

BIRMINGHAM CITY COUNCIL

CABINET

TUESDAY, 27 JULY 2021 AT 10:00 HOURS

IN BMI MAIN HALL, 9 MARGARET STREET, BIRMINGHAM, B3 3BS

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

4 EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

a) To highlight reports or appendices which officers have identified as containing exempt information within the meaning of Section 100I of the Local Government Act 1972, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.

b) To formally pass the following resolution:-

RESOLVED – That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press

and public were present there would be disclosure to them of exempt information.

<u>5 - 14</u>	5	<u>MTFP UPDATE</u>	The report is from Director of Council Management Interim
<u>15 - 74</u>	6	<u>FINANCIAL MONITORING REPORT QUARTER 1 2021/22</u>	This report is from Director of Council Management- Interim
<u>75 - 110</u>	7	<u>PUTTING PREVENTION FIRST: CONSULTATION AND COMMISSIONING PLANS AND PROCUREMENT STRATEGY FOR VULNERABLE ADULTS SUPPORT FOR DISABILITIES AND MENTAL HEALTH SERVICES</u>	Report of Director for Adult Social Care
<u>111 - 116</u>	8	<u>APPROVAL TO EXTEND CONTRACT FOR THE PROVISION OF SEXUAL HEALTH TREATMENT AND PREVENTION SERVICES</u>	Report of Director for Public Health
<u>117 - 178</u>	9	<u>NEIGHBOURHOOD NETWORK SCHEMES RECOMMISSIONING</u>	Report of Director for Adult Social Care
<u>179 - 198</u>	10	<u>WEST MIDLANDS REFUGEE TRANSITIONS OUTCOMES FUND BID</u>	Report of Director for Adult Social Care
<u>199 - 214</u>	11	<u>AFGHAN INTERPRETERS RELOCATION SCHEME</u>	Report of Director for Adult Social Care
<u>215 - 248</u>	12	<u>ACCELERATION OF CITY HOUSING TRANSFORMATION TO ENABLE REDUCTION IN TEMPORARY ACCOMMODATION</u>	Report of the Managing Director City Housing
<u>249 - 260</u>	13	<u>ROUGH SLEEPER ACCOMMODATION PROGRAMME 2021-2022</u>	Report of Managing Director - City Housing
<u>261 - 292</u>	14	<u>MAJOR EVENTS STRATEGY</u>	Report of the Managing Director of City Operations

<u>293 - 320</u>	15	<u>PUBLICISING FLY-TIPPING AND ENVIRONMENTAL CRIME CASES – PROPOSED POLICY</u>	Report of the Managing Director of Operations
<u>321 - 366</u>	16	<u>BIRMINGHAM 2022 – UPDATE ON THE PERRY BARR REGENERATION SCHEME FBC</u>	Report of Acting Director Inclusive Growth
<u>367 - 382</u>	17	<u>PROPERTY STRATEGY: ASSET REVIEW - BIRMINGHAM CITY PROPERTY COMPANY</u>	Report of Acting Director of Inclusive Growth
<u>383 - 434</u>	18	<u>EAST BIRMINGHAM INCLUSIVE GROWTH PROGRAMME – PROGRAMME BUSINESS CASE</u>	Report of Acting Director Inclusive Growth
<u>435 - 524</u>	19	<u>PROPOSED IN-YEAR VARIATION TO ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS AND THE CO-ORDINATED SCHEME 2021/22 AND 2022/23 AND APPROACH TO FAIR ACCESS PROTOCOL</u>	Report of Interim Director for Education & Skills
<u>525 - 548</u>	20	<u>SKILTS SCHOOL CONVERSION FROM COMMUNITY SCHOOL TO ACADEMY STATUS</u>	Report of Interim Director for Education & Skills
<u>549 - 610</u>	21	<u>NEW WAYS OF WORKING ENHANCED BUSINESS CASE</u>	Report of Director for Digital and Customer Services
<u>611 - 622</u>	22	<u>RESPONSE TO RECOVERY</u>	Report of Managing Director - City Operations
<u>623 - 632</u>	23	<u>CHILD AND FAMILY WEIGHT MANAGEMENT SERVICES GRANT</u>	Report of the Director of Public Health.
<u>633 - 646</u>	24	<u>PLANNED PROCUREMENT ACTIVITIES (AUGUST 2021 – OCTOBER 2021)</u>	Report of Assistant Director, Development and Commercial
<u>647 - 652</u>	25	<u>APPOINTMENTS TO OUTSIDE BODIES</u>	Report of the Interim City Solicitor.

26 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

Birmingham City Council

Report to Cabinet

27 July 2021

Subject: Medium Term Financial Plan Update

Report of: Rebecca Hellard, Interim Director of Council Management

Relevant Cabinet Member: Councillor Ian Ward, Leader of the Council

Relevant O &S Chair(s): Councillor Carl Rice – Co-ordinating Overview and Scrutiny Committee

Report author: Beverley Sullivan, Financial Planning

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report provides an update to the Council's 10- year medium-term financial plan (MTFP) in order to inform the business and financial planning round for 2022/23, with the detailed planning horizon being extended a further year to 2025/26. The report considers the medium-term financial plan, including the impact of the 2020/21 outturn, any ongoing impact of COVID and other key financial assumptions together with national and local policy issues that the Council needs to consider in making its plans for the forthcoming period.
- 1.2 The report also sets out an approach for the 2022/23 budget process. The MTFP report has been produced a quarter early this year as part of our improved

financial processes; last year the update to the MTFP was done in Autumn. This improvement allows us to identify and respond to issues early.

- 1.3 This is a snapshot of changes required to the assumptions in the medium-term financial plan. It is recognised that the current financial and economic conditions are continually changing, particularly in the wake of the pandemic, as well as the government response to this.
- 1.4 As at February 2021, the indicative projected revenue budget funding gap was £80m by 2024/25.
- 1.5 A mid-year medium-term financial plan report will come back to Cabinet in October 2021 setting out a more developed response and containing plans to manage the budget gap, and work towards ensuring we continue to balance the 2022/23 budget in February 2022

2 Recommendations

- 2.1 That Cabinet:
- 2.2 Approves the approach for the development of the budget for 2022/23 which will continue to focus on the Delivery Plan generating cashable budget reductions. Proposals for the Delivery Plans will come forward in July and September 2021 for Cabinet approval and these will be reflected in the mid-year medium-term financial plan to Cabinet in October.
- 2.3 Approves the budget timetable, including the dates for budget consultation.

3 Background

- 3.1 The Medium-Term Financial Plan (MTFP) was last fully reviewed and approved by Council on 23 February 2021 as part of the annual budget setting cycle. Budgets were balanced up to 2022/23 provided that:
 - £20.1m of establishment savings were delivered on a permanent basis.
 - at least £38.5m of short-term expenditure reductions/ additional income was generated from activities in the Delivery Plan for 2022/23.
 - the Council was able to make use of £40.0m of capital receipts flexibility in 2021/22.
 - the existing savings programme as outlined in Appendix G of the Financial Plan 2021 - 2025 is delivered in full; and
 - managers are diligent in working within budgetary envelopes.
- 3.2 It is also important to understand that the above position is based on an assumption of 1.99% increase in the general council tax, the funding from Government (apart from that for COVID) remaining cash flat for future years, pay award of 2.5% annually from 2022/23 (no pay award assumed for 2021/22), price inflation of 2% and an assumption that in the main, income levels return to pre-COVID levels from 2022/23.

- 3.3 Beyond 2022/23, the Council's forecast expenditure exceeds its anticipated income by around £80m, producing a deficit. A reminder of the 2021/22 budget and MTFP is set out in Appendix 1

2020/21 Outturn and Impact on the MTFP

- 3.4 The Council's outturn reported elsewhere on this agenda is an underspend of £78.7m on services, outside of COVID. This is particularly impressive in a year when the Council has had to deal with the unexpected pressures caused by the pandemic, delays to planned savings and has had to radically change some of the ways that services have been provided.
- 3.5 The material underspend has meant that not only can resources be diverted to support Council priorities, but the Council's reserve position can also be strengthened providing further financial resilience. This includes the allocation of £36.4m to a Budget Smoothing Reserve to provide flexibility in addressing the budget gap over the short to medium term. An allocation of £10m was also made to a Community Recovery Plan Reserve to provide resource for activity to help our communities to recover from the effects of Covid-19. It should be noted that reliance on reserves is unsustainable beyond the medium term.

Updates

- 3.6 Most of the planning assumptions remain unaltered from February 2021. However, there are material areas for update around the Collection Fund, pay award assumptions, service pressures and Covid-19 impact, which are outlined below.
- 3.7 Government has now clarified and shared its calculation of the support that would be provided to Birmingham as part of its commitment to mitigate local tax losses due to the Covid-19 impact. It has been made clear that Government would not fund any changes arising from increasing bad debts even though Councils were not allowed to progress debt collection during the pandemic. This therefore means that in 2021/22 – 2023/24, the amount of reserves available to support the council tax and business rates deficit will be **£5.4m** lower per annum than previously assumed.
- 3.8 In addition to this, the anticipated position for the Collection Fund and related income streams is a deficit of **£14.7m** to be carried forward and taken into account in setting the budget for 2022/23 (a £5.0m deficit for Council Tax and a £9.7m deficit for Business Rates). After taking account of the grants provided for Business rates relief, the Council is forecasting a £7.3m in year deficit, mainly due to lower growth in businesses. Combined with this, there is a cumulative deficit that was brought forward from 2020/21 of £2.5m. The deficit on Council tax is mainly due to the cumulative deficit brought forward from 2020/21. Further details on Collection Fund movements are included in the Month 3 Revenue Monitoring report which is a separate item on this agenda.

- 3.9 The Council had planned for no inflation increase to pay on the basis of the Chancellor's announcement during the Spending Review that public sector pay would be frozen. However, since then the national pay award offer made by employers is a 1.5% pay award for local government officers at all levels. Whilst the offer has been rejected as Unions push for salary increases well above this, it is now prudent to build into the MTFP provision for a pay award from this year of at least 1.5% which gives rise to an ongoing annual pressure on pay of around **£7.0m** annually, including provision for the Birmingham Children's Trust. Each 0.5% increase will add around £2.3m to the pay bill.
- 3.10 New service pressures are also being forecast due to rising demand, changing market conditions and the need to upgrade existing infrastructure. Covid-19 has had a significant impact across the Birmingham economy, which inevitably extends to the Council's financial position and ongoing pressures on services such as commercial income. These service pressures rise from **£5.5m** in 2022/23 to **£9.9m** by 2025/26.
- 3.11 The Cabinet decision to progress the proposals set out in the 'Investing in our Future-Enabling Structures' report of 20 April 2021, included funding of two new functions, the Corporate Programme Management Office and the Chief Executive Delivery Unit at a cost of **£1.5m** annually.
- 3.12 The updated financial gap is set out in Table 1 below. It indicates that financial gap has increased from around **£80m** to around **£116m** across the medium term.

