

# Cabinet

## Agenda

**MONDAY**  
**4 MARCH 2013**  
**7.00 pm**

**COURTYARD ROOM**  
**HAMMERSMITH**  
**TOWN HALL**  
**KING STREET**  
**LONDON W6 9JU**

### Membership

Councillor Nicholas Botterill, Leader (+ Regeneration, Asset Management and IT)

Councillor Greg Smith, Deputy Leader (+ Residents Services)

Councillor Helen Binmore, Cabinet Member for Children's Services

Councillor Mark Loveday, Cabinet Member for Communications (+ Chief Whip)

Councillor Marcus Ginn, Cabinet Member for Community Care

Councillor Andrew Johnson, Cabinet Member for Housing

Councillor Victoria Brocklebank-Fowler, Cabinet Member for Transport and Technical Services

**Date Issued**  
**21 February 2013**

If you require further information relating to this agenda please contact: David Viles, Committee Co-ordinator, Governance and Scrutiny, tel: 020 8753 2063 or email: [David.Viles@lbhf.gov.uk](mailto:David.Viles@lbhf.gov.uk)

Reports on the open Cabinet agenda are available on the Council's website: [http://www.lbhf.gov.uk/Directory/Council\\_and\\_Democracy](http://www.lbhf.gov.uk/Directory/Council_and_Democracy)

### PUBLIC NOTICE

The Cabinet hereby gives notice of its intention to hold part of this meeting in private to consider items 17-22 which are exempt under paragraph 3 of Schedule 12A to the Local Government Act 1972, in that they relate to the financial or business affairs of any particular person, including the authority holding the information.

The Cabinet has received no representations as to why the relevant part of the meeting should not be held in private.

**Members of the Public are welcome to attend.**  
**A loop system for hearing impairment is provided, together with disabled access to the building**

### DEPUTATIONS

Members of the public may submit a request for a deputation to the Cabinet on non-exempt item numbers **4-14** on this agenda using the Council's Deputation Request Form. The completed Form, to be sent to David Viles at the above address, must be signed by at least ten registered electors of the Borough and will be subject to the Council's procedures on the receipt of deputations. **Deadline for receipt of deputation requests: Wednesday 27 February 2013.**

### COUNCILLORS' CALL-IN TO SCRUTINY COMMITTEES

A decision list regarding items on this agenda will be published by Wednesday **6 March 2013**. Items on the agenda may be called in to the relevant Scrutiny Committee.

The deadline for receipt of call-in requests is: **Monday 11 March 2013 at 3.00pm**. Decisions not called in by this date will then be deemed approved and may be implemented.

A confirmed decision list will be published after 3:00pm on **Monday 11 March 2013**.

# Cabinet Agenda

4 March 2013

<u>Item</u>	<u>Pages</u>
1. MINUTES OF THE CABINET MEETING HELD ON 11 FEBRUARY 2013	1 - 11
2. APOLOGIES FOR ABSENCE	
3. DECLARATION OF INTERESTS	
<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.</p>	
4. THE GENERAL FUND, HOUSING REVENUE ACCOUNT AND DECENT NEIGHBOURHOODS CAPITAL PROGRAMMES - BUDGET VARIATIONS AT QUARTER 3 2012/13	12 - 20
5. WEB PRINTING SERVICES : RENEWING A FRAMEWORK AGREEMENT - CONTRACT AWARD	21 - 29

<b>6.</b>	<b>SUBSCRIPTIONS/AFFILIATIONS FOR EXTERNAL ORGANISATIONS 2013/14</b>	<b>30 - 34</b>
<b>7.</b>	<b>TRI-BOROUGH ICT STRATEGY IMPLEMENTATION PROGRAMME - FROM TECHNOLOGY-BASED PROVISION TO DEPLOYMENT “AS A SERVICE”</b>	<b>35 - 45</b>
<b>8.</b>	<b>PENSIONS AUTO-ENROLMENT</b>	<b>46 - 51</b>
<b>9.</b>	<b>CREATION OF AN EMPLOYEE-LED MUTUAL AND SELECTION OF THE BUSINESS PARTNER</b>	<b>52 - 70</b>
<b>10.</b>	<b>CONTINUED INFORMATION, ADVICE AND GUIDANCE TO YOUNG PEOPLE WITH LEARNING DIFFICULTIES</b>	<b>71 - 79</b>
<b>11.</b>	<b>EXTENSION OF SUPPORTED PEOPLE (CHILDREN'S ) CONTRACT</b>	<b>80 - 87</b>
<b>12.</b>	<b>CONSIDERATION OF THE FINDINGS AND RECOMMENDATIONS OF CONSULTATION, AND AGREEMENT ON THE GOVERNANCE ARRANGEMENTS, FOR ADULT SAFEGUARDING ACROSS TRI-BOROUGH</b>	<b>88 - 126</b>
<b>13.</b>	<b>PUBLIC HEALTH 2013-14</b>	<b>127 - 146</b>
<b>14.</b>	<b>TFL FUNDED ANNUAL INTEGRATED TRANSPORT INVESTMENT PROGRAMME 2013-14</b>	<b>147 - 161</b>
<b>15.</b>	<b>KEY DECISIONS LIST</b>	<b>162 - 182</b>
<b>16.</b>	<b>EXCLUSION OF PRESS AND PUBLIC</b>	
	The Cabinet is invited to resolve, under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.	
<b>17.</b>	<b>EXEMPT MINUTES OF THE CABINET MEETING HELD ON 11 FEBRUARY 2013 (E)</b>	
<b>18.</b>	<b>CONTRACT VARIATION FOR THE CONTRACT WITH AGILSYS LTD FOR THE PROVISION OF BUSINESS AND MANAGEMENT SERVICES.LOT 1 - PROCUREMENT SERVICES AND SAVINGS (E)</b>	
<b>19.</b>	<b>WEB PRINTING SERVICES : RENEWING A FRAMEWORK AGREEMENT - CONTRACT AWARD : EXEMPT ASPECTS (E)</b>	

- 20. TRI-BOROUGH ICT STRATEGY IMPLEMENTATION PROGRAMME - FROM TECHNOLOGY BASED PROVISION TO DEPLOYMENT "AS A SERVICE" : EXEMPT ASPECTS (E)**
- 21. CREATION OF AN EMPLOYEE-LED MUTUAL AND SELECTION OF THE BUSINESS PARTNER : EXEMPT ASPECTS (E)**
- 22. PUBLIC HEALTH 2013-14: EXEMPT ASPECTS (E)**

# Agenda Item 1

London Borough of Hammersmith & Fulham



## Cabinet Minutes

Monday 11 February 2013

### **PRESENT**

Councillor Nicholas Botterill, Leader (+ Regeneration, Asset Management and IT)  
Councillor Greg Smith, Deputy Leader (+ Residents Services)  
Councillor Helen Binmore, Cabinet Member for Children's Services  
Councillor Mark Loveday, Cabinet Member for Communications (+ Chief Whip)  
Councillor Marcus Ginn, Cabinet Member for Community Care  
Councillor Andrew Johnson, Cabinet Member for Housing  
Councillor Victoria Brocklebank-Fowler, Cabinet Member for Transport and Technical Services

### **145. MINUTES OF THE CABINET MEETING HELD ON 14 JANUARY 2013**

#### **RESOLVED:**

That the minutes of the meeting of the Cabinet held on 14 January 2013 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

### **146. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

### **147. DECLARATION OF INTERESTS**

There were no declarations of interest.

### **148. REVENUE BUDGET AND COUNCIL TAX LEVELS 2013/14**

#### **RESOLVED:**

1. That approval be given to a council tax reduction of 3% for the Hammersmith & Fulham element for 2013/14.

2. That the council tax be set for 2013/14 for each category of dwelling, as calculated in accordance with Sections 31A to 49B of the Localism Act 2011, as outlined below and in full in Appendix A:
  - (a) The element of council tax charged for Hammersmith & Fulham Council will be £757.90 per Band D property in 2013/14.
  - (b) The element of council tax charged by the Greater London Authority will be confirmed on the 25<sup>th</sup> February and is expected to be £303.00 per Band D property in 2013/14. A reduction of 1%.
  - (c) The overall Council Tax to be set will be £1,060.90 per Band D property in 2013/14.

Category of Dwelling	A	B	C	D	E	F	G	H
Ratio	6/9 £	7/9 £	8/9 £	1 £	11/9 £	13/9 £	15/9 £	18/9 £
A) H&F	505.27	589.48	673.69	757.90	926.32	1,094.74	1,263.17	1,515.80
b) GLA	202.00	235.67	269.34	303.00	370.34	437.67	505.00	606.00
<b>c) Total</b>	<b>707.27</b>	<b>825.15</b>	<b>943.03</b>	<b>1,060.90</b>	<b>1,296.66</b>	<b>1,532.41</b>	<b>1,768.17</b>	<b>2,121.80</b>

3. That the Council's own total net expenditure budget for 2013/14 is set at £181.944m
4. That fees and charges are approved as set out in paragraph 5.2
5. That the budget projections made by the Executive Director of Finance and Corporate Governance to 2015/16 be noted.
6. That the statement made by the Executive Director of Finance and Corporate Governance under Section 25 of the Local Government Act 2003 regarding the adequacy of reserves and robustness of estimates be noted (section 14).
7. That the Executive Director of Finance and Corporate Governance be authorised to collect and recover National Non-Domestic Rate and Council Tax in accordance with the Local Government Finance Act 1988 (as amended), the Local Government Finance Act 1992 and the Council Schemes of Delegation.
8. That all Executive Directors be required to report monthly on their projected financial position compared to their revenue estimates (as part of the Corporate Monitoring Report).
9. That all Executive Directors be authorised to implement their service spending plans for 2013/14 in accordance with the recommendations within this report and the Council's Standing Orders, Financial Regulations and relevant Schemes of Delegation.

Members' attention is drawn to S106 of the Local Government Finance Act 1992 which requires any Member who is two months or more in arrears on their Council Tax to declare their position and not to vote on any issue that could affect the calculation of the budget or Council Tax.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**149. 4 YEAR CAPITAL PROGRAMME 2013/14 TO 2015/16**

**RESOLVED:**

1. That the draft General Fund Capital Programme budget at £65.0m for 2013/14, be approved.
2. That a Debt Reduction target of £20m for 2013/14 which will reduce underlying debt – based on current forecasts and as measured by the Capital Financing Requirement (CFR) - to £71.4m, be approved.
3. That 25% of receipts generated for the Decent Neighbourhoods programme continue to be used to support general capital investment or debt reduction in 2013/14 to 2016/17, subject to future review and potential regulatory changes.
4. That approval be given to the following proposed capital receipts funded initiatives within the General Fund capital programme 2013/14 (Table 5):
  - The continuation of the rolling programmes for repairs to Carriageways and Footways £2.03m;
  - Corporate Buildings Planned Maintenance £2.5m;
  - Private Sector Housing Grant (Disabled Facilities) £0.45m;
  - Parks Improvements £0.5m;
  - Contributions to the Invest to Save Fund £0.75m;This totals £6.23m.
5. To note existing capital receipts funded schemes (approved for 2012/13) but now scheduled for 2013/14 as follows:
  - The Schools Capital Programme £8.906m;
  - The Corporate Buildings Planned Maintenance £1.84mThis totals £10.746m.



The overall total use of capital receipts for General Fund capital schemes in 2013/14 is £16.976m.

6. That the level of resource forecast (Table 2) and indicative capital expenditure budget 2013/14 of £27.6m for the Decent Neighbourhoods programme, funded fully by capital receipts, as detailed in Appendix 2, be approved.
7. That the 2013/14 HRA capital programme of £37.0m as set out in Table 7 (Appendix 4) and the use of £15.212m of Decent Neighbourhoods' capital receipts in support of this programme for 2013/14, be approved.
8. That approval be given to the annual Minimum Revenue Provision for 2013/14 (Appendix 7).
  - For debt which is supported through Formula Grant this authority will calculate the Minimum Revenue Provision in accordance with current regulations (namely 4% of the Capital Financing requirement net of adjustment A).
  - For debt which has arisen through prudential borrowing it should be written down in equal instalments over the estimated asset life. The debt write-off will commence the year after an asset comes into use.
9. That the CIPFA prudential indicators as set out in Appendix 8 to the report be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**150. TREASURY MANAGEMENT STRATEGY REPORT**

**RESOLVED:**

1. That the future borrowing and investment strategies as outlined in this report be approved and that the Executive Director of Finance and Corporate Governance be authorised to arrange the Council's cashflow, borrowing and investments in 2013/14.

2. That in relation to the Council's overall borrowing for the financial year the comments and the Prudential Indicators as set out in this report, be noted.
3. That to pay the HRA investment income on unapplied HRA receipts and other HRA cash balances calculated at the average rate of interest earned on temporary investments with effect from 1 April 2013, be approved.
4. That the Money market Funds set out in Table 1 of Appendix B to the report for use as part of the Council's investment strategy, be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**151. STRATEGIC REVIEW OF THE COUNCIL'S CORPORATE COMPLAINTS POLICY**

**RESOLVED:**

1. That the new Corporate Complaints Policy be approved and implemented with effect from 1 April 2013.
2. That the new model for managing Stage 2 complaints be agreed and implemented for all Stage 2 complaints recorded after 31 March 2013.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**152. TRI-BOROUGH MANAGED SERVICES - FINANCE AND HUMAN RESOURCES (TRANSACTIONAL SERVICES)**

**RESOLVED:**

1. That the Council enters into a contract with the preferred supplier, BT, for five years (with the potential to extend for a further three years) at an annual cost of £1.5 million to provide the full range of services covered by the Tri-borough Managed Services Framework Agreement for Finance and Human Resources (transactional services).
2. That £4.15 million be set aside from the Efficiency Projects Reserve to fund the transitional costs involved in moving finance and HR transactional services to the preferred supplier.
3. That delegated authority is given to the Executive Director of Finance and Corporate Governance and the Director of Law to finalise the contract arrangements with the preferred supplier.
4. That the Leader of the Council approves any amendments to the services to be drawn down from the preferred supplier.
5. That arrangements are put in place for Westminster City Council to provide an Intelligent Client Function to manage the relationship between the preferred supplier and this Council at a cost of £100,000 per annum.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**153. INTERIM PROVISION OF CHILDREN'S CENTRES AND SURESTART SERVICES**

**RESOLVED:**

1. That the requirement contained in the Council's Contract Standing Orders to seek competitive tenders be waived, in accordance with CSO 3.1, and that approval is given to negotiate new contracts for children's centres and Sure Start services with existing providers, in accordance with CSO 9.11.
2. That these new interim contracts with existing providers are for no more than a period of two years, with provision for a break clause after one year, be approved.

3. That the interim contracts with existing providers are negotiated so that they meet new funding and inspection regimes, including formal registration, leadership and management of the 'hub and spoke' model, and clear links with the targeted 2 year old offer, be approved.
4. That funding to the hub centres is reduced by 5% in 2013/14, or that the 5% is achieved through equivalent savings, with either option reflecting the national reduction in Early Intervention Grant Funding and the impact of this at a local level, as set out in Appendix 2: Current and proposed children's centres funding allocations, be approved.
5. That the interim contracts with existing providers incorporate a revised performance management framework that clearly reflects national developments, the Council's priority outcomes for children and families, and the statutory duty of Best Value, taking in to account cost and quality, be approved.
6. That the Children's Centre spot purchasing fund (currently £133,000) be re-profiled to support the efficient delivery of these recommendations, service transition, and any other relevant interim measures, including the employment of one fixed-term FTE post at grade PO 3 (approximate cost £46,000), and contribute to mitigating the proposed level of reduction in funding to the hub centres, be approved.
7. That authority to approve any further actions necessary to ensure that the Council meets its statutory duties for the provision of children's centres, and to give practical effect to these interim measures, be delegated to the Cabinet Member for Children's Services, be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**154. HOUSING REVENUE ACCOUNT FINANCIAL STRATEGY AND RENT INCREASE 2013-14**

**RESOLVED:**

1. That the HRA financial strategy as set out in section 7 of the report, be endorsed.
2. That the Housing Revenue Account 2013/14 budget as set out in Appendix 1 of the report, be approved..

3. That a rent increase for 2013/14, based on application of the Government's rent restructuring formulae for dwellings of 3 bedrooms and below, and a new Council rent policy for dwellings of 4 bedrooms and above, of 5.42% and also that approval be given to the simplification of the presentation of Sheltered Accommodation rents as referred to in paragraph 9.7, be approved.
4. That a rent increase of 3.73% based on application of the Government's rent restructuring formulae for properties under licence and hostels as referred to in paragraph 9.6 of the report, be approved.
5. That in order to move towards full recovery of Water Rates an increase in water rate charges equating to an average rise of 58 pence per week as set out in paragraph 15.7 of the report, be approved.
6. That a reduction in the communal heating charge of 5% as set out in paragraph 15.3 of the report, be approved.
7. That an increase in service charges for 2013/14 of 3.1% as set out in section 10 of the report, be approved.
8. That an increase in garage and parking rents of 3.1% as set out in paragraphs 15.4 and 15.5 of the report be approved and that Cabinet note that a review of garage and parking operations is currently being conducted by officers in consultation with residents which is likely to result in further changes.
9. That in line with the strategic financial objective of repaying debt as it becomes due £ 9.582 million of HRA debt is repaid in 2013/14, be approved.
10. That the risks outlined in section 12 and in Appendix 5 of the report, be noted.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**155. BARCLAY CLOSE LIFTS A-D, ETHEL RANKIN COURT AND THE GRANGE, LISGAR TERRACE LIFTS A & B - MODERNISATION OF THE EXISTING PASSENGER LIFTS**

**RESOLVED:**

1. That funding for this scheme is contained within the 2012/13 Housing Capital Programme which was approved by Cabinet on 11 December 2011 and by Budget Council on 29<sup>h</sup> February 2012 (within this £80k was included in 2012/13 and £690k in 2013/14, now revised to £770k - excluding professional fees - in 2012/13 in order to accelerate delivery of the project funded by savings and movement on other programmes), be noted.
2. That the contract is expected to be awarded on 18 February 2013, and has a contract period of 45 weeks from the date of the award, with start on site expected on 20 May 2013, be noted.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**156. APPROVAL OF THE 2013/14 HIGHWAY MAINTENANCE PROGRAMME**

**RESOLVED:**

1. That the list of planned carriageway and footway maintenance schemes as set out in Appendix A of the report, be approved.
2. That authority be delegated to the Cabinet Member for Transport and Technical Services, in conjunction with the Executive Director of Transport and Technical Services and the Executive Director of Finance and Corporate Governance, to make amendments to the programme as agreed for operational and cost effectiveness reasons in order to make the optimum use of resources allowing virements to contain expenditure within the approved resources and not subject to the normal virement rules.
3. That reports and updates on programme amendments (additions and removals) to the approved scheme list be made to the Cabinet Member for Transport and Technical Services, be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

**157. FORWARD PLAN OF KEY DECISIONS**

The Forward Plan was noted.

**158. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:**

That under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the remaining items of business on the grounds that they contain information relating to of Schedule 12A of the Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

**[The following is a public summary of the exempt information under S.100C (2) of the Local Government Act 1972. Exempt minutes exist as a separate document.]**

**159. TRI-BOROUGH MANAGED SERVICES - FINANCE AND HUMAN RESOURCES (TRANSACTIONAL SERVICES) : EXEMPT ASPECTS (E)**

**RESOLVED:**

That the recommendation contained within the exempt report be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

**Note of dispensation in respect of any declared conflict of interest:**

None.

160. **BARCLAY CLOSE LIFTS A-D, ETHEL RANKIN COURT AND THE GRANGE LISGAR TERRACE LIFTS A & B - MODERNISATION OF THE EXISTING PASSENGER LIFTS : EXEMPT ASPECTS (E)**

**RESOLVED:**

That the recommendation contained within the exempt report be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.


**Note of dispensation in respect of any declared conflict of interest:**

None.

Meeting started: 7.00 pm  
Meeting ended: 7.03 pm

Chairman .....



	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>4 MARCH 2013</b>
<b>THE GENERAL FUND, HOUSING REVENUE ACCOUNT AND DECENT NEIGHBOURHOODS CAPITAL PROGRAMMES – BUDGET VARIATIONS AT QUARTER 3 2012/13</b>	
<b>Report of the Leader of the Council – Councillor Nicholas Botterill</b>	
<b>Open Report</b>	
<b>Classification :</b> For Decision <b>Key Decision:</b> Yes	
<b>Wards Affected:</b> All	
<b>Accountable Executive Director:</b> Jane West, Executive Director of Finance and Corporate Governance	
<b>Report Author:</b> Jade Cheung, Finance Manager (Corporate Accountancy & Capital)	<b>Contact Details:</b> Tel: 0208 753 3374 E-mail: <a href="mailto:jade.cheung@lbhf.gov.uk">jade.cheung@lbhf.gov.uk</a>

## 1. EXECUTIVE SUMMARY

- 1.1. This report sets out the revised capital budget as at quarter 3 for 2012/13, compared with quarter 2 which was approved by Cabinet on 10 December 2012.
- 1.2. This report will agree the budget variations for the General Fund, Housing Revenue Account capital programme and Decent Neighbourhoods capital budgets from the original budget to revised budget in quarter 3.
- 1.3. The net proposed decrease to the Council wide capital programme is £4.2m (table 1). This decrease is primarily attributable to a number of capital budget variations as detailed in section 6 for each service. There is no additional call on the use of capital receipts and therefore the debt reduction programme is unaffected by the changes proposed in this report.

## 2. RECOMMENDATIONS

- 2.1. That approval be given to the budget variations as at quarter 3 for 2012/13 as set out in this report.

### 3. REASONS FOR DECISION

- 3.1. The reason for the recommendation is to comply with the Council's Financial Regulations which form part of the Council's Constitution.

### 4. INTRODUCTION AND BACKGROUND

- 4.1. This report sets out the revised capital budget as at quarter 3 for 2012/13, compared with quarter 2 which was approved by Cabinet on 10 December 2012.
- 4.2. This report will agree the budget variations for the General Fund, Housing Revenue Account capital programme and Decent Neighbourhoods capital budgets from the original budget to revised budget in quarter 3.

### 5. COUNCIL CAPITAL PROGRAMME

- 5.1. Table 1 below summarises the proposed revisions to the 2012/13 Council wide capital programmes (details in appendix 1).

**Table1: Budget Variations to Quarter 3 2012/13**

Service Area	Original Budget	Quarter 1 Revised Budget	Quarter 2 Revised Budget	Slippage	Additions/ (Reduction)	Quarter 3 Revised Budget	Net Movement
			[a]	[b]	[c]	[a+b+c]	[b+c]
	£m	£m	£m	£m	£m	£m	£m
Children's Services	57.2	73.7	31.3	-3.8	0.3	27.8	-3.5
Adult Social Care Services	1.5	2.3	1.4	-0.1		1.3	-0.1
Transport and Technical Services	9.6	15.4	15.9	-1.8	0.1	14.2	-1.7
Finance and Corporate Services	0.8	2.1	2.1			2.1	0
Environment, Leisure and Resident's Services	3.7	7.3	7.1			7.1	0
<b>Sub-total - General Fund</b>	<b>72.7</b>	<b>100.9</b>	<b>57.8</b>	<b>-5.7</b>	<b>0.4</b>	<b>52.5</b>	<b>-5.3</b>
Decent Neighbourhoods	13.0	6.1	12.6		1.1	13.7	1.1
Housing (HRA)	37.4	36.7	32.2			32.2	0
<b>Sub-total - Housing</b>	<b>50.5</b>	<b>42.7</b>	<b>44.8</b>	<b>0</b>	<b>1.1</b>	<b>45.9</b>	<b>1.1</b>
<b>Total</b>	<b>123.2</b>	<b>143.6</b>	<b>102.6</b>	<b>-5.7</b>	<b>1.5</b>	<b>98.4</b>	<b>-4.2</b>

## **6. CAPITAL BUDGET VARIATION ANALYSIS**

### **6.1. Childrens' Services**

The budget movement from quarter 2 is a net decrease of £3.5m in quarter 3. This relates mainly to the re-profiling of capital schemes funded by the Local Authority additional Basic Needs grant, into future years. Also there has been a reprofiling of the budget for Lyric Theatre to future years in line with the cash flow projection.

### **6.2. Adult Social Care**

A net decrease of £0.1m is reported in quarter 3. This relates to a slippage of Disabled Facilities Grant profiling into 2013/14. Unexpected non-recurring DFG monies totalling £0.1m was awarded to the Council in December 2012. This funding is projected to slip into 2013/14 as a one off underspend, hence there is a net budget movement from quarter 2 to quarter 3 of £0.1m (decrease).

### **6.3. Transport and Technical Services**

The budget movement from quarter 2 is a net decrease in quarter 3 of £1.7m. This change results from the slippage of planned maintenance programme into 2013/14.

### **6.4. Housing Revenue Account**

There is no movement in the budget between quarter 2 and quarter 3.

### **6.5. Decent Neighbourhoods**

The budget movement from quarter 2 to quarter 3 is net increase of £1.1m. This is due to the pulling forward of a £1million loan to the Local Housing Company, this loan will not be drawn down until all approvals are in place. The balance is due to the repayment of £82K of HRA debt which is now being funded from this balance.

## **7. CONSULTATION**

7.1. Not applicable.

## **8. EQUALITY IMPLICATIONS**

8.1. There are no equality implications relevant to this report.

## **9. LEGAL IMPLICATIONS**

9.1. There are no legal implications relevant to this report.

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

10.1. This report is of a financial nature and has been approved by the Bi Borough Director of Finance (LBHF).

## 11. RISK MANAGEMENT

11.1. Not applicable.

## 12. PROCUREMENT AND IT STRATEGY IMPLICATIONS

12.1. Not applicable.

### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Quarterly Capital Budget monitoring papers ( <i>published</i> )	Jade Cheung (telephone number 0208 753 3374)	Corporate Finance 2 <sup>nd</sup> Floor HTH ext.

#### LIST OF APPENDICES:

##### Appendix 1 – Capital budget variations:

For General Fund, Children's Services, Adult Social Care, Transport & Technical Services, Finance and Corporate Services, Environment, Leisure and Residents Services, Decent Neighbourhoods and Housing Revenue Account Capital Programmes

## APPENDIX 1

### General Fund – Summary Capital Monitor

Schemes	Quarter 2 Revised Budget	Slippage	Additions/ (Reductions)	Quarter 3 Revised Budget
	£'000	£'000	£'000	£'000
Children's Services	31,294	(3,746)	270	27,818
Adult Social Care Services	1,383	(77)		1,306
Transport and Technical Services	15,938	(1,840)	63	14,161
Finance and Corporate Services	2,133			2,133
Environment, Leisure and Residents Services	7,060			7,060
<b>Total Expenditure</b>	<b>57,808</b>	<b>(5,663)</b>	<b>333</b>	<b>52,478</b>

### Children's Services

	Quarter 2 Revised Budget	Slippage	Additions/ (Reductions)	Quarter 3 Revised Budget
Schemes	£'000	£'000	£'000	£'000
Lyric Theatre Development	10,474	(7,970)		2,504
Primary Capital Programme	385			385
Devolved Capital to Schools	340		270	610
Other Capital Schemes	189			189
Schools Capital Programme	18,701	4,224		22,925
Free Schools	1,205			1,205
<b>Total Children's Services</b>	<b>31,294</b>	<b>(3,746)</b>	<b>270</b>	<b>27,818</b>

## Adult Social Care Services

	Quarter 2 Revised Budget	Slippage	Additions/ (Reductions)	Quarter 3 Revised Budget
Schemes	£'000	£'000	£'000	£'000
Adult Social Care Grant	158			158
Grants to Social Landlords to Improve Hostels	128			128
Supporting Your Choice (Social Care Reform) (DOH)	87			87
Wormwood Scrubs Prison (Grant from PCT)	98			98
Disabled Facilities Grant	912	(77)		835
<b>Total Community Services</b>	<b>1,383</b>	<b>(77)</b>	<b>0</b>	<b>1,306</b>

## Transport & Technical Services

	Quarter 2 Revised Budget	Slippage	Additions/ (Reductions)	Quarter 3 Revised Budget
Schemes	£'000	£'000	£'000	£'000
Footways and Carriageways.	2,250			2,250
Planned Maintenance/DDA Programme	5,861	(1,840)		4,021
River Wall Repairs	40			40
Transport For London Schemes	3,702			3,702
Parking Reserve/ Revenue Contributions	319			319
Developer Contribution Funded	3,139		63	3,202
West London Grant	341			341
Other Capital Schemes	286			286
<b>Total Environment Services</b>	<b>15,938</b>	<b>(1,840)</b>	<b>63</b>	<b>14,161</b>

## Finance and Corporate Services

	Quarter 2 Revised Budget	Slippage	Additions/ (Reductions)	Quarter 3 Revised Budget
Schemes	£'000	£'000	£'000	£'000
Contributions to Invest to Save	2,133			2,133
<b>Total Finance and Corporate Services</b>	<b>2,133</b>	<b>0</b>	<b>0</b>	<b>2,133</b>

## Environment, Leisure and Residents Services

	Quarter 2 Revised Budget	Slippage	Additions/ (Reductions)	Quarter 3 Revised Budget
Schemes	£'000	£'000	£'000	£'000
Parks	1,468			1,468
Bishops Park	942			942
Shepherds Bush Common Improvements	2,778			2,778
Recycling	87			87
CCTV	704			704
Hammersmith Library Refurbishment	925			925
Linford Christie Outdoor Sports Centre	156			156
<b>Total ELRS</b>	<b>7,060</b>	<b>0</b>	<b>0</b>	<b>7,060</b>

## Decent Neighbourhoods Capital Programme

Schemes	Original Budget 2012/13	Quarter 1 Revised Budget 2012/13	Quarter 2 Revised Budget 2012/13	Slippage	Additions	Quarter 3 Revised Budget 2012/13
	£'000	£'000	£'000	£'000	£'000	£'000
<b>EXPENDITURE:</b>						
Watermeadow Court (Decanting Costs)		231	231			231
Fulham Court (development including Childrens Centre)	1,722	1,714	1,714			1,714
248 Hammersmith Grove		600	600			600
Hostel Improvements	1,321	1,321				
Debt Repayment	9,500					
Shop Investments	500	500				
Edith Summerskill decant costs		1,690	1,690			1,690
HRA Debt repayments taken under pooling rules from receipts					82	82
Earls Court costs to signing CLSA			1,941			1,941
Earls Court Project Team Costs			627			627
Earls Court: Buying back leaseholder and freeholder properties including homelessness and disturbance			5,000			5,000
Earls Court: SDLT on leasehold properties (buybacks and new properties)			124			124
Additional costs post cabinet to signing of CLSA			99			99
Ongoing Earls Court project Costs			300			300
Earls Court OT assessments			20			20
Earls Court Legal Fees post CLSA (includes costs of defending challenges)			120			120
Earls Court Financial advice (due diligence)			25			25
Contributions to Local Housing Company					1,000	1,000
TIS contribution			94			94
<b>Total</b>	<b>13,043</b>	<b>6,056</b>	<b>12,585</b>	<b>0</b>	<b>1,082</b>	<b>13,667</b>



## Housing Revenue Account Capital Programme

Schemes	Original Budget	Quarter 1 Revised Budget 2012/13	Quarter 2 Revised Budget 2012/13	Quarter 3 Revised Budget 2012/13
	£ '000	£ '000	£ '000	£ '000
Supply Initiatives (Major Voids)	3,000	3,000	2,520	2,710
Energy Schemes	2,509	1,315	917	786
Lift Schemes	2,539	2,661	3,152	3,152
Internal Modernisation	54			
Major Refurbishments	5,387	8,035	8,408	8,814
Preventative Planned Maintenance	11,299	6,604	2,848	2,853
Minor Programmes	7,581	9,249	7,730	7,594
Decent Homes Partnering	4,880	4,955	5,534	5,534
CSD/RSD Managed (Adaptations, CCTV)	1,050	1,143	1,143	1,143
Rephasing and reprogramming	(879)	(310)	(39)	(373)
<b>Total</b>	<b>37,420</b>	<b>36,652</b>	<b>32,213</b>	<b>32,213</b>

# Agenda Item 5

	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>4 MARCH 2013</b>
<b>WEB PRINTING SERVICES: RENEWING A FRAMEWORK AGREEMENT – CONTRACT AWARD</b>	
<b>Report of the Leader of the Council – Councillor Nicholas Botterill</b>	
<b>Open Report</b>  A separate report on the exempt part of the Cabinet agenda provides exempt information relating to the evaluation of the tenders received.	
<b>Classification:</b> For Decision  <b>Key Decision:</b> Yes	
<b>Wards Affected:</b> All	
<b>Accountable Executive Director:</b> Jane West, Executive Director of Finance and Corporate Governance	
<b>Report Author:</b> Peter Kiberd, Print Manager	<b>Contact Details:</b> Tel: 020 8753 2235  E-mail: <a href="mailto:peter.kiberd@lbhf.gov.uk">peter.kiberd@lbhf.gov.uk</a>

## 1. EXECUTIVE SUMMARY

- 1.1 The procurement to re-award a Framework for Web Printing Services has reached the point where the Council is now able to formally confirm the inclusion of those contractors who will comprise the new Framework (Lot 1) following a detailed and comprehensive tender evaluation.
- 1.2 The Framework is designed not only for use by Hammersmith & Fulham but also other London authorities. To date, the LB Hounslow and Wandsworth Councils have committed to use the Framework once in place.
- 1.3 This report recommends that the contract is awarded to the following contractors who submitted the most economically advantageous tender in terms of the approved price/quality evaluation model:
  - St Ives plc
  - Warners Midlands plc
  - Woodford Litho Ltd

- 1.4 It also recommends that officers meet with the successful contractors to agree contract mobilisation.
- 1.5 The recommendation is that the contract will commence on 01 April 2013 and will be for a period of four years.
- 1.6 The establishment of the framework agreement of designated providers is designed to provide a competitive framework in which contractors with a proven quality/service record will systematically be called upon to bid and ultimately carry out the Council's print services. Thereby it will perpetuate an existing arrangement (Framework) which has shown itself to provide enhanced value for money and improved service quality.

## **2. RECOMMENDATIONS**

- 2.1 That approval be given to the award of a Framework Agreement for Print Services to the contractors set out in paragraph 4.1 of the report for a period of four years, to commence on 1 April 2013.
- 2.2. That, following formal award of the Framework, officers hold mobilisation meetings with successful contractors to ensure smooth implementation.

## **3. EVALUATION OF TENDERS**

- 3.1 Contract advertisements for the establishment of this framework agreement for print services were submitted to the EU Official Journal web-site on 29 April 2012. The advert stated the scope of the framework agreement, its length and estimated annual value.
- 3.2 42 expressions of interest were received, out of which 5 actually responded with completed application forms (Pre-Qualification Questionnaires – PQQs).
- 3.3 Following receipt of completed application forms, in November 2012, the Cabinet Member approved a short list of 4 organisations that would be invited to tender for inclusion into the framework agreement for Lot 1 (Web Printing)\*. The detailed Evaluation Tender Model against which tenders were evaluated is attached as Appendix 1. This required tenders to be evaluated through a staged approach, with those having passed through the earlier stages being evaluated on the basis of a 50/50 Price/Quality Model.
- 3.4 The remainder of this report only relates to the assessment of applications for Web Printing Lot 1.

The Framework agreement is comprised of 1 category and a total of 4 organisations were invited to tender.

Lot 1 - Web Offset printing (Magazines) – up to 4 colour

One organisation failed to submit tenders by the closing date (26 January 2013).

- 3.5 The 3 organisations which submitted tenders were evaluated in accordance with the agreed Tender Evaluation Model. All tenders were subjected to detailed examination of price and quality.
- 3.6 Each of the organisations was scored on quality against the criteria in the evaluation model. Scores against price and quality were then inserted into the evaluation model and tenderers were ranked in order of their overall scores. The contractors recommended for inclusion in Lot 1 are set in paragraph 4 below. Three (3) contractors are recommended for Lot 1. Detailed scores attained by each tenderer are set out in the exempt Appendix.
- 3.7 Officers consider that this selection of contractors will provide ample capacity to provide for the current and future requirements of the Council and the Councils which have committed to using the framework. Moreover it will also provide for the likely rate of attrition over the 4 year period of the Agreement.
- 3.8 A Cabinet Member Decision was taken in November not to proceed with Lot 2 of the framework – web-offset printing of newspapers – as a result of only one application being received.

