide solar panels to up to 1,000 Council owned homes to help reduce tenant's electricity bills over the next 25 years. This



will protect older people from rising energy bills and reduce tenants' individual carbon footprint by generating zero carbon electricity.

## 2.9 Working and Volunteering

The benefits of volunteering for older people are clear. It allows older people to socialise with other people and avoid social isolation. It gives an opportunity to pass on expertise to people who need it. There are a number of projects underway in the borough to increase the number of opportunities to volunteer and the level of volunteering. Voluntary projects, including training and admin opportunities, will be offered to older people retiring from work.

The Volunteer Bureau will be launching Volunteer Plus, which will enable more local organisations to provide information about volunteering, and help local people access a wider range of opportunities.

Integrated Youth Services has suggested that the Council is able provide more opportunities for volunteering within children's and youth centres. This has commenced with literacy projects teaching under 5s to read and through youth club volunteering, This is also reflected in the Improvement Plan and could increase the Borough's stock of confident volunteers while supporting intergenerational initiatives.

## 2.10 Leisure

From April 2010, everyone aged 60 and over was given the opportunity to access the borough's leisure centres for free. The offer is open to all residents of Barking and Dagenham, Monday to Friday (9.00am-5.00pm) and all weekend. Free access includes swimming, racket sports, gym and fitness classes. This has resulted in an increase in the number of 60 plus members at the local leisure centres, currently standing at 2,338 active members. The target set for 2011/2012 is to increase the number of 60 plus members to 4,000. This offer has also seen an increase in the number of visits to leisure centres in the borough. In 2010/2011 there were 36,916 visits to leisure centres in Barking and Dagenham. The target for 2011/2012 is to increase the number of visits to leisure centres to 40,000. There were 11,966 visits to leisure centres in the quarter of April to July 2011, so the Council is in line to hit this target.

In order to determine whether the participants of the programme benefited from the offer, a customer satisfaction survey was sent out to all members registered in November 2010. 91% said they were satisfied with services and the same percentage believed that they had adopted a healthier lifestyle. 92% believed that their sense of mental health and wellbeing had improved. This survey will be repeated in November 2011 with an aim for 20% of satisfaction survey's to be completed and returned with at least 90% satisfaction with the service.

The increase in participation amongst older people has led to an expansion of the variety of classes available for this age group. In 2010/2011, there were 2,130 visits to six new low impact classes which began at local leisure and community centres. Four new classes are planned to begin in 2011/2012 including tai chi and chair based exercise. A target of 4,000 visits has been set for 2011/2012.

The Healthy Walks programme continues with four walks taking place in the borough every week. In 2010-11, the numbers taking part in Healthy Walks have increased by 368 from 1,531 in 2009-10. The Council aims to increase participation to 2,000 visits to the health walks in 2011/2012. An established Culture & Sport walks programme is also planned, including Walk Leader Training. The training programme will deliver at least two training days per year with the aim of training 20 local older people in 2011/2012.

### **3. Financial Implications**

Implications verified by: Ruth Hodson, Finance Group Manager

- 3.1 Many of the actions in the Improvement Plan are financed by existing Council budgets. Some projects funded externally have suffered from the withdrawal of funding. When this occurs, the Council and partners try and secure funding elsewhere.

### **4. Legal Implications**

Implications verified by: Fiona Taylor, Legal Group Manager

- 4.1 There are no specific implications currently; however, legal clearance may be required for future actions.
- 4.2 The re-tender of Carer Support Services and Extra Care schemes referenced in the Improvement Plan will go through all the necessary legal clearance.

### **5. Other Implications**

#### **5.1 Risk Management**

There are no specific implications currently in the strategy. When the action plan is delivered it will be monitored by the Older People's Strategy group and Silvernet.

#### **5.2 Customer Impact**

The Older People's Strategy was developed alongside an Equalities Impact Assessment. The strategy and Improvement Plan is designed to have a positive impact on the borough's older people. The input of Silvernet should ensure the benefits of the strategy reach all communities. The strategy will also link in with the other equality forums.

#### **5.3 Safeguarding Children**

The plan recognises that older people often have caring responsibilities as grandparents and the plan includes actions to value and support grandparents in this role.