Table 1: Updated MTFP

	2022/23 £m	2023/24 £m	2024/25 £m	2025/26 £m
Financial gap as approved by Cabinet February 2021	(0.078)	76.329	80.521	97.412
<u>Expenditure changes</u>				
Pay award assumed to be 1.5%	7.129	7.307	7.490	7.677
Waste service - cost of upgrading old infrastructure and loss of income due to changing market conditions	-	-	4.500	4.500
Ongoing pressure on Home to School Transport budgets	3.000	3.000	3.000	3.000
Strengthened PMO and CE delivery unit (April Cabinet decision)	1.458	1.458	1.458	1.458
COVID impact	2.505	2.416	2.416	2.416
Total expenditure changes	14.092	14.181	18.864	19.051
<u>Resource changes</u>				
Reduced expectation from the local tax support	5.369	5.369	-	-
Business Rates and Council tax forecast deficit (Quarter 1)	14.735	-	-	-
Total Resources changes	20.104	5.369	-	-
Updated Financial Gap (July 2021)	34.118	95.879	99.385	116.463

Planning Uncertainties and Risks

- 3.13 This report is written in the context of unprecedented levels of uncertainty. The impact of easing Covid-19 restrictions is unknown, and the recovery process may be prolonged. Factors of concern are the potential increase in unemployment, particularly for hospitality and leisure sectors, as furlough ends and the impact

that this will have on our local tax base. It is currently difficult to forecast the support that residents may require from the Council, including additional demands for the homelessness service, mental health and social care.

- 3.14 Additionally, the Government have long signalled that there will be reform of the framework for funding local government – the Fair Funding implementation, Business Rates reset and the national move to 75% Business Rates retention and the reform of the New Homes Bonus grant. Combined with this, there is also uncertainty around the impact of the next Comprehensive Review on local government finances, Some of the reforms have been delayed for a number of years and therefore there is a need for the Council to continue to lobby for the reforms to come forward as soon as possible to allow for sustainable medium term planning. A consultation on potential changes to the New Homes Bonus did not give any significant indication of the direction that Government was taking in respect of this reform as several options were put forward for comment. There is a similar delay to the reform of Adult Social Care funding with a series of one- off interventions in recent years and the date for the promised Green Paper had been put back on numerous occasions. As we progress through the autumn, it is anticipated that there will be further clarity on our funding from Government for 2022/23 and whether there will be any change from the current 2% Council tax increase referendum cap.

Next Steps

- 3.15 The ongoing financial strategy continues to be based on transformative approach as outlined in the Council's Delivery Plan. Proposals for the Delivery Plan will be worked up over the summer, focusing on generating cashable budget reductions. These proposals will be brought for Cabinet approval in September 2021, and then incorporated within the MTFP Refresh due to be brought forward to Cabinet in October 2021. The MTFP Refresh report will also consider any further economic and financial developments. Public consultation will take place between November 2021 and January 2022 to inform the finalisation of the 2022/23 budget.
- 3.16 There is a strong financial management regime in place with monthly savings tracking and regular reporting to Directorate Management Teams (DMT), CLT, Cabinet and Overview and Scrutiny Committees. The current approaches around establishing due diligence via the Capital Board, Finance Star Chamber and budget challenges to DMTs will be maintained and strengthened where necessary to ensure that the financial gap is addressed, and strong budget discipline is maintained. The rolling budget approach will allow for attention to be kept on the budget across the year and provide time for the development of sustainable plans for closing the financial gap.
- 3.17 Further details of the budget setting process are outlined in Table 2 below.

Table 2 Budget Timeline

Activities	Date
Budget engagement with public on resourcing priorities. The outcome will inform the proposals for the budget development	Summer 2021
Delivery Plan business cases to Cabinet	September 2021
MTFP Mid-Year Refresh report to Cabinet	October 2021
Public consultation on budget proposals	November – December 2021
Scrutiny of budget proposals	November/December 2021
Cabinet consideration of the 2022/23 budget and Financial Plan	8 February 2022
Cabinet – setting of council tax and business rate tax base	18 January 2022
Council approval of budget and setting of Council tax	22 February 2022

Capital Programme

- 3.18 The Council's Capital programme was also approved as part of the budget setting process in February 2021 with planned investment of over £1.7bn in the four years to 2024/25.
- 3.19 The capital programme is large and complex and driven particularly by the Council Plan. Covid-19 has impacted the capital programme in 2020/21 resulting in significant slippage of schemes into future years, changes to a number of schemes and additional costs. These changes are continuing to occur as we recover from Covid-19 and the programme will be kept under close review and reported to cabinet as part of the financial monitoring in 2021/22.
- 3.20 The Council has committed to developing a 25-year Capital Programme which will be presented in February 2022 as part of the budget and will continue to invest in priorities such as Council owned assets, including buildings and roads, and facilitating the growth in the Birmingham economy through major projects and supporting businesses in the city.
- 3.21 The Capital Strategy priorities for new projects and programmes will focus on Council Plan driven expenditure, statutory requirements and proposals that support revenue savings, income or service transformation. Supporting the Capital Strategy are the Property Strategy and the Commercialisation Strategy.
- 3.22 The Council will manage its borrowing in accordance with CIPFA's Prudential Code and has a prudent policy for debt repayment set out in its Minimum Revenue Provision policy. Future council borrowing from the Public Works Loans

Board will need to comply with new lending terms that prevent local authorities from using its loans to buy investment assets for yield.

Options considered and Recommended Proposal

- 3.23 This update is part of the rolling budget process in order to inform on the changing financial position and key risks. The Council is operating in a very uncertain and quickly changing environment and therefore a key action will be detailed and regular financial monitoring and a frequent and regular refresh of the financial assumptions in the Medium Term Financial Plan.

4 Consultation

- 4.1 The Chief Executive, Corporate Leadership Team, relevant Cabinet Members and corporate officers are aware of the 2021/22 February MTFP gap and associated risks and are supportive of the Delivery Plan business cases and continuing that approach to the MTFP. The Monitoring Officer has also been consulted during the preparation of this report.
- 4.2 It is expected that there will be a public consultation in late autumn.

5 Risk Management

- 5.1 Budget planning is taking place in a period of uncertainty around local government financing. The Council's reliance on Government funding is one of the risks captured in the Financial Plan and the corporate risk register. Apart from the general decline in economic conditions, Business Rates are becoming a source of income that is increasingly difficult to predict with the growing shift in balance between physical property based and internet businesses. Economic conditions will also impact on unemployment levels and council tax collections. There remains considerable uncertainty about reforms to local government finance and any funding changes that will be faced in 2022/23 and beyond as a result of the Comprehensive Spending Review, business rates reforms, Fair Funding reviews and changes to grants such as the New Homes Bonus. There has been no indication from Government yet as to whether reforms will take place or whether local government will be given another one-year settlement, like the past two years.
- 5.2 Whilst some Covid-19 restrictions are easing, there is a risk that some of the impacts of Covid-19 will extend beyond the current year. Longer term, changing service user habits mean that lower levels of income are anticipated in the future, and there may be a need to review some of the base budget assumptions for some services for deliverability, for example car parking, leisure offers, and property investment income. Some degree of flexibility will need to be retained to deal with any emergent pressures because of irrecoverable financial positions.
- 5.3 Whilst the planning assumption is that services will find mitigations for any pressures, it is possible that the other non-Covid cost pressures may materialise during the 2022/23 budget planning process. Any such pressures will increase

the financial gap that will need to be closed. Services have already identified around £2.4m of ongoing pressures as indicated in Table 1 above, mainly around the commercial income portfolio. Similarly, other information may arise that may require planning assumptions to be varied.

- 5.4 The Council committed to reduce establishment costs by £20.1m on an ongoing basis through a series of measures including adopting new workforce management practices, establishment corporate and directorate controls and governance, deletion of vacant posts and reduced agency costs. To date, the Council has secured a total of £10.0m against this target - £7.0m being delivered on a one-off basis and a further £3.0m being delivered permanently. Further work will be undertaken to reduce the £10m shortfall and to ensure that sustainable plans are in place for delivery of this target.
- 5.5 The overall budget gap position will be kept under constant review throughout the budget planning process to inform changes to the MTFP. A midyear report will be brought to Cabinet in October 2021 before a final report to Cabinet in February 2022.

6 Compliance Issues:

6.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 6.1.1 The medium-term financial plan is intended to support the allocation of financial resources to meet the Council's priorities set out in its Council Plan, whilst maintaining financial stability into the medium and longer term. The preparation of the budget and four-year medium-term financial plan is the first stage of the annual business planning cycle for the forthcoming financial year 2022/23.

6.2 Legal Implications

- 6.2.1 Section 151 of the 1972 Local Government Act requires the Chief Finance Officer (as the responsible officer) to ensure the proper administration of the City Council's financial affairs. This report forms part of the process that will enable the Council to set a balanced budget for 2022/23 in line with statutory requirements.
- 6.2.2 The Local Government Act 1999 places a duty on the Council as a 'Best Value' authority to secure continuous improvement in the way its functions are exercised to secure economy, efficiency, and effectiveness.

6.3 Financial Implications

- 6.3.1 This report sets out the proposed approach for achieving a balanced budget for 2022/23, as legally required to do, and addressing the deficit across the medium term. An initial high-level update has been made to the forecasts in the Medium-Term Financial Plan to reflect the outturn position etc and will continue to be reviewed through to the final MTFP report in February 2022. The Council is

undertaking budget planning against a backdrop of uncertainty around funding that will be available to the local government sector.

6.4 Procurement Implications (if required)

6.4.1 Not applicable

6.5 Human Resources Implications (if required)

6.5.1 There are no Human Resources implications arising from this update. Any Human Resources impact will be evaluated once final proposals for Delivery Plan proposals are brought back to Cabinet in October 2021.

6.6 Public Sector Equality Duty

6.6.1 There are no additional Equality Duty or Equality Analysis issues as a result of this report. Full consideration will be given to equality issues once the proposals for the Delivery Plan are fully developed. Equality Assessments will be carried out for any budget proposals requiring change or new services and policies to evaluate how the proposal will impact on all parts of the community and the associated mitigations to reduce any potential adverse impacts.