#### **4. RECOMMENDED CONTRACTORS**

- 4.1 The contractors recommended for inclusion are as follows.

##### Lot 1

St Ives plc  
Warners Midlands plc  
Woodford Litho Ltd

- 4.2 The outcome of the tender assessment is shown in the Appendix to the exempt report.

#### **5. KEY BENEFITS OF THE FRAMEWORK AGREEMENT**

- 5.1 The Framework will provide the Council with a competitive, reliable pool of contractors for its web printing requirements with the Central Print Unit acting as a corporate gateway to produce best value and best quality printing services for print users. The Council's print unit will ensure the efficient management and close monitoring of this work, and ensure universal adherence to corporate identity guidelines.
- 5.2 The competitiveness of contractors will be maintained through a systematic means of 'further-competition'. In this way, each job commissioned will generally be subject to a prior quotation from suitable contractors before an order is placed.

- 5.3 Although the specific objective is to meet our own print needs, the resultant Framework agreement will be made available for use by the London Borough of Hounslow and Wandsworth Council together with other local authorities in London.

## **6. RISK MANAGEMENT**

- 6.1. The operational risks associated with the procurement are managed by the Communications Division as part of the tendering process. Benefits from the savings of the procurement contribute to the entry on the Enterprise Wide risk and assurance register, risk number 1 Managing Budgets.

## **7. EQUALITY IMPLICATIONS**

- 7.1 The Council's ability to produce communications materials in accessible formats (Braille, tape, video) is unaffected by this framework.

## **8. FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 The framework agreement has delivered considerable savings to departments in its first four years, it is anticipated that these savings will continue going forward.
- 8.2 Implications verified by Jane West, Executive Director of Finance and Corporate Governance. Tel. 020 8753 1900.

## **9. LEGAL IMPLICATIONS**

- 9.1 It is noted that all tenders met the Council's quality/price criteria as set out in the ITT and that it is therefore recommended to appoint all tenderers onto the framework.
- 9.1 Implications verified by Cath Irvine, Principal Contracts Lawyer, Legal Services Division. Tel. 020 8753 2774

## **10. PROCUREMENT IMPLICATIONS**

- 10.1 The Procurement & IT Strategy team has actively supported this procurement exercise and has ensured that the Public Contract regulations 2006 and the Council's Contract Standing Orders have been complied with.
- 10.2 The Director for Procurement and IT Strategy is represented on the Tender Appraisal Panel and supports the recommendations for the reasons set out in the report.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
	None	Peter Kiberd Print Manager  020 8753 2235	Communications Services, Hammersmith Town Hall, King Street, W6 9JU
<b>CONTACT OFFICER:</b>		<b>NAME: Peter Kiberd EXT. 2235</b>	

## Appendix 1

### **TENDER EVALUATION AND AWARD CRITERIA**

The Council will recommend for inclusion onto the Framework those tenderers who submit the most economically advantageous Tender(s) based on a combination of price and quality. This section is provided in the interests of transparency and fair competition and sets out and explains how that evaluation will be carried out.

Each Tender for Lot 1 must achieve a minimum level of acceptability as defined by the following compliance standards:

Compliance Hurdle	Rationale
Compliant and bona fide Tender	Each Tender shall be checked to ensure that there is no material breach of ITT conditions; that the Tender is complete; that there is no collusion or corruption or anti-competitive behaviour; and that all required information is provided.
Legal Acceptability	Each Tender shall be checked to ensure that there is no legal impediment to the Council entering a contract with the successful Tenderer in the Council's form.
Complete Tender	Each Tender shall be assessed as to whether the Tenderer has confirmed that it is able to provide the Services as detailed within the Specification.

The Council reserves the right to reject without further discussion any Tender which does not meet the above compliance standards.

The maximum total score available across Price and Quality is 100 (ie. max 50 for price and max 50 for Quality).

TENDER FOR THE PROVISION OF WEB OFFSET PRINTING SERVICES

REFERENCE: 2012/S 85-140539

## Scoring

### PRICE 50%

#### Lot 1

The pricing matrices for Lot 1 (completed by tenderers with tendered prices for a typical range of jobs) will be evaluated by calculating the aggregated costs across all jobs for the Lot.

The Tenderers will be scored on Price as assessed in relation to the lowest bid (for the total aggregated costs for Lot 1). A maximum of 50 points will be available in relation to the Price assessment. The formula for assessment will be:

$\text{Lowest Tendered Price} / \text{Tenderer's Price} * 50 = \text{points awarded for Price.}$

Accordingly, the Tenderer with the lowest tendered Price will obtain the maximum points for Price (i.e. 50 points).

All calculations will be undertaken to two decimal places.

The following table provides an example.

<b>Tenderer</b>	<b>Total Aggregated Costs for Lot 1</b>	<b>Weighted Price score</b>
A	£120,000	<b>47.92</b>
B	£128,000	<b>44.92</b>
C	£115,000	<b>50.00</b>
D	£240,000	<b>23.96</b>

**Any Tenderer who does not achieve 25 points overall may be rejected.**

TENDER FOR THE PROVISION OF WEB OFFSET PRINTING SERVICES

REFERENCE: 2012/S 85-140539



## QUALITY 50%

Each Tender for Lot 1 will be scored by the evaluation team against each of the evaluation areas set out below. To ensure the relative importance of the evaluation criteria are correctly reflected in the overall scores a weighting system will be applied as set out below.

Each response to the evaluation criteria will be marked out of a total possible score of 5. The methodology for calculating the scores is as set out in the individual criteria below. Scoring will be based on the general principles and descriptions shown below.

### Scoring out of 5

- 0 = unacceptable. No information provided or does not meet the Council's requirements.
- 1 = some evidence provided but poor in quality or insufficient detail to show requirements are met.
- 2 = evidence provided but does not show basic requirements are met (unsatisfactory).
- 3 = evidence provided and meets requirements.
- 4 = evidence provided and shows all requirements would easily be met with added value.
- 5 = evidence provided and shows all requirements would be met excellently with extensive added value offered.

**Any Tenderer who does not achieve 25 points overall on Quality (after weighting) may be rejected.**

Finally, the evaluation team will add together the final total weighted scores for Quality and the scores for Price to arrive at the most economically advantageous Tender(s).

### LOT 1

<b>Evaluation Criteria – Quality</b>	<b>Weighting</b>	<b>Max raw score</b>	<b>Max weighted score</b>
Assessment of the likely quality of products and service;	5	5	25
Organisational and management experience and capabilities, and resources to be employed in the Contract;	2	5	10
Commitment to a collaborative relationship;	2	5	10
Sustainability considerations	1	5	5
<b>Maximum total weighted score for Quality = 50 points</b>			<b>50</b>

TENDER FOR THE PROVISION OF WEB OFFSET PRINTING SERVICES

REFERENCE: 2012/S 85-140539

The Tender scoring the highest points for Quality for Lot 1 will be awarded 50. Each of the remaining Tenders for the Lot will be awarded a mark on a pro rata basis in accordance with the following calculation:-

Tenderer's score x 50 divided by highest score = Z%

All calculations will be undertaken to two decimal places. For example based on a notional highest points score of 45 points an illustrative example is shown below.

### Lot 1 – Quality scores

Tenderer	Points awarded for Quality	Weighted Score awarded
A	45	50%
B	42	46.7%
C	40	44.4%
D	38	42.2%

The scores for Quality and Price attained by each Tenderer will then be added to assess a total evaluated score for Lot 1. A simple illustrative example follows.

### Lot 1 – Total scores

Tenderer	Weighted Quality Score	Weighted Price Score	Total Weighted score
A	50	47.92	97.92
B	46.7	44.92	91.62
C	44.4	50.00	94.40
D	42.2	23.96	76.16

**Rejected – not achieved Price threshold (25)**

TENDER FOR THE PROVISION OF WEB OFFSET PRINTING SERVICES

REFERENCE: 2012/S 85-140539

	<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET</b></p> <p align="center"><b>4 MARCH 2013</b></p>
<p align="center"><b>SUBSCRIPTIONS/AFFILIATIONS FOR EXTERNAL ORGANISATIONS 2013/14</b></p>	
<p align="center"><b>Report of the Leader of the Council – Councillor Nicholas Botterill</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b>  <b>Key Decision: Yes</b></p>	
<p><b>Wards Affected: All</b></p>	
<p><b>Accountable Executive Director: Jane West - Executive Director of Finance and Corporate Governance)</b></p>	
<p><b>Report Author:</b>  <b>Gary Ironmonger</b> – Finance Manager Strategic Planning and Monitoring</p>	<p><b>Contact Details:</b>          Tel: 020 8753 2109          E-mail: <a href="mailto:gary.ironmonger@lbhf.gov.uk">gary.ironmonger@lbhf.gov.uk</a></p>

## 1. EXECUTIVE SUMMARY

- 1.1. The Council is free to withdraw from the LGA and London Councils membership in April 2013 as notice has been give to do so as agreed by Leader on 23<sup>rd</sup> of February 2012 and reported to Cabinet on 23<sup>rd</sup> of April 2012. This report recommends that the Council should not withdraw its membership from either organisation as the savings to be made by doing this are outweighed by the benefits of membership. This report further recommends that the decision to put the LGA and London Councils on notice of withdrawal is rescinded.
- 1.2. The base subscription to London Councils for 2013/14 is £172,427 a reduction of £3,318 (1.4%). In 2013/14 there will be a one off reduction to this subscription of £25,000 funded from the London Councils accumulated Joint Committee reserve giving a total cost of £147,427.
- 1.3. The subscription to the Local Government Association for 2013/14 is £26,577 a reduction of £700 (2.6%). This fee can be discounted by 5% through prompt payment (2.5%) and withdrawing the notice of withdrawal (2.5%) giving a potential reduction of £1,329.

## **2. RECOMMENDATIONS**

- 2.1. That the notice of potential withdrawal from London Councils and the Local Government Association be rescinded.
- 2.2. That the subscription to the Local Government Association for 2013/14 of £26,577 be approved.
- 2.3. That the subscription of £172,427 for 2013/14 to London Councils be approved.

## **3. REASONS FOR DECISION**

- 3.1. A decision is required in order to continue membership of the London Councils and Local Government Association organisations in 2013/14.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1. This report deals with the major corporate subscriptions/affiliations whose funding is included in the Finance and Corporate Services' estimates. Other departments carry out a similar exercise, reported separately to committee or dealt with under delegated authority in the case of small subscriptions.

## **5. PROPOSAL AND ISSUES**

- 5.1. Approval is being sought for the renewal of the subscription to London Councils and the Local Government Association for 2013/14 as detailed in Appendix 1.
- 5.2. The Local Government Association subscription before any discounts for 2013/14 is £26,577. There are discounts of 2.5% for prompt payment and 2.5% for members who are not on notice of withdrawal. Withdrawal from the LGA is not recommended as the saving is small against the demonstrated benefits of past membership and the potential benefits of future membership.
- 5.3. The base subscription for London Councils is £172,427. In 2013/14, there will be a one off reduction of £25,000 funded from London Council reserves reducing the payment due to £147,427. Withdrawal from London Councils is not recommended the loss of influence over expenditure that directly affects the council's residents is not worth sacrificing for the savings that would be achieved.
- 5.4. The benefits of continuing membership of these organisations is contained in Appendix 2.

- 5.5. In March 2012 the Leader's approved an Urgent Decision recommending that London Councils and the Local Government Association be given notice of potential withdrawal by the London Borough of Hammersmith and Fulham. It is proposed that this is rescinded as the benefits of membership of these organisations outweigh the costs.

## 6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. The rationale for continuing the subscriptions to London Councils and the Local Government Association are based on the benefits of continuing membership of these organisations as expanded on in Appendix 2.

## 7. LEGAL IMPLICATIONS

- 7.1. The Council has the necessary powers to subscribe to the organisations listed.

## 8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1. There is sufficient provision within the proposed 2013/14 Corporate Budget to meet the cost of the proposed subscriptions.
- 8.2. A contribution of £5,000 will be made from the Housing Revenue Account towards the London Councils subscription. This is to reflect the housing work undertaken by London Councils.

### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None	Gary Ironmonger (2109)	FCS, HTH

APPENDIX 1

<u>ORGANISATION</u>		<u>SUBSCRIPTIONS</u>	<u>SUBSCRIPTIONS</u>
		<u>2013/2014</u>	<u>2012/2013</u>
1	<b>London Councils</b> - for the joint committee core and associated functions	£165,664	£167,982
2	<b>London Councils</b> - Central bodies (LGE Grant)	£3,763	£3,763
3	<b>London Councils</b> – 16-19 RPG Regional Activities	3,000	<b>£4,000</b>
	<b>London Councils Base Subscription</b>	<b>£172,427</b>	<b>£175,745</b>
4	London Councils – 2013/14 one off credit (funded from accumulated Joint Committee reserve)	£(25,000)	N/A
	<b>London Councils – sub Total</b>	<b>£147,427</b>	<b>£171,745</b>
5	Local Government Association (Includes a discount of £6,700)	£26,577	£27,277
	<b>TOTAL</b>	<b>£174,004</b>	<b>£199,022</b>

**DETAILS OF SUBSCRIPTION/AFFILIATION ORGANISATIONS**

**1. LONDON COUNCILS**

London Councils is the local government association for London, bringing together representatives of the 32 London Boroughs and the Corporation of London. It develops policy, lobbies government and others, and runs a range of services including the Freedom Pass, the Taxicard Scheme, the London Lorry Control Scheme and the Parking and Traffic Appeals Service.

**2. LONDON COUNCILS - LOCAL GOVERNMENT EMPLOYERS ORGANISATION (CENTRAL BODIES)**

The Local Government Employers was created by the Local Government Association and works with local authorities, regional employers and other bodies to lead and create solutions on pay, pensions and the employment contract.

**3. LOCAL GOVERNMENT ASSOCIATION**

The Local Government Association (LGA) promotes the interests of English and Welsh local authorities.

The LGA exists to promote better local government and is a voluntary lobbying organisation.

In addition to representing various local government authorities it also represents fire authorities, police authorities, national park authorities and passenger transport authorities.

Explanation of the £6,700 rental/finance credit from the LGA - The annual LGA membership subscription of each former member of the Association of Metropolitan Authorities (AMA), which previously contributed to the purchase of the AMA's former offices at 35 Great Smith Street, is adjusted each year by a rental/finance credit of circa £6,000. Before the LGA moved to Local Government House in Smith Square, it used the offices at 35 Great Smith Street and the £6,000 (rental) credit represented an individual authority's share of the rent that was due to the AMA (Properties) Limited. The building was sold in 1999 and the proceeds of £6.2 million were invested in Local Government House in the form of a loan. Each (finance) credit (initially £6,000) now represents interest payable on the loan. The credit is reviewed every five years and adjusted with the Retail Price Index (RPI). The amount is now £6,700.

## Executive Decision Report

<b>Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken</b>	Cabinet  Date of decision: 4 March 2013	
	Cabinet Member for Finance and IT - Councillor Lightfoot  Date of decision: March 2013	
	Cabinet Member for Finance & Customer Services - Councillor Caplan  Date of decision: March 2013	
<b>Report title (decision subject)</b>	<b>TRI-BOROUGH ICT STRATEGY IMPLEMENTATION PROGRAMME - FROM TECHNOLOGY-BASED PROVISION TO DEPLOYMENT "AS A SERVICE"</b>	
<b>Reporting officer</b>	Jane West, Executive Director, Finance & Corporate Governance, Hammersmith & Fulham Council  Nicholas Holgate, Town Clerk and Executive Director of Finance, Royal Borough of Kensington & Chelsea  Barbara Moorhouse, Chief Operating Officer, Westminster City Council	
<b>Key decision</b>	Yes	
<b>Access to information classification</b>	Open  A separate report on the exempt Cabinet agenda provides exempt information about phasing and costs	



## **1. EXECUTIVE SUMMARY**

- 1.1 The Tri-borough ICT strategy 2012/15 was approved by the Cabinets for the Royal Borough of Kensington and Chelsea, Westminster City Council and the London Borough of Hammersmith and Fulham at the end of 2012. The strategy set out a new rolling programme for ICT.
- 1.2 Since then, two crucial strategy and technical direction-setting pieces of work have been done. The first, by Gartner, verified and set out the direction for the ICT provision procurement. The second, from Fordway, developed a technical blueprint for Tri-borough ICT.
- 1.3 Both these documents have informed the programme set out in section 4 below.
- 1.4 This Cabinet is asked to agree the prioritisation as set out in section 4 and to approve the proposed Tri-borough ICT Strategy Implementation Programme. The other two boroughs have their own decision making process for this programme.

## **2. RECOMMENDATIONS**

- 2.1 That approval be given to Tri-borough funding of £154,000 for a Tri-borough ICT Programme Manager to deliver the programme during 2013/14.
- 2.2 That approval be given to the H&F share of funding for a Tri-borough ICT Programme Manager of £51,333, to be funded from the Efficiency Reserve.

## **3. REASONS FOR DECISION**

- 3.1 Cabinet endorsement of the programme is required from H&F to enable the key ICT components to be put in place to deliver the Tri-borough ICT Strategy. At RBKC and WCC the respective lead member will sign off.

## **4. PROPOSAL AND ISSUES - PRIORITISING ICT PROJECTS WITHIN THE ICT PROGRAMME**

- 4.1 This report covers the crucial projects which are ICT enabling, for which Tri-borough services would not be bringing forward proposals, e.g. networks, desktops and information security.
- 4.2 Projects which directly reflect business need, such as the consolidation or replacement of business applications, are not considered here even though they form part of the programme. This is because their commissioning is led by the business area concerned. Their benefits, cashable and non-cashable, do however belong to the ICT programme and are managed through it.

- 4.3 The competing priorities are set out in order to determine their relative priority and recommend funding. The three boroughs' local ICT Strategy boards have reviewed this work programme as has the Tri-borough ICT programme board.
- 4.4 Three principal criteria have been used to prioritise the potential infrastructure projects:
- Risks – based on the standard Councils' risk strategies
  - Constraints – the extent to which failure to undertake the project would constrain a strategic objective
  - Benefits – cashable benefits, where these exist
- 4.5 Further information about prioritising and costs is in the separate report on the exempt Cabinet agenda.

## **5. OPTIONS ASSESSMENT - ASSESSING THE POTENTIAL TECHNOLOGY INFRASTRUCTURE PROJECTS**

### **Priority 1 - Desktop as a service, facilitating bring your own device (BYOD), single information security policy and full remote access**

- 5.1 By 2014 all three boroughs will have needed to upgrade from MS Windows XP. Fordway recommend that the most cost effective way of providing desktop or laptop access in future is via Desktop as a Service (DaaS) using Desktop Virtualisation. This means any device can be deployed, including Bring Your Own Device, because the desktop access is provided from a Community Cloud or remote data centre. This gives staff the ultimate in choice either from a Council list of devices or any compatible device of their own including Smartphones.
- 5.2 This builds on the Gartner model of distributed computing (desktop strategy). It should also incorporate provision of a single e-mail service and permit packaging of access to applications. This will also prepare the Councils for the transition to the new procured desktop service. It represents part of the cost of the WCC transition from its current services provided by Serco to a new service provider in November 2014.
- 5.3 This will generate significant savings eg efficiencies in support, flexible deployment, fast delivery, multimedia capability, reduced downtime for staff, reduced risk of data loss, pop-up teams and faster accommodation moves. As it is a green technology it will also save energy. A rump of thick client PCs (traditional PCs) will still be required for areas such as building services, where Computer Assisted Design (CAD) is commonly in use. This however would be for a minority of users. Experience elsewhere suggests that fewer than 10% of users will require a traditional PC.
- 5.4 Introduction of a common e-mail service will improve the customer experience and should generate direct cashable savings through licence and server reductions. It will also enable wider productivity savings as staff will have only

one calendar to manage, will have full calendar visibility for Tri-borough colleagues and will be able to operate effectively as a team. The costs are somewhat different in the case of each borough. H&F costs are to primarily align with the new tri-borough policy. RBKC's costs are for early adoption of a tri-borough solution, possibly on-premises short term, to address immediate priorities such as email whereas WCC's cost is that to transition to the newly procured service. These early estimates will be firmed up shortly.

- 5.5 GCSX is a government secure information exchange service. For good historic reasons and on the basis of different audit processes, the three boroughs have different approaches to risk mitigation in relation to the GCSx Codes of Connection (CoCo). With the advent of the Public Service Network (PSN), which replaces the GCSX and its CoCo, and the integration of both technology and service teams, it would be advantageous to consolidate the Information Security frameworks of all three Councils into one. This will mean one information security policy to maintain in future. This is a prerequisite for DaaS.
- 5.6 In addition, the separate Remote Access solutions in place today should be brought together into a single service within this single policy and technical framework. In order to fully exploit the service all applications would need to be packaged. This would allow staff to have access to all the applications they need working from anywhere across the Tri-borough estate, in the field, at home or with clients. It would also facilitate, as one example, joint working with Central London Community Health (CLCH).

**Score**

⊕ <b>Risks:</b> without this, customers will continue to receive inconsistent service or no service, impacting their ability to work efficiently. This will impact the significant risks of data mishandling due to inconsistent data policy, with potential for the Office of the Information Commissioner (ICO) to intervene	<b>3</b>
⊕ <b>Constraints:</b> delivering this will enable staff to work from any Council or other device. Failure to make security policies consistent will reduce the ability for virtual teams to Work from Anywhere and constrain team working as well as hindering the possibility of desktop as a service provision	<b>7</b>
⊕ <b>Benefits:</b> with a capital investment of around £2m to transition to the new desktop as a service, there will be cashable benefits of around £1m p.a. in savings primarily in desktop support with the additional non-cashable benefit that staff are able to hot desk supporting the Working from Anywhere programme. Non-cashable benefits will be delivered through reducing effort to produce information sharing agreements and enabling more flexible deployment of staff.	<b>10</b>
<b>Total Score</b>	<b>20</b>

**Priority 2 - New service catalogue**

- 5.7 To provide a consistent user experience enabling effective deployment of ICT required to support the delivery of services, a vital first stage is the generation of a service catalogue. This will bring together the best practice from all three

boroughs ICT services and streamline processes for supporting applications, setting up new users, access to services and laptop provision, as examples.

- 5.8 This will be underpinned by the existing Transforming Support Phase 2 project and include delivery of a high quality seamless incident resolution and request fulfilment service. The service catalogue will need to be implemented across the three service desks, making any related contractual changes required, and across all the relevant resolution groups which may include not just Serco and HFBP, but also local ICT (at RBKC and WCC) and also tri-borough services local ICT provision in Adult Social Care and Children's.

**Score**

⊕ <b>Risks:</b> without this, customers will continue to receive inconsistent service or no service, impacting their ability to work efficiently.	<b>6</b>
⊕ <b>Constraints:</b> ability of resolution groups to participate and integrate with support processes and use common support tools.	<b>4</b>
⊕ <b>Benefits:</b> no direct cashable benefits, but indirect benefits through enabling business areas to work efficiently.	<b>3</b>
<b>Total Score</b>	<b>13</b>

**Priority 3 - Telephony as a service**

- 5.9 To achieve the vision set out for the Working from Anywhere programme, the Council needs to roll-out its unified communications strategy to allow staff to:
- move from one location to another (e.g. home to different office locations) while retaining a single number and the corporate features of the phone system;
  - indicate presence and availability for work;
  - use online collaboration tools.
- 5.10 To integrate the three current telephony services would be complex and expensive. The business however needs an integrated solution, as described above - this toolset is known as Unified Communications. Work is underway on developing options for providing single service. As the solution to this dilemma, Fordway recommend a hosted solution. The issue could be resolved by incremental change to a new hosted solution based on business need.
- 5.11 The first stage that needs funding is an options appraisal of the technology and suppliers available and a recommendation of a way forward. If or when the business case is established then additional funding would be needed for the implementation and transition to any new solution. RBKC have funding earmarked for this initiative but to date a cogent reason to proceed has not been put forward. The requirement to co-locate large numbers of staff means this need is becoming more urgent.

**Score**

⊕ <b>Risks:</b> without this, staff will not be able to work effectively as a team, impacting their ability to work efficiently.	<b>3</b>
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⊕ <b>Constraints:</b> ability of staff will not be able to work effectively as a team.	<b>4</b>
⊕ <b>Benefits:</b> good potential for direct cashable benefits from integrating telephony and exploiting purchasing power, with additional indirect benefits through enabling business areas to work efficiently.	<b>6</b>
<b>Total Score</b>	<b>13</b>

#### Priority 4 - Consolidate networks strategically

- 5.12 Fordway recommend the consolidation of network services and equipment in order to reduce the cost of change, simpler provision of services and to realise savings from network support. This proposal would see the removal of support complexity in an environment where tri-borough staff are operating in more complex environments and increasingly across network boundaries. The timescales over which these savings will be realised will be lengthy, due to existing strategic investment in kit and the long technology lifecycle involved.
- 5.13 The recommendation is that this strategic decision about Wide Area Networks (WAN), internet services and a single directory supplier must be taken within the next 6 months, in order to prevent the opportunity for savings being pushed out beyond 2016 when existing contracts expire.
- 5.14 Better user access control (eg Jericho-style security) will be a by-product of this implementation allowing partners to access in a more streamlined way (e.g. CLCH, Police). The Councils need to ensure that the tri-borough network meets the operating requirements of working with partners across the strong network boundary wall by strengthening authentication.
- 5.15 Network security renewal also addresses new security threats to provide assurance of continuing availability and confidentiality – which will also enable it to maintain compliance with PSN.
- 5.16 Enabling much more ICT “as a service” means that many services, like the managed services or total facilities management, and applications like Adults Social Care Frameworki, will be provided externally and hosted elsewhere. Therefore additional bandwidth (both internet and inside the council network) is urgently needed. This would enable access to e-meetings, streaming from websites for news or webinars, training materials or staff briefings from senior leaders.
- 5.17 The funding is for a resource to procure the necessary equipment and reconfigure existing setups such as those for WiFi. A later phase may see the need to change infrastructure overall.

#### Score

⊕ <b>Risks:</b> without this, network issues will result in customers receiving inconsistent service or no service, impacting their ability to work efficiently.	<b>5</b>
⊕ <b>Constraints:</b> ability for staff to work from anywhere.	<b>5</b>

⊕ <b>Benefits:</b> no direct cashable benefits, but indirect benefits through enabling business areas to work efficiently.	<b>3</b>
<b>Total Score</b>	<b>13</b>

### Priority 5 – Streamlining processes and a strategic hub

5.18 Also critical to the streamlining of service provision for staff is the automation of business processes. In addition there is a need for a strategic information hub, which would be charged with streamlining transactions from different applications and making sure that they completed successfully. This will be particularly critical in the case of managed services where there is a large number of existing in interfaces which will be rationalised and consolidated if this is approved. Arguably, the managed service programme will drive the generation of this hub. Properly designed this can enable data to flow to and from operational services at the same time as to the Business Intelligence data warehouse proposed in the managed services Programme.

#### Score

⊕ <b>Risks:</b> this reduces risks of data being inappropriately secured and paper being lost.	<b>3</b>
⊕ <b>Constraints:</b> failure to invest will constrain flexible working and access to paper files from multiple locations.	<b>2</b>
⊕ <b>Benefits:</b> this offers savings from reducing accommodation requirements	<b>5</b>
<b>Total Score</b>	<b>10</b>

### Priority 6 - Identity and asset management

5.19 Vital in underpinning all of the above services is identity management. For staff starting work at, moving between teams at or leaving any of the organisations providing services to our residents or customers it is vital they have the access they need to the correct information, applications and services. When they change role or leave the organisation it is imperative their assets (mobile phones, remote access tokens etc.) be recovered and recycled and their access withdrawn in order to avoid fraud or data loss. Managed services will also require common asset management.

#### Score

⊕ <b>Risks:</b> this reduces risks of data being inappropriately secured and paper being lost.	<b>3</b>
⊕ <b>Constraints:</b> failure to invest will constrain flexible working and access to paper files from multiple locations.	<b>2</b>
⊕ <b>Benefits:</b> this offers savings from reducing accommodation requirements	<b>5</b>
<b>Total Score</b>	<b>10</b>

### Priority 7 - De-duplication prior to data centre consolidation

5.20 Automatic de-duplication of all data will reduce storage requirements by 40% across all three boroughs on conservative estimates, as the RBKC experience

would demonstrate as it has already undertaken work on this. As WCC and H&F have done less work on automaton though some has been done on customer behaviour, the impact will be greater at those two boroughs.

5.21 Undertaking these tasks prior to data centre consolidation will enable optimisation of data centre costs prior to externalising management.

**Score**

⊕ <b>Risks:</b> this reduces risks of server failures where these represent single points of failure.	<b>2</b>
⊕ <b>Constraints:</b> this does not remove any current constraints.	<b>0</b>
⊕ <b>Benefits:</b> this offers savings from improved productivity in being able to locate data more easily and reduced downtime from virtualised servers, cost avoidance and cashable savings from reduced data centre costs going forward	<b>6</b>
<b>Total Score</b>	<b>8</b>

**Link to corporate strategic drivers**

5.22 There are two key corporate strategic drivers that this deployment of IT will enable:

- **Working from anywhere** – enabling staff to be work from any Council building across the three boroughs
- **Tri-borough organisation of service** - enabling staff to work in teams organised across borough boundaries.

5.23 The above proposals support these strategic drivers as follows:

Proposal	How this proposal enables...	
	Working from anywhere	Tri-borough organisation of service
1 Desktop as a service, facilitating Bring Your Own Device (BYOD), single information security policy and full remote access	Enables staff to work from any site without requiring personalised set-up, optimising use of desks Consistent framework for deployment of staff. Full remote access enables more staff to work from home, reducing accommodation requirements	Enables staff to work from any site without requiring personalised set-up, enabling more flexible arrangements for locating staff Full remote access enables staff to access applications from more than one borough on-site, enabling more flexible arrangements
2 New service catalogue	Consistent definition of IT offerings, reducing bespoke work and enabling more rapid deployment of staff	Easier to choose right IT service component to support new ways of working. Staff working with consistent IT set up enabling mutual support and fostering teamwork
3 Telephony as a service	Staff can use single number across council buildings	Team set up is more effective: <ul style="list-style-type: none"> <li>• co-location enabled through integrated telephony</li> </ul>

Proposal	How this proposal enables...	
	Working from anywhere	Tri-borough organisation of service
		<ul style="list-style-type: none"> <li>virtual team working across multiple sites enabled through collaboration software</li> </ul>
4 Consolidate networks	Reduces bespoke work and thus lead time for setting up new buildings	Reduced downtime resulting from network equipment failure due to more flexible support
5 Orchestration and a strategic hub	More consistent support experience for co-located staff	Quicker deployment of consolidated applications, more effective information sharing
6 Identity and asset management	Easier access to required applications and resources	Quicker deployment of consolidated applications, more effective information sharing
7 Virtualising and de-duplication prior to data centre consolidation	n/a	Easier to find required data

### Programme delivery

5.24 Critical to and underpinning the huge level of work described above is the successful design and implementation of this prioritised programme of work. Vital to it and to the other interdependent programmes (managed services Programme, total facilities management) will be the continued delivery from an existing experienced programme manager. The programme manager will deliver the following areas of the programme:

- The production of a detailed business case, identifying the benefits and savings of the programme, the costs to deliver, the skills and resources to implement and the timescales and key milestones of each project within the overall programme.
- Effective management and leadership of the interdependent projects that will contribute to the achievement of the overall programme and associated business case.
- Benefits both cashable and non-cashable for both the prioritised ICT enablement projects listed in this document and other technical projects commissioned by the business areas.
- Effective communications of the programme and projects, using all channels to keep the many stakeholder groups engaged and informed.
- Management of the programme/project delivery plans, ensuring the requirements of costs, timescales and quality are fully achieved
- Programme and project governance, ensuring risks, issues, actions, decisions and escalations are managed in an efficient and effective way.



- 5.25 It is recommended that the H&F Cabinet and the lead members at WCC and RBKC approve funding of £154,000 for 2013/14 for the Tri-borough Programme Manager role, to be shared equally between the three Councils.

## **6. CONSULTATION**

- 6.1 There is no legal requirement to consult with the public.

## **7. EQUALITY IMPLICATIONS**

- 7.1 There is little or no impact on service users in terms of our duty under S149 of the Equality Act 2010 as a result of the recommendations in this report. However, managers will need to give consideration to making reasonable adjustments for staff and this may include IT (hardware and software) and telephony as examples. In such case, HR would assist

Comments provided by – Carly Fry, Innovation and Change, tel 0208 753 3430

## **8. LEGAL IMPLICATIONS**

- 8.1 There are no direct legal implications at this point.

Comments verified by Catherine Irvine, Principal Contracts Lawyer tel: 0208 753 2774.

## **9. PROCUREMENT IMPLICATIONS**

- 9.1 There are no direct procurement implications at this point. Any procurement would need to be undertaken in accordance with each Council's CSO and the Public Contract Regulations 2006 (as amended).

Comments provided by – Francis Murphy, Head of Procurement, tel 0208 753 2211

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1 Review and prioritisation of the potential projects has been undertaken by officers and each Council is requested to approve a £4,764,000 funding envelope for the Programme set out in section 4. The initial estimate is that the Hammersmith and Fulham share of this will be £1,123,000. Costs and funding sources will be confirmed as individual business cases are brought forward for approval.


- 10.2 Immediate funding of £154,000 is requested for a Tri-borough ICT Programme Manager to deliver this programme during 2013/14.
- 10.3 For H&F, the share of the cost is £51,333 and it is proposed that this is funded from the Efficiency Projects Reserve.
- 10.4 Further financial and resources comments are in the separate report on the exempt Cabinet agenda.

Comments provided by – Andrew Lord, Corporate Strategy and Resources Manager, tel 0208 753 2531

**LOCAL GOVERNMENT ACT 2000**

**LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Tri-borough ICT strategy 2012-15 (published)	3 <sup>rd</sup> floor, Hammersmith Town Hall	Jackie Hudson 0208 753 2946

	<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET</b></p> <p align="center"><b>4 MARCH 2013</b></p>
<p><b>PENSIONS AUTO ENROLMENT</b></p>	
<p><b>Report of the Leader of the Council – Councillor Nicholas Botterill</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b></p> <p><b>Key Decision : Yes</b></p>	
<p><b>Wards Affected: None</b></p>	
<p><b>Accountable Executive Director: Jane West , Executive Director of Finance and Corporate Governance</b></p>	
<p><b>Report Author: Eric Kersey Head of Payroll and Pensions</b></p>	<p><b>Contact Details:</b>          Tel: 020 8753 1885          E-mail: <a href="mailto:eric.kersey@lbhf.gov.uk">eric.kersey@lbhf.gov.uk</a></p>

## 1. EXECUTIVE SUMMARY

- 1.1 The Pensions Act 2008 requires all employers to provide a workplace pension scheme for employees called **Auto enrolment**. The proposed implementation date is based on the number of employees. LBHF should therefore implement auto enrolment in May 2013 but there is an option for employers to use the transitional delay period until October 2017.
- 1.2 By using the transitional delay period there is potential for a considerable saving in employer's pension contributions as detailed below.

## 2. RECOMMENDATIONS

- 2.1 That, in view of the considerable projected savings of employer pension contributions, Hammersmith & Fulham Council defer introduction of pensions auto enrolment until October 2017.

### **3. REASONS FOR DECISION**

- 3.1 Based on estimates of number of staff who would remain in pension scheme if auto enrolled in May 2013, there is a potential saving in employer pension contributions of approximately £9 million over 4 years if auto enrolment is deferred to October 2017. Legislation allows employers to exercise this option without giving any reasons providing the Pensions Regulator is notified of the decision within one month of staging date which for LBHF is 1 May 2013.