The plan maintains that safeguarding adults is 'everyones business' but it is recognises the duties which are placed on all sections of the community (under section 11 of the Children Act, 2004) to 'safeguard and promote the welfare of children'.

While the plan sets out how we will work with older people to increase their awareness of support available, should they be victimised, it is also acknowledged that older people are likely to have close associations with young people, who may also be at risk of abuse and neglect.

The plan is built upon the principle that by providing older people with clear information and advice around safeguarding themselves they will be better equipped to safeguard children who are at risk of abuse and neglect. The plan also recognises that it is important to work inter generationally with older people and young people to build greater understanding and cohesion between the groups, dispelling myths, and also enriching the existing networks of protection between the two age groups.

#### **5.4 Health Issues**

The Improvement Plan will have a positive impact on the health of the borough's Older People. Staying healthy is a priority for action. All the improvements in the plan can be considered to benefit health

#### **5.5 Crime and Disorder Issues**

The strategy and action plan addresses older people's fears and perceptions of crime as well as specific initiatives to help older people feel safer.

#### **Background papers:**

Cabinet Report 28 September 2010 - Helping You Live the Life You Want: Older People's Strategy 2010-13

#### **List of appendices:**

Appendix 1 - Older People's Strategy Improvement Plan 2011 - 13

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## Older People's Strategy Improvement Plan 2011 – 13

This Improvement Plan is subject to Cabinet approval on 18 October 2011

### PRIORITY 1 – Somewhere Comfortable to Live

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Development of an Older Persons Housing Strategy to ensure the housing needs of older people are met	Complete and Publish Housing Needs Survey	October 2011	a) Field work surveys and interviews completed b) Statistical analysis completed c) First draft published	<ul style="list-style-type: none"> <li>Housing Strategy Officer time</li> <li>£80,000 HRA</li> </ul>	Social Care Health Community Cohesion	James Goddard (Group Manager (Housing Strategy)
	Develop "Homes for Older People" strategy	Nov 2011 – Sep 2012	a) Consultation with OP in October 2011 b) Draft full Housing Strategy November 2011 c) Draft OP Housing Strategy March 2012	<ul style="list-style-type: none"> <li>Housing Strategy Officer time</li> </ul>	Social Care Health Community Cohesion	
Develop quality of extra care and sheltered housing schemes to help maintain independence of residents	Re-tender four external extra care schemes	Oct 2011 – Mar 2012	a) Residents have choice of care provision (Apr 2012) b) Residents feel empowered to improve the choice of activities (Customer survey Oct 2012)	<ul style="list-style-type: none"> <li>Adult Commissioning Officer time</li> <li>Budget – no additions to current budget</li> </ul>		Ed Humphreys (Strategic Commissioning Manager)
Improve and expand access to housing adaptations to enable older people to live safely and independently within their own homes	Launch a scheme of direct payment grants to enable older and disabled people to arrange adaptations to their own homes e.g. showers and stair lifts.	Apr 2012	a) Increased numbers of people have flexible access to adaptations b) Reduction in no. of complaints received from people who are not happy about not being offered an adaptation	<ul style="list-style-type: none"> <li>£380,000 (Existing resources)</li> </ul>	Housing Occupational Therapy Sensory Unit	Bill Britain (Group Manager Intensive Support)