7 Background Documents

7.1 Financial Plan 2021 – 2025, approved by Council on 23 February 2021

Appendix 1

Summary of Financial Plan as at February 2021

	2021/22 £m	2022/23 £m	2023/24 £m	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m	2028/29 £m	2029/30 £m	2030/31 £m
Base Budget 2020/21	852.933	852.933	852.933	852.933	852.933	852.933	852.933	852.933	852.933	852.933
Pay & Price Inflation	27.717	57.787	87.072	117.722	152.275	185.852	220.936	260.625	299.094	339.761
Meeting Budget Issues and Policy Choices	69.143	102.130	54.597	62.657	71.815	81.372	90.107	99.174	108.262	117.303
Savings Plans	(33.051)	(77.274)	(39.427)	(40.722)	(40.808)	(40.891)	(40.946)	(41.002)	(37.453)	(37.453)
Corporate Adjustments:										
Other net change in use / contribution to reserves	26.807	(44.077)	21.489	31.374	32.288	33.259	33.814	34.327	34.856	32.468
Corporately Managed Budgets	(53.803)	(23.011)	(9.839)	(13.901)	(16.693)	(26.091)	(31.343)	(45.928)	(49.600)	(38.597)
Changes in Corporate Government Grants	(61.075)	(16.348)	(18.105)	(19.827)	(20.791)	(21.779)	(23.559)	(25.376)	(27.230)	(28.299)
Total Net Expenditure	828.671	852.140	948.720	990.236	1,031.019	1,064.655	1,101.942	1,134.753	1,180.862	1,238.116
Business Rates	(411.693)	(432.135)	(445.154)	(456.877)	(468.890)	(481.198)	(493.811)	(506.736)	(519.980)	(533.551)
Business Rates Deficit in 20/21 funded by S31 grants	177.261	-	-	-	-	-	-	-	-	-
Use of S31 grant reserve to fund Business Rates deficit arising in 20/21	(177.261)	-	-	-	-	-	-	-	-	-
Business Rates Deficit from 2019/20	1.435	-	-	-	-	-	-	-	-	-
Business Rates Deficit 20/21 spread over three years	16.224	16.223	16.222	-	-	-	-	-	-	-
Council Tax	(382.923)	(394.022)	(405.362)	(417.027)	(428.729)	(440.758)	(453.126)	(465.841)	(478.913)	(492.350)
Council Tax Deficit from 2019/20	2.707	-	-	-	-	-	-	-	-	-
Council Tax Deficit 20/21 spread over three years	1.530	1.532	1.532	-	-	-	-	-	-	-
Top Up Grant	(55.951)	(57.070)	(58.212)	(59.376)	(60.563)	(61.774)	(63.010)	(64.270)	(65.555)	(66.866)
Top Up Grant - Reset	-	12.254	13.583	14.565	15.575	16.619	17.707	18.833	19.998	21.188
Potential impact of spending review	-	1.000	5.000	9.000	9.000	9.000	9.000	9.000	9.000	9.000
Total Resources	(828.671)	(852.218)	(872.391)	(909.715)	(933.607)	(958.111)	(983.240)	(1,009.014)	(1,035.450)	(1,062.579)
Gap	0.000	(0.078)	76.329	80.521	97.412	106.544	118.702	125.739	145.412	175.537

Birmingham City Council

Report to Cabinet

27TH JULY 2021



Subject: FINANCIAL MONITORING REPORT 2021/22
QUARTER 1 (UP TO 30TH JUNE 2021)

Report of: Interim Director of Council Management – Rebecca Hellard

Relevant Cabinet Member: Councillor Tristan Chatfield – Finance & Resources

Relevant O & S Chair(s): Councillor Mohammed Aikhlaq - Resources

Report author: Interim Director of Council Management – Rebecca Hellard

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009033/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 The quarterly finance report attached as Appendix A is part of the City Council's robust financial management arrangements.

2 Recommendations

That the Cabinet:-

- 2.1 Notes the City Council's 2021/22 forecast at 30th June 2021 of a net overspend of £27.4m, comprising an overspend on Covid-19 of £42.4m, partially offset by non-Covid underspends of £15.0m.
- 2.2 Notes that corrective action will take place to ensure the budget is balanced by March 2022.
- 2.3 Notes that the Government's Income Loss scheme is estimated to provide £4.9m of additional funding.
- 2.4 Notes that Directorates are reporting that £15.9m of the £36.8m savings targets are either delivered or on track. This represents 43% of the total target. Directorates are continuing to work towards ensuring that these savings are brought on track and are delivered.
- 2.5 Notes that the forecast capital expenditure in 2021/2022 is £745.3m.
- 2.6 Notes the allocations of Specific Policy Contingency as set out in paragraph 4.11.
- 2.7 Approves the allocations of General Policy Contingency as set out in paragraph 4.12.
- 2.8 Notes the Treasury Management and Investment Portfolio Reports that are included in Appendix A.
- 2.9 Approves the use of £1.0m of the Financial Resilience Reserve for SEND as set out in paragraph 4.14.
- 2.10 Approves the use of £5.0m of the Delivery Plan Reserve as set out in paragraph 4.15
- 2.11 Approves the allocation of £25.0m of Corporate Capital Contingency as set out in paragraph 4.16

3 Background

- 3.1 At the meeting on 23rd February 2021, the Council agreed a net revenue budget for 2021/2022 of £828.7m to be met by government grants, council tax and business rates payers. Appendix A sets out the full financial position at Quarter 1.

4 Key Issues

- 4.1 The Council is forecasting a net revenue overspend of **£27.4m** which represents 3.3% of the £828.7m budget.
- 4.2 This is the first financial forecast for the year. There is sufficient time for corrective action to be taken over the course of the year which will bring the budget back into balance by March 2022. This includes looking to maximise the use of ring fenced Covid funding to mitigate the current Covid overspend. This will be monitored by the Interim Director of Council Management and the Cabinet Member for Finance and Resources, and reported to Scrutiny via monthly exception reporting.

- 4.3 The net covid-19 overspend of **£42.4m** (Column C in table1) is after applying funding; **£17.5m** of un-ringfenced Covid-19 related grant funding from the government received in 2020/21 carried forward into 2021/22, an estimate of funding for income loss of **£4.9m** and **£12.5m** pressures funded in the 2021/22 budget from the application of Tranche 5 of Government Covid Funding. It is also after applying **£38.0m** cost of the redeployment of staff on a similar basis to that reported in the 2020-21 outturn. This is partially offset by a net non-covid underspend of **£15.0m**. This is shown in the table below:

	Covid Variation	Non- Covid Variation	Total Variation
	£m	£m	£m
Directorate Sub Total	27.8	5.6	33.4
Corporate Budgets	11.5	17.4	28.8
Application of Tranche 5 Funding Budget 2021/22	(12.5)	0.0	(12.5)
Covid Funding	(17.5)	0.0	(17.5)
Income Loss Scheme Funding	(4.9)	0.0	(4.9)
City Council General Fund Sub Total	4.4	23.0	27.4
Transfer of Indirect Covid Costs	38.0	(38.0)	0.0
General Fund after transferring indirect costs	42.4	(15.0)	27.4

- 4.4 There are also several ring-fenced grants for additional reliefs and support schemes which are being spent on the additional measures set out in government guidance.

Capital Programme

- 4.5 Capital expenditure for the year 2021/22 is forecast at £745.3m against the revised capital budget of £734.0m. The net overspend of £11.3m is due mainly to increased works identified for the HRA Improvement programme and will be funded by additional contributions from the Housing Revenue Account.
- 4.6 Details of the Capital Programme are set out in Appendix A in Section 3 and Annex 4.

Treasury Management and Investment Portfolio

- 4.7 The Covid-19 pandemic has had a significant impact on Treasury Management decision making in the quarter. Details are set out in the Appendix A Annex 3.
- 4.8 The Investment Portfolio is reported in Appendix A Annex 5.

Write-Offs

- 4.9 There are no debts over £0.025m that require approval for write off, as set out in Annex 2 of Appendix A.

Policy Contingency

4.10 The original policy contingency budget for 2021/22 was £44.6m, excluding savings that will be allocated to directorates in 2021/22. Following use of reserves and allocations approved as part of the Outturn Report, the budget excluding savings was £49.7m.

4.11 Cabinet is asked to note as shown below the following allocations of Specific Policy Contingency approved by the Section 151 Officer under delegated authority and the allocation of that was approved by Cabinet on 18th May 2021.

Use of	Reason	Value (£m)	Reference to Paragraph in Appendix A
Specific Policy Contingency	Inflation Contingency	(8.630)	3.38
Specific Policy Contingency	Street Scene	(2.000)	3.38
Specific Policy Contingency	HR Additional Temporary Resources	(0.300)	3.38
Specific Policy Contingency	HR-Race Equality Team	(0.205)	3.39

4.12 Cabinet is asked to approve the following allocation of General Policy Contingency as shown below. Further details are provided in the relevant paragraph in Appendix A.

Use of	Reason	Value (£m)	Reference to Paragraph in Appendix A
General Policy Contingency	Civic History	(0.102)	3.40
General Policy Contingency	Interim JNC Position	(0.127)	3.40

4.13 If these uses are approved, the Policy Contingency budget excluding savings will be £38.3m.

Reserves

4.14 In order to facilitate the further improvement to the SEND service Cabinet is asked to approve the drawdown of £1.0m from the Financial Resilience Reserve (FRR). A further request is likely in September.

4.15 Cabinet in April 2021 approved the draw down of £5.0m from the Delivery Plan Reserve. After taking into account actual and forecast expenditure, there remain just £498,257 uncommitted. Cabinet is asked to approve a further £5.0m draw down from the Delivery Plan Reserve to provide sufficient funding to ensure critical enabling work can continue at pace.

Commonwealth Games

4.16 Cabinet is asked to approve the allocation of £25.0m from Corporate Capital Contingency for a Capital Contingency for the Commonwealth Games.

5 Options considered and Recommended Proposal

5.1 Directors, in striving to manage their budgets, have evaluated all the options available to them to maintain balance between service delivery and a balanced budget.

6 Consultation

- 6.1 The Leader, Deputy Leader, other Cabinet Members, Directors, the City Solicitor, Human Resources and Assistant Directors of Finance have been consulted in the preparation of this report.
- 6.2 There are no additional issues beyond consultations carried out as part of the budget setting process for 2021/22.

7 Risk Management

- 7.1 The monitoring of the Council's budget and the identification of actions to address issues arising, as set out in this report, are part of the Council's arrangements for the management of financial issues.

8 Compliance Issues:

8.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 8.1.1 The budget is integrated with the Council Financial Plan, and resource allocation is directed towards policy priorities.

8.2 Legal Implications

- 8.2.1 Section 151 of the 1972 Local Government Act requires the Chief Finance Officer (as the responsible officer) to ensure the proper administration of the City Council's financial affairs. Budget control, which includes the regular monitoring of and reporting on budgets, is an essential requirement placed on Directorates and members of the Corporate Management Team by the City Council in discharging the statutory responsibility. This report meets the City Council's requirements on budgetary control for the specified area of the City Council's Directorate activities.

8.3 Financial Implications

- 8.3.1 The Corporate Revenue and Capital Budget Monitoring documents attached give details of monitoring of service delivery within available resources.

8.4 Procurement Implications (if required)

- 8.4.1 N/A

8.5 Human Resources Implications (if required)

- 8.5.1 N/A

8.6 Public Sector Equality Duty

- 8.6.1 There are no additional Equality Duty or Equality Analysis issues beyond any already assessed in the year to date. Any specific assessments needed shall be made by Directorates in the management of their services.