### **4. INTRODUCTION AND BACKGROUND**

- 4.1 Auto-enrolment means employees being automatically enrolled into their employer's qualifying workplace pension scheme without any active decision on their part. At present, many employees do not apply to join their employer's scheme or, as LBHF automatically enrol new starters subsequently elect to opt out. Auto-enrolment is intended to encourage more employees to join an occupational pension scheme. For local authorities the LGPS and Teachers (TPS) schemes can be used for auto enrolment, see below.
- 4.2 The LGPS and the Teachers scheme will be used as the auto-enrolment schemes. There is no statutory obligation to use any other new scheme as an auto enrolment scheme.
- 4.3 Employees that will have to be auto-enrolled are those who are at least 22 years old, have not reached state retirement age and whose earnings are more than the annualised equivalent of £9,440. These are known as eligible job holders
- 4.4 Staff who are under age 22 or are over state retirement age or whose earnings are more than the full time equivalent of £5,668 but less than £9,440 will not have to be auto enrolled but may choose to join their workplace pension scheme. These are known as non-eligible job holders.
- 4.5 It should be noted that the earnings of any employee who has more than one job with the same employer on separate contracts of employment are assessed separately rather than aggregated, this will be a major issue with schools staff, many of whom have 2, 3 or even 4 separate posts.

### **5. PROPOSAL AND ISSUES**

- 5.1 The auto enrolment scheme requires the employer to enrol everybody automatically; however, the employee does have the right to opt back out of the scheme.

- 5.2 For LBHF, currently the number of eligible job holders who will have to be auto-enrolled into a workplace pension scheme is 530; additionally there are also 137 non eligible job holders who may choose to join. Of the 530 eligible job holders 66 would join the Teachers' Pension scheme as their qualifying workplace pension scheme and 464 would join the LGPS.
- 5.3 Based on earnings received in the 2011/12 tax year the estimated cost of admitting these 530 eligible job holders into their qualifying workplace pension scheme is as follows:

	Number of employees	Cost of employer pension contributions
LGPS	464	£ 2,387,064 pa
Teachers' pension scheme	66	£ 503,279 pa
	<b><u>530</u></b>	<b><u>£ 2,890,343 pa</u></b>

This is based on a full year of employer contributions and makes no allowance for opt-out rates which may be high given that the majority of these employees have already previously opted out of the LGPS or Teachers Pension scheme.

Estimates of opt out rates vary between 20% and 40%, taking a mid-point of 30% the number of eligible employees to be enrolled, and employer cost for 2013/14, would reduce to 370 and £2,023,240 respectively. Estimated employer saving if auto enrolment deferred to October 2017 is approximately £9 million between May 2013 and September 2017.

- 5.4 A survey by Waltham Forest show that, excluding LBHF and RBKC, 5 other London Boroughs intend to defer auto enrolment to 2017 and 13 will begin in 2013. No response was received from the other boroughs.

## 6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1 There is an option for employers to use the transitional delay period, without giving a reason, until October 2017. As stated above there are considerable financial benefits by doing so. This does not mean however that there are no changes or additional work for employers, until that time. There will still be a considerable amount of work, both at original staging date and on-going.

If the transitional delay period is used LBHF will, at 1 May 2013, still have to

- May 2013 – notify individually all existing eligible job holders, non-scheme members, in writing that the transitional delay period is being used. This has to be done using a standard letter provided by Pensions Regulator.
- On-going from May 2013 any new eligible job holders will have to be placed in the LGPS or Teachers scheme, although this is the default at present for most new employees it will now extend to previously excluded groups such as those with contracts of less than 3 months, casuals, and staff who have previously opted out but take on an additional separate role, see 3 above re schools staff who often switch posts.
- For those in paragraph above who then elect to opt out confirmation will have to be sent to them and a record has to be kept that they will again be auto enrolled in a further 3 years time.
- Staff excluded from auto enrolment at May 2013 will have to be monitored to see if they become eligible at a future date, regardless of deferment to 2017, this includes employees reaching age of 22 or whose earnings in post exceed minimum earnings trigger, currently £9440 pa, (this could be because of increase in hours or job regrading). Reports will have to be run monthly to produce this data,

6.2 As detailed above the option to defer auto enrolment will generate considerable financial savings for the borough with no detrimental effect for employees. Those not currently members of a pension scheme will have previously exercised their option to opt out of our schemes. To implement in May 2013 would impact greatly on budgets for 2013/14 and future years.

## **7. CONSULTATION**

7.1 Staff will be informed in May 2013 that the Council does not intend to implement auto enrolment until 2017. If a member of staff would like to choose to opt back into the LGPS immediately, there are able to do so. They can opt back in voluntarily at any time.

## **8. QUALITY IMPLICATIONS**

8.1 There will be neutral equality impact as it does not affect an individual employee's right to join or opt out of the pension scheme.

- 8.2 Implications verified/completed by: Lillian Magero, HR Equalities Consultant, 0020 8753 2355.

## **9. LEGAL IMPLICATIONS**

- 9.1 The new regulations require individual written targeted communications about the legislative changes to all staff whether they have opted into the LGPS or TPS or not at specified dates - e-links and notice board alerts are not acceptable. The time frame for initial communication must be no later than 1 month after the staging date. As the Council is required to notify all eligible job holders of the decision to defer automatic enrolment at the same time as reminding them that they could still choose to opt to join the LGPS or TPS at any time having previously chosen otherwise, there does not appear to be any disadvantage for employees by using the transitional period in this way. Staff not currently in either scheme may chose to opt in at any time and as this choice still remains, they are not losing out nor are they being disadvantaged.

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1 Implementation of auto enrolment will result in additional employer costs, approximately £9 million over 4 years. Proposed deferment will assist in keeping expenditure within current budgets.
- 10.2 Implications verified/completed by: Andrew Lord Head of Strategic Planning and Monitoring 020 8753 2531

## **11. RISK MANAGEMENT**

- 11.1 The risks associated with the decision to defer have been considered by the Payroll and Pensions section and are included in the body of the report. Benefits to the Council include a significant saving as identified in 3.1 of the report of £9m over four years which contributes to the Enterprise Wide Risk Register entry 1, Managing Budgets.
- 11.2 Implications verified/completed by: Michael Sloniowski Head of Risk Management 020 8753 2587

## **12. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 12.1 No procurement or IT implications
- 12.2 Implications verified/completed by: Mark Cottis E-procurement consultant 020 8753 2757

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Pensions Act 2008 (published)	Eric Kersey, Head of Payroll & Pensions	Finance and Corporate  Services Department
<b>CONTACT OFFICER:</b>		<b>NAME: Eric Kersey EXT. 1885</b>	



	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>4 MARCH 2013</b>
<b>CREATION OF AN EMPLOYEE-LED MUTUAL AND SELECTION OF THE BUSINESS PARTNER</b>	
<b>Report of the Leader of the Council and Cabinet Member for Children’s Services - Councillor Nicholas Botterill and Councillor Helen Binmore</b>	
<b>Open Report</b>	
<b>For Decision</b>	
<b>Key Decision: Yes</b>	
<b>Wards Affected: All</b>	
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## 1. EXECUTIVE SUMMARY

1.1. This report seeks Cabinet approval for three main recommendations which, if agreed, will break exciting new ground in public service delivery:

- i) to create an Employee-Led Mutual (ELM) that will become external to the Council and (through a joint venture company between the ELM and an independent business partner) trade both in the provision of support services to schools across the tri-borough area, and beyond, and in the provision of strategic consultancy services to this and other Councils on education and schools-related matters;
- ii) to select Prospects Services Limited as the independent business partner to help establish, and then to help commercially grow, the ELM;
- iii) to award a contract for provision of the strategic consultancy services required by H&F to 3BM (3 Borough Mutual, a joint venture between the ELM and Prospects), subject to approval of Prospects as its business partner.

1.2 These recommendations are close to being the final steps in a journey first started in early 2011 when H&F was selected as a national “first wave”

Mutual Pathfinder by the Cabinet Office, keen to pilot and support new ways of public service delivery. The Cabinet Office announcement was quickly followed in July 2011 when H&F's Cabinet decided to explore the possibility of creating an ELM to trade in those services mentioned above; and, in order for the ELM to prosper in a commercial market place, to also find a suitable independent sector partner (ISP) to first help establish the ELM and transition it out of the Council, and then to help it expand, both in existing and new markets, with a shareholding given to the partner in return for its support and input. In effect, a "dragon's den" arrangement, but with the ISP's shareholding capped at less than 25% to ensure the joint venture remains employee-led. The partner supporting it - not running it or taking it over.

- 1.3 The ambition driving this approach, to set-up an ELM with a supportive business partner, is to improve public service and drive efficiencies. To enable a model of service delivery that empowers staff to take direct-ownership of the services they provide, developed through a sound commercial approach; to see schools benefit from more commercially-focussed services, with existing high quality at least maintained and preferably improved, but at lower cost; and for the Council to get better services at lower cost, with reduced liabilities.
- 1.4 The outcome of the procurement is a positive one. The officer team who have evaluated Prospects' final tender bid are unanimous in scoring it a strong one; consistently good throughout, and excellent in several areas. Prospects appointment should give the ELM as a good a start as possible to be a success story; a genuine pathfinder and possible template for others to follow elsewhere.
- 1.5 It is important also to note and acknowledge that the approach taken to find the right partner has been a robust and transparent one, with good use made of the Competitive Dialogue Procedure throughout to arrive at an efficient and effective outcome. Although, ultimately, only one final tender was returned, there has been considerable market interest and keen competition. More detail on how the competition proceeded and on the other short-listed bidders is contained in paragraphs 4.9 - 4.26 below. The reasons given by other short-listed organisations for not submitting a final tender, after they had previously submitted Outline Solutions and followed these up with further detailed dialogue (and invested not insignificant resources in the process along the way), are reported on the exempt part of the Cabinet agenda given aspects of their commercial confidentiality.
- 1.6 If the ELM, which will become 3BM on trading, is to be operational in time for the new financial year, the Council, ELM and Prospects will need to move quickly on a number of key transitional issues. These issues are reported-on in section 8, and reflected in some of the formal recommendations below.

## **2. RECOMMENDATIONS**

- 2.1 That approval be given to the creation of *3 Borough Mutual* (3BM), an Employee-Led Mutual that will become external to the Council and, through a joint venture company with an independent business partner, trade in the provision of support services to schools and consultancy services to local authorities.
- 2.2 That Prospects Services Limited are selected as the independent sector partner to help establish and support the growth of 3BM, with Prospects Service Limited taking a minority shareholding in the joint venture.
- 2.3 That approval be given to award a 4-year contract between the Council and 3BM for strategic consultancy services on education and schools-related matters which.
  - a) commences on 2 April 2013;
  - b) is for consultancy services valued at £977,891 for the 2013/2014 financial year, and which will incrementally reduce to £765,641 by 2017/18;
  - c) provides an option to extend, via one or more extensions, for a further 3-years if in the Council's interest to do so, and that the decision on activating any extension(s) is delegated to the Leader and Cabinet Member for Children's Services;
  - d) has a robust performance management specification, with clear provision for termination should a party default.
- 2.4 That approval to agree the final format form of the Agreement between the Council and 3BM be delegated to The Leader and Cabinet Member for Children's Services, in consultation with the Executive Directors for Children's Services and Environment, Leisure and Residents Services.
- 2.5 That approval be given to vary the Council's IT services contract with the H&F Bridge Partnership (HFBP) so as to enable 3BM to access ICT services from HFBP as an authorised Sub-Customer.
- 2.6 That approval be given to novate existing relevant contracts between the Council and schools for the provision of support services to 3BM.
- 2.7 That approval be given to delegate to the Leader and Cabinet Member for Children's Services (in consultation with the Executive Director for Finance & Corporate Services, the Executive Director for Tri-borough Children's Services, and the Bi-borough Director for Law) authority to arrange usage by 3BM of appropriate assets and leases, as described in paragraph 8.5 of the report.
- 2.8 That approval is delegated to the Executive Director of Finance & Corporate Governance, in consultation with the Leader of the Council to enter into such agreements as are considered necessary in relation to the pension and workforce matters referred to in paragraphs 8.2 and 8.3.

- 2.9 That Cabinet note the transitional issues described in section 8 of the report and receives a report on these from Executive Director for Tri-borough Children's Services at the 13<sup>th</sup> May 2013 meeting

### **3. REASONS FOR DECISION**

- 3.1 The reasons for creating the Employee-Led Mutual are reported above in paragraph 1.3 of the executive summary, and in paragraphs 4.1-4.3 below in the introduction and background section. In order to effect a good transition from in-house Council service, and then prosper in a competitive commercial environment, the ELM needs specialist assistance from a supportive business partner.

### **4. INTRODUCTION AND BACKGROUND**

#### **Public sector reform - piloting new ways of working**

- 4.1 As part of the Coalition Government's programme of public sector reform, H&F was chosen by the Cabinet Office in early 2011 to be a "first wave" Mutual Pathfinder in exploring new models of service delivery.
- 4.2 Following officer consideration of possible options, including the production of outline business cases, support and input from the Office of the Prime Minister, H&F Cabinet on 18<sup>th</sup> July 2011 approved the commencement of a wider consultation on the setting up an Education Support Services ELM. Amongst the reasons why these particular support services were chosen for "mutualisation" were:
- market research informing the business case strongly indicating that the services' existing schools/customers valued their quality and value for money, and would continue to buy these from the current source in an open market;
  - confidence that the services would deliver more effectively as a private company, and expand if allowed to operate in a commercial environment;
  - support from the affected staff for becoming an ELM;
  - the commitment to maintaining high quality services to schools from the staff and management team; and their concern that further budget reductions might affect their responsiveness in supporting Schools Leadership Teams' management and delivery of outstanding education in the borough's schools.
- 4.3 By way of recap, the guiding principles informing the 18<sup>th</sup> July Cabinet 2011 decision included:
- transferring staff and financial risk out of the Council;
  - the ELM having the opportunity to develop its market share not only within the three boroughs of H&F, RBK&C and WCC, but much wider, such as with Independent Schools and Free Schools, to enable a more

robust delivery model and further financial benefits through economies of scale;

- a form of Mutual (John Lewis Partnership type) model of staff ownership to encourage a sharper business focus, with all staff potentially becoming shareholders;
- and as part of the wider tri-borough direction of travel, removing the direct in-house delivery of discretionary services.

4.4 Recognising the ELM would need specialist support from a suitable business partner to help it leave Council control and work without the usual protections in-house services enjoy, and then to help expand it commercially as envisaged, July 2011 Cabinet also instructed officers to commence a procurement for an independent sector partner (ISP). In effect, a “dragon’s den type” exercise, but with the ISP’s shareholding capped to ensure that the joint venture, when established, would remain an employee-led body.

#### **Services the ELM will be providing**

4.5 18<sup>th</sup> July 2011 Cabinet agreed that, subject to the completion of a procurement process, the proposed ELM should provide a range of core strategic services to H&F Council, H&F Schools Forum, and RBKC Council, with the key to provision of these “Core Services” being the ELM’s support to allow for self-improvement in schools and children’s services. These Core Services to be provided to the Councils can be summarised as:

#### ***To H&F*** strategic consultancy advice on

- Schools organisation;
- Education aspects of borough regeneration projects;
- Asset management of schools sites;
- The overarching schools capital programme

#### ***To H&F and H&F Schools Forum*** strategic advice on:

- Schools financial management;
- Schools resources strategies.

#### ***To RBKC***

- ICT strategic support for Family and Children’s Services.

4.6 The contract price paid for these core services to be delivered by the ELM to the Councils and Schools Forums will be £977,891 in 2013/14, and then incrementally reduce to £765,641 by 2017/18 to reflect cost reductions and efficiency improvements:

2014/2015:	£852,391
2015/2016:	£765,641
2016/2017:	£762,641

4.7 There may also be future occasions when the Council wishes to commission the ELM to undertake programme management of schools capital projects, for which benchmarking against an existing framework used by the Council suggests an industry norm of around 3% of the project

value. The ELM's ability to manage capital projects will be completely at the Council's discretion and will be considered on a case by case basis, with no guarantee of the work being placed with them.

#### ***Traded services to schools***

4.8 In addition, the ELM will make a range of specified traded services available to schools, if they wish to purchase them. These traded services will be commissioned by schools directly, and can be summarised as:

- Financial consultancy and accountancy services;
- Information management services; and
- ICT and Network Support services.

Currently, the ELM to-be provides these services to a total of 193 schools and educational establishments:

- 53 in H&F
- 44 in RBK&C
- 41 in WCC
- 53 in Ealing
- 2 non-school establishments.
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### **GOING TO MARKET - FINDING THE RIGHT PARTNER**

#### **Choosing the right procurement procedure**

4.9 Finding the right partner through a statutory procurement process would be innovative, challenging, and potentially complex; unique within the UK public sector, with no ready-made solutions available from similar exercises successfully completed elsewhere. As such, it was felt that the best route would be to use the Competitive Dialogue procedure, as defined under the Public Contracts Regulations 2006. In short, to first have focussed discussion with interested short-listed bidders, and to then invite Outline Solutions from them, before engaging in more detailed dialogue with the best of these before inviting final tenders.

#### **Advertising and short-listing**

4.10 A providers' event was held on 24th January 2012 at the West London Free School to "warm" the market and capture any early feedback prior to commencing the formal competition. Around 20 interested organisations attended and participated in a two-way question and answer session, along with the then Leader, Cabinet Member for Children's Services, and officials from the Cabinet Office and the Council

4.11 A contract notice in the Official Journal of the EU and on the H&F website followed in March 2012, to which 8 organisations returned completed Pre-Qualification Questionnaires. An initial long-list of 5 bidders was agreed in a Leader and Cabinet Member Decision taken in June, along with the award criteria for final selection of the partner. The five organisations invited to participate in initial dialogue with the Council and ELM-to-be, culminating in the submission of Outline Solutions, were:

- Babcock Training Ltd.

- Baxi/Improve LLP (a consortium formed specifically to bid to become the ELM's ISP).
- MITIE Facilities Services Ltd.
- Prospects Services Ltd.
- Wey Education Plc.

4.12 The Council's dialogue team was led by the Director of Finance & Resources for 3B Children's Services, supported by an experienced procurement project team of officers, the putative Chief Executive and senior managers from the ELM to-be, and external Legal advisers from Trowers and Hamlins. Given the need to avoid potential conflicts of future interest in respect of the forthcoming service contract between the Council and the ELM, the ELM had their own external advisers, Field Fisher Waterhouse, financially supported by the Cabinet Office.

**Outline Solutions - reducing short-listed bidders from 5 to 3**

4.13 Initial dialogue with the five organisations took place throughout June and July. Four of the bidders submitted Outline Solutions, wanting to progress to more detailed dialogue and the development of final tenders. The nature of the short-listed bidders is briefly described below, along with a short summary of their Outline Solutions, in reverse order in which their Solutions were ranked.

4.14 **Babcock Training Ltd** has traded as Babcock Training since July 2010, its parent company being Babcock International Group Plc. In respect of Education services, the company has a good track record of developing joint ventures elsewhere, including ones with Surrey County Council (Babcock 4S) established in 2004, and more recently with Devon CC (Babcock LDP) formed in April 2012, though with significantly higher levels of Babcock shareholding in return for support and investment than the maximum 25% being offered for ISP share in the ELM. Babcock withdrew from the competition in the week leading up to submission of Outline Solutions, citing commercial reasons.

4.15 **Wey Education Plc.** was formed in July 2011 after previously operating as Wey Capital Plc. Its primary business is working with LEAs and schools to raise education standards, but also includes consultancy services to LEAs on how support services for schools might be delivered differently to reduce cost and trade more successfully. The company is relatively new, with a number of high profile individuals experienced in social entrepreneurship and of working in the educational sector, including a former Chair of Ofsted.

4.16 The Wey Outline Solution scored 58%, lowest of the Outline Solutions returned, and was not selected by The Leader and Cabinet Member for Children's Services for making the final cut of 3 bidders. Wey fielded a good team throughout the initial dialogue, led by their CEO. However, parts of their Outline Solution did not have the same depth of detail and explanation provided by other bidders who scored higher marks.

4.17 **MITIE Facilities Services Ltd** is a large integrated strategic outsourcing management business specialising in a wide range of facilities management services, delivered to public sector authorities and a number

of “blue chip” private sector clients. It has developed different business models to cover business start-ups, joint ventures, and social enterprises; experience of delivering each of these models informed the answers given in MITIE’s PQQ.

- 4.18 The MITIE Outline Solution scored well, 70%, was ranked 3<sup>rd</sup>, and was selected to proceed to the next stage. A good initial bid, it demonstrated their commercial acumen and ability to help the ELM grow via new potential markets, and scored strongly on the marketing and branding expertise they could bring to promote the ELM. MITIE’s size and resources demonstrated a number of value-added features.
- 4.19 However, midway through the more detailed dialogue, MITIE withdrew from the process citing commercial reasons decided on at Board level, and these are reported on the exempt part of the agenda due to their confidentiality.
- 4.20 Whilst this withdrawal was disappointing, it still left the Council and ELM to be in a good position, and confident of a positive outcome with the top two ranked bidders still in the competition and committed to submitting final tenders.
- 4.21 **Baxi/Improve LLP** is a new partnership comprised of four companies formed specifically to bid to become the ELM’s ISP. Capacity Ltd., Kinetics Consultancy Solutions, and Waste LLP recently combined to form Improve LLP. Baxi Partnership Ltd (BPL) is an employee-owned business founded as a result of an Act of Parliament, and was in December 2011 part of a successful consortium bidding to deliver the Government’s Mutuals Information Service. It has considerable experience of helping establish and support “Mutualisations” elsewhere, and then disengaging from the enterprise when it has become sufficiently commercially robust to continue alone.
- 4.22 The Baxi/Improve Outline Solution scored highly, 76%, was ranked 2<sup>nd</sup>, and was approved for making the final short-list of 3. Their Outline Solution provided a very clear proposal on the roles and responsibilities of their team and how this would help transition the ELM during its set-up phase, and was marked as being consistently good, and particularly strong on mutualisation, employee-ownership and cultural change.
- 4.23 However, at the point of closing dialogue and just before inviting final tenders, Baxi/Improve advised that they could not get final Board approval to proceed to submit a final tender for commercial reasons, which are reported on the exempt of the agenda due the nature of their sensitivity.
- 4.24 **Prospects Services Ltd** is an employee-owned mutual national company trading in education, employment and training activities. Formed in 1995, following the privatisation of the careers service, it successfully bid for the new service contract in four south London Boroughs: Bexley, Bromley, Croydon and Sutton. Since then, the company has progressively - and impressively - grown, primarily through winning contracts with other public bodies and acquiring other niche/specialist organisations, before expanding



into other education and schools-related areas and successfully becoming a Mutual itself in 2011.

4.25 The Prospects Outline Solution scored very highly, 82%, was ranked 1st and was accordingly selected to make the final cut of 3.

4.26 Details of Prospects' Final Tender, which further developed their Outline Solution, are reported below in section 6.

## **5. PROPOSAL AND ISSUES**

5.1 The proposal to create an employee-led mutual, along with the need and search for the right business partner, are described in previous sections of this report. Key issues needing to be navigated to successfully transition the ELM out of the Council and launch it as a viable enterprise, whilst avoiding disruption to schools, are highlighted in section 8 of the report.

## **6. OPTIONS AND ANALYSIS OF OPTIONS – THE PROSPECTS BID**

### **Options analysis**

6.1 An assessment of the options open to the Council once Baxi/Improve withdrew from the competition is contained on the exempt part of the agenda, given commercially confidential assurances.

### **Scoring the final tender**

6.2 Evaluation of all Outline Solutions and Prospects Final Tender was undertaken by two teams:-

#### **A Tri-Borough Group comprising:**

- The Tri-borough CHS Director for Finance and Resources;
- The Procurement Project Manager;
- The Tri-borough CHS Head of Commissioning;
- The Tri-borough CHS Head of Asset Strategy;
- The Programme Manager, Bi-borough Environment Family; and
- A Principal Consultant in H&F's Corporate Procurement Team.

#### **An ELM Group:**

Comprising the Director, members of the Management Team and Programme Manager.

The Outline Solutions and Final Tender were scored against the criteria previously agreed by us in June 2011.

6.3 The criteria and Prospects score on each of these is shown in the table below:

<b>Evaluation Criteria &amp; weighting</b>	<b>Prospects score</b>
Working relationship with the ELM (out of 20)	17
ELM business growth proposals (out of 20)	16
Knowledge of Public Sector and Schools (out of 5)	5
Ownership - shares and approach (out of 30)	24

<b>Evaluation Criteria &amp; weighting</b>	<b>Prospects score</b>
Support for investment (out of 10)	8
Partnering approach and sustainability (out of 15)	13
<b>Prospects overall total <u>weighted</u> score</b>	<b>83%</b>

6.4 Officers in each group first assessed Prospects bid independently, and then came together to agree a consensus score for each question. The ELM undertook the same process separately. After the initial evaluation had been carried out by the respective groups, there was a combined Tri-Borough/ELM Group meeting to consider the score of the two groups and agree a final score for each question. The final total score agreed for Prospects was 83%.

**The bid**

6.5 All officers involved in the evaluation believe Prospects submitted an impressive final bid and set of proposals, which were consistently scored as good across all areas and excellent in several. Their proposals contained excellent clarity and granularity of detail on all key issues. Their experience and capability in public sector areas - in particular the education and schools sector - was clearly evidenced throughout. As an employee-led mutual themselves, they were also able to demonstrate a strong cultural fit and informative commercial insights, as well as identifying a number of key issues needing to be addressed as the ELM moves forward and if it is to prosper. Prospects size and resources also helped demonstrate a number of value-added features.

**Shareholding and linkage to ISP performance**

6.6 Prospects propose a 24.9% shareholding (with voting rights) that would be incrementally secured over a 20-month period, and contingent upon a total of 46 milestones being achieved to the satisfaction of the ELM. As the shareholding is below 25%, there are no major issues in terms of vetoing the wishes of the employees in the Mutual, and is therefore an acceptable solution.

**Conclusion**

6.7 Prospects committed a strong team to dialoguing with the Council and ELM, led by its Executive Chairman and containing a number of very experienced Directors and senior managers – all of whom are identified in the final tender as having a specified role to play in growing the ELM and making it a success. Throughout the detailed stage of dialogue, theirs had been a consistently strong bid based on an acceptable solution, cultural fit, capability and expertise. Their final bid score of 83%, when benchmarked against the previous scores for the 3 shortlisted organisations' Outline Solutions, compares favourably.

6.8 Based on the continued and consistently high quality of Prospects proposals throughout the process, the benchmarking mentioned above, and their strong final tender, it is recommended that Prospects Services Ltd be selected as the ELM's business partner.

## 7. **LAUNCH TIMETABLE**

7.1 The key milestones for launching the ELM/3BM are:

<b>Stage</b>	<b>Date</b>
Cabinet selection of ISP	4 <sup>th</sup> Mar 2013
Issue of press release naming preferred bidder	5 <sup>th</sup> March
Statutory "Alcatel" standstill Period (should an unsuccessful bidder wish to challenge)	5-15 <sup>th</sup> March
Pre-contractual transition discussions & work between H&F/ELM/Prospects	5 <sup>th</sup> Mar+
Finalisation of services contract between Council and 3BM, and its legal execution.	March
Contract signature and promotional event	Late-March
<b>3BM goes live</b>	<b>2<sup>nd</sup> April</b>

## 8. **TRANSITIONAL ISSUES**

8.1 Before going "live", there are a number of issues, some complex, that will need to be successfully navigated by H&F, the ELM and their partner. An efficient transition will be essential to the continuation of effective support services to schools in the three boroughs, without disruption to them or any drops in performance due to TUPE transfers or contractual changes.

### **Pensions**

8.2 To help expedite a smooth transition and transfer of affected staff into the ELM, the Council has previously agreed to grant 3BM admitted body status to the Local Government Pension Scheme for current H&F, RBK&C and WCC employees. However, due to a change in pension regulations in the autumn of 2012, H&F has been advised by legal advisers to make an application to the Secretary of State for Communities & Local Government in order to facilitate this. Discussions are currently taking place between H&F Directors and Civil Servants, and a formal application has been submitted. It is hoped that that the DCLG is forthcoming with consent to enable a successful transition and launch on 2<sup>nd</sup> April.

### **Other workforce matters**

8.3 When 3BM goes live, it will comprise a total of 31 staff: 16 from H&F, 9 from RBKC, 4 from WCC, and 2 agency staff. Affected staff in RBKC and WCC who will form part of the ELM have already transferred into H&F to help simplify and reduce the overall number of TUPE transfers that would otherwise be required to start the ELM. On the "go live" date, the 31 staff currently employed in the service will TUPE out of H&F and into 3BM, with the necessary HR support and requirements undertaken before, during, and after the transfer date.

### **3BM's ICT**

8.4 An effective transition will need to see a transfer of all relevant ICT hardware and software requirements from the Council to the ELM, along with access to relevant H&F systems being allowed in order for them to continue providing the strategic consultancy services. This potentially complex exercise will include making sure all the necessary leasing and

licensing arrangements are in place to provide the Council with legal protections, and executing a variation to the Council's contract with H&F Bridge Partnership to enable them to provide ICT services to the ELM as an authorised Sub-Customer. There are, in addition, a number of issues concerning future data sharing, data protection and security, and general information governance that also requires careful consideration and resolution. Once 3BM has become independent, the Director for ICT has advised that the ELM will need to have access to appropriate systems for a minimum period of 3-months, and then decide whether it wishes to continue with these arrangements or obtain better value for money solutions if these exist, either from Prospects and/or the ICT market place.

### **Assets & Property**

- 8.5 In addition to ICT hardware and software, a range of other assets such as furniture will need to transfer or be made available to the ELM if, on launch, they are to be commercially viable, and for which an agreed price will need to be reached; some assets may need to be moved from the service into other areas of the Authority, and then lease agreements drawn up for property at appropriate market rates. Work on these areas is underway, and will require delegation to Executive Directors of authority to approve once finalised.
- 8.6 In respect of accommodation, the ELM will for the immediate future operate out of three sites, Addison Primary School in H&F, the Isaac Newton Personal Development Centre in RBKC, and City Hall in WCC, at agreed market rents. Longer term, 3BM may choose to review its future accommodation needs.

### **Central support services**

- 8.7 The ELM currently receives a number of other central support services such as HR, recruitment, and payroll. As with ICT, it will need to make a commercial judgement as to whether it wishes to continue receiving these services from the Council, or elsewhere if it can obtain better value for money. As well as the ELM's commercial judgement, the Council will need to consider advice from its external legal advisers that continuing to provide these support services to the ELM – an independent, profit-making organisation – could give rise to contractual and legal issues for the Council.

### **Marketing and sharing the experience**

- 8.8 The Council's success in creating the ELM and securing a good business partner will receive considerable wider interest. It breaks new ground in public service delivery, and may well be promoted as a possible way forward for other innovative and reform-minded Councils to follow.
- 8.9 3BM's launch will present exciting marketing opportunities – for the ELM especially, but also for the Council, the Cabinet Office, and Prospects – but will also see demands for a sharing of the Council's experience. This will need to be properly managed, and commercially capitalised upon to help recover some of our process costs. A co-ordinated approach has been agreed and will be implemented between all four bodies to help ensure this.

### **Schools – communicating the change and novating existing contracts**

8.10 At present, the ELM to-be delivers services to approximately 191 schools:

- 53 in H&F;
- 44 in RBKC;
- 41 in WCC;
- 53 in Ealing.

When launched, these schools will be 3BM's primary customers. There will need to be careful and effective management of on-going communications with affected schools, carefully carried out in tandem with the process of novating existing H&F contracts over to 3BM to ensure continuity of important services.

## **9. CLIENT-SIDE ARRANGEMENTS - MONITORING 3BM's SERVICES TO THE COUNCIL**

### **Guiding principles**

9.1 The majority of 3BM's future business will be with schools choosing to purchase their services. Agreeing the price of these services, and being satisfied with the quality of them, will be a matter for those schools not the Council - rightly so, given our desire to give schools greater choice and freedom in how they are run.

9.2 In respect of services 3BM will be providing to the Council for the next 4-7 years, a full service contract between H&F and the ELM has been robustly negotiated between the parties and their external legal advisers, to the satisfaction of all parties involved. This contract includes a detailed specification that defines the Council's requirements primarily in output and performance terms and, in certain prescribed circumstances, the process needed to meet the Council's requirements. The ELM has agreed that 3BM will:

- Provide an appropriate range of educational and support services against a backdrop of changing needs and demands for schools.
- Be proactive and an agent of change.
- Be innovative in its thinking, suggest and implement new ideas, new technologies, and new uses for existing technologies.
- Seek ways of achieving continuous improvement.
- Deliver timely solutions according to an agreed framework of performance criteria.

### **Monitoring performance standards**

9.3 In order to ensure the Specification's performance standards are being met by 3BM, the Council will put in place appropriate, robust client-side monitoring arrangements and use an agreed payment mechanism agreed by all parties and their legal advisers. The payment mechanism forms a central part of the service contract. The Council client-side Responsible Officer within Tri-borough Children's Services will use the payment

mechanism to check 3BM is delivering the services to the required high standard by ensuring:

- The payment made to 3BM for the Core Services is based on the delivery of services in accordance with the specification requirements and shall be subject to financial deductions from the contract price if services are not delivered accordingly;
- 3BM have a financial incentive to deliver services which meet the performance standards identified in the specification, deductions will be made for failure to do so.
- If performance standards which are the responsibility of the ELM directly are not met, financial deductions will be made to incentivise the ELM to correct the situation at an early stage.
- The 3BM shall monitor the delivery of services and report its performance to the Council on a regular schedule; and
- The Council shall at any time be able to monitor and/or audit the delivery of any of the Core Services and examine 3BM's records relating to the delivery of those services.

#### **Payment Mechanism**

9.4 The payment mechanism has been developed to ensure:

- It is straightforward and simple to apply.
- The audit trail is clear and unambiguous, with every failed performance standard easily identified in a transparent invoicing procedure;
- 3BM has the right incentives to perform effectively.
- The management and administrative burden placed on 3BM, Council and service users is minimised.

### **10. EQUALITY IMPLICATIONS**

10.1. Implications for affected staff are addressed below in paragraph 14.6 of the report.

10.2. Where 3BM is in future commissioned by H&F to undertake public work on the Council's behalf, for example management of schools capital projects, it will need to ensure compliance with relevant statutory provisions of the Equality Act 2010. The public sector equality duty ('PSED') is non-delegable and a continuing duty, and the Council will need to give the regard that is appropriate as projects emerge and are developed. The ELM will need to take into account its duties as a service provider.

### **11. LEGAL IMPLICATIONS**

11.1 As a Children's Services Authority, the Council has duties pursuant to the Education Acts 1996, 2002 and 2005 and the School Standards and Framework Act 1998 in connection with the provision of schools and the

collation and reporting of information on education provision within its area.

- 11.2 The Council has the power to enter into contracts pursuant to s.1(1) of the Local Government Contracts Act 1997.
- 11.3 The Council needs to avoid the granting of unlawful State aid. This should not be an issue given that the 3BM will be charged at market rates for any services and premises that it chooses to obtain from the Council.
- 11.4 The legal implications with regard to procurement, contractual, TUPE, pensions and other transitional arrangements are appropriately addressed elsewhere within this report.
- 11.5 Implications completed by:  
Catherine Irvine, Principal Contracts Lawyer, telephone 020 8753 2774, in conjunction with Trowers and Hamlins LLP, the Council's external legal advisers.