## PRIORITY 2 – Enough Money to Live On

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Reducing the incidence of fuel poverty amongst older people to improve personal finances	Establish and maintain a domestic energy efficiency database to identify residents suffering from fuel poverty.	Ongoing to Mar 2012	a) Commission database b) Gather data and populate database c) Maintain database and use to target resources (Mar 2012)	<ul style="list-style-type: none"> <li>Database commissioned and fully funded</li> <li>Officer time to gather and populate database.</li> </ul>		James Goddard (Group Manager Housing Strategy) and Andy Butler (Group Manager Area Planning)
	Protecting residents from rising energy bills by establishing a large scale scheme to install solar panels to the Council's housing stock.	Mar 2012 (Year 1 Pilot - Future years subject to lessons learned from Pilot)	a) Provide solar panels to up to 1,000 Council owned homes to help reduce tenants' electricity bills over the next 25 years. b) Reduce tenants' individual carbon footprint by generating zero carbon electricity.	<ul style="list-style-type: none"> <li>Private Investor for funding solar panels installation and maintenance</li> <li>Internal council budgets for monitoring/ managing the scheme and legal support</li> </ul>		Andy Butler (Group Manager Area Planning)
	Develop an Affordable Warmth Strategy for the borough, to ensure that vulnerable and older people are provided with support to help tackle fuel poverty	Summer 2012	a) The completion of an Affordable Warmth Strategy with an action plan b) Completion of the actions in the action plan	<ul style="list-style-type: none"> <li>Officer time to develop the Strategy</li> </ul>		Andy Butler (Group Manager Area Planning) & James Goddard (Group Manager Housing Strategy)
Promoting the availability of Government grants and incentives to increase domestic energy efficiency to help tackle fuel poverty and climate change.	Ongoing	a) Increased take-up rates of Government grants and incentives	<ul style="list-style-type: none"> <li>Officer time at promotion and information events.</li> <li>Promotion by Low Carbon Zone Partners - British Gas and Warm Zone through funded delivery contracts.</li> </ul>			

Ensure benefit advice is available to all residents so that older people are receiving the benefits they are entitled to	CVS to explore gaps in benefit advice explore at workshop in October	October 2011	a) Benefit take up increases	<ul style="list-style-type: none"> <li>• Within CVS resources</li> </ul>	Carl Blackburn (Chief Executive of Barking and Dagenham CVS)
	Distribute Money Made Clear financial advice widely in display areas in major public buildings	November 2011		<ul style="list-style-type: none"> <li>• Money Made Clear provide literature without charge</li> </ul>	Mary Farinha (Mary Farinha Group Manager Performance, Policy and Programmes)
	Explore possibility of benefits advice delivered through Children's Centres	Jan 2012		<ul style="list-style-type: none"> <li>• Within resources</li> </ul>	Christine Pryor (Divisional Director Targeted Support)

### PRIORITY 3 – Feeling Safe

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Reduce older people's fear of crime through inter-generational activities and engagement	Provide inter-generational activities involving young and older people such as Silver Surfers at secondary schools and youth centres.	Oct 2011	<ul style="list-style-type: none"> <li>a) No. of older people are taught IT skills by younger people.</li> <li>b) History Bank Project/Generation Club in various neighbourhoods.</li> <li>c) Knit for Peace.</li> <li>d) Evidence of new skills, relationships and friendships are developed between young and old.</li> </ul>	<ul style="list-style-type: none"> <li>• Tim O'Brien's toolkit for setting up Intergenerational projects projects.</li> </ul>	Link with local secondary schools as part of extended school activities.	Erik Stein (Group Manager Engagement and Extended Services)
	Community Clear ups	Ongoing	<ul style="list-style-type: none"> <li>a) Young and old work together to bring about improvements in local community</li> <li>b) Negative perceptions of young people are altered.</li> </ul>	<ul style="list-style-type: none"> <li>• Detached youth worker time</li> </ul>	Housing Tenants Associations Youth services	