9 Background Documents

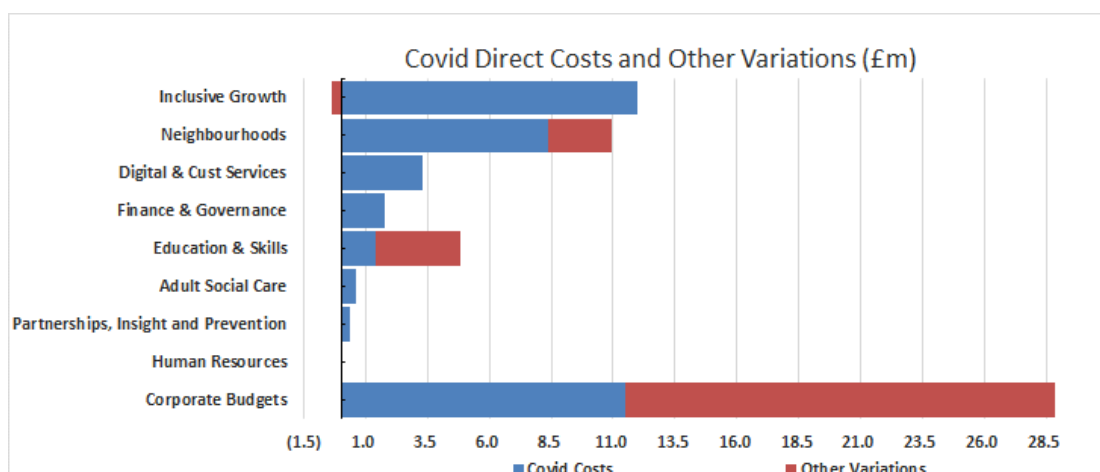
9.1 City Council Financial Plan 2021-2025 approved at Council 23rd February 2021

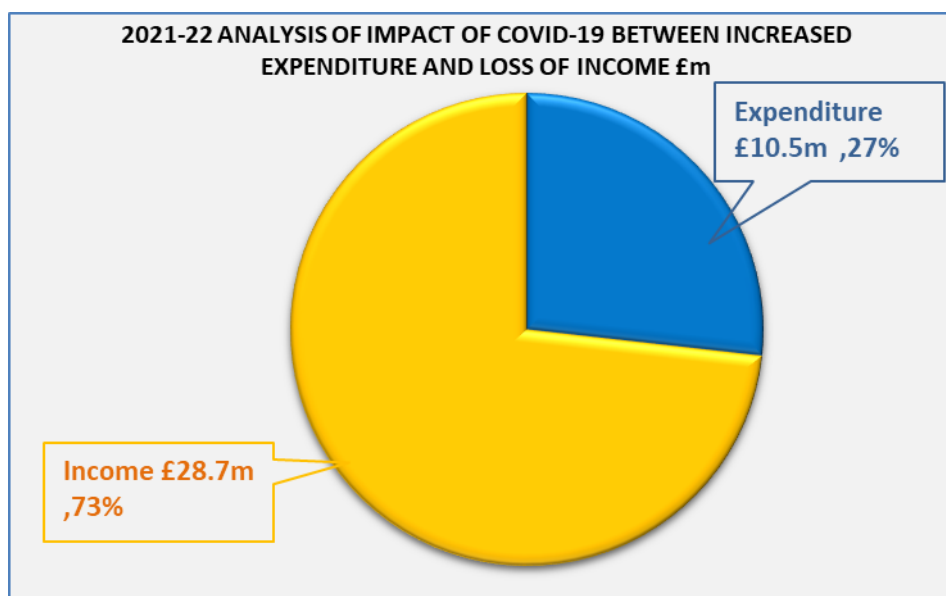
APPENDIX A

Quarter 1 Financial Monitoring Report 2021-22

1. High Level Summary Financial Position

- 1.1. At the end of Quarter 1, the Council's General Fund is forecasting a net overspend of **£27.4m** (Column E in table1) which represents 3.3% of the £828.7m budget. This is made up of a **£15.0m** (Column D in table1) underspend on non-Covid issues and a **£42.4m** (Column C in table1) overspend related to the Covid-19 emergency.
- 1.2. The net covid-19 overspend of **£42.4m** (Column C in table1) is after applying funding; **£17.5m** of un-ringfenced Covid-19 related grant funding from the government received in 2020/21 carried forward into 2021/22, an estimate of funding for income loss of **£4.9m** and **£12.5m** pressures funded in the 2021/22 budget from the application of Tranche 5 Government Covid Funding. It is also after applying an estimate of **£38.0m** cost from the redeployment of staff on a similar basis to that reported in the 2020-21 outturn. We will continue to look to maximise the use of specific covid funding to reduce this estimated cost.
- 1.3. In terms of savings, **£15.9m** of the **£36.8m** savings targets are either delivered or on track which represents 43% of the total savings target. The £20.1m establishment saving, currently shows £10.0m achieved, £5.1m at risk and the £5.0m is currently considered unachievable.
- 1.4. The non-Covid position is a net underspend of **£15.0m** (Column D in table1). This includes following Directorate overspends; **£2.6m** relating to Neighbourhoods and **£3.4m** for Education & Skills. Details are in section 3 below.
- 1.5. In order to facilitate the further improvement to the SEND service Cabinet is asked to approve the drawdown of £1.0m from the Financial Resilience Reserve (FRR). A further request is likely in September.
- 1.6. There is a forecast corporate gross overspend of **£17.4m**. **£5.4m** of this is due to a shortfall in local tax support expected to be received compared to the forecast when the budget was set. There is also a forecast cost of **£7.0m** for potential costs of pay inflation if this as agreed at 1.5%. The likely underachievement of **£5.0m** of establishment savings is also included within the corporate overspend.





The Pie chart shows the total Covid overspend split between income and expenditure across the directorates and including the corporate overspend.

Table 1

Table 1:High Level Summary	A	B	C	D	E
Directorate *	Current Budget	Forecast Outturn	Covid 19 Financial Impact Included	Over/(Under) spend Non Covid costs	Total Over/(Under) Spend *
	£m	£m	£m	£m	£m
Inclusive Growth	114.388	125.978	11.954	(0.364)	11.590
Neighbourhoods	143.781	154.745	8.354	2.610	10.964
Education & Skills	291.911	296.735	1.430	3.394	4.824
Digital & Cust Services	33.017	36.337	3.320	0.000	3.320
Finance & Governance	24.005	25.756	1.751	0.000	1.751
Adult Social Care	339.763	340.385	0.622	0.000	0.622
Partnerships, Insight and Prevention	9.248	9.583	0.335	0.000	0.335
Human Resources	6.673	6.694	0.021	0.000	0.021
Directorate Sub Total	962.784	996.211	27.787	5.640	33.427
Corporate Budgets	(134.114)	(105.275)	11.470	17.369	28.839
Application of Tranche 5 Funding Budget 2021/22	0.000	(12.515)	(12.515)	0.000	(12.515)
Covid Funding	0.000	(17.471)	(17.471)	0.000	(17.471)
Income Loss Scheme Funding	0.000	(4.895)	(4.895)	0.000	(4.895)
Corporate Subtotal	(134.114)	(140.156)	(23.411)	17.369	(6.042)
City Council General Fund	828.671	856.055	4.376	23.009	27.385
Indirect Covid Costs			37.998	(37.998)	0.000
General Fund after transferring indirect costs	828.671	856.055	42.374	(14.989)	27.385

* The above table has been sorted according to the total over/under spend (largest to smallest)

**This excludes Covid-19 risk, see paragraph 3.30 below

Analysis of Non covid pressure faced by Directorate

Directorate	non delivery of savings £m	expenditure variations £m	income variations £m	one-off mitigations £m	Non Covid 19 Financial Impact Included £m
Inclusive Growth	0.052	(1.010)	0.594	0.000	(0.364)
Neighbourhoods	0.000	6.203	0.607	(4.200)	2.610
Digital & Cust Services	0.000	0.000	0.000	0.000	0.000
Education & Skills	0.000	3.394	0.000	0.000	3.394
Finance & Governance	0.000	(0.343)	0.346	(0.003)	(0.000)
Human Resources	0.000	(0.070)	1.149	(1.079)	0.000
Partnerships, Insight and	0.000	3.875	(3.875)	0.000	0.000
Adult Social Care	0.000	(1.261)	1.261	0.000	0.000
Directorate Sub Total	0.052	10.788	0.082	(5.282)	5.640
Corporate	5.000	7.000	5.369	0.000	17.369
Total	5.052	17.788	5.451	(5.282)	23.009

One off mitigation: actions taken by Directorates to deliver a balanced budget for 2021-22, which also includes mitigation for non-delivery of savings target (over £0.5m).

- 1.6 **Neighbourhoods:** The main mitigation is an underspend of £3.0m on borrowing costs due to delays in procurement of the new fleet. Out of a total of 74 new vehicles that have been ordered 31 vehicles were delivered and in use by the end of March 2021 with the remaining 43 vehicles received in June.
- 1.7 **Human Resources:** There are one-off mitigations actions that have been identified including the use of Policy Contingency as requested in paragraphs 3.28 and 3.30, and the use of reserves carried forward from previous year that will be considered as part of Outturn.

2. Capital Expenditure

- 2.1. Capital expenditure for the year 2021/22 is forecast at £745.3m against the revised capital budget of £734.0m. The net overspend of £11.3m is due mainly to increased works identified for the HRA Improvement programme and will be funded by additional contributions from the Housing Revenue Account.
- 2.2 Expenditure to date is £78.9m which is 10.6% of the year-end total forecast.
- 2.3 The revised budget is a £5.9m reduction from the budget approved in the Financial Plan in February 2021. This is as a result of a net slippage from 2020/21 of £39.9m and net of new resources approved since then as well as an updated phasing of these budgets by £(45.9)m.
- 2.4 The net acceleration / slippage of £39.9m and reasons for it were reported in the 2020/21 Outturn Report that was approved by Cabinet on 29th June 2021.