## **12. FINANCIAL AND RESOURCES IMPLICATIONS**

- 12.1 The major recommendation of the report is to appoint an independent sector partner (ISP) to help establish and support an Employee-Led Mutual (ELM) to provide services to schools and local authorities.
- 12.2 The new entity (3BM) will be awarded a contract to offer support and strategic advice to the Local Authority in relation to schools resources, such as strategic financial advice and development of the capital programme to maintain the asset base, and advise on Schools Place planning. The scope of services to both sets of clients are described above in paragraphs 4.5-4.7 of the report.
- 12.3 The payment mechanism for the contract between H&F and 3BM has been developed to ensure:
  - that the mechanism allows the Authority to withhold payment for failed performance;
  - that the mechanism is straightforward and simply to apply;
  - that the audit trail is clear and unambiguous, with every failed performance standard easily identified in a transparent invoicing procedure;
  - that the ELM has the right incentives to perform effectively;
  - that the management and administrative burden placed on the ELM, Authority and service users is minimised;
  - the ELM will be paid for core services based on their delivery in accordance with the specification requirements and shall be subject to deductions payments if services are not delivered accordingly;

- the ELM shall have a financial incentive to deliver services which meet the performance standards identified, with deductions made for failure to do so;
  - that if performance standards which are the responsibility of the ELM directly, then financial deductions or delays in payment will be made to incentivise the ELM to correct the situation at an early stage.
- 12.4 The Director of Finance and Resources for Tri-borough Children's Services confirms the Council will retain the ability to commission services, which meet both local and national priorities. In addition, in awarding any contract the Council will ensure it retains the ability to respond to future funding pressures and priorities and minimise the potential of financial risk.
- 12.5 In order to ensure the ELM's viability and deliverability, external independent advice was sought to ensure due diligence was undertaken on all aspects of the business plan.
- 12.6 Efficiencies identified as part of the reducing contract price to the 3BM for the Core Services will form part of the business planning process within Children's Services to achieve the identified savings targets for 2013/14 and beyond. As part of the contractual relationship, further savings will be identified in future years to address future funding reductions and service priorities, if required.
- 12.7 The financial standing of the company Prospects Services Limited has been examined by making use of CreditSafe, a credit rating company. The Council has been advised that in light of the information available on 16<sup>th</sup> January 2013, the overall financial performance of Prospects is considered to be sound.
- 12.8 Robust client-side monitoring arrangements will be in place and the Council client-side Responsible Officer within Tri-borough Children's Services will use the payment mechanism to check 3BM is delivering the services to the required high standard, with financial deductions from the contract price if services are not delivered accordingly. 3BM have a financial incentive to deliver services, which meet the performance standards identified in the specification.
- 12.9 Whilst the intention is that the role of Strategic Schools Resourcing, including finance and Place Funding, is outsourced to the Mutual, it is important to stress that all major decisions will be taken by the Council or Schools Forum. Ultimate responsibility for monitoring and service delivery will still sit with the Director of Finance and Resources for Tri-Borough Children's Services, and they will need to develop such client-side processes as are deemed necessary.
- 12.10 Implications completed by:  
Dave McNamara, Director of Finance & Resources for Tri-borough Children's Services 0208-753-3404.



## **13. RISK MANAGEMENT**

- 13.1 The Council's approach to risk management is one that supports enterprise and innovation. It manages a balance of risks portfolio of opportunity and threat. The creation of the ELM is an opportunity for the Council, but also carries an expected measure of risk with it. The body of the report describes some of these strategic risks and their mitigating actions, with others being managed at their operational source and leading to the launch of the ELM in April 2013.
- 13.2 The robustness of the ELM's business case and strategy for growth was assessed by Grant Thornton prior to the Council commencing the procurement, and was analysed by all short-listed bidders to help inform their decision on whether to invest resources both in the procurement process and in the ELM when established. As part of their final tender, Prospects are willing to work non-contractually with the ELM at their own risk on a number of areas before 3BM goes live, including business development activities and marketing.
- 13.3 On launch of the ELM they will acquire a commercial footing and the risks of operating in a commercial environment. They will be responsible and accountable for the risks, benefits and freedoms of trading. To that extent, and to ensure the ELM is successful, its governance and indemnities need to be robust. The Partnership with Prospects would enable the ELM to build a business owned, in part, through its own employees. This incentivises the mutualised staff to be a part of its own success and to benefit from any future expansion of the business. A degree of the future sustainability risk of the ELM would be dependent on its sales and marketing. The opportunities exist in the market place to expand the business horizon beyond the current service provision and geographical boundaries of the three boroughs. The Partnership with Prospects would assist in the development of a secure sustainable future of the ELM.

Implications completed by:

Mike Sloniowski, Head of Risk Management, Resilience Services Section,  
Internal Audit H&F 020-8753-2587

## **14. PROCUREMENT, IT AND HR IMPLICATIONS**

### **Procurement**

- 14.1. The procurement has been conducted in accordance with the Public Contracts Regulations 2006 (as amended) ("the Regulations"), and resulted in a positive outcome, with benefits to schools and the Council.
- 14.2. The Regulations currently apply as the 3BM will be external to, and not controlled by, the Council. This may change for future mutualisations as the UK Government is lobbying for changes to EU procurement law.
- 14.3. Whilst only one final tender was returned at the very end of the process, the competition to find the right partner for the ELM has been fair, transparent, and robust – and has secured a good commercial deal for the

transferring Council employees. The corporate Procurement team has been actively involved in the project since its inception; in the selection of short-listed bidders, and in the subsequent competitive dialogue with them; and in the drafting of this report. To preserve probity, and maintain the integrity of the procurement process, the Council's procurement team has been kept separate from the employees of the future ELM. The Director for H&F Procurement & IT Strategy supports the report's recommendations.

- 14.4. Implications completed by:  
John Francis, Principal Consultant, H&F Corporate Procurement  
020-8753-2582

**ICT**

- 14.5. Effective and efficient ICT will be central to the future viability and business success of the ELM. The report identifies a number of ICT issues regarding hardware, software, licences, and data information sharing, security, protection and governance that will need to be carefully managed both during and beyond the ELM's departure from the Council. A Transition Working Group with active H&F ICT input has been established to ensure this is managed properly and the Council protected. The Director for Procurement and IT strategy supports the report's recommendations.,

- 14.6. Implications completed by:  
Jackie Hudson, Director for Procurement and IT strategy, H&F, and Tri-borough lead advisor for ICT Finance and Corporate Services, 020-8753-2946.

**HR**

- 14.6 The transfer of staff to the ELM is being carried out in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended). Consultation has been carried out in respect of the transfer with staff and trade union representatives. The Bi Borough Director of Human Resources supports the report's recommendations.
- 14.7 Implications completed by:  
John O' Rourke, Head of Human Resources (LBH&F) 020-8753-1700.

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**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
	None		

# Agenda Item 10

	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>4 MARCH 2013</b>
<b>CONTINUED INFORMATION, ADVICE AND GUIDANCE SERVICES FOR YOUNG PEOPLE WITH LEARNING DIFFICULTIES</b>	
<b>Report of the Cabinet Member for Children's Services – Councillor Helen Binmore</b>	
<b>Open Report</b>	
<b>Classification:</b> For Decision <b>Key Decision:</b> Yes	
<b>Wards Affected:</b> All	
<b>Accountable Executive Director:</b> Andrew Christie, Executive Director for Tri-Borough Children's Services	
<b>Report Author:</b> Mike Potter - Head of Commissioning for Early Intervention and Workforce Development, Tri-Borough Children's Services	<b>Contact Details:</b> Tel: 020 7641 2165 E-mail: mpotter@westminster.gov.uk

## 1. EXECUTIVE SUMMARY

- 1.1. Local Authorities have a statutory responsibility to provide Information, Advice and Guidance (IAG) services to young people with Learning Difficulties and Disabilities (LDD). Local Authorities must also fulfil tracking and monitoring responsibilities for all young people in Years 11 and 12 attending borough schools and those residents who are Not in Employment, Education or Training (NEET).
- 1.2. The existing H&F contract with CfBT Advice and Guidance Limited (CfBT) to discharge these duties is due to expire 31 March 2013. In order to ensure service continuity of these statutory services:-
  - a) whilst a new Bi-borough contract with Westminster City Council is tendered in 2013, with an expected start date of 1 April 2014; and,
  - b) to ensure that this new Bi-Borough contract fully reflects yet to be enacted changes contained in the Children's and Families Bill –approval is sought to waive Contracts Standing Orders and negotiate a new contract with the existing provider, CfBT, at reduced cost, until the joint contract with WCC is operational.

- 1.3. The original (“Connexions” service) contract was awarded to CfBT in 2006 and expired on 31 March 2011. The contract has since been renewed, without competition, for one year from 1 April 2011, with a further one year extension agreed from 1 April 2012. On each occasion the contract was not put out to competitive tender as the extension approved was expected to be a transitional step due to Government changes to the service, delays in enacting the 2011 Education Bill, and further subsequent changes to the statutory guidance, and it was intended that a new contract would be tendered within 12 months.
- 1.4. However, yet further changes to the service are now expected when the Children’s and Families Bill is enacted later this year. The Bill proposes to replace SEN statements and separate learning difficulty assessments with a single, simpler birth-to-25-years-old assessment process and education, health and care plan from 2014. This will have significant implications for the contract with regards to the current requirement to produce S139a assessments.
- 1.5. Whilst normal procurement practice would be to tender a new contract in advance of the expiry date of the current one, this is outweighed by the need to maintain a statutory service and to align with a bi-borough procurement in March 2014, with a service specification that is informed by the Children and Families Bill.
- 1.6. It would, furthermore, be extremely difficult to run a good competition and elicit market interest in the circumstances described above; ie. a one year-only contract surrounded by legislative uncertainty. Instead, officers believe that better value for money and use of the public purse in 2013 will result from an interim contract being negotiated with the incumbent - enabling the new service and contract to be aligned with WCC, and ensuring the 2014 Bi-borough contract fully reflects amended Local Authority responsibilities as a result of the Children and Families Bill.

## **2. RECOMMENDATIONS**

- 2.1. That the requirement contained in the Council’s Contract Standing Orders to seek competitive tenders be waived in accordance with CSO 3.1, and that approval be given to negotiate a new contract for IAG services with the existing provider, CfBT, in accordance with CSO 9.11.
- 2.2. That the new interim contract with CfBT be for no more than 24 months, with provision for a break clause after one year, at 31 March 2104, be approved.
- 2.3. That the cost for the first 12-months of the interim contract with CfBT for the Careers Learning Disability and Difficulty IAG and tracking service, for one year to 31 March 2014, be no more than £280,580, representing a contract value reduction of 22%, be approved.

### **3. REASONS FOR DECISION**

- 3.1 In order to meet our statutory duties as outlined in the Education Act 2011, it is essential to secure a service for April 2013. An interim one-year contract negotiated with the incumbent provider (with the option to continue for no more than a further 12-months), will enable statutory duties to be met whilst bi-borough services are commissioned for April 2014, and with a specification that can take into account the Children and Families Bill amendments to Local Authority responsibilities for young people with LDD, expected in 2014.

### **4. INTRODUCTION AND BACKGROUND**

#### **The changing legislative landscape and statutory responsibilities**

- 4.1. The Education Bill, passed on the 15 November 2011, changed the statutory duties on schools and local authorities in relation to Careers Information, Advice and Guidance.
- 4.2. From September 2012, secondary schools had a new duty to secure independent and impartial careers advice and guidance for all pupils, removing the universal IAG duty from local authorities.
- 4.3. Local authorities continue to have a duty to encourage, enable or assist young people into Education, Employment or Training. However the Secretary of State is no longer able to direct local authorities on how to deliver this duty.
- 4.4. Local authorities will also continue to be responsible for maintaining accurate data on young people, using the Connexions Client Information Service (CCIS) database, and, undertaking S139a assessments.
- 4.5. CfBT Advice and Guidance Limited are commissioned in Hammersmith and Fulham to discharge these statutory duties on behalf of the Local Authority.
- 4.6. In March 2011, Cabinet agreed to a one year transitional contract with CfBT Advice and Guidance Limited to deliver our statutory duties in relation to Careers Information, Advice and Guidance (IAG).
- 4.7. The extension was granted to enable The Local Authority to meet the requirements of The Education Bill 2011, which changed the statutory duties on schools and local authorities in relation to Careers Information, Advice and Guidance.
- 4.8. Due to the Education Act 2011 being enacted later than expected and the subsequent statutory guidance changing, it was not possible to invite tenders for the service.

- 4.9. On the 17th February 2012 a Leader's Urgent Decision was agreed to waive standing orders to approve a further one year extension for the Connexions Service contract with CfBT Advice and Guidance Limited to 31 March 2013 at a total cost of £360,000.

**Service profile and current contract**

- 4.10. The contract currently delivers the following services:
- Contributing to the Year 9 review of all young people with a statement of education need and learning difficulty that are borough residents.
  - Supporting young people with learning difficulties and disabilities including the completion of Section 139A assessment in line with the council's s139a policy.
  - Ensuring all parents and carers of young people requiring a Section 139A assessment receive appropriate information and advice
  - Tracking and recording the status of all young people 13-19, in line with national Department of Education MI/CCIS requirements using national management information guidelines and currency rules.
  - Annual Activity Survey (year 11-13 students) at the end of October each year.
  - Year 11 September Guarantee at the end of September each year.
  - 17 Year old/Year 12 September Guarantee at the end of September each year.
  - 16-18 NEET and Not Known tracking and monthly reporting.
  - Identify and report on the intended destinations of Year 11 students in the Spring term.
  - Initial Guidance and Benefits Advice to young people who are NEET
  - Development and coordination of a NEET brokerage service with, Education, Employer and Training (EET) providers.
  - Offer an initial contact with young people who are identified as newly NEET to identify and record their choices on CCIS and provide advice those seeking to register to claim benefits.
- 4.11. The current contract for the Careers LDD IAG and universal tracking service expires on 31 March 2013.

**Bi-borough working and collaboration**

- 4.12. It was anticipated that Contractors would be invited to tender to provide these services for April 2013 onwards. However, we are seeking a contract extension to enable alignment with the Westminster Council IAG contract, which ceases on 31 March 2013. This would enable a bi-borough service to be commissioned.

- 4.13. A re-negotiated contract for up to no more than 24-months will also enable expected changes to Local Authority LDD responsibilities, as a result of the Children and Families Bill, to be incorporated into the Service Specification.
- 4.14. The contract value would be reduced to £280,580 for 2013/14, representing a 22% saving.
- 4.15. In discussions the contractor has indicated that they would deliver against a revised specification to reflect the contract value reduction. The revised specification would include the statutory duties required which includes LDD and Tracking services.
- 4.16. In the revised specification the contractor would no longer be required to deliver the NEET brokerage service or to provide guidance to those identified as newly NEET.
- 4.17. The contractor has identified that CfBT staffing would reduce by 1 FTE in 13/14 as a result of restructuring to reflect the revised contract value. The contractor has outlined that the equivalent 1FTE does not equate to a post but a variety of functions and it is anticipated were any staff vulnerable to redundancy they would be redeployed within the company. The Local Authority would not be liable for any redundancy costs.
- 4.18. Clause 2 of the contract allows for extension if agreed by both parties, however, whilst it is contractually permissible to extend the contract, as the contract was not competitively procured in 2011 a waiver to contract standing orders to implement a final extension is required.

## **5. PROPOSAL AND ISSUES**

- 5.1. The key identified issue is that the contract which currently undertakes the Local Authorities statutory duties for IAG is due to expire on the 31 March 2013, whilst the statutory duty remains.
- 5.2. It is requested that the Standing Orders be waived in accordance with paragraphs 3.1 and 9.11 in order to negotiate a new interim contract with the incumbent provider; and that the interim contract be for no more than 24-months, with a break clause after 12-months. If H&F and WCC are in a position to commence the new Bi-borough contract by 1 April 2014, the break clause will be used; if not, the CfBT contract will run up to the date the Bi-borough arrangement starts, but no later than 31 March 2015.
- 5.3. CfBT have performed consistently well since contract commencement in 2006, they have been instrumental in reducing the NEET figure in Hammersmith and Fulham from 15.9% in 2005 to consistently between 4-5% in 2012/13.



- 5.4. Were the existing contract be extended for one year statutory duties would continue to be met, the contract would align with the Westminster IAG contract to enable a bi-borough IAG service to be commissioned for 2014/15 onwards. The new bi-borough specification could also take account of amended responsibilities with regards to the Education Bill and LDD, identified to be implemented in 2014.

## **6. OPTIONS AND ANALYSIS OF OPTIONS**

### **Option one**

- 6.1. Negotiate a new contract with the current provider, with a revised specification and revised price as outlined in section 4.
- 6.2. Discussions have taken place with the existing provider and they have indicated that they would be willing to enter into a one year contract with a revised value of £280,580 saving £79,120, 22%
- 6.3. Officers would then undertake a joint procurement exercise with WCC in 2013, in line with EU procurement rules to secure a new contract and shared service for 2014 onwards.

### **Option two**

- 6.4. The Council could undertake delivery of the service through an in-house team. All CfBT staff (5 FTE) currently working on the local contract would have the right to transfer to the Council under TUPE regulations. However this would then require a re-organisation of the service to make the reductions.
- 6.5. The estimated cost of delivering the transitional service in-house is £300,000 for delivery staff salaries and associated liability costs for transferring staff. This also includes an estimate with regards to a possible redundancy that is unlikely if the contract were to stay external to the council as the staff member would likely be redeployed internally. This does not include costs associated with the possible further staffing reductions, senior management or overhead costs.
- 6.6. Assuming the full staffing liabilities through TUPE transfer together with the additional management and administration costs, without the efficiencies the current provider can achieve through economies of scale, make this a more expensive option.
- 6.7. The implementation time required to successfully transfer staff and functions to the Local Authority would likely have an impact on performance of statutory functions for an initial period, whereas if the contract were to remain with the existing provider transition to a revised specification would likely have significantly less impact.

- 6.8. Taking account of the quality of service provided to date, the potential risks associated with disrupting service delivery in terms of young people's outcomes and the cost, option one would provide the best value for money.

## **7. EQUALITY IMPLICATIONS**

- 7.1 There is no anticipated equality impact as the recommendation is to continue with the existing contractor with a broadly similar specification.

## **8. LEGAL IMPLICATIONS**

- 8.1 The services described in this report are classified as Part B services under the Public Contracts Regulations 2006. They are therefore not subject to the full regime of the procurement rules set out by these Regulations. However, in the procurement of these services the Council is still bound by the EU Treaty principles of transparency, non-discrimination and proportionality. It is also good practice to comply with the procurement rules set out in the Regulations in respect of all procurements carried out by the Council.
- 8.2 Failure to comply with EU procurement rules can put the Council at risk of challenge being brought by contractors who consider they have been denied the opportunity to tender for a contract.
- 8.3 This contract was due to be retendered with effect from 31 March 2011. A new one year contract and a further one year extension were awarded to the incumbent provider without competition due uncertainty around the future of the services and the statutory requirements.
- 8.4 The current extension of the contract for the Information, Advice and Guidance service expires on 31 March 2013. Under EU procurement rules and principles, save in exceptional and limited circumstances, the award of a new contract should be carried out following a competitive procurement process.
- 8.5 The Council's internal contract standing orders require that a contract valued at over £100,000 be procured by seeking not less than 5 tenders.
- 8.6 However, it is noted that for the reasons set out in the report there is considered to be justification for the waiver of the Council's contract standing orders to renew the contract with CfBT for a further period of one year to 31 March 2014.
- 8.7 Legal Services will, where instructed by the client department, assist with drafting the necessary documentation to formalise the extensions.

8.8 Implications verified/completed by: (Catherine Irvine, Principal Contract lawyer, telephone 020 8753 2774)

## **9. FINANCIAL AND RESOURCES IMPLICATIONS**

9.1. There has already been significant savings made from this contract due to the reduced statutory responsibilities the Local Authority are required to provide.

9.2. The reduction in contract price reflects a 22% reduction, or £79,120 saving off the current price.

9.3. There is sufficient budget for the new contract in 13/14 at this level of expenditure, and the saving can be taken towards the attainment of overall savings targets for Children's Services.

9.4. Implications verified/completed by: Alexandra Ward, Finance Manager, 0208 753 5040.

## **10. RISK MANAGEMENT**

10.1 The council has a residual risk which it is required to tolerate and manage due to the period of uncertainty resulting from the Governments plans around the future service provision in this area. This has resulted in the recommendation that the extension of the contract is made with the current provider and that this can be achieved. This secures some continuity of service during which it is envisaged that there will be a reprocurement in order that it aligns with a Bi-borough contract that satisfies and reflects the requirements of the Children's and Families Bill. As such the report proposes a pragmatic solution.

10.2 Implications verified/completed by: Michael Sloniowski, Head of Risk Management 020 8753 2587

## **11. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

11.1. The current contract extension for the delivery of IAG services expires on 31 March 2013 and, normally, a procurement would be undertaken for a new contract. However, for reasons made clear in the report, the level of certainty and clarity about future requirements needed to run a good competition and efficient procurement for a new (short-term) contract does not presently exist, and it would not be in the Council's or service users interests to do so, for reasons also explained in the report.


11.2. Section 3.1 of the Council's CSOs allow waivers to the normal competition requirements where there are exceptional circumstances and/or it is not in the Council's interests to run a competitive exercise at any given moment in time. As the services are defined as being "Part B" rather than "Part A"

under the Public Contract Regulations 2006 (as amended) they are not regulated in terms of the statutory competition requirements.

- 11.3. Paragraph 9.11 of the Council's CSOs specifically requires Member authority before officers enter into any negotiation of contractual terms with commercial or voluntary sector organisations.
- 11.4. Whilst negotiating a new contract with the incumbent after previous extensions is not ideal, in the current exceptional circumstances the report recommends a pragmatic interim solution that seeks to ensure continuity of a sensitive statutory service, whilst at the same time delivering cost reductions and positioning the service to enable a Bi-borough procurement. The recommendation for the interim arrangement to run up to a maximum of 24 months, with a break clause at 31 March 2014 will, furthermore, provide operational flexibility should the new Bi-borough contract not be ready to commence at that point in time.
- 11.5. The recommended approach is supported by the Tri-borough Commissioning and Contracts Board for Children's Services, and by the Director for Procurement and IT Strategy in H&F.
- 11.6. Implications completed by: John Francis, Principal Consultant, H&F Corporate Procurement 020-8753-2582

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None	Vikki Wilkinson 020 7641 4099	Young Peoples Commissioning Kensington Town Hall

	<p><b>London Borough of Hammersmith &amp; Fulham</b></p> <p><b>CABINET</b></p> <p><b>4 MARCH 2013</b></p>
<p><b>EXTENSION OF SUPPORTED PEOPLE (CHILDREN'S) CONTRACT</b></p>	
<p><b>Report of Cabinet Member for Children's Services – Councillor Helen Binmore</b></p>	
<p><b>Open report</b></p>	
<p><b>Classification</b> - For Decision</p>	
<p><b>Key Decision:</b> Yes</p>	
<p><b>Wards Affected:</b> All</p>	
<p><b>Accountable Executive Director:</b> Andrew Christie, Tri-Borough Executive Director of Children's Services</p>	
<p><b>Report Authors:</b> Terry Clark Lead Commissioner – Specialist Interventions, Tri-Borough Children's Services.</p>	<p><b>Contact Details:</b> 020 8753 6220 terry.clark@rbkc.gov.uk</p>

## 1. EXECUTIVE SUMMARY

- 1.1 This report seeks Cabinet approval for the extension of three Supported People (Children's) contracts that provide accommodation for Looked after Children 16+ and Care Leavers within the borough.
- 1.2 The initial terms of the contracts are due to expire in March 2013, with all three contracts allowing for extensions of up to 2 years.
- 1.3 Officers have negotiated with the current providers a reduced contract price to extend these until 31st March 2014. This report asks for the approval of these extensions.

## 2. RECOMMENDATION

- 2.1 That approval be given to the extension of three Supported People Housing (Children's) contracts for Looked after Children and Care Leavers as detailed in Table 1 of the report.

**Table 1**

<b>Contract</b>	<b>Provider</b>	<b>Start Date</b>	<b>End Date</b>	<b>Extension Value 12/13</b>	<b>Extension Value 13/14</b>	<b>Total Extension Value</b>
Contract 4	London Cyrenians	01/03/2013	31/03/2014	£17,393	£192,253	£209,646
Contract 5	Nottinghill Housing Group	15/03/2013	31/03/2014	£7,264	£150,138	£157,402
Contract 6	London Cyrenians	01/04/2013	31/03/2014	£0	£539,856	£539,856

### **3. REASONS FOR DECISION**

- 3.1 The reason for this decision is to ensure that the Council is able to deliver its statutory duty as the Corporate Parent to Looked after Children and Care Leavers.

### **4. BACKGROUND**

- 4.1 The Supported People (Children's) contracts deliver 59 beds of 16+ semi-independent accommodation for Looked after Children and Care Leavers within Hammersmith and Fulham. This equates to roughly 50% of the required amount of provision required, with the remainder currently spot purchased.
- 4.2 The three contracts are delivered from eight different properties across the borough. Each property is designated as delivering High or Medium Support to our young people, with the properties grouped under one of the three contracts. Each contract consists of a support service to work with the young people at the property to deliver outcomes in line with the young person's Pathway Plan.
- 4.3 In December 2009 the Supported People Commissioning Body agreed the award of three Supported People Accommodation Contracts for Children's Services (in line with the delegated authority from Cabinet on 03.03.2008).
- 4.4 The Contracts started in March/April 2010, for an initial period of three years, which is due to expire in March 2013. The contracts do however allow for further extensions up to two years (2015). Table 2 sets out the current contract arrangements.

**Table 2**

<b>Contract</b>	<b>Provider</b>	<b>Contract Expiry</b>	<b>No of support hours</b>	<b>No of properties</b>	<b>Service outline</b>
Contract 6	London Cyrenians	1/04/13	575	3	Delivery of accommodation and support to young people classed with high needs in H&F.
Contract 5	Nottinghill Housing Group	15/03/13	148	2	Delivery of accommodation and support to young people classed with medium needs in H&F.
Contract 4	London Cyrenians	1/03/13	200	3	Delivery of accommodation and support to young people classed with medium needs in H&F.

- 4.5 The original procurement process for these contracts used the Young People Accommodation Based category of the Joint Framework Agreement (agreed by Cabinet 03.03.2008). Providers were not “called off” from the Joint Framework Agreement due to the complexity and importance of the service it was considered there was a need to further examine each provider’s abilities to meet the needs of this client group through a “mini-tender” process. The process would also allow providers to submit a lower price than their Joint Framework Agreement price and thereby achieve a greater degree of competitiveness to the tendering process and value for money for the Council.
- 4.6 The Invitation to Mini-Tender was issued on the 9th of June 2009 with a mini-tender submission deadline of the 27th of July 2009.
- 4.7 A Tender Appraisal Panel met on the 6th of August 2009 to moderate the mini-tender scoring and to shortlist the tenderers for an invitation to interview on the 17th of August 2009.
- 4.8 Based upon the aggregate scoring from the Quality, Interview and Pricing elements of the mini-tender process, the contracts were awarded as follows:

<b>Contract</b>	<b>Provider</b>
Contract 6	London Cyrenians
Contract 5	Nottinghill Housing Group
Contract 4	London Cyrenians

- 4.9 Both providers have delivered satisfactory service against the current contract specifications, compiled with contract management arrangements and worked in partnership with placement officers from across children's and adult services.

## **5. PROPOSAL AND ISSUES**

- 5.1 Officers have explored two options in relation to how these services could be delivered in 2013/14, which are detailed below:

### **Option 1 – Re-tendering of Service**

- 5.2 Retendering of these contracts was explored, however this was not the preferred option for the following reasons:
- A new Framework Agreement across West London was being negotiated, which was not concluded in time for a re-procurement exercise.
  - The Tri-B LAC and Care Leavers review is underway and would impact on the type of service required in the future.
  - The borough needs to review its block contract and private and voluntary sector spot purchasing arrangements.
  - Tri-B options need to be explored for a Tri-B semi-independent procurement process.
  - Retendering would mean that the H&F contracts would be out of sync with RBKC and WCC

### **Option 2 – Contract Extension**

- 5.3 All three contracts have extensions available of up to 2 years (2015) under their current terms.
- 5.4 In December 2012, Officers met with both providers to explore contract efficiencies if an extension was awarded. Providers, submitted efficiency plans in January 2013. These were reviewed by commissioning staff and Agilisys under the terms of the Council's Cost Reduction and Transforming Procurement contract with them.
- 5.5 Officers have assessed the impact of the providers' proposals on delivering the service specification, outcomes and maintaining the safeguarding of our young people. Officers are of the opinion that the efficiencies proposed which relate to the management of the services and are in line with the Council's vision of a leaner management and business structure, will not adversely affect the safeguarding of our young people or the providers ability to perform the service specification.
- 5.6 This option would also bring the Hammersmith & Fulham contracts in line with those of the Royal Borough of Kensington and Chelsea and the City of



Westminster, which would allow for further efficiency to be sought in 2014 through a tri-borough commissioning process.

## **6. EQUALITY IMPLICATIONS**

- 6.1 There are no proposed changes to the services delivered under these proposals, therefore equality implications are neutral.

## **7. LEGAL IMPLICATIONS**

- 7.1 It is noted that the proposed extensions are permitted within the terms of the contracts.

Comments by: Catherine Irvine, Principal Contracts Lawyer – H&F Legal Service

## **8. PROCUREMENT IMPLICATIONS**

- 8.1 At the time the three contracts were awarded in 2009, under delegated powers by the then Director of Community Services previously approved by Cabinet when awarding the overarching Supporting People framework in 2008, their award decisions contained provision for contract extensions, should these be beneficial to the Council and service users.

- 8.2 The changes the service providers are willing to make as part of the contract extensions will deliver improved value for money - financial savings to the Council without any reduction in service quality to this vulnerable client group – and represents good business and an early success for the Council's Transforming Procurement contract with Agilisys.

- 8.3 Going forward, the corporate Procurement Team has advised CHS that a review should start early in the new financial year to decide whether to further extend these contracts for a final year, or go out to the market in search of better arrangements. If the latter course is taken, this will require proper preparation and production of new specifications and contract documents, as well as needing sufficient time to run a good competition with positive outcomes by the end of 2013.

Comments completed by: John Francis, Principal Consultant H&F Corporate Procurement

## 9. FINANCIAL AND RESOURCES IMPLICATIONS

9.1 The table below sets out the costs in relation to the support element of these contracts over the initial term and the proposed extension:

**Table 3**

<b>Contract</b>	<b>2010/11 Spend</b>	<b>2011/12 Spend</b>	<b>2012/13 projected spend</b>	<b>2013/14 proposed Spend</b>	<b>Total Contract Spend</b>
<b>Contract 6</b>	£618,335	£618,335	£575,094	£539,856	<b>£2,351,620</b>
<b>Contract 5</b>	£165,714	£165,714	£165,714	£150,138	<b>£647,280</b>
<b>Contract 4</b>	£286,779	£220,202	£204,787	£192,253	<b>£904,021</b>
<b>Total</b>	<b>£1,070,828</b>	<b>£1,004,251</b>	<b>£945,595</b>	<b>£882,247</b>	<b>£3,902,921</b>

9.2 The financial implications for 2013/14 are as follows:

**Table 4**

<b>Contract</b>	<b>Children's Element 12/13</b>	<b>Children's Element 13/14*</b>	<b>Children's Saving 13/14*</b>	<b>Supported People Element 12/13</b>	<b>Supported People Element 13/14*</b>	<b>SP Saving 13/14*</b>	<b>Total Spend 13/14*</b>
<b>Contract 6</b>	£526,051	£493,820	£32,231	£49,000	£46,036	£2,964	£539,856
<b>Contract 5</b>	£129,351	£117,193	£12,158	£36,363	£32,945	£3,418	£150,138
<b>Contract 4</b>	£155,787	£146,217	£9,570	£49,000	£46,036	£2,964	£192,253
<b>Total</b>	<b>£811,189</b>	<b>£757,230</b>	<b>£53,959</b>	<b>£134,363</b>	<b>£125,020</b>	<b>£9,346</b>	<b>£882,247</b>

- Figures include additional 1% previously agreed for Contract 6 & 5.

9.3 Officers have negotiated a 6.6% reduction in the total contribution of Children's Services. Meaning the total commitment for Children's Services in 2013/14 is £757,230.

9.4 The Supported People's element of the funding for 2013/14 is £125,017.

Comments verified by: Ben Bastable, Finance Manager – H&F CHS




**Andrew Christie**

**Tri-borough Executive Director of Children's Services**

**LOCAL GOVERNMENT ACT 1972 (AS AMENDED) – BACKGROUND PAPERS  
USED IN THE PREPARATION OF THIS REPORT**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	None	Terry Clark 020 7938 8336	Tri-B Lead Commissioner – Specialist Interventions, the Royal Borough of Kensington and Chelsea

## Executive Decision Report

<b>Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken</b>	Date of Cabinet Decision: 4 <sup>th</sup> March 2013	
	Date of Cabinet decision : 28 <sup>th</sup> March 2013	
	Date of Cabinet decision: 25 <sup>th</sup> February 2013	
<b>Report title (decision subject)</b>	Consideration of the Findings and Recommendations of the Consultation, and Agreement on the Governance Arrangements for Adult Safeguarding across Tri-borough	
<b>Reporting officer</b>	<i>Andrew Webster Helen Banham</i>	
<b>Key decision</b>	Yes	
<b>Access to information classification</b>	Public	

## **1. EXECUTIVE SUMMARY**

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- 1.1 The White Paper *Care for our Future* and the draft Care and Support Bill confirm the government's intention to legislate to require local authorities to convene statutory Safeguarding Adults Boards with core membership from the police and NHS organisations, in order to ensure that all agencies work together to prevent abuse of adults at risk, such as that exposed at Winterbourne View.
- 1.2 A review of the governance arrangements for Adult Safeguarding in the three boroughs was carried out in the autumn in the form of a consultation with stakeholder organisations represented on the existing Safeguarding Adults Boards. The consultation sought people's views on arrangements which would ensure that the three local authorities are well-placed, individually and together, to implement national requirements in relation to adults at risk of harm.

## **2 RECOMMENDATIONS**

- 2.1 That a single Safeguarding Adults Executive Board be set up across the three boroughs, with an Independent Chair and designated administrative support (Option C in Appendix 1). This mirrors the arrangements for the Safeguarding Children's Board. Membership of this Board would be drawn from senior representatives of statutory agencies.
- 2.2 That a suitably qualified independent chair be recruited through external advertisement as soon as the proposal is accepted, who will report to the Tri-borough Executive Director of Adult Social Care and that the arrangement for the appointment be delegated to the Strategic Director in consultation with the Cabinet Members.
- 2.3 That the approach of work-streams operating across the three boroughs: 'Developing Best Practice'; raising public awareness through 'Community Engagement'; and 'Measuring Effectiveness'/Quality Assurance be endorsed so that the work can continue to progress and be consolidated (Option C in Appendix 1).
- 2.4 That the value of Partnership groups in each of the boroughs be decided by agencies represented on the existing Boards based on the level of resource they are willing to commit to these, in addition to contributing to the work-streams of the Executive Board (some consideration given to Option A in Appendix 1).

### **3. REASONS FOR DECISION**

- 3.1 The advent of Tri-borough working on 1<sup>st</sup> April 2012 provided an opportunity to review the governance arrangements for Safeguarding adults at risk, across the three boroughs. The challenge was to reduce duplication of effort and cost where there was common purpose and shared outcomes, whilst retaining local focus and agency commitment to working together to protect adults at risk.
- 3.2 The arrangements prior to 1<sup>st</sup> April 2012 of an Executive Board, two Boards, a Partnership Group and sub-groups, all meeting quarterly (a total of 49 meetings a year) was not sustainable, and in reality, some of the sub-groups did not meet regularly with some loss of assurance in some areas of the work. A more achievable target would be one key meeting a month.
- 3.3 The learning from Children's Safeguarding is that merged work-streams and the 'task and finish' approach (as used to good effect in the multi-agency review of the local implications of Winterbourne View in October and November 2012), provides new opportunities for sharing knowledge and best practice, and new focus and renewed vigour for the work of protecting vulnerable children and adults at risk.
- 3.4 The single Executive Board for Adult Safeguarding would, as with the Children's Board, provide strong strategic leadership; attract representatives from organisations of sufficient seniority to understand national and local issues and commit resources as appropriate; develop a single strategic plan that also allows for local priorities to be addressed; be accountable to residents of the three boroughs, particularly those who have experienced or who are at risk of harm.
- 3.5 As with the Children's Board, independence in the Chair is essential in providing the necessary external scrutiny and challenge to this high risk area of activity.