	Increase communication and engagement between older people and their community	Apr 2011 - Mar 2012	a) Four Tea Dances delivered per year. b) Increase in participation at the Tea Dances (700 visits to tea dances in 2011/12 – 2010/11 615 visits) c) Extend the number of venues that offer tea dances (2 venues offering tea dances in 2011/12. In 2010/11 1 venue)	<ul style="list-style-type: none"> <li>Dance Development Budget</li> <li>Arts Development Officer time</li> </ul>	Dagenham Park Church of England School Broadway Theatre	Neesha Badhan (Art Project)
	Implement a service user consultation strategy for safeguarding	Jul 2012	a) Routine satisfaction survey for adults at risk implemented; e.g via outcome tool. b) Older People's forum involvement c) Expert by experience focus groups d) Enhance the current systems of service user consultation within safeguarding process	<ul style="list-style-type: none"> <li>Existing resource – Safeguarding Adults Team</li> </ul>	n/a	Helen Oliver (Group Manager Adult Safeguarding)
Improve the approach to safeguarding with a clear outcome based framework which is informed by the views and experiences of older people	Develop a multi agency performance framework which can serve to identify risk areas across the partnership Introduction of a tool to monitor the true aspirations and outcomes achieved through Social Care input.	Apr 2012	a) Partnership Workshop to identify performance indicators b) Draft framework consultation c) Final agreed framework d) Enrich quality of current performance reports through analysis of relevant data from wider partnership	<ul style="list-style-type: none"> <li>Existing resource – Safeguarding Adults Team</li> </ul>	SAB agreement	Helen Oliver (Group Manager Adult Safeguarding)
		TBC	a) Report to DMT b) Purchase package c) Training d) Roll out e) Develop system to evidence and monitor person-centred outcomes for safeguarding	<ul style="list-style-type: none"> <li>Work underway through the Business Unit</li> </ul>	DMT agreement	Mary Farinha (Group Manager Performance, Policy and Programmes)
Develop effective and transparent mechanisms to identify and respond to the community safety concerns of older people	The Council and the Police continue to work to provide accessible reporting systems for older people.	TBC	a) Community safety co-ordinators to lead ward specific issues including age groups, support services b) Accessible ASB reporting structures in place c) Accessible Police reporting structures in place d) Systematically integrate the views of older people into local community safety initiatives	<ul style="list-style-type: none"> <li>Existing resources within Community Safety</li> </ul>		Katherine Gilcreest (Anti Social Behaviour Manager)



	Tasking of Safer Neighbourhood Teams by vulnerable client group for prevention work	TBC	a) Maintain the existing proactive tasking of Safer Neighbourhood teams to support identified adults at risk	Existing resources within Community Safety	Katherine Gilcreest (Anti Social Behaviour Manager)
	Ensure that community safety information is accessible and relevant to older people	TBC	a) Maintain website to ensure accessible public information and advice available for older people.	Existing resources within Community Safety	Katherine Gilcreest (Anti Social Behaviour Manager)
	Continue to maintain the local multi agency models of working around distraction burglary and complex/vulnerable victims	TBC	a) Maintain the focus upon distraction burglary via the Serious Acquisitive Crime Group.	Existing resources within Community Safety	Katherine Gilcreest (Anti Social Behaviour Manager)

#### PRIORITY 4 – Being in control of my life and being valued

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Improve information and advice for older people to make informed choices	Re-tender generic Information, Advice and Advocacy (IAA) services Silvernet, the Older People's Forum, to organize regular mystery shopping exercises	Sep 2011 – Jul 2012	a) Improved outcomes for individuals going through new IAA service (Mar 2013) b) Individuals who feel involved in decision making process (Mar 2013)	Adult Commissioning Officer time Budget – no additions to current budget	Voluntary Sector	Jenny Beasley (Group Manager Commissioning)
		Nov 2011 - 2013	a) Improved information and advice for older people	Harmony House		Marie Kearns (Chief Executive Harmony House)

Improve the quality of life of those who are living, dying, visiting and working in care homes for older people	Implement 18 month 'My Home Life Project'	Jul 2011 – Jan 2013	a) Movement to into residential care setting is appropriately planned (Sep 2012) b) Person-centred approach in care homes (Sep 2012) c) Promotion of enablement and partnership (Sep 2012)	• Adult Commissioning	Eight residential care homes	Jenny Beasley (Group Manager Commissioning)
Increase take up of older people on direct payments to purchase their own care and support	Move residents of extra care homes to direct payments	Apr 2012 – Mar 2013	a) No. of residents on each scheme given the choice of moving to direct payments (Mar 2013) b) No. of residents moved to direct payments (Mar 2013)	• Adult Commissioning	External providers	Ed Humphreys (Strategic Commissioning Manager)
More older people passing on expertise to younger people	Older people to run pilot workshops developed initially through Silvernet	Nov 2011 - 2013	a) Number of people taking part in the workshops	• Harmony House	Adult and Community Services	Marie Kearns (Chief Executive Harmony House)

## PRIORITY 5 – Getting to Where I Need to Go

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Removing barriers using public transport to improve mobility and independence of older people	Improve public transport access from Barking to Queen's hospital - No.5 and No. 128 bus extension of serve Queen's Hospital and Chestnut Court	March 2013	a) Transport for London (TfL) will consult on No. 128 extension (Nov 2011)	<ul style="list-style-type: none"> <li>Funded by combination of fares income and TfL bus subsidy.</li> </ul>	TfL (this project is very much dependent on TfL responding to the concerns of local residents) NHS (currently developing Travel Plan for Queen's to help provide evidence base to justify to TfL extending the service)	Dan Pope (Group Manager Land Use Planning)