Table C1: Summary 2021/22 Financial Position

	Spend to date	Original Approved Budget	Slippage / Acceleration from 2020/21	New Schemes, Resources & Rephasing	Revised Quarter 1 Budget	Forecast net overspend/ (underspend)	Forecast Outturn
	£m	£m	£m	£m	£m	£m	£m
General Fund	57.4	614.0	38.1	(28.6)	623.6	(0.8)	622.8
HRA	21.5	125.9	1.8	(17.3)	110.4	12.1	122.5
TOTAL	78.9	739.9	39.9	(45.9)	734.0	11.3	745.3

Movements from the Original Budget:

- 2.5 **Education & Skills:** Original Budget was £51.4m revised budget at month 3 is £46.9m. The main budget movements are as per the Education & Skills Capital Programme report approved by Cabinet on 16th March 2021, including rephasing of £9.9m School Condition Allocation (SCA) grant from 21/22 to 22/23 as well as budgeted use of £5.5m of Capital reserves. There was also a net acceleration of £4.5m at the end of 2020/21 which has reduced the 21/22 budget.
- 2.6 A £2m allocation from the Modernisation fund for refurbishment of buildings occupied by BCT was approved late last year and has been added to the budget.
- 2.7 **Neighbourhoods – Other.** Original Budget was £37.5m revised budget at month 3 is £44.6m. The main budget movements are:- Slippage from 2020/21 of £4.590m. The new allocations include a budget of £4.6m in 21/22 to fund the purchase of the replacement for the Montague Street depot. This will be funded from the Montague Street depot disposal proceeds
- 2.8 **Neighbourhoods – HRA.** Original Budget was £126m revised budget at month 3 is £110.4m. The main budget movements are: - Re-phasing of BMHT budget (£17.042m). The programme has been rephased to take account of delays caused by a number of factors; there are shortages and delays in acquiring materials resulting in longer lead in times, as well as increasing prices. Highways approvals are also taking longer. Changes in policy and legislation have meant a need to adjust our standard house types and develop in tandem two eco projects. Therefore, some caution has been exercised in the re-programming.
- 2.9 The Clearance budget has been rephased by (£5.367m) as a result of the significant impact on clearance and rehousing activity due to the initial Covid 19 restrictions, which has had an effect on a number of services and combined with the lack of availability of suitable alternative properties, this is causing delays in the rehousing of households.
- 2.10 **Inclusive Growth: Transportation** (including major schemes). Original Budget was £172.9m revised budget at month 3 is £199.1m. This is mainly as a result of £9.224m slippage from last year across various projects as well as the revised Projects and £6.345m rephasing and adding new resources to the programme as approved by

Cabinet on 09/02/2021 within the Transportation & Highways Capital Programme Annual update report.

- 2.11 **Inclusive Growth: Perry Barr Residential Scheme.** Original Budget was £130.2m revised budget at month 3 is £151.8m. The budget change is due to slippage from 2020/21 described in the Capital Outturn report presented to cabinet on 29 June 2021.
- 2.12 **Finance & Governance: Corporate Contingency and Modernisation Fund.** Original Budget was £125.4m revised budget at month 3 is £89.5m This has been rephased over the next four years.
- 2.13 Cabinet is asked to approve the allocation of £25.0m from Corporate Capital Contingency for a Capital Contingency for the Commonwealth Games.

Table C2

Capital Forecast 2021/22 by Directorate						
Directorate	(a) 2021/22 Original Approved Budget £m	(b) Slippage / Acceleration from 2020/21	(c) New Schemes, Resources & Rephasing £m	(d) 2021/22 Period 3 Revised Budget (a+b+c) £m	(e) Forecast Variation Period 3 £m	(f) 2021/22 Forecast Outturn (e+f) £m
Adult Social Care	10.605	(1.031)	0.000	9.574	0.000	9.574
Education & Skills	51.444	(3.157)	(1.416)	46.871	0.000	46.871
Neighbourhoods						
Neighbourhood Other	37.499	4.590	2.522	44.611	0.000	44.611
Housing Revenue Account	125.957	1.828	(17.339)	110.446	12.098	122.544
Total Neighbourhoods Directorate	163.456	6.418	(14.817)	155.057	12.098	167.155
Inclusive Growth						
Planning & Development	45.100	0.804	4.696	50.600	0.000	50.600
Transportation	66.096	9.224	6.345	81.665	(0.785)	80.880
Highways	1.980	0.744	1.958	4.682	0.000	4.682
Housing Development	0.000	1.563	0.000	1.563	0.000	1.563
Perry Barr Residential Scheme	130.222	21.591	0.002	151.815	0.000	151.815
Property Services	59.719	0.862	0.048	60.629	0.000	60.629
Total Inclusive Growth Directorate	303.117	34.788	13.049	350.954	(0.785)	350.169
Finance & Governance	125.410	4.756	(40.702)	89.464	0.000	89.464
Digital & Customer Services	9.758	1.526	(1.971)	9.313	0.000	9.313
Commonwealth Games	76.144	(3.598)	0.000	72.546	0.000	72.546
Assistant Chief Executive	0.000	0.250	0.000	0.250	0.000	0.250
TOTAL	739.934	39.952	(45.857)	734.029	11.313	745.342

Forecast Variations at Quarter 1 / Month 3

- 2.14 **HRA: Housing Improvement Programme:** A first quarter assessment of the various programmes and schemes in this year's investment programme has identified a need to increase the spend this year by £12.098m. This includes the large programme of fire protection works to High Rise Residential Blocks, in particular the replacement of external cladding and fire panels requiring completion by March 2022. As a result of this

there are additional works identified as necessary where it is not possible to provide the solution in isolation e.g. unable to replace panels without replacing windows. There are also large structural rectification schemes requiring additional solutions to address further defects identified once works have commenced on site as well as new urgent structural defects identified in an ageing high and low-rise stock. There is limited capacity to reduce other cyclical and annual planned works. This will be funded by an increase in revenue contribution of £3m and the use of Major Repairs Reserve of £9.098m.

Risks and Issues

- 2.15 The impact of Brexit on the construction industry is still an unknown and together with the continuing impact of Covid 19 and economic recovery casts greater uncertainty particularly about the supply and import of materials and labour. This applies to most projects within the capital programme and the impact of this situation will continue to be monitored closely during the coming months.
- 2.16 **Dudley Road Scheme – Funding to be identified:**
Delivery of the revised main scheme has been estimated at £20.694m. Funding has been identified from the Levelling Up Fund in order for the scheme to progress to full implementation after the Commonwealth Games. A bid of £19.941m was submitted in June 2021 with the anticipated outcome due in September/October 2021. There is a risk that funding may not materialise, and other sources of external funding may be required if the project is to progress. A further update will be provided to Cabinet once the outcome of the Levelling Up Fund bid is known.
- 2.17 **Revenue Reform Projects (Flexible Use of Capital Receipts)** – Revenue expenditure has been identified that meets the criteria for the Flexible use of Capital receipts. Currently this is forecasting to spend to budget and more detailed monitoring of this spend will be provided during the financial year.

Financing the quarter 1 / month 3 forecast outturn

- 2.18 The quarter one forecast outturn will be financed as shown in the pie chart and the table below.

Table C3 - £m

Period 3 Forecast Financing

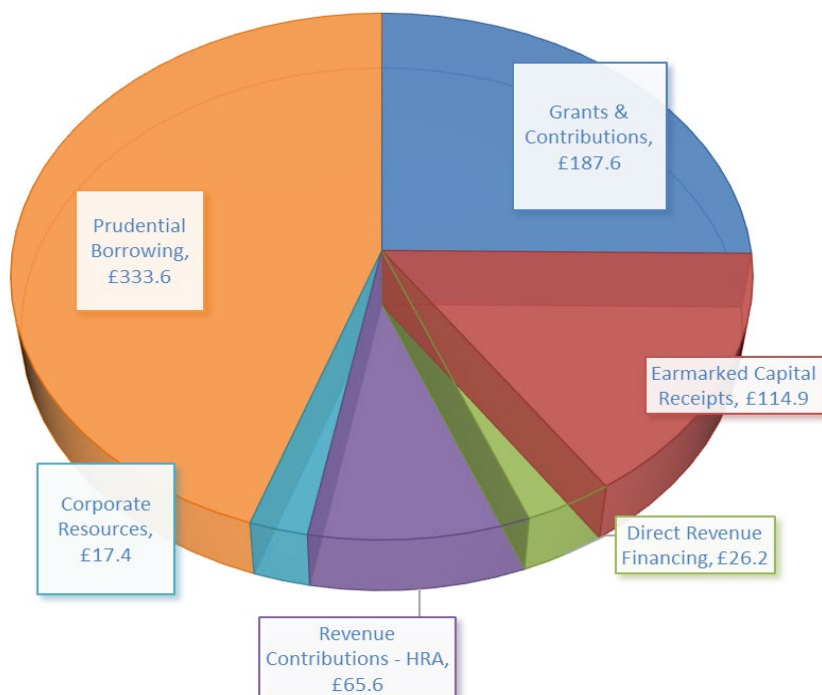


Table C4: Summary of Capital Project Funding for quarter 1 / month 3

	General Fund £m	Housing Revenue Account (HRA) £m	Total £m
Forecast Capital Expenditure	622.8	122.5	745.3
Forecast Funding			
Grants & Contributions	(180.8)	(6.8)	(187.6)
Earmarked Receipts	(88.0)	(26.9)	(114.9)
Direct Revenue Financing	(17.1)	(74.7)	(91.8)
Corporate Resources	(17.4)	0.0	(17.4)
Prudential Borrowing	(319.5)	(14.1)	(333.6)
Total Funding	(622.8)	(122.5)	(745.3)

3. Key Issues

Non Covid-19 Related Issues

Education and Skills

- 3.1. At the end of Quarter 1 the Directorate is forecasting a **£3.4m overspend which relates to non Covid-19 expenditure;**
- 3.2. **Inclusion and SEND** is currently forecasting an overspend of £3.4m due increased cost of providing Travel Assist and guides, as the number pupils accessing the service are requiring more vehicles & guides, increased complexity of the users and longer journey times due placements being more geographically dispersed. The cost of travel nationally has increased above the inflation rate, which is also creating additional pressure for the service.
- 3.3. In May 2021 Birmingham hosted Ofsted and CQC to conduct their Local Area SEND Revisit in order to establish if the partnership has made sufficient progress against the 13 areas of significant weakness identified in the 2018 inspection. As a result of the revisit, there is a need for a SEND Improvement Programme for the city which will require significant one-off investment from the general fund, alongside ongoing investment from the HNB and general fund to address capacity issues within the system. This will be designed over the next few months.

Neighbourhoods

- 3.4. At the end of Quarter 1 the Directorate is forecasting a **£2.6m overspend relating to non Covid-19 expenditure;**
- 3.5. **Housing General Fund (projected year end £2.5m overspend):**
- The Housing Options service is forecasting a net year end overspend due to delays in the implementation of the new operating model and restructuring of the service. The number of placements requiring bed & breakfast accommodation is forecast to increase at a rate of 10 per week over the remainder of the year. Preventative measures will not be fully operational this financial year resulting in a demand led pressure of £2.5m. The eviction ban was lifted in May 2021 and there is an expectation that numbers will start to rise from September 2021 – the forecast currently makes provision for this; however, it is difficult to predict the extent of this on presentations.
 - Initial modelling of the temporary accommodation position and impact of early intervention and prevention model was undertaken in October 2020, this indicated potential pressure in 2021/22 of £7.4m. The increase anticipated at the time of doing the initial modelling has not fully materialised partly due to the extension of the eviction ban – placements in April were lower by 219 resulting in a lower potential pressure this year. Modelling continues as part of the monthly monitoring process and will be reflected in monthly forecasts.
- 3.6. **Street Scene service** is forecasting an underspend of £0.6m, details of major variances are below:
- The Trade Waste Service is forecasting a shortfall of income of £0.4m as a result of losing a major contract. The service is working towards securing new clients

to mitigate this pressure. The Waste Vehicle Garage service is forecasting an income shortfall of £0.8m due to reduced client base compounded by servicing arrangements for new grounds maintenance fleet moving external. There is a forecast overspend of £1.5m associated on maintenance and vehicle hire due to old and mechanically less reliable vehicles being past their natural life and forecast overspend of £0.3m against the Landscape Practice Group resulting from non-achievement of income.