### **4. BACKGROUND**

- 4.1 'No Secrets' was reviewed in 2009, and remains binding guidance, issued under Section 7 of the Local Authority Social Services Act 1970. It requires local authorities, under the guidance of the Secretary of State, to be lead agencies in creating a framework for action, with all other responsible agencies, for protecting adults at risk of abuse.
- 4.2 The White Paper 'Care for our Future' published in July 2012 and the draft Care and Support Bill confirm the government's intention to legislate to ensure that all

agencies work together at a local level to prevent abuse by requiring local authorities to convene statutory Safeguarding Adults Boards with core membership from the police and NHS organisations.

- 4.3 The recommendations in this report are designed to ensure that the three local authorities are well-placed, individually and together, to implement government intentions towards adults at risk of harm across Tri-borough, sharing best practice and making best use of all available resources.

## **5. PROPOSAL AND ISSUES**

- 5.1 The proposal of a single Board is not without risk. While recognising the need to avoid duplication and to be more efficient without reducing effectiveness, some respondents were concerned that a single board would be:

- too unwieldy in terms membership;
- too large to allow for the discussion of detail;
- require investment in business support to manage the large agenda;
- risk losing the commitment of borough-based partners and thus a local voice and local focus;
- and lose the ability to provide reassurances to the local community and their elected representatives about safeguarding issues

- 5.2 In order to counter these risks, and learning from the experiences of the Children's Board, the following will be built into the proposed arrangements for the Tri-borough Safeguarding Adults Executive Board:

- strong independent chairing;
- good business support for the Board;
- senior representation of all key stakeholders;
- mechanisms for effective feedback from the work-streams;
- clarity regarding the Board's purpose and the roles and responsibilities of Board members;
- a plan for promoting the work of the Board to all agencies working with adults at risk across tri-borough;
- clear lines of accountability to elected members in each of the local authorities, and the executive boards or governing bodies of member organisations.
- some consideration to how partnership groups in each of the boroughs may add value to the work of the Board and its work-streams.



- 5.3 Draft Terms of Reference for the Board are attached as Appendix 2.
- 5.4 A draft implementation plan for the proposed arrangements is attached as Appendix 3.
- 5.5 The position of independent chair will be advertised externally and the person appointed will report to the Tri-borough Executive Director of Adult Social Care.

## **6. OPTIONS AND ANALYSIS**

- 6.1 The review considered a number of options, including no change in the present adult Safeguarding arrangements. Full consideration of the risks and benefits of each option were identified in the consultation document: 'Safeguarding Adults at Risk. Developing good governance: Consultation paper September 2012' (attached as background paper).
- 6.2 Some respondents proposed alternative suggestions to those offered.
- 6.3 The 'no change' option was not included in the consultation as the reason for the review was that the demands placed on the staff resources of Tri-borough to support the number of meetings required was not sustainable.
- 6.4 The proposal to merge the Hammersmith and Fulham and Westminster Boards and retain the existing arrangements in RBKC (Option B) was the least preferred option.
- 6.5 The option of a single, high-level Executive Board and merged work-streams (Option C) was favoured by organisations working across more than one borough. Some respondents were concerned about the risk of losing connection with the local agendas and partners.
- 6.6 Option A was favoured by respondents who value having high level strategic leadership across the three boroughs, whilst retaining local connections and addressing local priorities. However, if Partnership Groups are to be maintained, careful consideration will need to be given as to how they might function in a more cost-effective task-focused way than at present, and how they will interface with the work-streams.

## **7. CONSULTATION**

- 7.1 The Consultation of stakeholders was conducted in the Autumn of 2012. The percentage return (71%) was high with clear support for a single Safeguarding Adults Executive Board across the three boroughs.
- 7.2 Participants also indicated a number of issues that need to be addressed in setting up the new governance arrangements and the commitment from their agency to help to progress this work.
- 7.3 The responses have been passed to and considered by the Cabinet Member with responsibility for Adult Social Care in each of the three local authorities.
- 7.4 The consultation paper is attached as a background paper to this report. A more detailed analysis of the findings from the consultation is outlined in Appendix 1.

## **8. EQUALITY IMPLICATIONS**

- 8.1 All equality issues will be considered as part of the new arrangements. As the proposal reflects best practice across the three boroughs it is not envisaged that there will be any negative equality impacts. Equality monitoring will remain a priority under the proposed arrangements and will be reported on regularly.

## **9. STAFFING**

- 9.1 There are no staffing implications from this report in that the work of managing the existing adult Safeguarding governance arrangements is carried out by the Tri-borough Professional Standards and Safeguarding Team in Adult Social Care. This will continue to under the proposed arrangements.
- 9.2 There are three adult safeguarding leads: one for each borough. Each of the adult safeguarding leads is responsible for developing one of the three work-streams across Tri-borough. This work has already begun and is proving effective in sustaining the interest and engagement of agencies working with adults at risk in all of the three boroughs.
- 9.3 Management of the Executive Board will be the responsibility of the Strategic Lead for Professional Standards and Safeguarding and business support will be provided from existing resources within the Professional Standards and Safeguarding Team and Tri-borough Adult Social Care.

## **10 LEGAL IMPLICATIONS**

- 10.1 The Council has undertaken an extensive consultation exercise and the responses to the consultation are summarised in Appendix 1. The responses to the consultation must be carefully taken into account before any decision on the proposals contained in this report are taken.

## **11 FINANCIAL IMPLICATIONS**

- 11.1 This proposal that stream-lines of the governance of Adult Safeguarding across the three boroughs supports the agenda of greater efficiency in the delivery of adult social care by reducing duplication of effort and cost where there is common purpose and shared outcomes, whilst retaining local focus and agency commitment to working together to protect adults at risk.
- 11.2 There is a nominal saving across the three boroughs from the appointment of a single Independent Chair, replacing the two existing chairs, (a reduction from 32 days a year to a proposed 24 days a year, plus expenses. The daily rate is calculated at a maximum of £600 a day). Any saving may be offset by the costs of providing additional administrative support if Safeguarding Boards are put on a statutory footing.
- 11.3 The setting up, and supporting this proposal, of a single independently-chaired Executive Safeguarding Adults Board and the three work-streams across Tri-borough, will be cost neutral as it will be funded from within existing budgets.

Andrew Webster

**Tri-borough Executive Director of Adult Social Care**

**Local Government Act 1972 (as amended) – Background papers used in the preparation of this report:**

**Safeguarding Adults at Risk: Developing Good Governance Consultation Paper  
September 2012**

**Contact officer(s):**

**Helen Banham, Strategic Lead for Professional Standards and Safeguarding (Tri-borough) 020 7641 4196 [hbanham@westminster.gov.uk](mailto:hbanham@westminster.gov.uk)**

## APPENDIX 1

# Safeguarding Adults at Risk: Developing Good Governance Consultation

## Options consulted on

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The consultation document put forward three main options for the future governance arrangements of adult safeguarding across tri-borough:

**Option A** - create a single Safeguarding Adults Executive Board across the three boroughs, retaining partnership groups in each of the three boroughs.

**Option B** - merge the Hammersmith and Fulham and Kensington and Chelsea Boards (to reflect Bi-borough arrangements of a single Chief Executive).

**Option C** - create a single Safeguarding Adults Executive Board across tri-borough.

To support the consultation, the consultation document included diagrams showing the current and proposed structure charts and some indicative risks and benefits of each option.

It also referred to two guiding principles that would inform the outcome, namely:

- the workload and level of activity that any new arrangement would be likely to generate given that the current level of activity across the three boroughs (potentially 49 meetings a year, equivalent to one meeting a week) would not be sustainable; it suggested that a more realistic number of meetings would be 12 a year, or one a month
- the way in which any new arrangement would be accountable to elected members in each of the local authorities, and the executive boards or governing bodies of member organisations.

Participants were invited to submit any other ideas they might have for arrangements that would effectively deliver adult Safeguarding objectives and outcomes.

## Which options people chose and why

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In the consultation form respondents were asked to say which option they thought, on balance, would best deliver the Safeguarding objectives and outcomes required by government guidance and recognised by good practice.

As can be seen from the chart below the strongest support was for Option A with 60% of respondents saying that they thought this option would best deliver the safeguarding objectives and outcomes. This was followed by Option C (26%). Only a small minority of respondents (5%) chose Option B. A slightly higher proportion (9%) said they thought a different option would best deliver the outcomes.

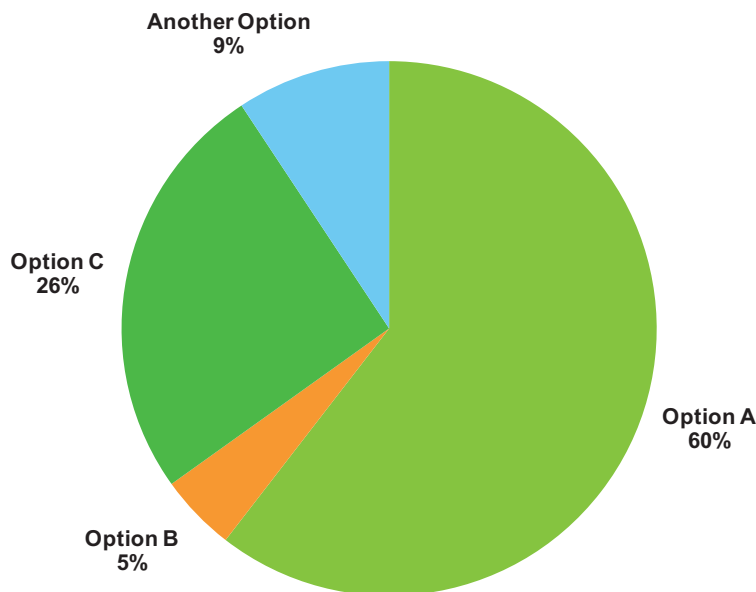
In a follow-up question respondents were asked to indicate what reasons had influenced their choice by saying whether they agreed or disagreed with a series of statements about the potential benefits and costs associated with the different options. The statements focused on three main themes: leadership and representation, maintaining a focus on local priorities, and the potential for making savings or efficiencies (see p.10).

### Key factors in any arrangement.

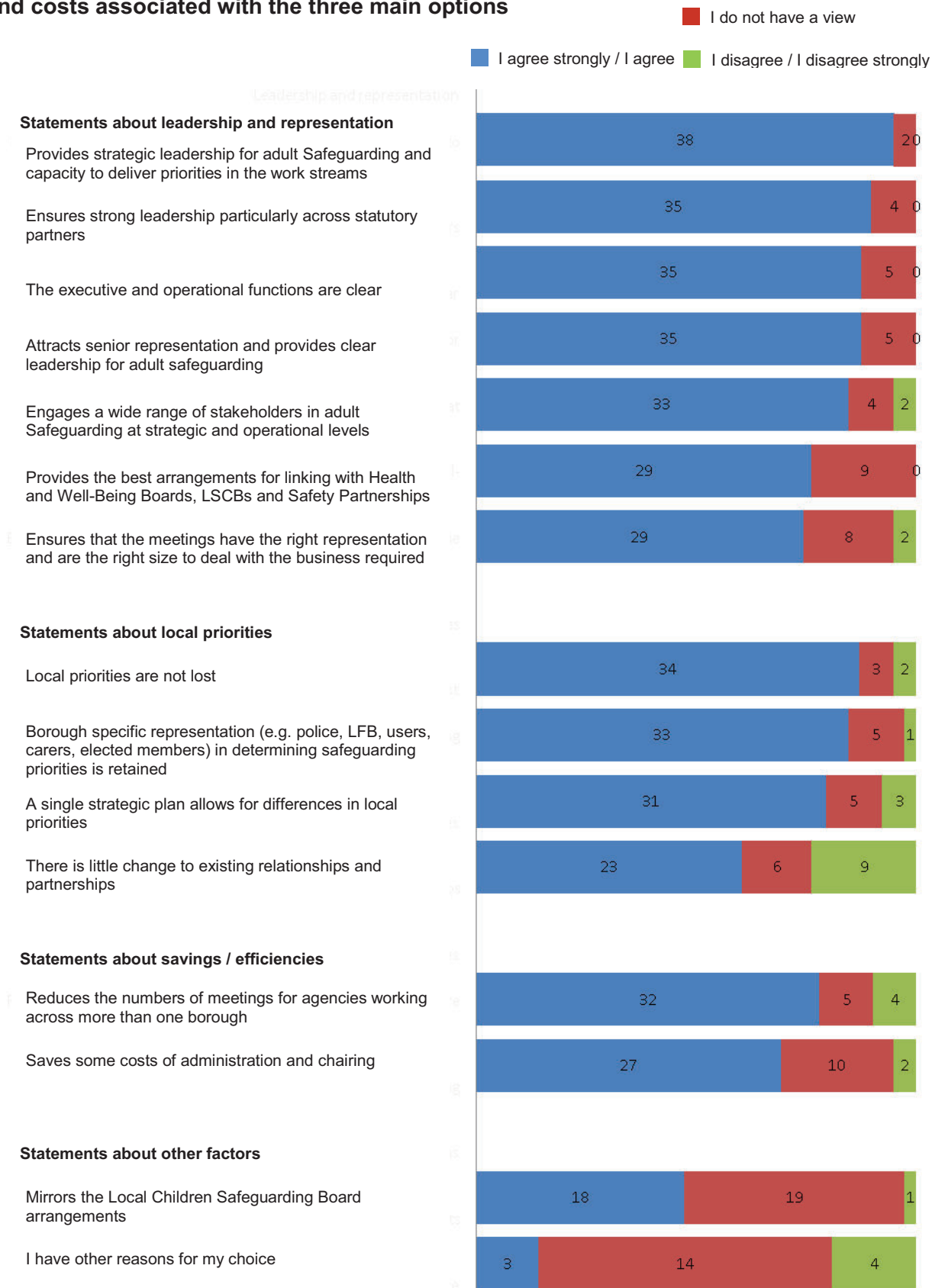
For the majority of respondents, regardless of which option they preferred, key factors were:

- representation from senior management on the Board
- strong strategic leadership
- representation at strategic and operational levels
- a retained focus on local priorities
- an opportunity to make reduce the number of meetings for agencies working across tri-borough

Which options respondents thought would best deliver safeguarding objectives and outcomes (n=43)



## Whether respondents agreed or disagreed with a series of statements about the benefits and costs associated with the three main options



## **Risks and caveats**

While recognising the need to avoid duplication and to be more efficient without reducing effectiveness, some respondents mentioned potential tensions or risks specifically in relation to the creation of a single executive board, saying a single board would be:

- too unwieldy – in terms membership size and meeting time needed
- too large to allow for the discussion of details
- require substantial investment in business support to manage the large agenda
- risk losing the commitment of borough based partners and thus a local voice and local focus and as a result an ability to provide reassurances to the local community and their elected representatives about safeguarding issues
- find it difficult (possibly) to present a unified message or uniform policies that apply over three boroughs.

Re-enforcing these concerns, some respondents emphasised the pivotal role that local partnership boards play in ensuring local engagement, managing local activity and conducting the day to day business of the board.

## **Requirements to counter risks**

A number of respondents mentioned specific factors that would need to be put in place to counter such risks, namely strong chairing, strong management of the workload and paperwork, effective (i.e. senior) representation of all key stakeholders including the voluntary and private sectors (which may require more than one seat in the case of some groups such as vulnerable adults themselves) effective feedback mechanisms or sub-groups, clarity regarding roles, governance and responsibilities at Board and sub-group levels including to wider stakeholders and the wider community, strong management of and within the sub-groups, adoption across boroughs of common practices and terminology to allow for meaningful comparisons, a proactive approach to making the work of the Board known across tri-borough by for example, holding meetings and events across the three boroughs, visiting community and voluntary groups, and being ambassadors for safeguarding; and finally investing in safeguarding in general and business support in particular.

**Other points** mentioned were:

- A concern that cost saving considerations (for example through reducing the number of meetings attended or serviced) seemed to be taking precedence over other considerations, notably the ability of the Board to deliver the best possible safeguarding outcomes for individuals

- A concern that without strong leadership and necessary resourcing (staff and time) the work-streams will be unable to attract sufficient and sustained representation from across tri-borough and be unable to deliver in line with expectations
- A need to strengthen support to the existing Boards and a need for greater leadership
- A need to engage with local clinical commissioning groups and GPs
- A need to learn lessons from the Local Safeguarding Children Board
- A need to recognise that as tri-borough develops this may be an interim stage with local partnerships merging over time.

### **Other options suggested**

Just under 10% of respondents thought that some other arrangement – other than one of the three proposed - would deliver better outcomes for adult safeguarding across tri-borough. Together these respondents suggested four different arrangements, which in two cases were a variation on those suggested. A common feature of the first three was a desire to retain borough based partnerships and a local focus while keeping the workload manageable and capable of delivering in line with expectations.

**a) Retain current arrangements** – as they work well and the alternatives proposed do not seem to represent an improvement

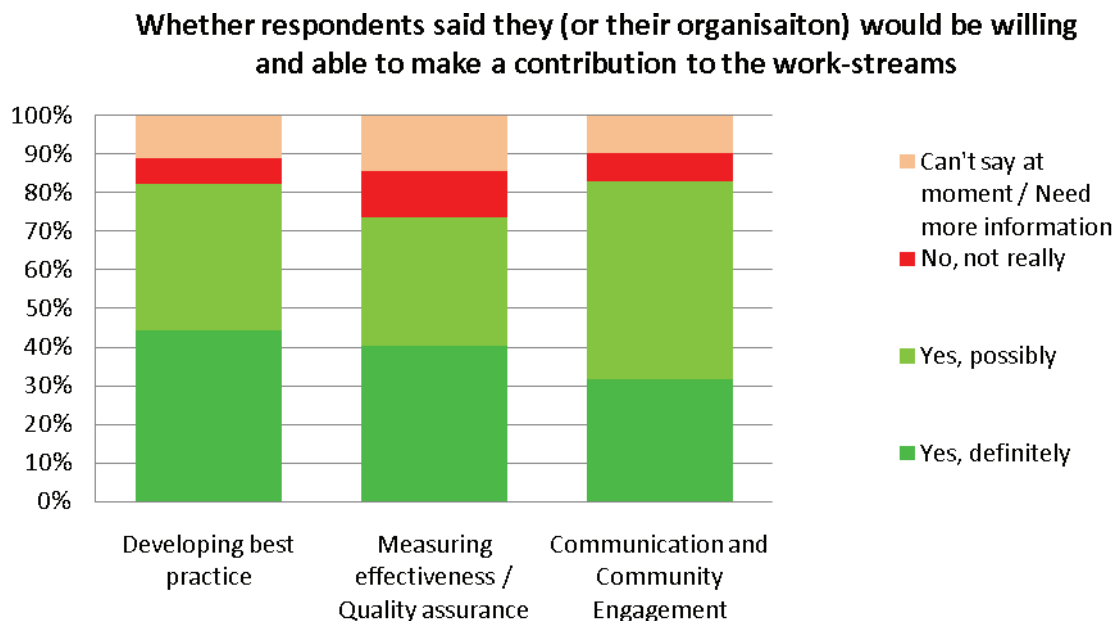
**b) A variation of Option A and Option C** - where there are two executive boards with two partnership groups; this would retain a local focus, recognise joint working, retain local interest and engagement and ensure realistic and manageable workloads for the Boards and sub-groups. It would reduce the number of meetings required from 12 to 8 and the combined number of days for both independent chairs from 32 to 20. However there would need to be an investment in dedicated business support which may off-set any cost savings.

**c) A hybrid between Option A and Option C** – where the local focus would be provided through the three work-streams (common to all options) rather than through three separate partnership groups. At the meetings of the single merged executive board, each work-stream would be required to provide an update on progress, flagging up borough specific issues as appropriate. This would only work if the work-streams have strong leadership and adequate, committed representation from (or links to) key stakeholders in each borough.

**d) An option based on learning from the merged tri-borough Local Safeguarding Children Board**



## Agencies' willingness to contribute to work-streams



July 2012 the chairs of each Safeguarding Board / Executive Committee agreed that each of the three supporting work-groups – Developing Best Practice, Measuring Effectiveness / Quality Assurance, and Communication / Community Engagement – should merge in order to reduce the amount of duplication and lessen the workload on those agencies that work across tri-borough. Since the effectiveness of any new arrangements would depend heavily on the effectiveness of the merged work-streams, the consultation form asked people to say whether they (or their organisation) would be both willing and able to make a contribution to one or more of the work-streams as they are developed across tri-borough.

The chart above shows that the majority of respondents replied positively with between seven and eight out of ten saying, in the case of each work-stream, that they would possibly or definitely be able to make a contribution, and with between three and four out of ten saying they definitely would be able to do so.

## Safeguarding Adults at Risk: Terms of Reference for Safeguarding Adults Executive Board (Draft)

### 1 Purpose of the Executive Board

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- 1.1 The purpose of the Tri-borough Safeguarding Adults Executive Board is to provide good governance across the partnership of agencies that work with adults at risk in the three boroughs.
- 1.2 The key elements of good governance are leadership, direction and control.
- 1.3 With regard to leadership, the Board provides the focus for adult Safeguarding across the three boroughs, and defines the scope of the work to be done and the principles that underpin that work.
- 1.4 The context of the Board's work is Personalisation, with a focus on prevention and community engagement. This is wider than the scope implied by the definitions in No Secrets (DH 2000), with its prime focus on responding to individual situations of risk and harm.
- 1.5 The principles underpinning the work of the Board are defined by government as Empowerment, Protection, Prevention, Proportionality, Partnership and Accountability. These underpin the direction of the Board's work.

**Empowerment:** The Board will presume that adults at risk will make their own informed decisions with regard to their safety, unless they are assessed as lacking capacity to make a decision because of an impairment or disturbance in the functioning of their mind. Then decisions made on their behalf will be made in their best interest.

**Protection:** The Board will ensure that support and representation is provided for those in greatest need.

**Prevention:** The Board will promote public awareness of abuse and how to prevent and report it through good community engagement on the premise that it is better to act before harm occurs.

**Proportionality:** The Board will ensure the least intrusive response appropriate to the risk presented.

**Partnership:** The Board will work together with the community to promote local services and joined-up responses to prevent abuse and respond to adults at risk or who have been harmed, acknowledging that communities have a key role to play in preventing, detecting and reporting neglect and abuse.

**Accountability:** The Board will be accountable to its constituent member agencies, and will promote transparency in its dealings with residents of the three boroughs and adults at risk of harm.

## **2 Functions of the Executive Board**

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2.1 The control element of good governance of Adult Safeguarding will be achieved through the following activities of the Executive Board. The Board will:

**Develop a Strategic Plan** by agreeing shared priorities for improving outcomes for adults at risk of harm.

**Set standards** and guidance across the three boroughs through agreed policy and procedures and protocols for working with adults at risk of harm.

**Assure quality** through activity reporting, data analysis and learning lessons from case audit and case review, including Serious Case Review.

**Promote participation** of people who receive services, their carers, and advocates, and agencies (such as Healthwatch) which are constituted to champion consumers of health and social care.

**Raise awareness**, particularly of the public, of how to recognise vulnerability and abuse, and how to report concerns about adults at risk.

**Build capacity** by ensuring staff and volunteers working with adults at risk have the appropriate values and skills to assess and meet their needs.

**Manage relationships** across agencies working with adults at risk, to respond in a joined-up, person-centred way to ensure good outcomes for each person who has experienced harm.

### **3 Membership (provisional)**

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- 3.1 Members of the Executive Board will be of sufficient seniority to be able to make decisions with regard to adult Safeguarding on behalf of the organisation they represent.
- 3.2 The Executive Board will be made up of the following:

**Independent Chair (to be appointed)**

**Tri-borough Executive Director of Adult Social Care**

**Tri-borough Executive Director of Children’s Services**

Senior representatives from the following agencies:

**Imperial College Healthcare NHS Trust**

**Chelsea and Westminster Hospital NHS Trust**

**Royal Brompton and Harefield NHS Trust**

**Central London Community Healthcare NHS Trust**

**Central North West London NHS Foundation Trust**

**West London Mental Health NHS Trust**

**London Ambulance Service**

**Clinical Commissioning Groups Collaborative**

**Healthwatch**

**Metropolitan Police**

**London Fire Brigade**

**London Probation Service**

**Crown Prosecution Service**

### **4 Board Deliverables**

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- 4.1 **The Tri-borough Safeguarding Adults Executive Board will:**
- 4.2 Meet four times a year in January, April, July and October;
- 4.3 Identify the strategic priorities for adult Safeguarding across participating agencies for the year;
- 4.4 Arrange for these priorities and work plans to be agreed through the governance arrangements of each agency represented on the Board;

- 4.5 Monitor progress on these priorities by receiving quarterly reports from the leads for the Measuring Effectiveness, Developing Best Practice and Community Engagement work-streams;
- 4.6 Review priorities in the light of national and local developments that fall within the scope of the Board's work;
- 4.7 Commission time-limited pieces of work, for example responses to national or local serious case review;
- 4.8 Publish an annual report, including comparative activity and outcome data, on Safeguarding Adults at Risk across the three Boroughs;
- 4.9 Align the Board's work, where appropriate, with that of other Boards such as the Safeguarding Children's Board, Health and Well-being Board, and Safety Partnerships.
- 4.10 Review its own performance annually to ensure its continuing efficiency and effectiveness.

## **5 Board Work-streams**

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- 5.1 There are three work-streams that will report to the Executive Board. These are Developing Best Practice and Community Engagement, Measuring Effectiveness
- 5.2 The purpose of the Community Engagement work-stream is to engage with people who use services, carers and members of the public in developing, evaluating and improving services and raising public awareness and increase public confidence in recognising, reporting and preventing abuse.
- 5.3 The main purpose of the Developing Best Practice work-stream is to develop a workforce across all agencies working with adults at risk, that is competent and confident in adult safeguarding, responding consistently and in a joined-up, person-centred way, to achieve the best outcomes for adults who have experienced harm.
- 5.4 The main purpose of the Measuring Effectiveness work-stream is to bring together and analyse all the information gathered about adult safeguarding activity across agencies working in the three boroughs in order to determine how

the work of the Board is delivering the outcomes that make a difference to the safety and well-being of adults who have experienced harm.

- 5.6 The work-streams will take a project-based approach to delivering the strategic priorities of the Safeguarding Adults Executive Board and will report progress to the quarterly meetings of the Board.
- 5.7 to ensure local connections are strengthened, members will be drawn from all current stakeholder organisations and groups working with adults at risk who wish to use their time, skills, knowledge and experience to contribute to promoting and progressing adult safeguarding across the three boroughs.

## APPENDIX 3

# Safeguarding Adults at Risk: Implementation Plan for Tri-borough Safeguarding Adults Governance (Draft)

## Key actions and milestones

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Developing Good Governance of Safeguarding Adults Consultation	September and October 2012
Findings from Consultation reported to Safeguarding Adults Boards (Quarter 3 cycle of meetings) and Tri-borough Management Team	November 2012 to January 2013
Consultation Report and Proposal considered by Cabinet Members in each of the three boroughs	February 2013
Cabinet decision to endorse proposal	March 2013
Advertise and Appoint Independent Chair	March 2013 (complete within 6 weeks)
Terms of Reference for the Executive Board and Work-streams presented to existing Board members and organisations they represent for consideration, refining and endorsement (Quarter 4 cycle of meetings)	March and April 2013
Organisations invited to nominate members to the Executive Board	March and April 2013
Formal notification to partner organisations of new arrangements and letters of invitation sent to nominated members of the Executive Board from the independent chair and the Tri-borough Executive Director of Adult Social Care	April 2013
Mid- year review and evaluation of the arrangements reported to Cabinet Members and Executive Boards of member agencies	October 2013
Combined Annual Report presented to Cabinet Members, Scrutiny Committees and Executive Boards of member agencies	June 2014

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London Borough of Hammersmith and Fulham | The Royal Borough of Kensington and Chelsea | Westminster City Council

# SAFEGUARDING ADULTS AT RISK

## Developing good governance: Consultation paper

September 2012





## Contents

1. Introduction	2
2. National context and local responses	2
3. The purpose of Safeguarding Adults Boards	3
4. The present arrangements	4
5. Future arrangements: options for consultation	5
6. Consultation arrangements	6

## Appendices

1. Representatives on existing Safeguarding Adults boards and partnerships.
2. Safeguarding Board Structures (current)
3. Safeguarding Board Structures (proposed): Risks and Benefits of Option A to C
4. Extract from the Social Care Institute of Excellence Report 45: The governance of adult safeguarding: findings from research into Safeguarding Adults Boards: Characteristics of high-performing authorities
5. Extract from ADASS Standards for Adult Safeguarding: 8 Working together

## **1. Introduction**

- 1.1 This paper sets out the plan to review the existing local adult Safeguarding Boards in Hammersmith and Fulham, Kensington and Chelsea, and Westminster, and proposes a number of options for the future governance of adult Safeguarding.
- 1.2 The review is a response to the Tri-borough arrangements for Adult Social Care that became operational on 1<sup>st</sup> April 2012 with the challenge to provide '*Personalised services; integrated service delivery; and better for less*'.
- 1.3 The aim of the review is to assure good governance of adult Safeguarding across the three boroughs and accountability to all stakeholders, especially people who are at risk of harm, or have experienced harm, and their carers and advocates.
- 1.4 We want to maintain local focus whilst reducing duplication of effort, where there is common purpose and function, and shared outcomes.
- 1.5 The review will take the form of a consultation with the stakeholder organisations currently represented on the existing Safeguarding Adults Boards in the three local authorities.

## **2. National context and local responses**

- 2.1. 'No Secrets'<sup>1</sup> was reviewed in 2009, and remains binding guidance, issued under Section 7 of the Local Authority Social Services Act 1970. It requires local authorities, under the guidance of the Secretary of State, to be lead agencies in creating a framework for action, with all other responsible agencies, for protecting vulnerable adults at risk of abuse.
- 2.2. The framework for action aims to prevent abuse, and to ensure that, when prevention fails, there are consistent and effective multi-agency responses to investigate incidents of abuse and prevent further harm. To this end, local authorities play a co-ordinating role in developing policy and procedures, and working in partnership with all other responsible agencies, to ensure they are implemented.
- 2.3 All three local authorities developed local multi-agency adult Safeguarding policies and procedures to meet the requirements of 'No Secrets'. These local policies and procedures were replaced on 1<sup>st</sup> October 2011 by the pan-London 'Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse' (Social Care Institute of Excellence: Report 39)<sup>2</sup>.

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<sup>1</sup> No secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse (DH 2000)  
[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_4008486](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008486)

<sup>2</sup> SCIE Report 39: Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse (SCIE 2011)  
<http://www.scie.org.uk/publications/reports/report39.asp>

- 2.4 The White Paper, 'Care for our Future' published on 11<sup>th</sup> July 2012<sup>3</sup> and the draft Care and Support Bill confirm the government's intention to legislate to ensure that all agencies work together at a local level to prevent abuse by requiring local authorities to convene statutory Safeguarding Adults Boards with core membership from the police and NHS organisations.
- 2.5 This review is designed to ensure that the three local authorities are well-placed, individually and together, to implement government intentions towards adults at risk of harm.

### 3. The purpose and functions of Safeguarding Adults Boards

- 3.1 The purpose of Safeguarding Adults Boards is to provide good governance across the partnership of agencies that work with adults at risk.
- 3.2 The key elements of good governance are **leadership, direction and control**<sup>4</sup>.
- 3.3 With regard to leadership, the Boards provide the **focus** for adult Safeguarding in the area in which they operate by defining the **scope** of the work to be done and the principles that underpin that work.
- 3.4 The challenge in terms of **scope** is that, in the context of personalisation, with a focus on prevention and community engagement, Boards now engage in activities that are far wider than those implied by the current definitions in No Secrets (DH 2000), with its prime focus on responding to individual situations of risk and harm. Illustrative of this are current discussions on 'self-neglect' or self harm.
- 3.5 The **principles** underpinning the adult safeguarding work have been defined by government as:

**Empowerment** Presumption of person-led decisions and informed consent.

**Protection** Support and representation for those in greatest need

**Prevention** It is better to take action before harm occurs.

**Proportionality** Proportionate and least intrusive response appropriate to the risk presented.

**Partnership** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

**Accountability** Accountability and transparency in delivering safeguarding.

<sup>3</sup> <http://www.dh.gov.uk/health/files/2012/07/White-Paper-Caring-for-our-future-reforming-care-and-support-PDF-1580K.pdf>

<sup>4</sup> Office for Public Management (2007) Going Forward with good governance.

- 3.6 Ensuring that these principles underpin all activities, the Boards provide **direction** by ensuring **consistency of message, and consistency of response** to people who are at risk of harm, or who have been harmed. The Board's task is to ensure that this is articulated to staff, service users and carers, and members of the public, by policy, procedure, agreed protocols and publicity.
- 3.7 The **strategic plan** of the Boards further articulates the direction of travel to the partnership by setting out how the above principles are translated into **priority actions** for the partnership, and describes what member agencies will do to meet these priorities.
- 3.8 The Boards provide **control** of adult safeguarding in four ways: **giving account** by reporting back to committees and governing bodies; **being held to account** by scrutiny, external audit, inspection; **taking account** of what people who have experienced abuse or harm are saying in terms of what is helpful and what is unhelpful, and learning from case-work, including Serious Case Reviews; empowering people to seek **redress** for the wrongs that may have been done to them by ensuring their rights are upheld.
- 3.9 The functions of a Safeguarding Board are therefore:

**Strategic planning:** agreeing shared priorities for improving outcomes for people at risk of harm.

**Setting standards and guidance:** through agreed policy and procedures and protocols.

**Assuring quality:** through activity reporting, data analysis and learning lessons from case audit and case review, including Serious Care Review.

**Promoting participation:** of people who receive services, their carers, and advocates, and agencies such as Healthwatch.

**Raising awareness;** particularly public awareness of how to recognise vulnerability and abuse, and how to report it.

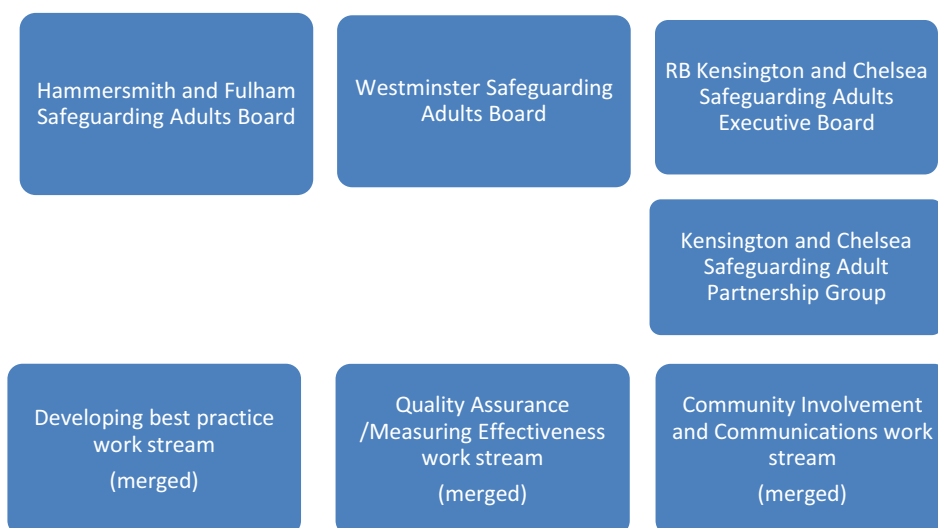
**Building capacity and training:** ensuring staff and volunteers working with people at risk have the appropriate values and skills to assess and meet their needs.

**Relationship management:** developing partnerships that respond in a joined-up, person-centred way to ensure good outcomes for each person who has experienced harm.

#### 4. The arrangements up to July 2012

- 4.1 All three councils have effective strategic multi-agency arrangements in place.
- 4.2 All three councils have adopted pan-London 'Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse'.
- 4.3 In Hammersmith and Fulham there is a multi-agency Safeguarding Adults Board chaired by the Director of Adult Social Care Commissioning and Health.
- 4.4 In Westminster there is a multi-agency Safeguarding Adults Board, with an independent chair. This post is funded by health and adult social care for 12 days a year.
- 4.5 In Kensington and Chelsea, there is a multi-agency Safeguarding Adults Partnership chaired by the Director of Adult Social Care: Provider Services and Mental Health Partnerships, and a Safeguarding Adults Executive Board, with an independent chair. This post is jointly funded by statutory partners for 20 days per year.