	Make the boroughs stations step free	2012-2020	<p>a) Chadwell Heath Station made step free (Jul 2012)</p> <p>b) Dagenham East station made step free (Mar 2015)</p>	<ul style="list-style-type: none"> <li>Department for Transport Access for All funding</li> <li>Study into cost due to be received September 2011. Possible combination of Local Implementation Plan and CIL/S106 funding</li> </ul>	Department for Transport TfL	
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### PRIORITY 6 – Having Friends and keeping in contact with Family

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Reduce isolation felt by some older people	Encourage use of Children's Centres and Youth Centres for opportunities to socialise (informal coffee mornings and tea afternoons)	Sep 2011 onwards	a) Residents surveyed feel they have greater opportunities for socialization and support networks	<ul style="list-style-type: none"> <li>Small budget for refreshments</li> </ul>	Targeted Support Services (Children's Centres and Youth centres)	Erik Stein (Group Manager Engagement and Extended Services)

Increase opportunities for diverse community groups to use Heritage Services and meet new people	Encourage parents/carers and grandparents to attend parents forums attached to every Children's Centre.	Sep 2011 onwards	a) Older residents have more opportunities to become involved in community services and events	Engagement budget (Targeted Support)	Targeted Support Services (Parents Forums)	Grandparents Plus (Voluntary Sector Organisation)
	Invite Grandparents Plus to parent's forums and parents conference.	22 Oct 2011				
	Promotion of services to older people		a) Activities listed on Active Age Activity Finder on website			Linda Rhodes (EAL Local Studies Librarian)
	Improve Volunteering opportunities		b) No. of active volunteers at Eastbury Manor House & Valence House			Katherine Diamond (Events & Promotion Officer)
	Support Libraries with development of Home from home initiative	Mar 2012	c) Local history talks given at Valence house and Valence Library		Heritage officer time	Mark Watson (Interpretation & Outreach Officer)
Support event that involve older people		d) Event held Local history fair, family history workshops, talks			Katherine Diamond (Events & Promotion Officer)	
Pilot reminiscence package		e) Reminiscence Sessions planned for October			Leanne Westwood (Senior Museum Assistant)	

### PRIORITY 7 – Having Things to Do

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
Increase choice of community based services for older people in the borough	Develop a locality pilot project analysing and developing the services for older people	Sep 2011 – Mar 2012	a) Increase in participation in activities in the ward (Mar 2012) b) Residents surveyed feel they have greater support networks at end of project (Mar 2012)	<ul style="list-style-type: none"> <li>Adult Commissioning Officer time</li> <li>Budget TBC</li> </ul>	Leisure and Arts Voluntary Sector Community Cohesion	Ed Humphreys (Strategic Commissioning Manager)

Improve day opportunities for older people by increasing the involvement of Active Age Centre (AAC) users in improving the range of activities for older people	New personal care and support in the home framework developed	Nov 2011 – Oct 2012	a) Personal budget holders and self funders have more choice over choices to remain in the home (Sep 2012) b) Greater satisfaction levels (Mar 2013 via contract monitoring and customer survey)	<ul style="list-style-type: none"> <li>Adult Commissioning Officer time</li> <li>Budget – no additions to current budget</li> </ul>	Customer Services Children's Services	
		Sep 2011 – June 2012	a) Increase in participation in activities in the area (Mar 2012) b) Residents participating feel they have greater support c) More people choosing to use their direct payment to buy into service networks at end of project	<ul style="list-style-type: none"> <li>GM First Response</li> <li>Jo Sinclair</li> <li>Lesley Reed</li> <li>Apprentice Manager</li> <li>Budget TBC</li> </ul>	Leisure and Arts Voluntary Sector Community Cohesion	Karen West-Whyllie (Group Manager First Response)
		Sep 2011	a) Representatives from all six AACs propose quarterly meeting dates up to April 2012	Existing resources	Sensory Unit Leisure and Arts Community Safety Voluntary and Community Sectors Silvernet (web host)	Victoria Ekubia (Older People's Development Officer)
	Facilitate AAC users to develop questionnaire	Oct 2011 – Dec 2011	a) AAC users in all six AACs create questions for questionnaire (Jul to Sep 2011)			
		Jan 2012 – Mar 2012	a) Publicise programmes of activities taking place at each AAC for older people in Barking and Dagenham			