- The main mitigation is an underspend of £3.0m on borrowing costs due to delays in procurement of the new fleet. Out of a total of 74 new vehicles that have been ordered 31 vehicles were delivered and in use by the end of March 2021 with the remaining 43 vehicles received in June

3.7. **Neighbourhoods Service (projected year end £0.5m underspend):** The main variance is an underspend £0.3m relating to running costs within Leisure and community centres.

Adult Social Care.

3.8. The Directorate is forecasting **a balanced position on non Covid-19 expenditure.**

3.9. **Packages of Care** is forecasting overspend of £2.1m, this has been caused by pressures linked to increases in activity around hospital discharges together with reductions in anticipated client income of £0.4m. This is offset by underspends in staffing of £1.5m and Commissioning of £0.4m as below.

3.10. **Staffing** – Recruitment and retention of assessment and care management staff is causing an underspend across most teams in the service, which is being carefully managed to ensure there are no detrimental capacity issues while also mitigating some of the overspend in Packages of Care.

3.11. **Commissioning** is forecasting £0.4m underspend, £0.3m of this variance is caused by vacancies across the Commissioning team, together with £0.1m of underspends against the third sector grant budgets, and these budgets and ongoing commitments are currently being worked through with Commissioning Managers

Inclusive Growth

3.12. The Directorate is forecasting **an underspend of £0.4m** relating to non Covid-19 expenditure.

Clean Air Zone (CAZ)

3.13. The Clean Air Zone became operational on 1 June 2021 with charging of the daily fee paused between 1 - 13 June 2021. Similarly, the Council has adopted a 'soft' enforcement strategy for one month from the start of payments on 14 June.

3.14. While the primary objective for the Clean Air Zone is to support a reduction in the levels of nitrogen dioxide at a number of locations in the city to within the legal limit in the shortest possible time, the application of a daily fee (with PCN's for those who do not pay the daily fee) to the most polluting vehicles is generating an income. Income confirmed to be in excess of the operating costs and reserve requirements of the Clean Air Zone is required to be re-invested in local transport-related strategies and policies.

- 3.15. Current 2021/22 budgets for the operational costs of the Clean Air Zone and anticipated income generated reflect initial estimates made during the early development of the project. This currently includes £7.2m for the cost of running the service and an income forecast of £26.9m from daily charges and penalty charges however, this will change due to the delays experienced in the implementation of the zone.
- 3.16. Now that the Clean Air Zone is operational the service will update the income and expenditure forecasts based on actual operational information. This includes volumes of non-compliant vehicles by category and over time as well as actual expenditure. This will enable the service to provide a more accurate forecast of income and expenditure over the predicted lifetime of the service.
- 3.17. As the service only became operational on 1st June 2021, the dataset is still limited. At present the service is recommending that a minimum of three months of data should be compiled in order to start to provide a more accurate update to forecast income.
- 3.18. It should also be noted that forecast income is still expected to decline over time as compliance increases however the level of decline cannot be accurately assessed at this early stage. Therefore, as the service matures further updates to forecast income and expenditure will be required to inform the Council's financial monitoring process.
- 3.19. In addition to updating the income and expenditure forecast the service will publish a report that will establish a baseline for measuring improvements to air quality. The data for measuring improvements in air quality will be taken from the Air Quality Annual Status Report so will be updated at a minimum of six and 12 months.
- 3.20. Grant funding of £8.5m remains available for mitigation support to various eligible groups in becoming compliant with the requirements of the Clean Air Zone.

Emerging Risks not included in Forecast

- 3.21. There are a number of risks that are not included in the forecast outturn.
- 3.22. The Trade Unions have been offered a pay award of 1.5% by the Employer's side, although this has not been accepted. A potential pay award of 1.5% that could cost £7.0m has been built into the forecast. There is a risk that a higher pay award is agreed. Each extra 0.5% increase would cost £2.3m per annum.
- 3.23. There is a risk that savings that are rated as amber are not achieved in full. The largest single element of the saving target is the £20.1m of the establishment savings. £10.m has been achieved, £5.1m has been assumed to be unachieved and reflected in the outturn while further £5.0m is currently rated as amber and been assumed to be delivered during the year. There is a risk that is not achieved which could add further £5.0m to the outturn.

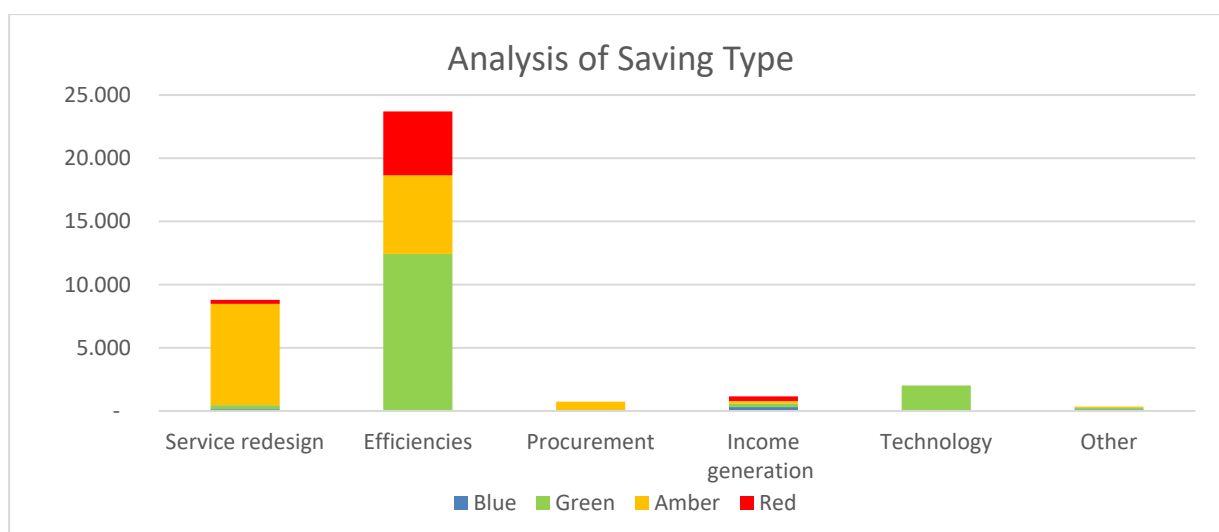
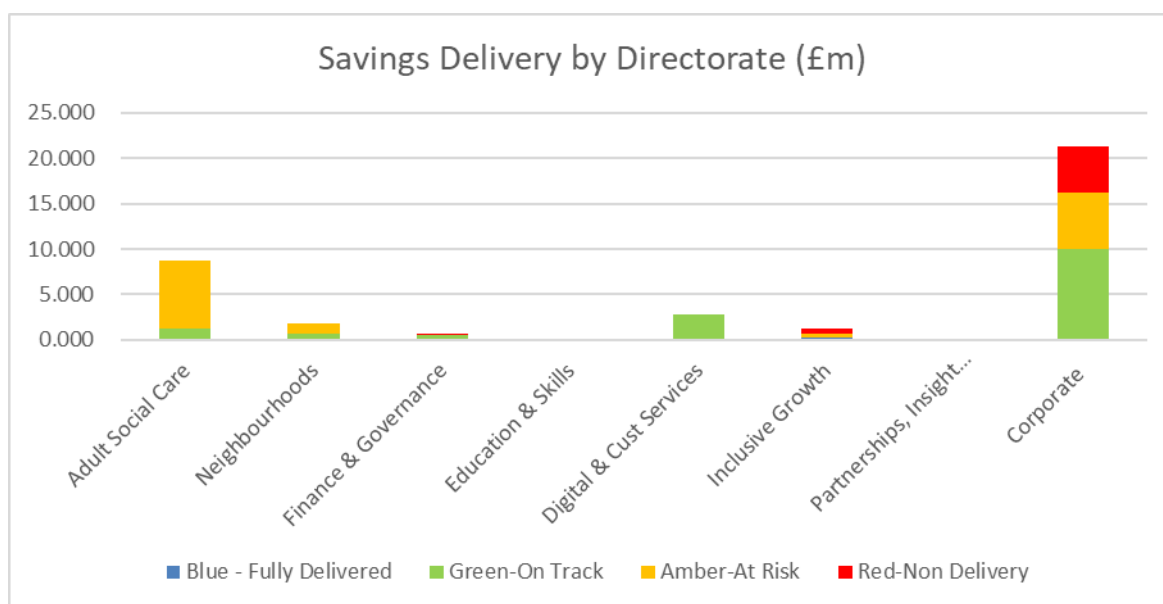
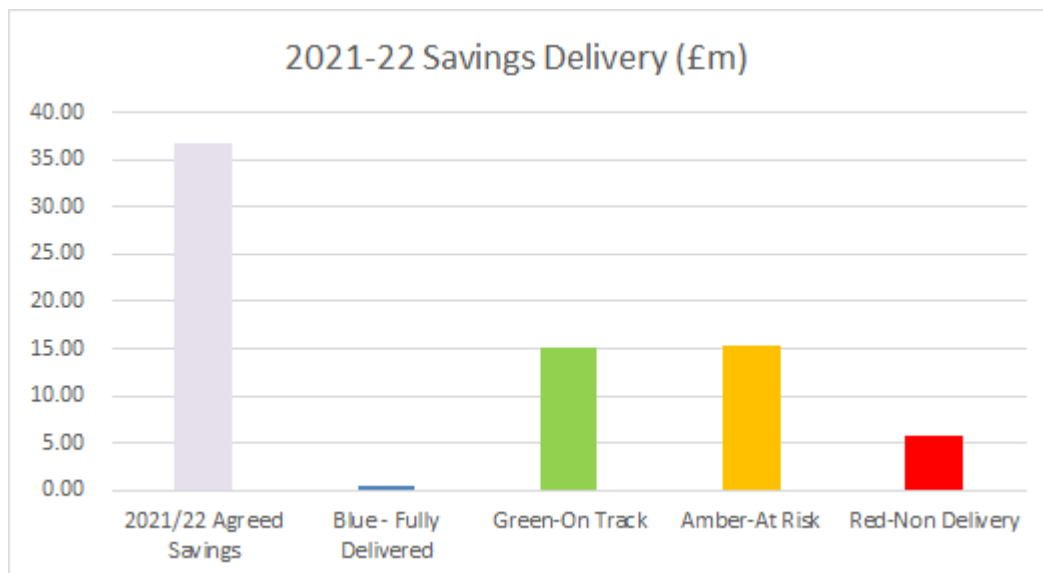
Savings Programme

3.24. The savings programme for 2021/22 of £36.8m of which £20.9m of savings is either at risk or undeliverable. £15.9m of the saving is either achieved or on target, which is 43% of the target.