- 4.6 All these boards and groups meet quarterly. The agencies in these adult safeguarding partnerships, and their representatives on the Boards are listed in Appendix I.
- 4.7 Each of the boards have three sub-groups which cover the same work streams: these are broadly: 1) Quality Assurance/Measuring Effectiveness, including audit and Serious Care Review; 2) Developing Best Practice, including training and implementing learning from case work; and 3) Communication and Community Engagement, raising public awareness of safeguarding and involving members of the public, who may use services, in developing adult safeguarding.
- 4.8 The chairs of the Boards agreed in July 2012 that the Tri-borough Professional Standards and Safeguarding Team members should begin work immediately to merge the three work-streams. The chairs identified that in the work-streams, there is common purpose and function, and shared outcomes. The intention is to lessen the load on agencies that work across the three boroughs, reduce duplication, and progress the strategic priorities of the Boards. From July 2012 to the present, the arrangements have been as below.



- 4.9 The benefits of this arrangement are that as the work-streams develop, the strategic priorities of the Boards will be progressed across all three boroughs. At the same time, the Board configuration retains local focus and engagement in each borough. Existing partnership working, which is relatively robust, with tried and tested relationships, is not disrupted.
- 4.10 The risks of this arrangement are that the distinction between the strategic and operational functions of the Boards are not clear across tri-borough, and the costs for agencies attending the meetings remains high. There are additional costs associated with chairing and administering the Boards which cannot be supported in the long-term.

## 5. Future arrangements: Options for consultation

- 5.1 In considering the future options for good governance of adult safeguarding across the three local authorities, the reader is directed to the appendices attached; to references embedded in this document; and particularly the Social Care Institute of Excellence Report 45: The governance of adult safeguarding: findings from research into Safeguarding Adults Boards (September 2011), an extract from which appears in Appendix 4<sup>5</sup> and the Association of Directors of Adult Social Services Standards for Adult Safeguarding, an extract from which is attached in Appendix 5.
- 5.2 The previous arrangements of an executive board, three partnership boards or committees, and three sub-groups in each borough, (working on the three main adult safeguarding work-streams), convened every three months constitutes a total of 49 meetings a year, or about one meeting a week. This level of activity is practically not sustainable with the current pressures on staff time across all agencies.
- 5.3 In reality, and prior to the 1<sup>st</sup> April 2012, many of the sub-groups of the boards did not meet regularly with the consequence that some of the priority work of the boards has not been progressed as assuredly as intended. This has partially been addressed by merging the work-streams.
- 5.4 A more achievable activity target would be one key meeting a month, that is 12 meetings a year (Option C).
- 5.5 The options<sup>6</sup> that are being consulted on are:
- A. Create a single Safeguarding Adults Executive Board across the three boroughs, retaining partnership groups in each of the three boroughs.
  - B. Merge the Hammersmith and Fulham and Kensington and Chelsea Boards (to reflect Bi-borough arrangements of a single Chief Executive).
  - C. Create a single Safeguarding Adults Executive Board across tri-borough.
- 5.6 Structure charts and some indicative risks and benefits of each option are attached as Appendix 3.
- 5.7 Participants are invited to submit any other ideas for arrangements that will effectively deliver the adult Safeguarding objectives and outcomes outlined above (see Section 3).
- 5.8 Careful consideration will be given to how each of the configurations will account back to elected members in each of the local authorities, and the executive boards or governing bodies of member organisations.

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<sup>5</sup> Social Care Institute of Excellence Report 45: The governance of adult safeguarding: findings from research into Safeguarding Adults Boards (September 2011)

<sup>6</sup> For possible RISKS and BENEFITS of Option A to D see APPENDIX 3

5.9 Consideration will also be given to how adult safeguarding links to other partnerships such as the Local Children Safeguarding Board, Health and Well-being Board and the Community Safety Partnerships.

## **6. Consultation arrangements**

6.1 On 5<sup>th</sup> September 2012, this paper and a questionnaire with the Options outlined in 5.5 will be sent to current members of the:

Hammersmith and Fulham Safeguarding Adults Board;

Kensington and Chelsea Safeguarding Adults Partnership Group;

Kensington and Chelsea Safeguarding Adults Executive Board;

Westminster Safeguarding Adults Board.

6.2 Participants are invited to seek the views of people within the organisation they represent in completing their submission.

6.3 Participants are asked to complete a questionnaire, or an on-line survey, or to return a written submission by 1<sup>st</sup> October 2012 to the following address or mailbox:

Professional Standards and Safeguarding Team

Floor 3, 77 - 89 Glenthorne Road,

London W6 0LJ

Or [safeguardingadults@westminster.gov.uk](mailto:safeguardingadults@westminster.gov.uk)

6.4 The responses will be analysed during October 2012 and a report prepared for presentation to the Tri-borough Senior Management team; Chairs of the Boards; and the Safeguarding Adult Boards at their October 2012 meetings.

## **APPENDIX I**

### **Post and Organisation of Representatives on existing Safeguarding Adults Boards and Partnerships.**

#### **Hammersmith and Fulham Safeguarding Adults Board**

Director Adult Social Care Commissioning and Health (Chair), Hammersmith and Fulham  
Detective Inspector, Community Safety Unit, Metropolitan Police  
Social Care Lead, West London Mental Health Trust  
Service Co-ordinator, Central North West London NHS Trust  
Safeguarding and Partnerships Manager, Children's Services, Tri-borough  
General Manager, Hestia Housing and Support  
Housing Support Manager, Housing Options, Hammersmith and Fulham  
Community Services Lawyer, Hammersmith and Fulham  
Senior Commissioning Manager, Tri-borough  
Head of Joint Commissioning Older People, Inner North West London  
Head of Assessment and Care Co-ordination, Adult Social Care, Hammersmith and Fulham  
Head of Neighbourhood Services, Housing and Re-generation, Hammersmith and Fulham  
Head of Learning Disability Services Hammersmith and Fulham,  
Housing Support Manager, Housing Options Hammersmith and Fulham,  
General Manager, Look Ahead Housing  
Chair of the Older People's Consultative Forum  
Chair of Local Information Network (LINK)  
Area Manager, Care Quality Commission  
Assistant Head of Adult Learning Skills Hammersmith and Fulham,  
Head of Procurement, Tri-borough  
Associate Head of Nursing, Imperial College Healthcare NHS Trust  
Area Director, Thames Reach  
Strategic Lead for Professional Standards and Safeguarding, Tri-borough  
Safeguarding Adults Lead (Hammersmith and Fulham) Professional Standards and Safeguarding Team, Tri-borough  
Deprivation of Liberty Safeguards/Mental Capacity Act Lead Professional Standards and Safeguarding Team, Tri-borough  
Business Support Officer, Professional Standards and Safeguarding Team, Tri-borough



## **Kensington and Chelsea Safeguarding Adults Partnership Group**

Director Adult Social Care Provider Services and Mental Health Partnerships (Chair), Tri-borough

Personal Assistant to the Chair

Service User Representative

Nurse Consultant, Older People, Chelsea and Westminster Hospital NHS Foundation Trust

Chief Officer, Age Concern

Team Manager, Social Inclusion, Team Manager, Housing, RBKC

Director, London Cyrenians Housing

Director, Action Disability

Manager, Victim Support Service

Head of Assessment Services, RBKC ASC

Complex Discharge Co-ordinator, Royal Marsden NHS Foundation Trust

Safeguarding Adults Trust Lead, Royal Brompton and Harefield NHS Foundation Trust

Service Lead, Central and North West London NHS Foundation Trust

Head of Assessment Services, Adult Social Care RBKC

Head of Safeguarding, Central London Community Healthcare NHS Trust

Director, Kensington and Chelsea MIND

Metropolitan Police

Manager, Equal People

London Cyrenians Housing

Manager, Safer Kensington and Chelsea, RBKC

Safeguarding Adults Lead (Kensington and Chelsea) Professional Standards and Safeguarding Team, Tri-borough

## **Kensington and Chelsea Safeguarding Adults Executive Board**

Independent chair

Executive Director of Adult Social Care, Tri-borough

Director Adult Social Care Provider Services and Mental Health Partnerships, Tri-borough

Director of Family Services Kensington and Chelsea,

Director of Strategy and Local Services, Kensington and Chelsea

Director of Operations, Central London Community Healthcare NHS Trust

Director of Operations, Central North West London Health Trust

Director of Nursing, Chelsea and Westminster Hospital NHS Foundation Trust

Chief Nurse, Royal Marsden NHS Foundation Trust  
Head of Joint Commissioning Older People, Inner North West London  
Borough Commander, London Fire Brigade  
Borough Commander, Metropolitan Police  
Chief Executive, Tenants Management Organisation  
Strategic Lead for Professional Standards and Safeguarding, Tri-borough  
Safeguarding Adults Lead (Kensington and Chelsea) Professional Standards and Safeguarding Team, Tri-borough  
Chief Officer, Probation Service  
Station Commander, London Ambulance Service

### **Westminster Safeguarding Adults Board**

Independent chair  
Elected Members (2)  
Detective Inspector Community Safety Unit, Metropolitan Police  
Borough Commander, London Fire Brigade  
Assistant Director Joint Commissioning Adults Inner North West London Primary Care Trusts and Tri-borough  
Service Director, Community Recovery Service Line, Central North West London Health Trust  
Head of Safeguarding, Central London Community Healthcare NHS Trust  
Associate Director of Nursing, Patient Safety, Imperial College Healthcare NHS Trust  
Station Commander, London Ambulance Service  
Director of Clinical Services, St John's Hospice  
Supported Housing and Homelessness Strategy Manager, Westminster City Council  
Head of Adult Services, the Westminster Society for People with Learning Disabilities  
Board Member, Westminster Local Information Network (LINK)  
Strategic Lead for Professional Standards and Safeguarding, Tri-borough  
Safeguarding Adults Lead (Westminster) Professional Standards and Safeguarding Team, Tri-borough  
Deprivation of Liberty Safeguards/Mental Capacity Act Lead Professional Standards and Safeguarding Team, Tri-borough  
Business Support Officer, Professional Standards and Safeguarding Team, Tri-borough

**APPENDIX 2**

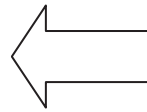
**Safeguarding Board Structures (to July 2012)**

**Westminster Safeguarding Adults Board**

**Westminster City Council**

- Safeguarding Adults Team
- Community Protection
- Adult Services
- Children's Services

**Safer Westminster Partnership**



**Westminster Safeguarding Adults Board** (every 3 months)



**Developing Best Practice Sub-group**  
(every month)

**Community Engagement & Communications Sub-group**  
(every month)

**Third Sector Organisations**

**Measuring Effectiveness Sub group**  
(every month)

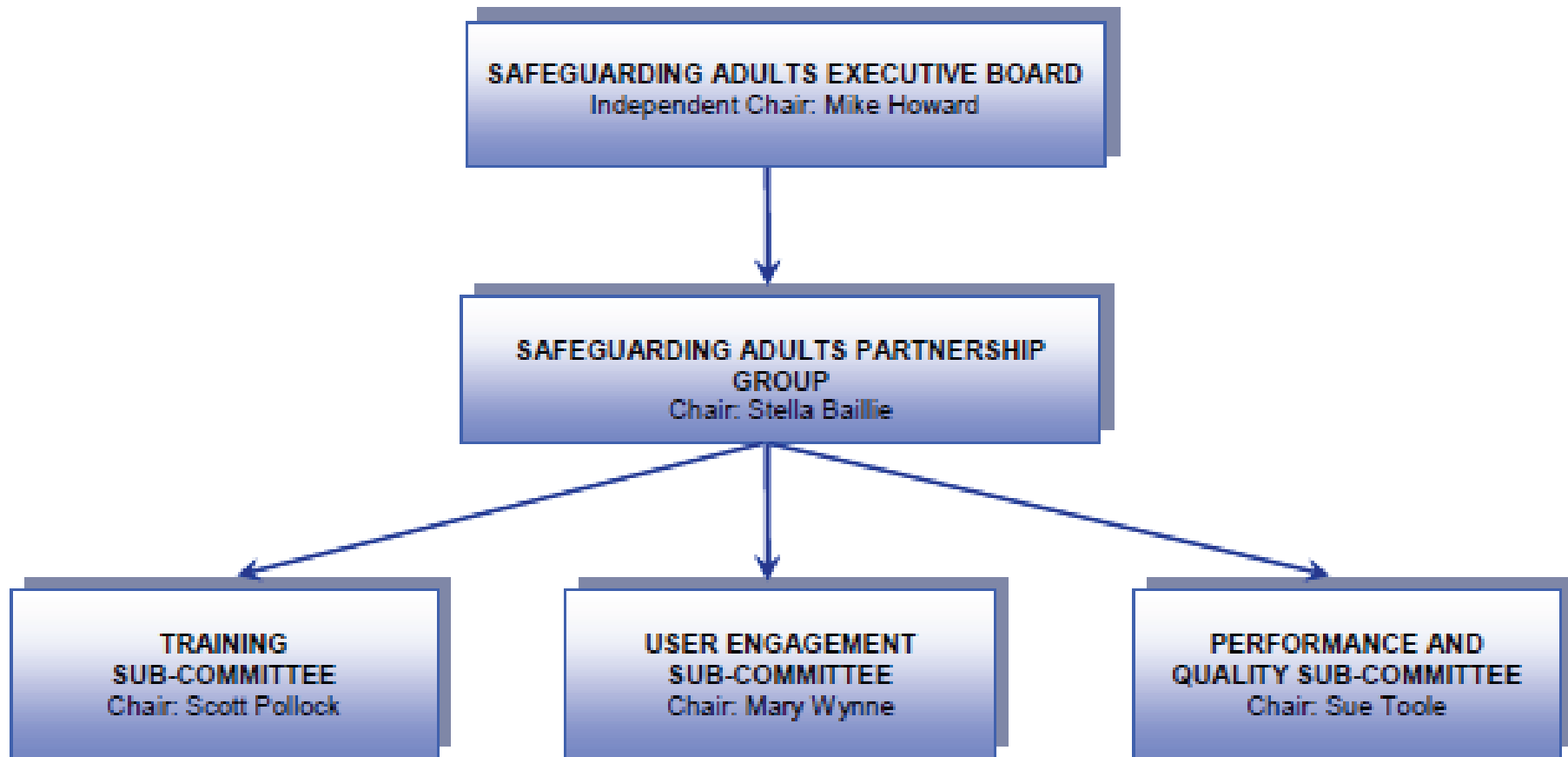
**Health**

- London Ambulance Service
- Inner North West London Primary Care Trusts
- Central London Community Healthcare NHS Trust
- Central North West London NHS Trust
- Imperial College Healthcare NHS Trust

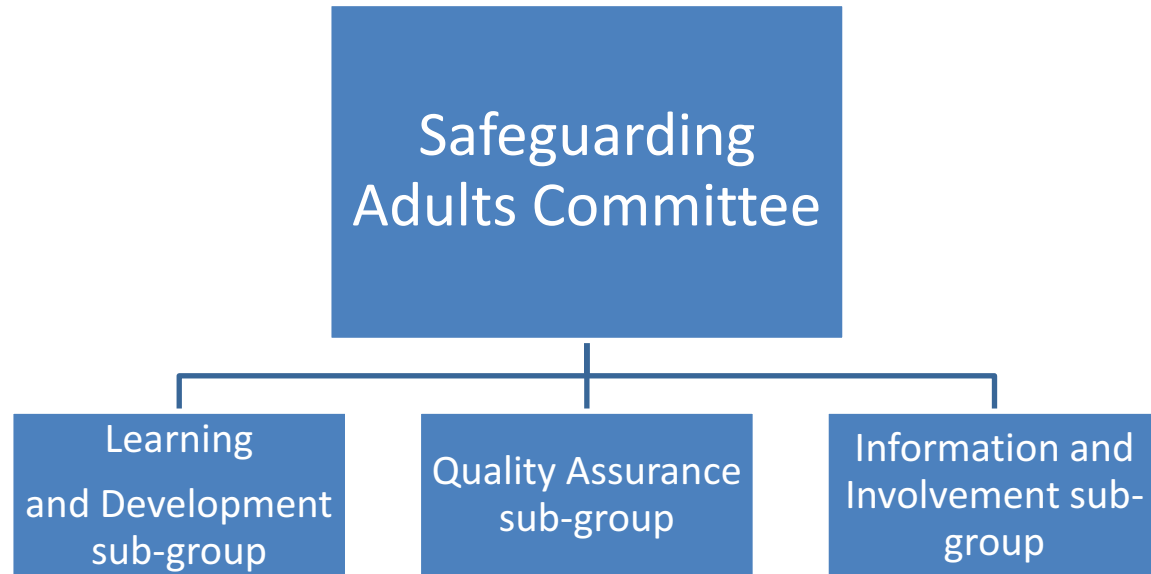
**Criminal Justice**

- Police
- MARAC
- MAPPA
- CPS
- Probation

## ROYAL BOROUGH'S SAFEGUARDING GOVERNANCE STRUCTURE



## Hammersmith and Fulham Safeguarding Adults Committee



## APPENDIX 3

### Safeguarding Board Structures (proposed): Risks and Benefits

**Option A** Create a single Safeguarding Adults Executive Board across the three boroughs, retaining partnership groups in each of the three boroughs.

# Tri-borough Safeguarding Adults Executive Board

Hammersmith and Fulham Safeguarding Adults Partnership

Westminster Safeguarding Adults Partnership

Kensington and Chelsea Safeguarding Adult Partnership

Developing best practice work streams (merged)

Quality Assurance /Measuring Effectiveness work streams (merged)

Community Involvement and Communications work streams (merged)

#### RISKS

Borough specific representation (e.g. police, LFB, third sector organisations, users, carers, elected members) may be less involved in determining strategic priorities

Same number of meetings for agencies working in more than one borough

Cost of supporting four Boards in administrative time remains high and possibly unsustainable

#### BENEFITS

High level Executive Board attracts senior representation and provides clear leadership

Saving costs of one independent chair

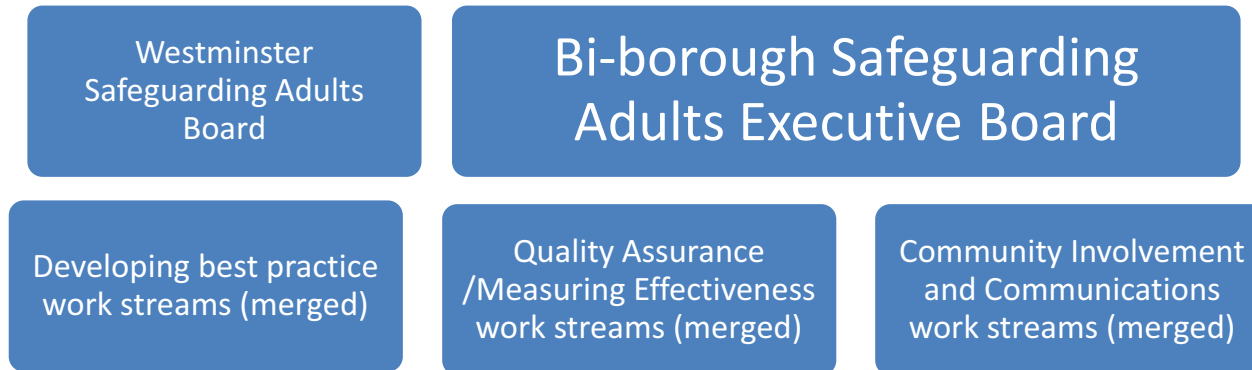
Executive and operational functions clear across tri-borough

Single strategic plan allowing for differences in local priorities

Engagement of wide range of stakeholders in Safeguarding at strategic and operational levels of organisations

## Safeguarding Board Structures (proposed): Risks and Benefits

**Option B** Merge the Hammersmith and Fulham and Kensington and Chelsea Boards (to reflect Bi-borough arrangements of a single Chief Executive).



### RISKS

- Executive function is only partial for Tri-borough
- High level Boards may lose contact with local priorities
- Change disrupts existing relationships with loss of local focus and partnerships
- Executive and operational functions not clear across tri-borough
- Work streams may lose direction/focus
- Work of Executive Board too broad and risks missing important detail
- Operational function not clear

### BENEFITS

- Reduction of the numbers of meetings for agencies working across two boroughs
- Reduces the costs of independent chairs and administrative support
- Fewer meetings for agencies working across several boroughs
- Strategic leadership for adult Safeguarding with capacity to deliver priorities in the work streams
- High level representation ensuring strong leadership particularly across statutory partners

**Safeguarding Board Structures (proposed): Risks and Benefits**

**Option C:** Create a single Safeguarding Adults Executive Board across tri-borough.

## Tri-borough Safeguarding Adults Executive Board

Developing best practice work streams (merged)

Quality Assurance /Measuring Effectiveness work streams (merged)

Community Involvement and Communications work streams (merged)

**RISKS**

- Change disrupts existing relationships and loss of local focus and partnerships
- Borough specific representatives (e.g. police, LFB, third sector organisation) not involved in determining strategic priorities
- Work of Executive Board too broad and risks missing important detail
- Operational function not clear
- Capacity of the Board to discharge all its business within the allotted time
- The Board, if representative of all organisations, may be too large

**BENEFITS**

- Mirrors the Local Children Safeguarding Boards structure
- Executive functions clear across tri-borough
- Reduces the costs of independent chairs and administrative support
- Fewer meetings for agencies working across several boroughs
- Single strategic direction for adult Safeguarding with capacity to deliver priorities in the work streams
- High level representation ensuring strong leadership particularly across statutory partners



## APPENDIX 4

### Extract from the Social Care Institute of Excellence Report 45: The governance of adult safeguarding: findings from research into Safeguarding Adults Boards : Characteristics of high-performing authorities<sup>7</sup>

The following characteristics are identifiable as present in reports on authorities who receive higher scores and positive review on the safeguarding element of inspections:

- strategic leadership from the Board, clear goals and vision;
- clear interagency safeguarding procedures and consistent implementation;
- well developed risk assessment and management processes;
- staff knowledgeable and clear about their responsibilities;
- good recording with precision in noting safeguarding interventions;
- involvement of people who use services and carers in their own safeguarding;
- good understanding of issues of capacity and choice;
- good management oversight of practice;
- widespread understanding of safeguarding across provider networks;
- strong engagement from Cabinet and committees;
- high level of senior representation on the Board;
- independent chairing;
- involvement of people who use services and carers in the Board;
- clarity of governance and accountability arrangements;
- dedicated resources;

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<sup>7</sup> Extract from the Social Care Institute of Excellence Report 45: The governance of adult safeguarding: findings from research into Safeguarding Adults Boards (September 2011)

- priority given to scrutiny of safeguarding by the Overview and Scrutiny Committee;
- evidence of strong partnership protocols between key partners;
- evidence of strong links with other partnerships with strategies for community safety;
- monitoring and analysis of activity;
- strong performance management with evidence of effective challenge;
- robust QA frameworks and means of embedded quality improvement;
- strategic approach to training, underpinned by a competency framework;
- safeguarding embedded within commissioning and contracting;
- evidence of a strong information strategy and public awareness of safeguarding;
- informative annual report.

## APPENDIX 5

### Extract from the ADASS Standards for Adult Safeguarding<sup>8</sup>




**8 Working together** : This theme looks at the role and performance of the Local Safeguarding Board and how all partners work together to ensure high quality services.

	Ideal Service	Probes and Questions	Key documentation and evidence
<b>8. Local Safeguarding Board</b>	<p>8.1 There is multi-agency commitment to safeguarding</p> <p>8.2. Safeguarding is effective at all levels (prevention and intervention)</p>	<ul style="list-style-type: none"> <li>✓ There is a Safeguarding Board that demonstrates effective leadership and manages the delivery of Adult Safeguarding policy and practice across all agencies, with representatives that are sufficiently senior to get things done.</li> <li>✓ The Safeguarding Board provides challenge and support on the outcomes for and experiences of people needing services and the impact and effectiveness of service delivery to its member organisations.</li> <li>✓ There are strong links between the Safeguarding Adults Board, the Local Strategic Partnership (LSP), Health and Wellbeing and Community Safety Partnerships.</li> <li>✓ There are clear protocols in place that integrate different agency procedures – for instance between Serious Untoward Incidents and Safeguarding, Children’s and Adults Serious Case Reviews etc.</li> <li>✓ There are mechanisms in place to ensure that the views of people who are in situations that make them vulnerable, and carers, inform the work of the board.</li> <li>✓ Reporting mechanisms (to the Board and from the Board to the Council and the Boards of partner organisations) are clear and effective.</li> <li>✓ Partners work in an atmosphere and culture of co-operation.</li> </ul>	<p>Board reports and minutes</p> <p>Council Executive and Scrutiny reports and minutes</p> <p>NHS Trust, SHA, Police Authority and other Board papers and minutes.</p>

<sup>8</sup> ADASS Standards for Adult Safeguarding [http://www.adass.org.uk/images/stories/Safeguarding%20Adults/Safeguarding%20Standards%202010\\_11.pdf](http://www.adass.org.uk/images/stories/Safeguarding%20Adults/Safeguarding%20Standards%202010_11.pdf)

# Agenda Item 13

## Executive Decision Report

Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken	Cabinet  Date of decision: 4 March 2013	 h&f hammersmith & fulham
	Cabinet  Date of decision: 21 February 2013	 THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
	Cabinet  Date of decision: 25 February 2013	 City of Westminster
<b>Report Title</b>	<b>PUBLIC HEALTH: 2013-14</b>	
<b>Reporting Officer</b>	Melanie Smith, Tri-borough Director of Public Health	
<b>Key decision</b>	Yes	
<b>Access to information classification</b>	Open report. A separate report on the Exempt Cabinet agenda deals with information regarding risks in relation to contracts to be transferred to the Councils.	

## 1. EXECUTIVE SUMMARY

- 1.1. Under the Health and Social Care Act 2012, a range of public health responsibilities which currently fall to the NHS will transfer to local government on 1 April 2013.
- 1.2. Tri-Borough Councils have agreed to establish a single public health team, hosted by Westminster and headed by a Director of Public Health. The team will be responsible for providing public health advice to all three Councils, the Clinical Commissioning Groups and the public. It will commission public health services. A list of statutory duties and the scope of these services is at Annex A.
- 1.3. Many of the services to be commissioned will be mandated: required by the Department of Health. If the local authority is found to be commissioning these services on an inadequate basis, the Department of Health may withhold grant funding in future years. Officers will report back to members urgently if the Department of Health puts in place any other requirements or processes which constrain the way in which the three Councils meet their statutory duties.
- 1.4. This paper:
  - outlines the duties to be transferred to the Council, and the function, activities, resources and proposed structure of the public health team (Annex A).
  - provides a summary of the contracts due to transfer to Tri-Borough Councils in 2013-14 and the measures in hand to manage risks associated with those contracts.
  - summarises the operating model for public health and recommends immediate modifications necessary (notably political governance) to manage public health business effectively within a Tri-Borough setting.
- 1.5. In making recommendations, the priority has been to retain the efficiencies associated with public health functioning as a single, integrated service across Tri-Borough while enabling each Council to set and follow its own priorities for public health, to make decisions about the way its own grant is spent and, where appropriate, to commission specific services.
- 1.6. Further information from the Department of Health and analysis by officers will be needed to make recommendations about the long-term operating model for public health, the Councils' priorities for commissioning public health services in 2014-15, and the most effective approach to procurement.

## **2. RECOMMENDATIONS**

- 2.1 That Westminster City Council is the Tri-borough host for Public Health.
- 2.2 That the Executive Director of Finance and Corporate Governance (LBHF), the Town Clerk and Executive Director of Finance (RBKC) and the Chief Operating Officer (WCC), and the respective Heads of Legal be authorised to enter into a Tri-Borough Agreement in respect of Public Health in accordance with Section 113 of the Local Government Act 1972.
- 2.3 That the two Chief Executives, as accounting officers for the three Councils, delegate decisions about spending on public health services (within the scope of Annex A) to the Director of Public Health, subject to each Council's financial regulations.
- 2.5 That officers carry out a review of the current public health contracts, in close consultation with Members of all three authorities, once the new public health service is embedded within the Tri-borough.

## **3. REASONS FOR DECISION**

- 3.1 Decisions are required by the Tri-Borough Councils to ensure a successful transition of the public health service from the PCT to local government on 1 April 2013.

## **4. FUNCTIONS TRANSFERRING TO LOCAL GOVERNMENT**

- 4.1 The Tri borough Councils will have public health duties in all three domains of public health:
  - Health improvement. This involves creating opportunities and removing barriers so that individuals, families and communities take positive action to maintain and improve their health through physical activity and diet (etc) as well as action to address the social determinants of health such as the built environment and worklessness
  - Health protection. The Council's current responsibilities in protecting the health of the local population from threats to health will be expanded and enhanced by their employment of public health specialists who can draw upon the expertise of Public Health England.
  - Health care public health. The Councils' public health staff will work with CCGs to ensure that services are commissioned on the basis of good evidence to prevent as well as treat disease and address local need.

4.2 Activities undertaken or commissioned by the Public Health Team will fall into one or more of the categories set out in Annex A. The list distinguishes between activities which are mandated – required by the Department of Health – and those over which Councils have discretion.

## **5. CONTRACTS TO BE TRANSFERRED TO LOCAL GOVERNMENT**

5.1 In 2012-13, the Primary Care Trusts (PCTs) commissioned a wide range of public health services for Tri-Borough residents and visitors at a cost of £101 million.

5.2 Officers commissioned a detailed audit of these contracts before Christmas in order to decide which are primarily relevant to the new duties of the local authority, compared with those of the CCGs. Of the total spending on public health contracts, we can confirm that:

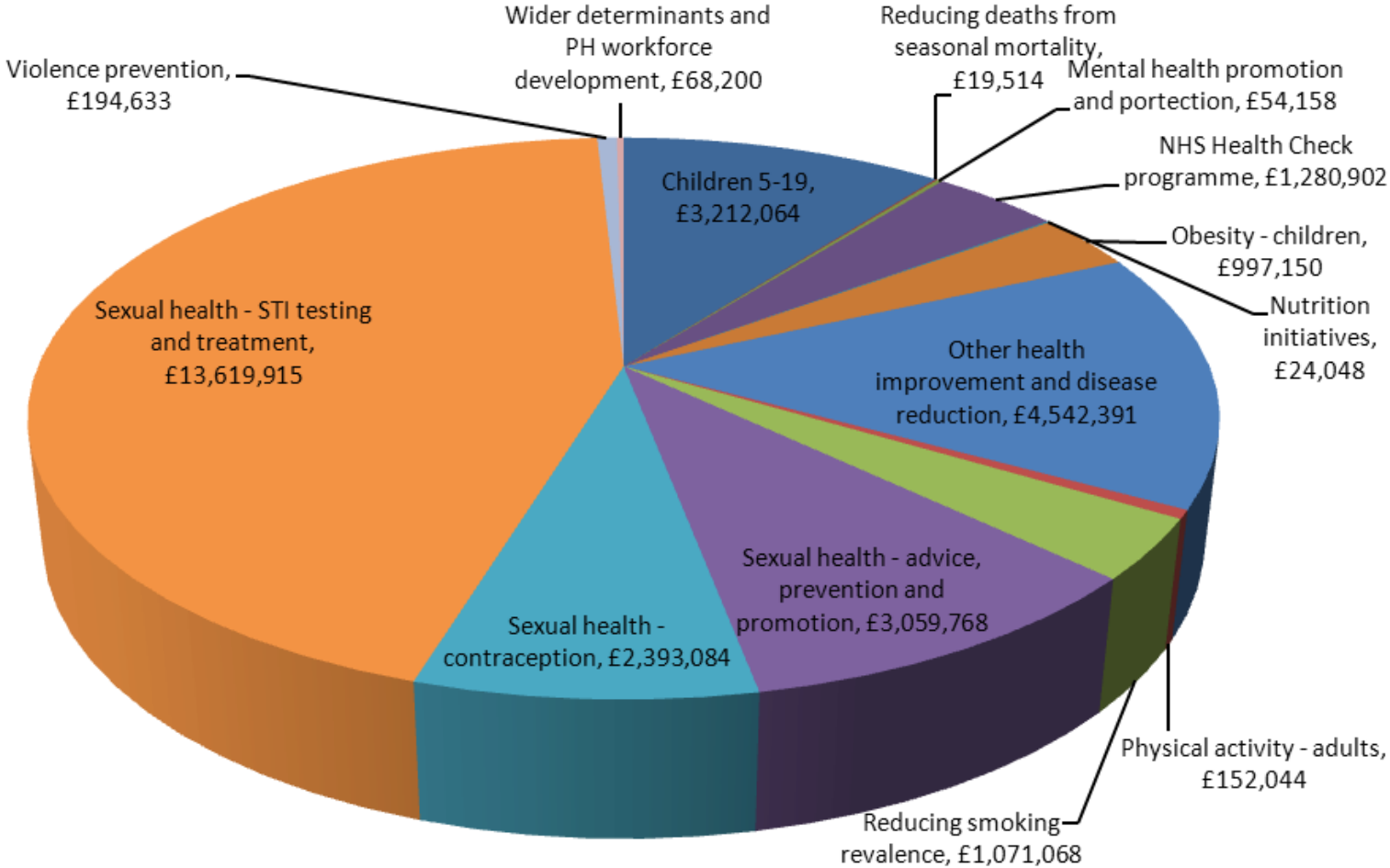
- 47 contracts (at a value of £23.9 million) will transfer to the local authorities and will be scheduled to continue into 2013-14 or beyond; and
- a further 89 contracts (with a value of £6.7 million per year) fall within the local authorities' new public health duties, but will end on 31 March 2013.

5.3 Services to tackle substance misuse are currently managed by the Tri-borough Adult Social Care service.

5.4 Figure 1 (overleaf) summarises the value of Tri-borough public health contracts for 2012-13 (a total of £30,688,939) by function.

5.5 Decisions about whether to extend contracts due to expire on 31 March 2013 rest with the PCT. Officers have, however, secured an agreement with the PCT that no action will be taken on these contracts without the Council's agreement. Commissioners in the Public Health Team are in touch with the relevant providers to establish costs and, where appropriate, re-negotiate prices for 2013-14.

**Figure 1: Value of public health contracts for Tri-Borough Councils, by function**





## 6. FINANCIAL POSITION AND RISKS.

- 6.1. The Department for Health announced on 10 January 2013 that Tri-Borough Councils would receive £71.3 million in public health grant for 2013-14. This grant may not be used for purposes other than public health. It is proposed that these will be the only resources available for public health in 2013-14.
- 6.2. Figure 2 offers a measured assessment of the financial position, if PCTs were to extend all existing grants. It has been agreed by Finance officers in all three Councils. The assessment makes provision for a number of risks. These are set out briefly in the Exempt paper on this agenda, since the explanation uses information which is commercially sensitive.

Figure 2: Headline Public Health Budgets for 2013-14 (£k)

	WCC <sup>1</sup>	RBKC	LBHF	Total
	£k	£k	£k	£k
Grants	30,384	20,636	20,287	71,307
LA Funded (substance misuse)	1,008	1,182	236	2,426
Other income	1,166	74	826	2,066
<b>Total income</b>	<b>32,558</b>	<b>21,892</b>	<b>21,349</b>	<b>75,799</b>
Employee costs	1,467	1,156	1,068	3,691
Contracted services	30,227	20,089	19,073	69,389
Other costs	333	218	799	1,350
<b>Total direct costs</b>	<b>32,027</b>	<b>21,463</b>	<b>20,940</b>	<b>74,430</b>
Recharges	531	429	409	1,369

<sup>1</sup> The split of WCC's total income is subject to some further, minor change pending a review of relevant budgets. Any change is not expected to have an impact on the total amount receivable.