## PRIORITY 8 – Staying Healthy

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
a) Prevent unnecessary hospital admissions and	a) Organise Council and NHS staff into six clusters	Apr 2011 – Mar 2012	a) Reduction in permanent admissions to residential homes/nursing care	Existing resources as no additional resources are	Carer Rep NELFT CHS B & D ONEL GP Rep Consortia	Tudur Williams / Sharon Morrow (Project Sponsor) / Ramesh Rajah

<p>prevent permanent admissions into residential / nursing care to enable older residents to remain as independent as possible</p> <p>b) Move towards the adoption of a preventative approach to avoid crisis which is less reactive to help avoid crisis</p>	<p>b) Organise LA and NHS staff into six clusters. Form interdisciplinary work groups</p>		<p>a) Improved access to social care leading to implying they go directly to our social workers clusters improved patient experience – Reduction in referrals via Intake Team</p> <p>b) Reduction in readmissions to hospital</p> <p>c) Reduction in emergency admissions</p> <p>d) Reduction in A&amp;E attendance</p>	<p>available</p>	<p>Leads NHS ONEL Relationship Manager QIPP (Quality, Innovation, Productivity and Prevention) Rep</p>	<p>(Project Manager)</p>
<p>Support the independence of older people through improving the eye health of older people through implementation of the B&amp;D Vision Strategy</p>	<p>Hold two borough wide annual events to raise awareness of eye health issues</p> <p>Integrate local information, rehabilitation, optometry and low vision services linking them with Ophthalmology.</p>	<p>Events to coincide with Eye Health Week (Jun 2012) and World Sight Day (11 Oct 2011)</p> <p>Apr 2013</p> <p>Apr 2011- Mar 2012</p>	<p>a) Completion of two high profile events with good attendance</p> <p>a) Increased no. of people registered as sight impaired or severely sight impaired</p> <p>b) Reduction in the no. of falls amongst older people</p> <p>c) Increased take up of low vision aids</p> <p>d) Increased identification of avoidable eye conditions</p> <p>a) Increase in the number of low impact classes at the local leisure and community centres (Target 2011/12: Four new classes developed including tai chi &amp; chair based exercise)</p> <p>b) Increase in the number of visits to the classes. (Target 2011/12: 4,000 visits.</p>	<p>Existing resources</p>	<p>RNIB Action for Blind People Local Optical Committee Local opticians Queens Ophthalmology B&amp;D OT/Sensory Unit Voluntary Orgs Ophthalmology RNIB Action for Blind People LB Havering Voluntary orgs Local Optical Committee Commissioners</p>	<p>Bill Brittain (Group Manager Intensive Support)</p>
<p>Increase the opportunities for people to participate in physical activity</p>	<p>Expand the variety of classes available for older people</p>		<p>More Active More Often Budget (includes contributions from NHS and Sport England)</p> <p>Officer time</p>			<p>Danielle Robson (Community Support and Physical Activity Officer)</p>

Empower the community to deliver local health initiatives.	Deliver Walk Leader Training	Apr 2011 – Mar 2012	<p>a) At least two training days delivered per year (Target 2011/12: 20 local older people trained)</p> <p>b) An established Culture &amp; Sport walks programme developed</p> <p>c) Increase in participation to the current Health Walk programme (Target 2011/12: 2,000 visits to health walks)</p>	<ul style="list-style-type: none"> <li>Physical Activity Team Budget</li> <li>Officer time</li> </ul>	Natural England	Danielle Robson (Community Support and Physical Activity Officer)
Remove barriers to participation in sport and physical activity	Offer free leisure to residents over 60	Apr 2010 – Mar 2012	<p>a) Increase in the number of 60 plus members at the local leisure centre's (Target 2011/12: 4,000 active members)</p> <p>b) Increase in the number of visits to the leisure centre's (Target 2011/12: 40,000)</p> <p>c) Members surveyed on the benefits of the offer and their satisfaction (Target 2011/12: over 90% on all satisfaction measures Nov 2011 with 20% completed)</p> <p>d) Increased attendance at the Older People's Day (Baseline 500 attendees)</p>	<ul style="list-style-type: none"> <li>Adult and Community Services Budget £120,000</li> <li>Community Sport and Physical Activity Officer time</li> </ul>		Danielle Robson (Community Support and Physical Activity Officer)