Directorate	Non Delivery of Saving		Saving at Risk	Saving Delivered and on Track	Total Saving
	Delayed Because of Covid-19	High Risk & Undeliverable			
	£m	£m	£m	£m	£m
Neighbourhoods	0.000	0.000	(1.008)	(0.850)	(1.858)
Adult Social Care	0.000	0.000	(7.500)	(1.293)	(8.793)
Inclusive Growth	(0.599)	(0.052)	(0.394)	(0.309)	(1.354)
Education & Skills	0.000	0.000	0.000	(0.050)	(0.050)
Finance & Governance	(0.116)	0.000	0.000	(0.544)	(0.660)
Digital & Cust Services	0.000	0.000	0.000	(2.825)	(2.825)
Partnerships, Insight and Prevention	0.000	0.000	0.000	(0.014)	(0.014)
Human Resources					
Corporate	0.000	(5.000)	(6.279)	(10.000)	(21.279)
Directorate Sub Total	(0.715)	(5.052)	(15.181)	(15.885)	(36.833)

3.25. The £36.8m savings programme for 2021-22 (shown in the following charts) is now showing £15.9m as delivered or on track.

- **Corporate** has the largest saving target of £21.2m, of which 47% has been achieved, £10m is from the £20.1m establishment saving. The reminder of the saving has currently been assessed as at risk or unachievable in the current financial year.
- **Adult Social Care** has a saving target of £8.8m of which 15% of the saving has been achieved. The £7.5m of saving is currently been assessed as being at risk due to uncertainty around demand in community and hospital settings. The increased demand from hospital discharges is currently being analysed.
- **Inclusive Growth** has £1.4m savings target of which £0.3m has been achieved and the rest has been assessed as at risk or undeliverable. £0.4m Capital receipts from disposals of ring-fenced commercial portfolio properties to mitigate future CAB savings are being monitored for deliverability. Due to Covid, £0.3m rental growth assumptions proposed under the Property Strategy have been delayed and £0.3m savings related to the Public Hub Programme have been delayed until the full programme of New Ways of Working can be implemented for non-Central Admin Buildings properties.
- **Neighbourhoods** has £1.9m savings target. The current assessment is that £1.0m of savings are at risk due to delay in implementation of various programmes, street service redesign, car parks commercialisation. However, there are no savings that are unlikely to be achieved.



Covid-19 Major Incident Financial Impact

- 3.26. Council has carried forward £17.5m of un-ringfenced Covid-19 related grant funding from the government. In addition, there is an estimated £4.9m of income that can be reclaimed from the Governments Income loss scheme up to the scheme end on the 30th June.
- 3.27. The Council funded £12.5m of covid pressures in the 2021/22 budget through the use of Tranche 5 of Government un-ringfenced grant funding.
- 3.28. The government has also announced several ring-fenced grants for additional reliefs and support schemes which are being spent on the additional measures set out in government guidance.
- 3.29. The summary below sets out the forecast Covid-19 financial position at Quarter 1.

Forecast Covid-19 financial position	Covid cost £m
Directorate covid overspend	27.787
Corporate budgets overspend	11.470
Indirect Covid costs	37.998
Total Covid-19 overspend	77.255
Application of Tranche 5 Funding Budget 2021	(12.515)
Covid grants carried forwards	(17.471)
Income compensation	(4.895)
Total Covid income	(34.881)
Net Deficit	42.374

- 3.30. There are further Covid-19 financial risks which have been quantified at £5.0m which are around Adult Social Care. Covid risks are reported on a weekly basis.

Delivery Plan

- 3.31. Establishing programme architecture to support the delivery of the Delivery Plan and the associated programmes of work has been underway for a number of months. The development of this architecture, outline business cases and discovery/ feasibility work is ongoing. The sourcing of appropriate support for the organisation to drive this forward has been funded primarily by the Transformation Fund (£5.25m).
- 3.32. A further £5.0m was approved by Cabinet in April from the Delivery Plan Reserve to expedite business case development and programme support. Further funding required for implementation will be sought from the Delivery Plan Reserve, requests for funding will seek Cabinet approval for draw down from the reserve as appropriate.
- 3.33. With regards to the Transformation Fund, the total spend to date including 2021-22 Q1 is £3,374,308 with a remaining £1,875,692. Of this amount, £1,770,747 is committed leaving a remainder of £104,945 uncommitted funds.
- 3.34. With regards to the Delivery Plan Reserve Draw Down, the total amount approved for spend to date is £1,950,571. The forecast for spend is £1,748,071 and the pipeline forecast is £803,101. This would leave a remainder of £498,257. It is prudent at this

time to request a further £5.0m draw down from the Delivery Plan Reserve to ensure delivery plan enabling work is able to continue at pace.

CEO Transformation Fund - £5.25m		
2020-2021 allocation £4.0m		
2021-2022 Allocation £1.25m		
Q1 2021-22 28/06/21		
Actual spend 20/21	£	2,189,649
Total Allocation 20/21	£	4,000,000
Remaining funds carried forward to 21/22	£	1,810,351
Allocation 2021-2022	£	1,250,000
Remaining funds carried forward from 20/21	£	1,810,351
Total Allocation for 21/22	£	3,060,351
Spend Q1 21/22	£	1,184,659
Remaining	£	1,875,692
Committed funds	£	1,770,747
Remainder	£	104,945

Delivery Plan Reserve- Draw Down £5.0m		
Quarter 1 28/06/21		
Total Spend Approved	£	1,950,571
Request Forecast	£	1,748,071
Pipeline Forecast	£	803,101
Total	£	4,501,743
Remaining	£	498,257

Policy Contingency

3.35. The Council Financial Plan and Budget 2021-2025 approved by Council on 23rd February 2021 reflected £44.0m for Specific Policy contingency budget in 2021/22 and £0.6m for General Policy Contingency budget. This is excluding savings that will be allocated to directorates in 2021/22. Until they are allocated, these will be held within the Policy Contingency budget.

3.36. It was approved by Cabinet on 29th June 2021 to carry forward £5.5m into a General Policy Contingency Reserve and use this in 2021/22 to increase the General Policy Contingency budget to £6.1m.

3.37. A breakdown of the Policy Contingency budget is set out below:

Policy Contingency	Budget £m	Committed in Outturn Report £m	Qtr 1 Committed £m	Not yet committed £m
Inflation Contingency	17.324		(8.630)	8.694
Redundancy and Exit Costs	9.281			9.281
Modernisation Fund - Social Care	8.955			8.955
Workforce Equalities & Streetscene	4.000		(2.205)	1.795
Apprenticeship Levy	1.259			1.259
Delivery Plan Programme Management	1.250			1.250
Highways Maintenance	0.750			0.750
Short-term Improvement in the Council House	0.500			0.500
HR Additional Temporary Resources	0.300		(0.300)	0.000
Loss of Income from Car Park Closures	0.252			0.252
Corporate Funding for Owning & Driving Performance (ODP) Culture Change Programme	0.129			0.129
General Contingency	6.086	(0.422)	(0.229)	5.435
Total Policy Contingency excluding savings	50.086	(0.422)	(11.364)	38.300
Capitalisation Transformation Projects to be allocated to services in 2021/22	(21.349)			(21.349)
Delivery Plan Workforce saving - to be allocated to services in 2021/22	(20.132)		10.000	(10.132)
DRF Revenue Switching to be allocated to services in 2021/22	(9.304)			(9.304)
Procurement Savings	(0.747)			(0.747)
Transport Work Stream	(0.400)			(0.400)
Total Savings to be allocated	(51.932)	0.000	10.000	(41.932)
Total Policy Contingency	(1.846)	(0.422)	(1.364)	(3.633)

Specific Policy Contingency

3.38. As shown above the Section 151 Officer has approved the release of the following:

- £8.6m of Specific Policy contingency to fund inflationary pressures,
- £2.0m to fund Street Scene-Engage and Educate, and
- £0.3m to fund the Employee Relations Unit within HR.

3.39. The release of £0.2m funding for the HR Race Equality Unit was approved by Cabinet on 18th May 2021.

These are all in line with the Council Financial Plan and Budget.

General Policy Contingency

3.40. Cabinet is asked to approve the release of the following from General Policy Contingency:

- £0.1m to fund the Birmingham Civic History Project.
- £0.1m to fund an interim JNC position within the Council Management Department.

3.41. Assuming the releases of budget shown above are approved, the balance on Policy Contingency excluding Savings would be £38.3m.

Collection fund

3.42. The monitoring arrangements for the Collection Fund include reporting on the in-year position for Council Tax and Business Rates. The impact of any surplus or deficit is taken into account as part of the setting of the following years budget.

Council Tax and Business Rates

3.43. The overall net budget for Council Tax income including Parish and Town Council Precepts is £384.8m in 2021/22. In addition, the Council collects the precepts on behalf of the Fire and Police Authorities.

3.44. There is a deficit forecast for the year of which the Council's share is £20.5m. This is made up of a cumulative deficit brought forward from 2020/21 of £5.9m plus an additional in year deficit relating to 2021/22 of £14.6m. This in year deficit is primarily due to a forecast increase of £16.8m in Council Tax Support of which £15.5m is funded from the Hardship Fund. There may be further worsening of non-collection rate due to the continuing effects of Covid-19 on the economy, however the Council has already budgeted for a worsening of collection rates in 2021/22. There is a forecast improvement in other reliefs and discounts of £3.6m mainly due to growth in exemptions for student accommodation forecasted to be lower than budgeted. The total net deficit for the year including brought forward deficit from 2020/21 is, therefore, forecast to be £5.0m (comprised forecast deficit of £20.5m less £15.5m funded from Hardship Fund).