- 6.3. It is proposed that officers carry out a comprehensive review of all public health contracts in the first part of the new financial year, once the local authority has legal responsibility for expenditure. This review should take into account:
- the potential to make “back office” savings to protect front line services.
  - potential to collaborate with neighbouring Councils in renegotiating contracts.
  - the priority which should be given to ensuring continuity of mandated services.
  - the relative effectiveness of particular interventions and whether there is sufficient evidence to put particular services on hold;

- the fit with existing council services and whether potential synergies could be better realised or managed
  - the need to re-negotiate contracts where commissioners have some evidence that there is scope for efficiencies.
  - the specialist or unique nature of services, where closure would leave Councils unable to meet their statutory duties, or where a provider's decision to wind up its business would damage the market and limit the Councils' opportunity to secure value for money in future;
  - whether a break in service could lead to an immediate impact on public health.
- 6.4. If Members agree with these criteria, officers will prepare more detailed plans for the review to take place, beginning in April.
- 6.5. The Public Health team has work well in hand to re-negotiate large non-NHS contracts and is working with procurement experts on a timetable to reprocure those services - currently worth £8 million - during the course of 2013-14. This exercise reflects the scope to make efficiencies or concerns about the performance of the provider. The contract with CLCH will also be re-procured, given concerns about the costs of overheads. This process will need to be carried out jointly with the CCGs.

## **7. INITIAL OPERATING MODEL FOR PUBLIC HEALTH IN 2013-14**

- 7.1. Cabinets have already agreed that Westminster City Council will host a Tri-borough Public Health function and that PCT staff will transfer to the employment of Westminster City Council. These staff will be managed and organised across Tri-borough functional portfolios and will not be allocated to individual boroughs. Each Cabinet will, however, retain responsibility for setting the budget for public health and for determining the way in which it should be spent.
- 7.2. Annex A includes an overview of the proposed team structure, its expected resources at 1 April and its main relationships with other organisations.
- 7.3. In total, 38 posts will move from Primary Care Trusts to local authority employment. This represents a reduction from 43.8 FTE in the previous PCT structures.
- 7.4. Detailed planning for the transfer of the Public Health team to Westminster City Hall is well-advanced.

- A programme of introductory meetings for staff is already under way, partly to familiarise PCT employees with the work of the Council, and partly to ensure that Council staff consider the links between their services and public health.
- Relocation to Westminster City Hall is planned in two phases. The Public Health Intelligence and Social Determinants teams will relocate from 4 March 2013, and remaining public health staff from 11 March. The Substance Misuse Services team currently operating through the Tri-Borough Adult Social Care Service will be based with the PH Service from 1 April 2013.
- Three consultants have been matched to the posts of Deputy Director of Public Health, and allocated to the three Councils with the agreement of the Chief Executives. Eva Hrobonova will be attached to Hammersmith and Fulham, Ike Anya to Kensington and Chelsea, and Helen Walters to Westminster.
- Information technology. The public health team will need to be connected to N3 in order to fulfil their functions. The current N3 connection at Westminster City Council, as provided by London Public Services Network (LPSN), will not have the capacity to meet requirements. A transitional solution will be for the public health Intelligence team to use an existing link between Westminster City Council and West London PCTs. The rest of the public health team will be able to use the existing LPSN 2MB N3 connection until a permanent 100mb solution has been procured and is in place by August.

## 8. DECISION-MAKING IN EACH COUNCIL

8.1. It is proposed that, in each Council:

- Cabinet should agree the priorities for public health, and a plan to achieve them. (This plan will, in part, help to deliver the relevant Health and Well Being Strategy). It should set out the framework for commissioning public health services in 2014-15 and beyond; the commissioning methodology; and any significant changes to the operating model (including resources) for public health.
- the Lead Cabinet member for public health will be responsible for scoping and developing these plans, commissioning work from the Public Health Team and other officers as necessary. Lead members will engage colleagues within their Cabinet on an informal basis. There will be links between public health and children's services, adult social care, finance, housing, planning, licensing, environment, leisure, libraries and sport.

## **9. THE MERITS OF A TRI-BOROUGH MEMBER STEERING GROUP**

- 9.1. Some public health services already operate in all three areas through a joint contract with a single provider. If Tri-Borough is to achieve economies of scale and maximize its purchasing power, Cabinets may wish to explore the possibility of commissioning more services in this way.
- 9.2. It may help this process if the Director for Public Health were to prepare one annual report on the health of the people in Tri-Borough, rather than three separate reports. Clearly, the report would need to specify where and how public health and needs differ in each of the three authority areas. But it may also highlight common challenges which, in turn, may be tackled most effectively by some integrated or co-ordinated services across all three Councils.
- 9.3. Ultimately, Cabinets will need to be assured that any joint contracts are an effective way of meeting the public health priorities which each will set. And so it is not necessary to create a separate body to reach joint decisions.
- 9.4. It may, however, be helpful to establish a Tri-Borough Member Steering Group for public health. Informal discussions in this forum would help:
  - ensure that there is practical collaboration across the three Councils where there are common needs and objectives;
  - establish where the co-ordination of front line services is in all three Council's best interests;
  - offer helpful peer review and challenge, particularly to ensure that the service is managed in a way which secures the best value for money.
- 9.5. Following the precedents set in Adult Social Care, the steering group might meet every six weeks, attended by the three lead members for public health and others as invited.
- 9.6. With or without a steering group, a Tri-borough agreement for Public Health is required and is currently being drafted by officers. Each authority will retain statutory responsibility for the exercise of its public health functions. The main principle underpinning the agreement is that of sharing staff using Section.113 of the Local Government Act 1972. Under this section, staff of one authority can be treated as the staff of another for the purposes of their statutory functions as opposed to a commercial arrangement whereby one authority provides professional services to another.
- 9.7. This mirrors the approach taken in Adult Social Care and Children's Services. In practice, this means that Westminster City Council (as the host borough) will employ the Director of Public Health and other public health staff and they will be

made available under the Section 113 agreement to the three boroughs accordingly.

## **10. OPERATIONAL MATTERS**

- 10.1. The Public Health team have to date been commissioning services using one set of HR and Finance systems through the shared support service used by the three Inner North West London PCTs. They have also been operating within one set of procurement rules. This is viewed as being an efficient way to operate.
- 10.2. Following transfer to Tri-borough, some of this efficiency can be replicated from the start with employee costs and expenses flowing through Westminster City Council's HR and Finance systems and being recharged to the other two boroughs. In addition, procurement decisions can largely be managed through Westminster's procedures with only the final contract award decision needing to go through three different processes according to local borough schemes of delegation in order to respect sovereignty.
- 10.3. At present, Tri-borough will not, however, be able to replicate the efficiency of contract costs being processed on one set of financial systems in the first year of the transition. For a variety of technical reasons, such as financial reporting and VAT recovery on external contract costs, it is on balance more efficient for contracts to be transferred to, and directly held by, the boroughs they relate to and for payments to be processed through the local borough financial systems rather than through Westminster's. This is how the other Tri-borough services have operated since April 2012.
- 10.4. From 1 April 2014, this inefficiency will be removed with the implementation of Athena Managed Services. The three boroughs will share one set of HR and Finance systems from this date. This will return the Public Health team to the position they were in when using the INWL shared support services.
- 10.5. A Tri-borough agreement is currently being drafted. This will set out the various responsibilities of the three Councils in operating the Tri-borough Public Health service.
- 10.6. Westminster will host accountancy support for the Public Health team as well as providing other corporate support such as HR, office accommodation, legal services and communications. The cost of these services will be shared across the three boroughs on the basis of the NHS capitation calculations (largely driven by population).
- 10.7. Members may wish to consider at a future point if they wish to operate any pooled budget arrangements for Public Health contracts. This will be explored further through the re-commissioning work that is planned to take place during 2013/14.

10.8 It is necessary to embed the new public health functions into all the existing activities. Part of that process requires the Director of Public Health to have sufficient delegated authority, similar to those of other Chief Officers, to carry out their duties on behalf of the Council. Full Council approved the delegations on 29 February 2013, a copy of which is set out at Annex B.

## 11. PLANNING BEYOND 1 APRIL 2013

11.1. Having secured a safe landing for the public health function within Tri-Borough, it is proposed to undertake a programme of work comprising:

- (a) devising the framework which the Public Health team will use to carry out a full review of all public health contracts during 2013-14 and re-commissioning of services as necessary. **Beginning in April.**
- (b) a comprehensive analysis of way in which Council services can help to improve and protect public health and, therefore, the opportunities which the transfer of public health responsibility creates for Tri-Borough. We plan to do this through a process of engagement at different levels of management and at the front line, across Tri-Borough. Work is already under way to familiarise new staff with Tri-Borough services, and ensure that existing staff understand how this new function relates to their own work. We will report back on the results of initial workshops and ideas for further work by **the end of May.**
- (c) an assessment of the priorities for public health in each of the Councils, taking into account the results of (b) and the JSNA. **By July,** for consultation.
- (d) a mid-year review of public health commissioning, with recommendations about managing performance for the second half of the 2013-14 year and for re-commissioning in 14/15. The review should include an updated assessment of the headroom and contractual flexibility in each of the three authorities to move towards newly established priorities in-year, where desirable. **By mid-September.**
- (e) a framework for commissioning in 2014-15 against the new priorities. **By October.**
- (f) preparation of Commissioning Intentions, for consultation, **by November.**
- (g) a detailed review of the public health operating model and resources, in the light of six months' experience, tri-borough developments (including plans to introduce managed services) and decisions about commissioning priorities. This review should include non-commissioning activities (such as providing

public health advice to CCGs) and will also need to reflect any changes to the role of Director of Public Health initiated by the Department of Health. It will need to engage both officers and members in giving feedback about the current approach, risks and likely pressures in future. **By December.**

## **12. LEGAL IMPLICATIONS**

12.1 The Health and Social Care Act 2012 has made major changes to the National Health Service Act 2006, to reform the NHS. In relation to public health functions, the Act allows the Secretary of State to make Regulations requiring local authorities to exercise public health functions. Details of the Regulations are still awaited.

12.2 Authorities are also to be required to appoint, jointly with the Secretary of State, a Director of Public Health to be responsible for the discharge of public health functions. Each borough is, in accordance with its own Governance arrangements, currently progressing this appointment.

12.3 In the transition period to the transfer of functions in April 2013 PCT clusters are required to identify public health spends, contracts which have been commissioned to deliver public health functions and staff engaged in public health work, in preparation for the transfer. It is expected that Transfer Orders will be made by DH identifying staff and contracts transferring to local authorities. This process is being closely monitored and any issues or difficulties arising which may have financial consequences will be reported to Cabinet in due course.

12.4 Implications verified/completed by: Tasnim Shawkat, Director of Law 020 8753 2700

## **13. EQUALITY IMPLICATIONS**

13.1 Equality impact assessments have been carried out:

- by the National Health Service in relation to the transfer of their current employees to the Councils
- by the Department of Health, in relation to the allocation of public health grant to local authorities

13.2 A balanced budget will be set in relation to public health. An Equality Impact Assessment will accompany recommendations about the Council's priorities for public health and changes to their commissioning intentions from 2013-14 onwards.

## **14. COMMUNICATIONS**

14.1 The Councils will want to establish a clear public narrative about the opportunities created by the transfer of public health duties to the local authority, the pressures on grant across the health and social care portfolio, and the need to focus rigorously on priorities. The narrative will help to make it apparent to service providers and other stakeholders that commissioning intentions are likely to change as public health duties transfer to the three Councils.

## **15. FINANCIAL AND RESOURCES IMPLICATIONS**

15.1 The Executive Director of Finance and Corporate Governance has been consulted and concurs with the proposals in this report.

15.2 The transfer of the public health function from the local PCTs to the Tri-borough councils is not risk free financially. Budget provision has been made for known commitments but further commitments may come to light once the service has transferred. This risk will need to be monitored carefully during the year.

15.3 The contracts transferring to the councils also bring their own risk. In particular, the sexual health contract is very volatile and difficult to control. Again, demand for this service and its associated cost will need to be monitored closely.

15.4 It is estimated that H&F has funds of approximately £600,000 available from within the current public health funding as a contingency against new commitments or increased demand materialising.

15.5 Implications verified/completed by: Jane West, Executive Director of Finance and Corporate Governance, 020 8753 1900

## **16. PROCUREMENT IMPLICATIONS**

16.1 The Director of Procurement and IT Strategy concurs with the proposals in this report.

16.2 Implications verified/completed by: Jackie Hudson, Director of Procurement and IT Strategy, 020 8753 2946



**LOCAL GOVERNMENT ACT 2000**

**LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
	Health & Social Care Act 2012 (published)	Melanie Smith, Tri-borough Director of Public Health	

## PROPOSED OPERATING MODEL FOR PUBLIC HEALTH ON 1 APRIL

### Statutory responsibilities

A1. The Triborough Councils will have public health duties in all three domains of public health:

- Health improvement. This involves creating opportunities and removing barriers so that individuals, families and communities take positive action to maintain and improve their health through physical activity and diet (etc) as well as action to address the social determinants of health such as the built environment and worklessness
- Health protection. The Council's current responsibilities in protecting the health of the local population from threats to health will be expanded and enhanced by their employment of public health specialists who can draw upon the expertise of Public Health England.
- Health care public health. The Councils' public health staff will work with CCGs to ensure that services are commissioned on the basis of good evidence to prevent as well as treat disease and address local need.

### Overview of public health functions

A2. Activities undertaken or commissioned by the Public Health Team will fall into one or more of the following categories:

#### Mandated functions

- Sexual health services – STI testing and treatment
- Sexual health services – contraception
- NHS Health Check programme
- Local authority role in health protection
- Public health advice
- National Child Measurement programme

#### Non-Mandated Functions

- Sexual health services – advice, prevention and promotion

- Obesity – adults
- Obesity - children
- Physical activity – adults
- Physical activity – children
- Drug misuse – adults
- Alcohol misuse – adults
- Substance misuse (drugs and alcohol) – youth services
- Reducing smoking prevalence
- Children 5 – 19 public health programmes
- Non mandatory elements of the NHS Health Check programme
- Nutrition initiatives
- Health at Work
- Accident Prevention
- Mental health promotion and protection
- Other health improvement and disease prevention activities
- Violence prevention
- Dental public health
- Fluoridation
- Local authority role in surveillance and control of infectious diseases
- Information and Intelligence
- Public health spend on environmental hazards protection
- Local initiatives to reduce excess deaths from seasonal mortality
- Wider determinants and PH workforce development

### **How the Council will be held to account**

A3. To date, the only information on performance management issued by the Department of Health is the set of grant conditions published on 10 January 2013. These cover how the grant may be spent and the activities on which it may be spent. The Councils will be required to report spend against the categories above.

### **Relationship of PH plan to Health and Well-Being Strategy**

A4. The Health and Social Care Act (2012) requires local authorities to set up Health and Well-being Boards (HWBs). Although authorities may share HWBs, Tri-borough councils have determined to establish separate boards. These are well established in shadow form.

A5. The minimum membership of the HWB is defined in the Act and includes Adult Social Care, Family and Children's Services, the CCGs, HealthWatch as well as public health.

A6. The remit of a HWB is to produce a Joint Strategic Needs Assessment and a Health and Wellbeing Strategy as a framework for commissioning by members of the Board. In this way, the HWBs will oversee commissioning of health and social care (both adults and children) and public health services.

A7. Boards may choose to take a broader remit than this. But the Councils' public health responsibilities will only ever form a part of the Boards' remits. There may be public health activities (for example those which do not impact on partners) that will be outside the Boards' remits.

## Resources

A8. The ring fenced grant for the public health service will be (for 13/14)

WCC (£k)	RBKC (£k)	LBHF (£k)
30,384	20,636	20,287

A9. In addition the transfer of substance misuse commissioning from ASC to public health will result in the following LA funding transferring

WCC (£k)	RBKC (£k)	LBHF (£k)
777	1182	676

A10. The public health team will comprise:

- 38 posts transferred from the NHS
- 10 SMS posts transferred from Adult Social Care

## Team structures:

A11. The Public Health function will be led by the Director of Public Health, reporting to the Chief Executive of Westminster City Council (as a line manager), accountable to both CEOs for the delivery of the public health plan in each borough, and supported by three Deputy Directors, one for each borough. Each of the Deputy Directors is a consultant in public health and will sit on the Boards of the CCGs in his or her borough. Each of the three consultants will have a functional portfolio which will span all three boroughs and will manage a team to deliver it. These portfolios are:

### Social determinants and public health intelligence

This team covers public health intelligence & knowledge management. It will also work across the councils providing public health advice in relation to work, housing, planning and regeneration, crime and violence. It will also work to develop public health skills in the non-specialist public health workforce.

### Public Health Families and Children

As well as a focus on family and children, including the commissioning of school nursing and the healthy schools programme, this team will lead on early years nutrition, the promotion of healthy weight, third sector and community engagement and mental health protection and promotion.

### Behaviour change and health protection

This team will commission a range of services to support behaviour change, including the health check programme, as well as delivering the Councils' responsibilities for sexual health and health protection, including assurance of infection prevention, screening, immunisation and health EPRR arrangements.

A12. Business support has been centralised and will manage the relationship with CCGs and Public Health England as well as managing the delivery of the public health work programme. The team will also act as the link with governance and member services.

### **External dependencies**

A13. In order to fulfill the Council's duties the public health team will need to work closely with:

- Central London, West London and Hammersmith and Fulham CCGs
- Public Health England
- DH
- National Commissioning Board
- Service providers in the NHS, independent and third sector
- Faculty of Public Health
- Association of Directors of Public Health

**DRAFT DELEGATED AUTHORITY TO THE TRI-BOROUGH DIRECTOR OF PUBLIC HEALTH**

- B1. To be authorised to agree expenditure on relevant public health budgets subject to each Tri-Borough Council's constitution. Such authority can be delegated in writing to others.
- B2. To lead on personnel decisions, including recruitment, appraisal and disciplinary decisions, subject to the City of Westminster's internal procedures only.
- B3. To report to the Chief Executive and relevant Cabinet Councillors and relevant Scrutiny Committee. To provide policy advice, if requested, to any political party represented on any of the participating councils.
- B4. To exercise the statutory functions of the Director of Public Health. These responsibilities may be delegated in writing to named public health consultants in each borough.
- B5. To report to each Council's Chief Executive on the performance of the function and to support the accountability of the chief Executive for grant expenditure.
- B6. To ensure that each participating authority has up-to-date plans, meeting statutory requirements and the demands of good practice.
- B7. To be the officer responsible for leadership, expertise and formal advice on all aspects of the Public Health Service.
- B8. To provide advice to the public in any period where local health protection advice is likely to be necessary or appropriate, in conjunction with each Council's communications team.
- B9. To promote action across the life course, working together with local authority colleagues such as the Executive Director of Children's Services and the Executive Director of Adult Social Care and with NHS colleagues.
- B10. To work through local resilience fora to ensure effective and tested plans are in place for the wider health sector to protect the local population from risks to public health.
- B11. To work with local criminal justice partners and Police and Crime Commissioners to promote safer communities.

B12. To work with the wider civil society to engage local partners in fostering improved health and wellbeing.


B13. To be an active member of the Health and Wellbeing Board, advising on and contributing to the development of joint strategic needs assessments and joint health and wellbeing strategies and commission appropriate services accordingly.

B14. To take responsibility for the management of their authority's public health services with professional responsibility and accountability for their effectiveness, availability and value for money.

B15. To play a full part in their authority's action to meet the needs of vulnerable children, for example by linking effectively with the Local Safeguarding Children Board.

B16. To contribute to and influence the work of NHS Commissioners, ensuring a whole system approach across the public sector.

# Agenda Item 14

	<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET</b>  <b>4 MARCH 2013</b>
<b>TFL FUNDED ANNUAL INTEGRATED TRANSPORT INVESTMENT PROGRAMME 2013/14</b>	
<b>Report of the Cabinet Member for Transport and Technical Services – Councillor Victoria Brocklebank-Fowler</b>	
<b>Open Report</b>	
<b>Classification - For Decision</b>  <b>Key Decision: Yes</b>	
<b>Wards Affected: All</b>	
<b>Accountable Executive Director: Nigel Palace – Bi Borough Executive Director of Transport and Technical Services</b>	
<b>Report Author: Nick Boyle – Transportation and Development Manager</b>	<b>Contact Details:</b> Tel: 020 87533069 E-mail: <a href="mailto:nick.boyle@lbhf.gov.uk">nick.boyle@lbhf.gov.uk</a>

## 1. EXECUTIVE SUMMARY

- 1.1. This report refines and details the integrated transport programme which forms part of the council's approved transport plan (LIP2) to be undertaken in 2013/14 funded by Transport for London (TfL). This report is seeking the approval of the design, consultation and implementation of different elements of the programme and delegation of the approval for construction of the capital programme to the Cabinet Member for Transport and Technical Services.
- 1.2. The Council's integrated transport grant for 2013/14 is £1,947,000, (for Corridors, Neighbourhoods and Supporting Measures). For Principal Road Maintenance £633,000; for Local Transport Funding £100,000; and for The Shepherds Bush West Town Centre (a major TFL scheme allocation) of £1,202,000. The grand total of 2013/14 TFL funding is £3,882,000. This funding is specifically provided by TfL for transport projects based on the council's transport objectives, targets and delivery plan. The projects are designed and delivered by the Council on the basis of maximising value for money and reducing the costs to the council of maintenance.



- 1.3. The capital programme 2013/14 for TTS which is funded from the Local Implementation Plan is £3,466,000. The remaining £416,000 is revenue expenditure. The capital programme is the subject of a separate report to Cabinet on 11 February 2013.

<b>Scheme Category (£'000)</b>	<b>Capital</b>	<b>Revenue</b>	<b>Total</b>
Corridors & Neighbourhoods	1,531	416	1,947
Principal Road Maintenance	633		633
Local Transport Fund	100		100
Shepherds Bush West Town Centre	1,202		1,202
<b>Total 2013/14 TFL funding</b>	<b>3,466</b>	<b>416</b>	<b>3,882</b>

## **2. RECOMMENDATIONS**

- 2.1 That approval be given to carry out feasibility design and consultation on projects C1, C2, N1 to N5 and the streetscape project at a total cost of £145,000 (approximately 15% of the total project cost) as set out in paragraph 5.2 of the report (forms part of the £1,947,000).
- 2.2 That authority be delegated to the Cabinet Member for Transport and Technical Services, in consultation with the Executive Director of Transport and Technical Services, to approve the implementation of new projects C1, C2, N1 to N5 and the streetscape project totalling £963,000 (forms part of the £1,947,000).
- 2.3 That approval be given to complete the 2012/13 integrated transport projects at a cost of £468,000 as set out in paragraph 5.3 of the report (forms part of the £1,947,000).
- 2.4 That approval be given to deliver the smarter travel programme at a cost of £356,000, as detailed in paragraph 5.4 of the report (forms part of the £1,947,000).
- 2.5 That approval be given to utilise £100,000 as a contribution towards the Mayor's cycle hire scheme and £60,000 to develop the Council's 2014/15 to 2016/17 delivery plan, as detailed in paragraph 5.5 of the report (forms part of the £1,947,000).
- 2.6 That authority be delegated to the Cabinet Member for Transport and Technical Services in consultation with the Executive Director of Transport and Technical Services to approve the implementation of the Local Transport Fund programme of £100,000, as detailed in paragraph 5.6 of the report.

### **3. REASONS FOR DECISION**

- 3.1. There are two reasons for the decision. The first is that the recommendations seek to spend over £100,000 and the second is that the recommendations will affect more than three wards.
- 3.2 Physical improvements to the public highway and programmes of work designed to reduce congestion and manage traffic fall under the council's duty under a variety of Acts including the Traffic Management Act 2004.

### **4. INTRODUCTION AND BACKGROUND**

- 4.1 The Council's Transport Plan 2011 – 2031 or Second Local Implementation Plan (LIP2) was approved by the cabinet on 20 June 2011 and by TfL on 11 October 2011. The LIP2 contains seven borough transport objectives and a performance management plan containing the borough's ten targets, both of which are detailed below;

#### **Borough transport objectives**

- To support sustainable population and employment growth in the five regeneration areas - White City, Earl's Court/West Kensington, Hammersmith Town Centre, Fulham Riverside and Old Oak Common.
- To improve the efficiency of our road network.
- To improve the quality of our streets.
- To improve air quality in the borough.
- To make it easier for everyone to gain access to transport opportunities.
- To support residents and businesses by controlling parking spaces fairly.
- To reduce the number of people injured and killed on our streets.

## Borough transport targets

Target no.	LIP2 objective	Indicator	Baseline	Short-term (interim target)	Long-term target (indicative)
1a.	1,2,4	<b>Walking mode share</b> % of residents trips by main mode	36.9%	37.5% (2013/14)	40% (2030/31)
1b.	1,2,4	<b>Cycling mode share</b> % of residents trips by main mode	3.9%	4.5% (2013/14)	8%(2030/31)
2.	2	<b>Bus service reliability</b> average excess wait time for high frequency services (mins)	1.2	1.2 (2013/14)	1.2 (2017/18)
3.	2,3,5	<b>Asset condition</b> % of the Borough Principal Road Network with a UKPMS score greater than 70.	8.4%	8.4% (2013/14)	10% (2017/18)
4a.	7	<b>Road casualties</b> Number of KSI (3 year rolling average)	110	99 (2013)	51 (2030)
4b.	7	<b>Road casualties</b> Number of all casualties per billion vehicle kilometres (3 year rolling average)	1195	1074 (2013)	558 (2030)
5.	2,3,4	<b>CO<sup>2</sup> emissions</b> Kilotonnes (kt) emanating from ground-based transport per year	155	130 (2013)	85 (2025)

Number	LIP2 objective	Indicator	Baseline	Short-term (interim target)	Long-term target (indicative)
6a.	2,4,5	<b>Bus route 220 journey time and reliability</b> Fulham Palace Road	NB 18.4/15.2 SB 18.0/10.2	NB 15.5/10.0 SB 16.5/7.0	NB 14.0/7.0 SB 14.0/5.0
6b.	2,4,5	<b>Bus route 237 journey time and reliability</b> Goldhawk Road	EB 7.0/4.3 WB 11.6/7.9	EB 7.1/3.0 WB 11.6/5.5	EB 6.0/3.0 WB 9.0/4.0
7.	2,4,5,7	<b>The school run</b> percentage of school trips made on foot or by bike	42%	49%	70%

- 4.2 On 1 June 2012 TfL issued guidance on the 2013/14 integrated transport programme funding. The Council's submission was made on 5 October 2012 based on the Cabinet Member's decision on how the 10%

difference between the draft grant figure (as detailed in the transport plan) and the actual figure (as set out in paragraph 1.2) was to be achieved.

## **5. PROPOSAL AND ISSUES**

5.1 The 2013/14 integrated transport programme is made up of a number of different project areas. Each project area has a slightly differing nature and as such the recommendation for each area differs. There are five project areas: new projects, completion projects, smarter travel projects, other transport projects and local transport fund projects.

### **5.2 New projects (£963,000)**

The plan attached to the report as appendix 1 shows the location of the new projects. Each project has either a corridor reference (C1 and C2) or a neighbourhood reference (N1 to N5). M1 refers to the Council's current Major Project: Shepherds Bush Town Centre West which is subject to a separate cabinet report.

#### **Goldhawk Road Corridor (C1) - £200,000**

The Goldhawk Road Corridor project was originally part of the major project submission to TfL in 2011 (as above). However after detailed discussions with TfL they considered a more appropriate major project would concentrate on Shepherds Bush town centre (as identified as M1 on the plan at appendix 1). Funding for the design and implementation of the major project has been secured and will be reported separately.

In response to this, and the extensive feasibility work that was carried out along the length of Goldhawk Road, the C1 project was defined. It covers the length of Goldhawk Road from Hammersmith Grove in the east to King Street in the west. Goldhawk Road is part of the strategic road network and carries a considerable number of cars and buses in both directions. The road has often been seen as a barrier to the communities either side and over the last few years smaller projects have been delivered to address this. In 2011 a staggered pelican crossing was upgraded to a straight across toucan crossing along with the removal of approximately 1000m of guard rail. This project won the Hammersmith Society Nancy Goulden award in 2012 and has set the blueprint for Goldhawk Road.

#### **St Mary's Cemetery Neighbourhood (N1) - £120,000**

The St Mary's Cemetery Neighbourhood covers the area known as College Park in the very northern part of the borough south of Harrow Road. The area was one of the very first of the seventeen 20mph zones in the borough and is traffic calmed through a variety of features (speed cushions, humps, road closures etc). These features will be reviewed, rationalised and upgraded where appropriate. The area contains Kenmont Primary School who have a very active school travel plan programme.

#### Hammersmith Grove Neighbourhood (N2) - £80,000

Hammersmith Grove Neighbourhood covers the road network between Glenthorne Road in the south, Paddenswick Road in the west, Goldhawk Road in the north and the Hammersmith and City and Circle rail line in the east. The area is one of the boroughs seventeen 20mph zones (Grove zone) and is traffic calmed through a variety of features (speed cushions, humps, road closures etc). These features will be reviewed, rationalised and upgraded where appropriate. The area contains a number of schools and is adjacent to Hammersmith town centre and is subject to heavy traffic and footfall as a result.

#### Sulgrave Road Neighbourhood (N3) - £130,000

Sulgrave Road Neighbourhood covers the road network adjacent to Hammersmith Grove Neighbourhood project above with Hammersmith Broadway to the south, the Hammersmith and City and Circle rail line to the west, Goldhawk Road to the north and Shepherd's Bush to the east. The area is not within a 20mph zone and contains Lena Gardens Primary School. Due to the nature of the Trussley Road (the only access across the tube line between Hammersmith and Shepherds Bush) the area suffers from significant rat running and its associated detriments; air quality, noise etc.

#### White City Neighbourhood (N4) - £120,000

White City Neighbourhood covers the road network between Uxbridge Road in the south, Bloemfontein Road in the west, The Westway in the north and Wood Lane in the east. The area is the largest neighbourhood on the 2013/14 programme and houses a significant number of residents and office accommodation in the BBC. It also contains a number of schools, Queens Park Rangers football club and a small 20mph zone covering the White City estate only. The area is part of the wider White City opportunity area with significant regeneration planned over the next 20 years.

#### Cathnor Park Neighbourhood (N5) - £140,000

Cathnor Park Neighbourhood covers the road network between Goldhawk Road to the south, Askew Road to the west, Uxbridge Road to the north and Coningham Road to the east. The area was one of the early 20mph zones in the borough and is traffic calmed through a variety of features (speed cushions, humps, road closures etc). These features will be reviewed, rationalised and upgraded where appropriate. The area contains a variety of education establishments including the new Hammersmith Academy. The area has a very active resident's association who will be key to the development of an appropriate design solution to address the actual and perceived transport problems in the area.

Cycle Super Highway 9 links (C2) - £50,000

Cycle Super Highway 9 will eventually run from Hounslow to Hyde Park through the borough along King Street, The Great West Road and Hammersmith Road. The design and implementation of the features along the super highway will be subject to a separate cabinet report and fully funded by TfL. The anticipated opening date is Spring 2015 and will be preceded by an extensive engagement programme starting in 2013. The TfL funding only covers the actual route of the super highway and in response to this it is proposed that this project will design and implement improvements to the cycling facilities that link to the super highway to increase its use and permeability.

Streetscape improvements - £123,000

The Council's adopted highways design guide is known as streetsmart and promotes a high quality and decluttered urban realm. At the time this funding package was submitted (October 2012) it was agreed to identify a project that would allow an as yet undefined urban realm project or projects to be developed and delivered. Throughout the year officers identify potential projects based on feedback from transport users or influenced by other programmes of work (such as the current sustainable drainage projects). It is proposed that this project is developed in consultation with the Cabinet Member for Transport and Technical Services who will ultimately approve the implementation.

### **5.3 Completion of 2012/13 projects (£468,000)**

Due to the complex nature of designing and delivering civil engineering projects and the funding requirements set by TfL most projects last 18 months spanning three financial years. The list below identifies eight projects that were part of the 2012/13 integrated transport programme that have subsequently been approved for construction by the Cabinet Member for Transport and Technical Services.

For the most the budgets are relatively low and the works consist of completing paving or snagging and on occasion amending the scope of the project based on feedback. The exception to this is the first project on the list Fulham Palace Road Corridor. This is a multi-million pound three year transformation of the boroughs busiest north south route on the back of the successful slip road project completed in 2012.

Fulham Palace Road Corridor - £140,000

Riverwalk Corridor - £85,000

Uxbridge Road Corridor - £120,000

Scrubs Lane Corridor - £30,000

Du Cane Road Neighbourhood - £40,000

Riverside Neighbourhood - £18,000

Fulham Palace Road East Neighbourhood - £18,000

Charing Cross Neighbourhood - £17,000

#### **5.4 Smarter travel projects (£356,000)**

Smarter travel refers to a package of revenue projects covering road safety education and travel awareness, ranging from working with schools training children and supporting them on their travel plans to working with the large employers in the borough developing their travel plans. These projects are mostly on-going and flexible to respond to emerging trends in transport use or casualty statistics in the borough. Smarter travel projects promote sustainable modes of transport; walking, cycling and public transport and are proven to reduce congestion and increase the overall health of a population.

The Council's transport plan commits to at least 15% of the total integrated transport funding to be allocated to smarter travel projects. However, it was proposed that this figure be increased to £356,000 (18%) to increase the number of children and adults that receive cycle training. This is in response to the increase in cycling in the borough (5% of all trips and the highest rate in London) alongside the imminent implementation of two major cycling infrastructure projects (Mayors Cycle hire and Cycle Super Highway 9).

The smarter travel programme is split into five broad themes as below. As part of the annual road safety review the activities within these themes are reviewed and reported back to the Cabinet Member for Transport and Technical Services and the relevant Select Committee.

Cycle training - £85,000

Children's education, training and publicity - £175,000

Cycling campaigns - £15,000

General campaigns - £45,000

Travel awareness - £36,000

#### **5.5 Other transport projects (£160,000)**

Mayors Cycle Hire Scheme - £100,000

The Mayor's Cycle Hire Scheme (known as Boris Bikes) is extending to the west and up to 80 docking stations will be located within the borough. The council is required to contribute £2,000,000 to this extension which will be secured through the development management process. However in order to manage the risk of this approach a small contribution from the integrated transport programme is proposed.

Officers are working closely with TfL with regards to the location of the docking stations which will be operational by 2014.

Delivery Plan development - £60,000

The 2013/14 integrated transport programme is the final year of the three year delivery plan that forms chapter three of the council's transport plan. A new three year delivery plan for 2014/15 to 2016/17 is required to be developed and submitted to TfL setting out how the council will continue to work towards its transport objectives and targets.

It is proposed that £60,000 is allocated to developing this delivery plan as it requires a considerable officer resource to collect and analyse a wide range of transport data. An integral part of this project is the continued engagement with stakeholders which shall be facilitated through the multimedia get H&F moving campaign.

#### **5.6 Local Transport Fund projects (£100,000)**

As in 2011/12 and 2012/13 TfL are providing each borough with a local transport fund of £100,000 that can be spent on any local transport project that broadly meets the high level objectives of the Mayors Transport Strategy.

In 2012/13 the following project work was undertaken using this fund:

- school travel plan engineering measures
- cycle parking
- accessibility works (dropped kerbs etc)
- streetscape improvements

During the year officers collate requests for minor project work and this report seeks delegation of the approval of this programme to the Cabinet Member for Transport and Technical Services.

- 5.7 The delivery of £633,000 for Principal Roads maintenance and £1,202,000 for Shepherds Bush West Town Centre major project are subject to separate Cabinet decisions.

### **6. OPTIONS AND ANALYSIS OF OPTIONS**

- 6.1 Four options to achieve the 10% reduction in grant were set out in the Cabinet Members report that supported the 2013/14 TfL funding submission. These options were all based around the flexibility that resulted from the Council's success in achieving additional major project funding.



- 6.2 The first option a 'Tailored reallocation' removed £600,000 of funding that is now covered from major project funding and reallocating this (minus the 10% reduction) to other projects based on officers understanding of the need for investment in those areas. This was the officers' recommendation and it was this option that forms the basis of the project budgets approved by the Cabinet Member in this report
- 6.3 The second option a 'salami slice' reduced each project by 10%. The third option a 'pro rata increase' was to remove the project that had secured major project funding from this funding stream and increase the rest of the project budgets accordingly. The final option 'new projects' again saw the removal of the major project and the reallocation of £683,000 to new (and undefined) projects.
- 6.4 It was felt by officers that the risk of overspend and underspend was too great in options two through four and as such option one was recommended and approved.