### PRIORITY 9 – Being part of my community

Improvement Required	Key Actions	Timescale	Outputs demonstrating progress	Resources	Interdependencies	Lead
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Full range of support for the borough's older carers	Re-tender the Carers Support services with specific reference to older carers in service specification	Sep 2011 – Mar 2012	a) Increased numbers of registered carers aged over (Mar 2013) b) Older carers feel more supported (Annual survey – Carers Week)	<ul style="list-style-type: none"> <li>• Adult Commissioning Officer time</li> <li>• Budget – no additions to current budget</li> </ul>	Ed Humphreys (Strategic Commissioning Manager)
Increase opportunities for people to take part in volunteering to enhance confidence and reduce isolation	Put together a range of opportunities to allow older people to engage in community activities through volunteering.	Ongoing	a) No. of training and admin opportunities offered to older people retiring from work. b) No. of new volunteers signed up via Older People's Day and other community events	<ul style="list-style-type: none"> <li>• Olympic Ambition Team budget</li> <li>• Officer and volunteer time</li> </ul>	Lynn Barker (Olympic Project Officer)
Promote awareness of opportunities Olympic and Paralympic Games	Develop intergenerational programme (Memory Games) where older residents reveal their memories of previous Olympic and Paralympic Games.	Oct 2011 – Oct 2012	a) Launch Memory Games – The Peoples Chapter at Older People Day in October 2011 subject to Heritage Lottery Fund funding. b) Interviews with 25 borough residents, 10 reminiscence sessions in venues and care homes (1-2 specialising in dementia care), 6 school workshops, photography competition.	<ul style="list-style-type: none"> <li>• Olympic Ambition Team budget</li> <li>• Officer and volunteer time</li> </ul>	Sarah Belchambers (Olympic Project Officer)
	Engage with the community to inform them of what is happening in B&D with regards to the Olympic and Paralympic Games at events	Sep 2011 – Sep 2012	a) No of people contacted at events such as the Partnership Conference, Dagenham Town Show, Count down, Older People's Day, Independent Day of Disabled People plus others to engage with the community.	<ul style="list-style-type: none"> <li>• Olympic Ambition Team</li> <li>• Officer and Volunteer time</li> </ul>	Lynn Barker (Olympic Project Officer) & Sarah Belchambers (Olympic Project Officer)
Provide opportunities for volunteering within Children's Centres and youth services	Increase number of older people volunteering	Ongoing	a) Rate of increase in volunteering (Dec 2012)	<ul style="list-style-type: none"> <li>• Volunteer co-ordinator time</li> </ul>	Gill Wilson (Training And Employment Co-ordinator)



	Provide support and training to volunteers	Ongoing	a) Improved confidence of volunteers (Dec 2012)	Volunteer training budget TBC	Targeted Support Services	
Reducing the incidence of fuel poverty amongst older people to improve individual finances and contribute to the green agenda	Deliver area based schemes to improve the energy efficiency of resident's homes including the Barking Low Carbon Zone and Dagenham Low Carbon Zone initiatives.	Mar 2012	<p>a) Secure funding for projects.</p> <p>b) Establish projects to target funding at those classified to improve energy efficiency.</p>	<ul style="list-style-type: none"> <li>GLA -£250,000 Barking Low Carbon Zone and £209,300 Dagenham Low Carbon Zone,</li> <li>Recovery of Community Energy Saving Programme funding and application to expand existing projects.</li> <li>Access new external funding sources through submission of bids.</li> <li>Officer Time</li> </ul>		Andy Butler (Group Manager Area Planning)

## PRIORITY 10 – Contributing to the Green Agenda

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