## **7. CONSULTATION**

- 7.1. The 2013/14 integrated transport programme is the final year of the three year delivery plan that forms the third chapter of the council and TfL approved transport plan. The transport plan was subject to considerable consultation with a wide range of stakeholders during its development in 2010/11. The delivery plan sets out sources of funding, delivery actions and a high level programme of investment in order to achieve the Council's transport objectives and targets detailed in paragraph 4.1.
- 7.2 The original 2013/14 programme in the transport plan was based on the predicted TfL funding which was refined as a result of the Government's October 2010 spending review. The final figure was reduced by 10% to £1,947,000 and in order to develop the four options extensive internal consultation was undertaken to identify the most appropriate redistribution of budget.
- 7.3 As with the successful approach taken in previous years all new neighbourhood projects are subject to a blank canvas consultation in the final quarter of the preceding financial year. The consultation simply asks what transport issues residents, businesses and ward Councillors are faced with. This will be the third year this approach has been undertaken and response rates are increasing every year.
- 7.4 Following detailed design those residents and businesses, along with ward Councillors, that are directly affected by any proposed road changes are consulted again detailing the specific features that are proposed. It is to this stage that approval is sought and the results of this second consultation is reported back to the Cabinet Member for approval for construction. An example of a plan from a 2012/13 neighbourhood consultation is attached at Appendix 2.

## **8. EQUALITY IMPLICATIONS**

- 8.1 An EIA screening tool has been prepared in support of this report and is available electronically. It identifies no equality implications. In addition to this a full EIA was prepared for the Council's transport plan which covers the projects contained within this report.

## **9. LEGAL IMPLICATIONS**

- 9.1 Where further consultation is to be carried out (as indicated in various parts of the report) either on an informal or statutory basis, it must follow public law principles in that it must be carried out at a formative stage of the decision making process, last for a reasonable period, provide sufficient information for consultees to make an informed representation and all representations must be taken into account before any decision is made.
- 9.2 The Council has the power to carry out the physical highways works anticipated in the report under the Highways Act 1980 although some will require the Council to follow a formal procedure, which may lead to a public inquiry. Any changes made to existing traffic management orders will require the Council to follow the statutory process set out in the Road Traffic Regulation Act 1984 and secondary legislation and may lead to a public inquiry. A number of projects identified are exercisable pursuant to the Council's powers under s.2 of the Local Government Act 2000 and s.1 of the Localism Act 2011.
- 9.3 As road traffic authority, the Council must exercise its functions as far as practicable to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities.
- 9.4 Implications verified by: Alex Russell – Environmental Services Lawyer.  
0208 753 2771

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1 Transport for London (TfL) have approved capital and revenue funding of £3,882,000 for the LIP2 programme for 2013/14. The portion of the capital programme for TTS in 2013/14 which is funded only by TFL totals £3,466,000 and is included as part a separate report on the overall Council capital programme for 2013/14. The revenue expenditure total is £416,000. There are no implications for internal Council resources since this is all external financing.

<b>Scheme Category (£'000)</b>	<b>Capital</b>	<b>Revenue</b>	<b>Total</b>
Corridors & Neighbourhoods	1,531	416	1,947

<b>Scheme Category (£'000)</b>	<b>Capital</b>	<b>Revenue</b>	<b>Total</b>
Principal Road Maintenance	633		633
Local Transport Fund	100		100
Shepherds Bush West Town Centre	1,202		1,202
<b>Total 2013/14 TFL funding</b>	<b>3,466</b>	<b>416</b>	<b>3,882</b>

10.2. At present the costs of each scheme are based on estimates. These are subject to change once the detail of each scheme has been costed. The funding however is limited to the amount approved by the TfL. Any variation in costs in excess of the amount approved cannot be assumed to be funded by TfL unless this is approved in advance. Alternatively, officers may need to manage the workload to ensure that expenditure is contained within the approved provision.

10.3 Implications verified by: Gary Hannaway, Head of Finance. 0208 753 6071

## 11. RISK MANAGEMENT

11.1. The Council and TfL approved transport plan deals with programme level risk management, in particular chapter three, the delivery plan. The table below details the capital programme risk and mitigation measures:

<b>Risk</b>	<b>Mitigation measure(s)</b>
Cost increase/budget reduction	all designs developed to be flexible to allow amendments to reflect budget reduction whilst still maintaining principles of LIP objectives
Delay to schemes	LIP funding to be allocated in consecutive years to allow more involved projects to be run over 18 months rather than the traditional 12 months
Lack of Stakeholder support	develop designs that meet our LIP objectives that can be justified and presented to stakeholders in a suitable manner
Policy compatibility	to develop a bespoke policy compliance tool that all potential projects will be assessed against
Lack of resources to deliver	to maintain our working relationships with the RB Kensington & Chelsea and framework consultants to ensure resources are in place to deliver LIP objectives.

11.2 All integrated transport projects are managed through a divisional BSI 9001:2008 registered quality management system which incorporates all

elements of project risk management and mitigation required for capital and revenue projects.

- 11.3 Implications verified by: Michael Sloniowski – Head of Risk Management. 0208 753 2587

## **12. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 12.1. All integrated transport projects are designed and managed either in house or through an existing transport framework contract. All integrated transport projects are implemented using existing divisional term contracts.
- 12.2. Implications verified by: Alan Parry – Corporate Procurement Team. 020 8753

### **LOCAL GOVERNMENT ACT 2000** **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

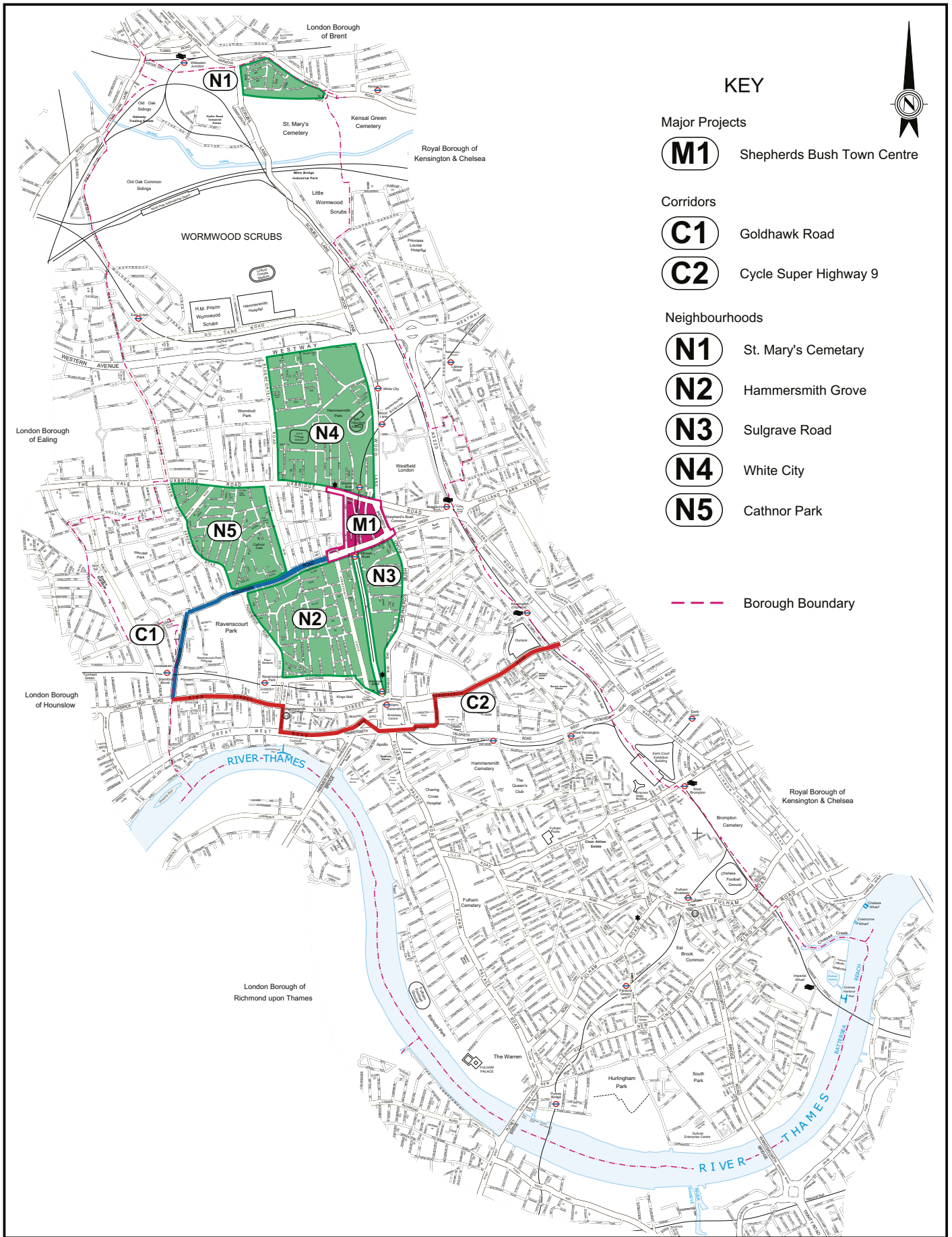
<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	2013/14 LIP funding guidance (published)	Nick Boyle x3069	TTS, HTHX

#### **LIST OF APPENDICES:**

**Appendix 1 – TfL annual spending submission plan**

**Appendix 2 – East Acton Neighbourhood consultation 2012/13**

**Appendix 3 – EIA scoping report (available electronically)**



<b>HAMMERSMITH &amp; FULHAM COUNCIL</b>		
Transport & Technical Services Town Hall Extension, King Street London W6 9JU Tel. 020 8748 3020		
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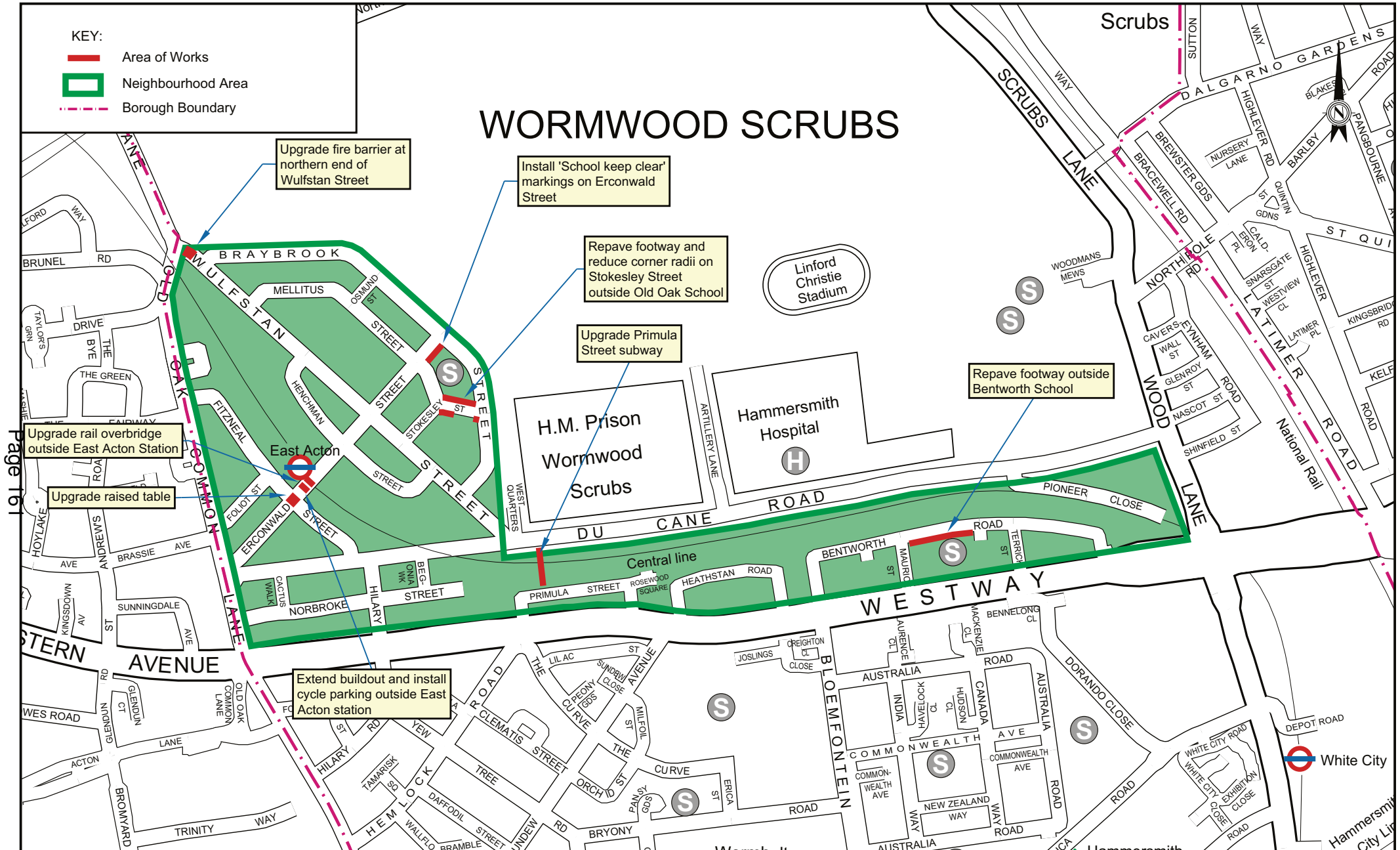
<b>PROJECT</b>
<b>TFL 2013/14 ANNUAL SPENDING SUBMISSION (ASS)</b>
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<b>NOTES</b>	Date	Rev	Init
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- KEY:**
- Area of Works
  - Neighbourhood Area
  - Borough Boundary

# WORMWOOD SCRUBS




Page 16

HAMMERSMITH AND FULHAM COUNCIL  
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## EAST ACTON NEIGHBOURHOOD SCHEME AREA - N1 CONSULTATION PLAN

  
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## **NOTICE OF CONSIDERATION OF A KEY DECISION**

In accordance with paragraph 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of Key Decisions which it intends to consider at its next meeting and at future meetings. The list may change between the date of publication of this list and the date of future Cabinet meetings.

## **NOTICE OF THE INTENTION TO CONDUCT BUSINESS IN PRIVATE**

The Cabinet also hereby gives notice in accordance with paragraph 5 of the above Regulations that it intends to meet in private after its public meeting to consider Key Decisions which may contain confidential or exempt information. The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports relating to key decisions which the Cabinet will take at its private meeting are indicated in the list of Key Decisions below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please e-mail Katia Richardson on [katia.richardson@lbhf.gov.uk](mailto:katia.richardson@lbhf.gov.uk). You will then be sent a response in reply to your representations. Both your representations and the Executive's response will be published on the Council's website at least 5 working days before the Cabinet meeting.

## **KEY DECISIONS PROPOSED TO BE MADE BY CABINET ON 4 MARCH 2013 AND AT FUTURE CABINET MEETINGS UNTIL JUNE 2013**

The following is a list of Key Decisions which the Authority proposes to take at the above Cabinet meeting and future meetings. The list may change over the next few weeks. A further notice will be published no less than 5 working days before the date of the Cabinet meeting showing the final list of Key Decisions to be considered at that meeting.

**KEY DECISIONS** are those which are likely to result in one or more of the following:

- Any expenditure or savings which are significant (ie. in excess of £100,000) in relation to the Council's budget for the service function to which the decision relates;
- Anything affecting communities living or working in an area comprising two or more wards in the borough;
- Anything significantly affecting communities within one ward (where practicable);
- Anything affecting the budget and policy framework set by the Council.

The Key Decisions List will be updated and published on the Council's website on a monthly basis.

**NB: Key Decisions will generally be taken by the Executive at the Cabinet.**

*If you have any queries on this Key Decisions List, please contact  
**Katia Richardson** on 020 8753 2368 or by e-mail to [katia.richardson@lbhf.gov.uk](mailto:katia.richardson@lbhf.gov.uk)*

### **Access to Cabinet reports and other relevant documents**

Reports and documents relevant to matters to be considered at the Cabinet's public meeting will be available on the Council's website ([www.lbhf.org.uk](http://www.lbhf.org.uk)) a minimum of 5 working days before the meeting. Further information, and other relevant documents as they become available, can be obtained from the contact officer shown in column 4 of the list below.

### **Decisions**

All decisions taken by Cabinet may be implemented 5 working days after the relevant Cabinet meeting, unless called in by Councillors.

### **Making your Views Heard**

You can comment on any of the items in this list by contacting the officer shown in column 4. You can also submit a deputation to the Cabinet. Full details of how to do this (and the date by which a deputation must be submitted) will be shown in the Cabinet agenda.

#### **LONDON BOROUGH OF HAMMERSMITH & FULHAM: CABINET 2012/13**

<b>Leader (+ Regeneration, Asset Management and IT):</b>	<b>Councillor Nicholas Botterill</b>
<b>Deputy Leader (+ Residents Services):</b>	<b>Councillor Greg Smith</b>
<b>Cabinet Member for Children's Services:</b>	<b>Councillor Helen Binmore</b>
<b>Cabinet member for Communications:</b>	<b>Councillor Mark Loveday</b>
<b>Cabinet Member for Community Care:</b>	<b>Councillor Marcus Ginn</b>
<b>Cabinet Member for Housing:</b>	<b>Councillor Andrew Johnson</b>
<b>Cabinet Member for Transport and Technical Services:</b>	<b>Councillor Victoria Brocklebank-Fowler</b>

*Key Decisions List No. 6 (published 1 February 2013)*



## KEY DECISIONS LIST - CABINET ON 4 MARCH 2013

**The list also includes decisions proposed to be made by future Cabinet meetings**

*Where column 3 shows a report as EXEMPT, the report for this proposed decision will be considered at the private Cabinet meeting. Anybody may make representations to the Cabinet to the effect that the report should be considered at the open Cabinet meeting (see above).*

\* All these decisions may be called in by Councillors; If a decision is called in, it will not be capable of implementation until a final decision is made.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision  Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
<b>March</b>				
Cabinet	4 Mar 2013	<p><b>Purchase of car parking spaces to the rear of Fulham Town Hall</b></p> <p>As part of the sale process of Fulham Town Hall the Council is purchasing the freehold interest of car parking spaces at the rear of the building.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Leader of the Council (+Regeneration, Asset Management and IT)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): Parsons Green and Walham	
Cabinet	4 Mar 2013	<p><b>Award of a contract for the provision of Frameworki Social Care case system for Community Care and Children's Services</b></p> <p>Confirmation of reprocurement of Frameworki social care system (or equivalent social care system) is requested for both Adult Social Care and Children's Services from</p>	Cabinet Member for Community Care, Cabinet Member for Children's Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background
	Reason: Expenditure more than £100,000		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision  Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		<p>January 2013.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	mark.hill2@lbhf.gov.uk	papers to be considered.
Cabinet	<p>4 Mar 2013</p> <p>Reason: Expenditure more than £100,000</p>	<p><b>Linford Christie Stadium</b></p> <p>Remedial works to the roof covering and rainwater goods. Internal refurbishment and upgrade to the male changing room and kitchen upgrade (including asbestos removal) to the London Nigerians' clubhouse.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Leader of the Council (+Regeneration, Asset Management and IT)</p> <p>Ward(s): College Park and Old Oak</p> <p>Contact officer: Pat Nolan, Sally Williams Tel: 020 8753 4516, Tel: 020 8753 4865 sally.williams@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	4 Mar 2013	<p><b>Award of a Framework Agreement for Printing Services (Web Offset) Lots 3 &amp; 4</b></p> <p>Report to approve recommended contractors for Lots 3 &amp; 4 and set up a Framework Agreement to commence in February 2013 for a period of 4 years</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Leader of the Council (+Regeneration, Asset Management and IT)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): All Wards	
Cabinet	4 Mar 2013	<p><b>Capital Budget Monitor - 3rd Quarter Amendments 2012/13</b></p> <p>To seek approval for changes to the Capital Programme 2012/13</p>	Leader of the Council (+Regeneration, Asset Management and IT)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): All Wards	
Cabinet	4 Mar 2013	<p><b>2013-14 TfL annual spending submission</b></p> <p>This report refines and details the integrated transport projects as submitted as part of the council's approved transport plan (LIP2) to be undertaken in 2013/14 funded by Transport for London (TfL).</p> <p>The borough's 2013/14 integrated</p>	Cabinet Member for Transport and Technical Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background
	Reason: Expenditure more than £100,000		Ward(s): All Wards	

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		<p>transport grant was subject to a reduction of approximately 10% to £1,947,000 as a result of the Governmental October 2010 Comprehensive spending review.</p> <p>This funding is specifically provided by TfL for borough transport projects based on the LIP2 objectives, targets and delivery plan. The projects are designed and delivered on the basis of maximising value for money and reducing the costs to the council of maintenance and repairs.</p>		papers to be considered.
Cabinet	4 Mar 2013  Reason: Affects more than 1 ward	<b>Information, advice &amp; guidance to young people with learning difficulties</b>  The report will seek a waiver to the Council's Contracts Standing Orders in order to maintain statutory provision of information, advice and guidance services to young people with learning difficulties until a new joint contract is let with WCC in 2014.	Cabinet Member for Children's Services  Ward(s): All Wards  Contact officer: John Francis Tel: 0208 753 1328 john.francis@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Affects more than 1 ward	<b>Tri-borough Post and Special Guardianship Support Contract</b>  To provide post adoption and special guardianship support to individuals that has adopted or has special guardianship. The service shall be provided to resident with tri-borough areas.	Cabinet Member for Children's Services  Ward(s): All Wards  Contact officer: John Francis Tel: 0208 753 1328 john.francis@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Expenditure	<b>Tri-borough ICT strategy 2013-2014 implementation programme plan and costing - from technology-based provision to deployment "as a service"</b>	Leader of the Council (+Regeneration, Asset Management and IT)  Ward(s): All Wards	A detailed report for this item will be available at least five working days before the date of the meeting and will include details

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	more than £100,000	<p>Tri-borough ICT strategy 2013-2014 implementation programme plan and costing - from technology-based provision to deployment "as a service"</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Contact officer: Jackie Hudson Tel: 020 8753 2946 Jackie.Hudson@lbhf.gov.uk</p>	<p>of any supporting documentation and / or background papers to be considered.</p>
Cabinet	<p>4 Mar 2013</p> <hr/> <p>Reason: Expenditure more than £100,000</p>	<p><b>Award of contract to support an employee-led mutual providing services to schools and Award of contract to support an employee-led mutual providing services to schools and Tri-borough Councils</b></p> <p>The report will seek Cabinet approval of a private sector partner to help establish, support and expand an Employee-Led Mutual that will be providing support services to schools and a number of strategic consultancy services to Tri-borough Councils.</p> <p>The selection of a suitable partner follows a competitive tendering exercise conducted in line with EU and UK public procurement rules.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the</p>	<p>Cabinet Member for Children's Services</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Lyn Carpenter lyn.carpenter@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>

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		financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	4 Mar 2013  Reason: Expenditure more than £100,000	<p><b>Local HealthWatch - contract award</b></p> <p>Award of the contract to meet the new statutory responsibility for a Local HealthWatch as set out in the Health &amp; Social Care Act 2012.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Community Care</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: David Evans  david.evans@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Affects more than 1 ward	<p><b>Pensions auto-enrolment</b></p> <p>Recommending that the Council exercises the option to defer the introduction of pensions auto-enrolment until October 2017.</p>	<p>Leader of the Council (+Regeneration, Asset Management and IT)</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: John O'Rourke  Tel- 020 8753 1203</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	4 Mar 2013  Reason: Expenditure more than £100,000	<p><b>Supported housing contract extensions</b></p> <p>Seeking approval to extend 21 supported housing contracts due to expire on 31 March 2013 and to delegate all future such contract approvals to the Cabinet Member for Community Care.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Housing</p> <p>Ward(s): All Wards</p> <p>Contact officer: Julia Copeland</p> <p>Tel- 020 8753 1203</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Expenditure more than £100,000	<p><b>Subscriptions/affiliations for external organisations 2011/12</b></p> <p>Review of annual subscriptions to Local Government Association and London Councils.</p>	<p>Leader of the Council (+Regeneration, Asset Management and IT)</p> <p>Ward(s): All Wards</p> <p>Contact officer: Gary Ironmonger Tel: 020 8753 2109 Gary.Ironmonger@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Expenditure more than £100,000	<p><b>Establishment of a Tri-borough public health service</b></p> <p>From April 2013 there is a statutory transfer of public health functions to local authorities. This paper contains information on the proposed operating model for member decision.</p>	<p>Cabinet Member for Community Care</p> <p>Ward(s): All Wards</p> <p>Contact officer: Kayode Adewumi Tel: 208 753 2499</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background

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				papers to be considered.
Cabinet	4 Mar 2013  Reason: Expenditure more than £100,000	<b>Contract variation for the contract with Agilsys Ltd for the provision of business and management services.lot 1 - procurement services and savings</b>  Recommending a variation to the contract for the provision of business and management services.  <b>PART OPEN</b>  <b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Leader of the Council (+Regeneration, Asset Management and IT)  Ward(s): All Wards  Contact officer: Cheryl Rehal  Tel- 020 8753 2658	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Affects more than 1 ward	<b>Setting up a single independently-chaired Executive Safeguarding Adults Board across Tri-borough</b>  Recommending the establishment of this body to safeguard vulnerable adults.	Cabinet Member for Community Care  Ward(s): All Wards  Contact officer:	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Mar 2013  Reason: Expenditure	<b>Contract to audit income from two advertising towers</b>	Ward(s):	A detailed report for this item will be available at least five working days before the date of the meeting and



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	more than £100,000	<b>PART OPEN</b>  <b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Contact officer:	will include details of any supporting documentation and / or background papers to be considered.
<b>April</b>				
Cabinet	8 Apr 2013  Reason: Expenditure more than £100,000	<b>Provision of a blue badge investigation and enforcement service</b>  The Council has piloted a scheme to tackle the abuse of Disabled Parking Permits (blue badges). The pilot has proved to be successful and the Council now wants to enter into a long-term contractual arrangement for a minimum of 3 years and a maximum of 7.	Cabinet Member for Transport and Technical Services  Ward(s): All Wards  Contact officer: Osa Ezekiel  Osa.Ezekiel@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	8 Apr 2013  Reason: Expenditure more than £100,000	<b>Elevator Monitoring Unit Installation - Various Sites</b>  The works consist of the supply and installation of elevator Monitoring Units and Auto Diallers to be fitted to each lift in providing automatic reporting of lift breakdowns and communication between each lift car and operators at a manned call centre in dealing with lift entrapment.	Cabinet Member for Housing  Ward(s): All Wards  Contact officer: Velma Chapman Tel: 020 8753 4807 velma.chapman@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		<p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		
Cabinet	<p>8 Apr 2013</p> <p>Reason: Expenditure more than £100,000</p>	<p><b>Update on Edward Woods Estate Regeneration Scheme</b></p> <p>Update on progress and request for approval of overspend and change of tenure 12 penthouse flats for Edward Woods Estate Regeneration Scheme</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Housing</p> <p>Ward(s): Shepherds Bush Green</p> <p>Contact officer: Roger Thompson Tel: 020 8753 3920 Roger.Thompson@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	<p>8 Apr 2013</p> <p>Reason: Expenditure more than</p>	<p><b>Extension of contract for the maintenance of pay and display machines</b></p> <p>This is a bi-borough contract with RBKC for the maintenance of pay and display machines</p>	<p>Cabinet Member for Transport and Technical Services</p> <p>Ward(s): All Wards</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details

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	£100,000	<p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Contact officer: Osa Ezekiel</p> <p>Osa.Ezekiel@lbhf.gov.uk</p>	<p>of any supporting documentation and / or background papers to be considered.</p>
Cabinet	<p>8 Apr 2013</p> <hr/> <p>Reason: Expenditure more than £100,000</p>	<p><b>Tri-borough ICT Target Operating Model</b></p> <p>New target operating model for ICT from 2013 on.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Leader of the Council (+Regeneration, Asset Management and IT)</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Jackie Hudson Tel: 020 8753 2946 Jackie.Hudson@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
Cabinet	<p>8 Apr 2013</p> <hr/> <p>Reason: Affects more than 1 ward</p>	<p><b>Cemeteries Reorganisation</b></p> <p>Facilitating the Cemeteries operations through Quadron Services Limited.</p>	<p>Deputy Leader (+ Residents Services)</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Sue Harris Tel: 020 8753 4295</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation</p>

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			Sue.Harris@lbhf.gov.uk	and / or background papers to be considered.
Cabinet	8 Apr 2013  Reason: Expenditure more than £100,000	<b>Housing Capital Programme 2013-2014</b>  This report sets out the proposed 2013/14 Housing Capital Programme and seeks authority to proceed with the various schemes identified.	Cabinet Member for Housing  Ward(s): All Wards  Contact officer: Stephen Kirrage Tel: 020 8753 6374 stephen.kirrage@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	8 Apr 2013  Reason: Expenditure more than £100,000	<b>Increasing Legal Costs to the Planning Service</b>  To approve that: a) contingency reserves are used to fund increased legal costs of apx £300,000 for 2012-13 b) an in principle decision is taken for access to contingency reserves (if needed) in financial years 2013-14 to 2015-16	Cabinet Member for Transport and Technical Services  Ward(s): All Wards  Contact officer: Juliemma McLoughlin  juliemma.mcloughlin@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	8 Apr 2013  Reason: Expenditure more than £100,000	<b>Corporate Revenue Monitoring 2012_13 : PERIOD 10 (January)</b>  Report seeks approval for changes to the Revenue Budget	Leader of the Council (+Regeneration, Asset Management and IT)  Ward(s): All Wards  Contact officer: Jane West Tel: 0208 753 1900 jane.west@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	8 Apr 2013	<b>SERCO Contract Review</b>  Description: Review and decision about whether to continue with SERCO Waste and Street Cleansing contract which expires in 2015.	Deputy Leader (+ Residents Services)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): All Wards	
Cabinet	8 Apr 2013	<b>Property Asset Management Plan 2012-2015</b>  This is an updated plan which was approved by Cabinet in 2008. It is set out in the Council's Strategy for all properties held by the Council except the Council's Housing Stock.	Leader of the Council (+Regeneration, Asset Management and IT)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): All Wards	
Cabinet	8 Apr 2013	<b>Housing Repairs</b>  Re-procurement of Housing Repairs contract arrangements  <b>PART OPEN</b>  <b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): All Wards	

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Cabinet	8 Apr 2013	<b>Parks Capital Programme 2013/14</b>  This report updates Cabinet on the current requirements to continue to enhance the borough's parks and open spaces as outlined in Parks and Open Spaces Strategy 2008-2018.	Deputy Leader (+ Residents Services)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): All Wards  Contact officer: Chris Welsh  Chris.Welsh@lbhf.gov.uk	
Cabinet	8 Apr 2013	<b>Market testing of housing service - housing management</b>  Update of current market testing procurement process.  <b>PART OPEN</b>  <b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): Fulham Broadway; Fulham Reach; Munster; North End; Palace Riverside; Parsons Green and Walham; Sands End; Town  Contact officer: Jo Rowlands Tel: 020 8753 1313 Jo.Rowlands@lbhf.gov.uk	
Cabinet	8 Apr 2013	<b>Market testing of housing service - estate services</b>  Update on market testing procurement process.  <b>PART OPEN</b>  <b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): All Wards  Contact officer: Jo Rowlands Tel: 020 8753 1313 Jo.Rowlands@lbhf.gov.uk	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision <b>Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.</b>	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet ( <i>other relevant documents may be submitted</i> )
		authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	8 Apr 2013  Reason: Expenditure more than £100,000	<b>Section 75 NHS Act 2006 Partnership Agreement between H&amp;F and West London Mental Health Trust (WLMHT)</b>  The partnership agreement for providing mental health services to H&F residents was delegated to WLMHT back in 2001 under Section 31 of the Health Act 1999. These arrangements now fall under Section 75 of the NHS Act 2006.  Over the last few years H&F mental health service provisions have changed, projects have closed and developments have been made under the integrated arrangement with WLMHT. In addition there have been re-organisation of Adult Social Care through the Council's Tri-borough arrangements and WLMHT has gone through a recent management re-structure as well. Therefore it is important that we review our partnership under the new climate.	Cabinet Member for Community Care  Ward(s): All Wards  Contact officer: Mujib Miah, Stella Baillie  Mujib.Miah@lbhf.gov.uk,	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	8 Apr 2013  Reason: Affects more than 1 ward	<b>Homebuy Allocation Scheme</b>  Report and Annex setting out the Council's approach to defining intermediate housing and how the Council intends to prioritise and allocate such housing from June 2013. The intention is to update the Council's approach to intermediate housing to reflect the council's broader Building a Housing Ladder of Opportunity approach.	Cabinet Member for Housing  Ward(s): All Wards  Contact officer: Aaron Cahil Tel – 020 8753 1313	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	8 Apr 2013	<p><b>Hammersmith Library refurbishment</b></p> <p>The refurbishment of Hammersmith Library to roll out the "More than a Library Brand" already implemented at other LBHF libraries. It aims to incorporate all opportunities to improve the customer offer and experience and to repair and upgrade the fabric of the building. In addition, the report considers the viability of relocating the Archives Service and Local Studies collection to Hammersmith Library and providing a long term solution for the collections.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Deputy Leader (+ Residents Services)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): Hammersmith Broadway	
Cabinet	8 Apr 2013	<p><b>Installation of boiler monitoring systems in various communal boiler rooms</b></p> <p>Seeking approval for the installation of controls in communal boiler rooms in various housing properties.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a</p>	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s):All	



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		particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	8 Apr 2013  Reason:	<p><b>Tender Approval for Demolition of Askham Centre and Haven Respite Centre</b></p> <p>Seeking approval to accept a tender to demolish Askham Centre and Haven Respite Centre as an enabling project for the New Queensmill School project.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Children's Services</p> <hr/> <p>Ward(s): Wormholt and White City</p> <hr/> <p>Contact officer:  John Brownlow  Tel: 020 8753 3781</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
<b>May</b>				
Cabinet	13 May 2013  Reason: Affects more than 1 ward	<p><b>Housing Revenue Account car parking and garage strategy</b></p> <p>Strategic review of the car parking and garage service on council owned housing estates.</p>	<p>Cabinet Member for Housing</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Jo Rowlands Tel: 020 8753 1313 Jo.Rowlands@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision <b>Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.</b>	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet ( <i>other relevant documents may be submitted</i> )
				considered.
Cabinet	13 May 2013  Reason: Expenditure more than £100,000	<p><b>Holy Cross/Lycée expansion and co-location Tender Approval</b></p> <p>Approval to accept the most economically advantageous tender to carry out new-build and refurbishment works to enable the expansion of Holy Cross RC Primary School and its co-location with the French Lycée school on the site of the former Peterborough Primary School.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Children's Services</p> <p>Ward(s): Parsons Green and Walham</p> <p>Contact officer: John Brownlow Tel: 020 8753 john.brownlow@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	13 May 2013  Reason: Affects more than 1 ward	<p><b>Letting of concession of Wi-Fi on lamp posts</b></p> <p>Letting of a concession to allow mobile data devices to be fitted to lamp posts.</p>	<p>Deputy Leader (+ Residents Services)</p> <p>Ward(s): All Wards</p> <p>Contact officer: Sharon Bayliss Tel: 020 8753 1636 sharon.bayliss@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	13 May 2013	<p><b>Notification for the decision on award of contract</b></p> <p>To agree access to a framework agreement that is being prepared by West London Alliance (on behalf of RBKC, LBHF, WCC and six other local authorities) to engage a number of independent fostering agencies to provide foster placements to looked after children at a better price than is available through spot purchasing, which is the current arrangement for procuring these placements.</p>	Cabinet Member for Children's Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects more than 1 ward		Ward(s): All Wards	
Cabinet	13 May 2013	<p><b>Tri-borough Total Facilities Management - award of contract</b></p> <p>Seeking approval to award the Tri-borough contract for Total Facilities Management for a fully-outsourced managed solution for corporate facilities management.</p> <p><b>PART OPEN</b></p> <p><b>PART PRIVATE</b> Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Leader of the Council (+Regeneration, Asset Management and IT)	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): Addison	