3.45. The position for Council Tax is set out in the table below:

Council Tax Summary Table (BCC Share)

	Budget	Forecast Outturn	Forecast Surplus/(Deficit)
	£m	£m	£m
Gross Debit	569.373	569.103	(0.271)
Non Collection	(13.545)	(14.749)	(1.204)
Net Budget	555.828	554.354	(1.474)
Council Tax Support	(96.390)	(113.224)	(16.834)
Other Reliefs and Discount	(72.685)	(69.078)	3.607
Total in year Debit	386.754	372.052	(14.702)
Prior Year Adjustment	(1.965)	(1.892)	0.073
Total In Year Surplus/(Deficit)	384.789	370.160	(14.629)
Total Deficit Brought Forward	0.000	(5.905)	(5.905)
Grand Total Surplus/(Deficit)	384.789	364.255	(20.533)
Hardship Fund	0.000	15.525	15.525
Grand Total Net Surplus/(Deficit)	384.789	379.781	(5.008)

Business Rates

3.46. Under the 100% Business Rates Pilot that came into effect on 1st April 2017 the Council continues to retain 99% of all Business Rates collected under the Business Rates Retention Scheme with 1% being paid over to the West Midlands Fire Authority. The overall budgeted level of Business Rates in 2021/22 is £422.4m (excluding the Enterprise Zone), of which the Council's retained share is £418.2m.

- 3.47. There is a deficit anticipated, in year, of which the Council's share is £133.9m. This is mainly due to reliefs of £129.1m which primarily relate to Retail and Small Business Reliefs that the Council has granted to businesses in the leisure, hospitality, retail and nursery sectors which have been affected by Covid-19. The forecast gross rate yield is £4.8m lower than the budget due to lower growth in businesses. To be prudent the original growth which was assumed when the budget was set has not been factored in the forecast due to economic uncertainties.
- 3.48. The Government has announced plans to provide an extra, targeted business rates support package for businesses which have been unable to benefit from the existing £16 billion business rates relief for retail, hospitality and leisure businesses. The £1.5 billion funding pot which is to be distributed amongst all local authorities will provide businesses within Birmingham access to an additional £25m in rate relief. The Council is currently waiting for the relief legislation to be passed by central government and the subsequent scheme guidance to be released to local authorities. The extra relief and the funding for it has not been included in the forecast above. Once the Council is in receipt of this guidance a further update will be provided.
- 3.49. As with Council Tax, the Council budgeted for lower than usual collection rates in 2021/22. At this stage, it is too early to tell whether the collection rates will be in line with this.
- 3.50. The total additional grants, compared to budget, that are anticipated to offset this deficit is £126.7m. However, this will be received into the General Fund in 2021/22 and so will be required to be set aside as a contribution to reserves in the current year to be used to offset the £133.9m forecast deficit in the Collection Fund.
- 3.51. As a result of the above a total in year deficit of £7.2m is assumed to be carried forward and taken into account in setting the budget for 2022/23 made up of £133.9m deficit relating to the Council's share offset by £126.7m compensatory grants.
- 3.52. In addition to the in-year position and as previously reported in the 2020/21 Outturn report, a cumulative deficit was brought forward from 2020/21 of £2.5m. Therefore, an overall forecast Deficit of £9.7m relating to the Council's share of Business Rates (£7.2m in year Deficit plus £2.5m Deficit brought forward) is anticipated.
- 3.53. The position for Business Rates is shown in the table below:

Business Rates Summary Table (BCC Share)

	Net Budget £m	Forecast Outturn £m	Forecast Surplus/(Deficit) £m
Gross Rate Yield	556.321	551.480	(4.840)
Total Reliefs	(100.665)	(229.779)	(129.114)
Gross rate yield after reliefs	455.656	321.701	(133.955)
Increase in Bad Debts Provision	(18.226)	(18.226)	0.000
Other	(19.274)	(19.274)	0.000
Total Net Rate Yield	418.156	284.202	(133.954)
Compensatory Section 31 Grant (BCC Share)	54.079	180.784	126.704
Grand Total In Year Surplus/(Deficit)			(7.250)
BR Deficit Brought Forward		(2.477)	(2.477)
Grand Total Surplus/(Deficit)			(9.727)

Overall

3.54. Taken together, the anticipated position for the Collection Fund and related income streams is a deficit of £14.7m to be carried forward and taken into account in setting the budget for 2022/23 (a £5.0m deficit for Council Tax and a £9.7m deficit for Business Rates).

3.55. It should be noted that the Government stated that local authorities would be compensated in 2021/22 for 75% of the 2020/21 loss in Collection Fund Income. The Council estimated that it would receive in the region of £39.6m when setting its 2021/22 budget based on the guidance issued by the Government, however it now only expects to receive £23.4m. This shortfall of £16.2m will be spread over the three years from 2021/22 to 2023/24 at £5.4m per year.

Housing Revenue Account (HRA)

	Current Budget £m	P3 Actual	Forecast	Variation Over / (Under) spend
Rent Income	(254.737)	(40.114)	(254.737)	0.000
Service Charges	(15.158)	(2.311)	(15.158)	0.000
Other Income	(11.638)	0.001	(11.638)	0.000
Total Income	(281.533)	(42.424)	(281.533)	0.000
Repairs	65.767	7.958	65.767	0.000
Estate Services	20.032	2.146	20.032	0.000
General Management	69.121	7.531	68.703	(0.419)
Bad Debt Provision	8.120	0.018	6.275	(1.845)
Capital Financing	55.870	0.000	52.870	(3.000)
Capital Programme Funding	62.623	0.000	65.623	3.000
Total Expenditure	281.533	17.653	279.270	(2.264)
Net Surplus	0.000	(24.771)	(2.264)	(2.264)

Overall Position

3.56. The current net surplus of (£24.8m) is due to timing differences between income and expenditure. There is a forecast balanced position on the Housing Revenue Account.

Expenditure Variances

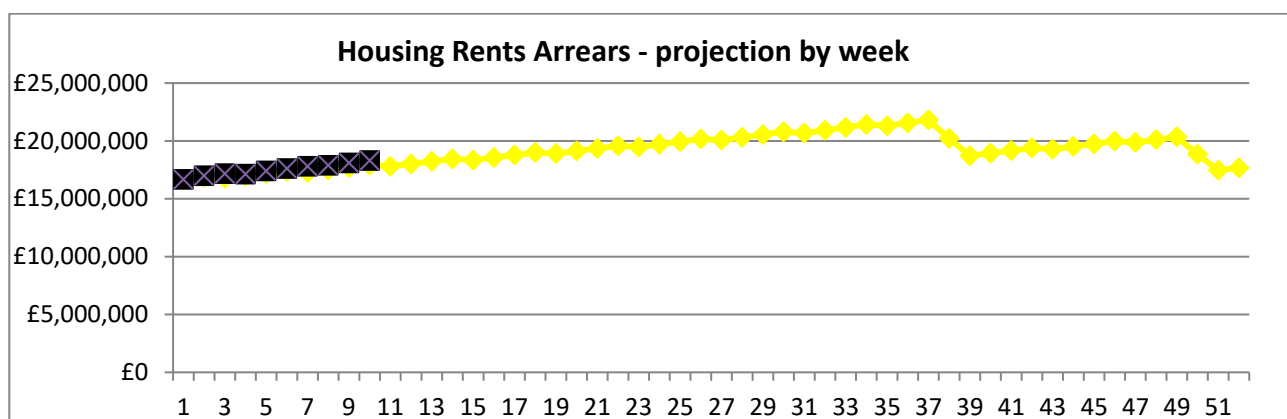
3.57. There is a net surplus forecast of (£2.3m) on expenditure. The surplus is available to be added to the current revenue reserve of (£11.3m).

- Forecast underspend on General Management (£0.4m) due to savings identified on housing management operational budgets

- The forecast underspend on Bad Debt Provision of (£1.8m) is due to lower levels of arrears on Housing Benefit due to the continued move to universal credit and as a consequence of Covid measures reducing the movement of debt from current to former tenant arrears.
- The anticipated savings on Capital Financing costs of (£3.0m) are largely due to the interest rate being lower than the budgeted rate.
- The overspend on Capital Programme Funding, £3.0m, is due to increased investment planned on the Capital Programme of £12.1m to meet priority works and match funding for the LAD2 programme. The overspend is funded from the savings on the Capital Financing budget.

HRA Current Arrears

3.58. HRA current arrears have increased by £2.1m since the beginning of April. The latest forecast provided by the Rent Team shows an increase in arrears of £1.4m by the end of March, after taking into account the payment holidays in December and March. The graph below shows actual and projected arrears for the year. It should be noted that the projection assumes no changes in furlough or the additional £20 per week to tenants in receipt of universal credit - both of which are currently due to finish at the end of September.



3.59. The actual increase in HRA Current Arrears Bad Debt Provision in 2020/21 was £3.2m. The HRA Current Arrears Bad Debt Provision 2021/22 budget was increased to £4.1m to reflect potential increases in arrears in 2020/21 due to ongoing Covid-19 impact. Work continues to assess the movement in arrears, but as it currently stands, the variation to budget forecast on the HRA Current Arrears Bad Debt Provision is nil.

Covid-19 pressures

3.60. The only Covid-19 specific pressure identified is an additional cost of £0.1m for targeted cleaning of high-rise and low-rise blocks of flats post Covid-19 lockdown. This will be funded from savings within the general management budget.

Dedicated Schools Grant (DSG)

Summary

- 3.61. The March 2021 notification from the Department for Education (DfE) shows total Dedicated Schools Grant (DSG) funding for Birmingham in 2021/22 of £1,324.6m, which comes through four blocks of funding. The Education & Skills Funding Agency (ESFA) currently recoups £632.3m of the DSG allocation to directly passport to academies and free schools.
- 3.62. The Council is responsible for the remaining budget of £692.3m, in conjunction with the local Schools' Forum. In addition, schools and academies receive direct funding allocations from the Department for Education (DfE) relating to Pupil Premium, Education Funding Agency (EFA) Post 16 Funding and Universal Infant Free School Meals. Birmingham's maintained schools allocation is estimated at £58.4m.
- 3.63. The budget will move during the course of the year as schools convert to academy status and Department for Education updates funding for updated pupil counts (particularly in early years).
- 3.64. At the end of month 3 the high-level forecast for the Dedicated Schools Grant (DSG) is as follows:

	Budget £m	Forecast Outturn £m	Variance £m
Schools Delegated	398.651	398.651	-
Central Schools Services	18.283	18.283	-
High Needs	184.037	184.037	-
Early Years	91.313	91.313	-
Sub Total – City Council	692.284	692.284	-
Academies & Other recoupment	632.328	632.328	-
Total	1,324.612	1,324.612	-

Key Service Highlights

- 3.65. DSG is a highly prescribed and ring-fenced grant and is the primary source of funding that is delegated or allocated to schools and other educational providers for their revenue costs as well as funding certain prescribed centrally managed provision. The Directorate have not reported any variations on the DSG at Period 3. This is primarily because the majority of the budget is delegated to schools and early years providers and variations tend only to appear during the start of the new academic year (in September). A more substantial update will be provided at period 6 when the new academic year placement of pupils will be known, and the financial costs evaluated.

Key Risks (not reflected in the financial forecast)

- 3.66. Demand led pressures in the High Needs Block have in the past led to overspends with a £14m High Needs Block deficit reported at the end of 2019/20. As agreed by Schools Forum at their meeting in January 2020, £5m was repaid during 2020/21 with the remaining £9m due to be repaid at a rate of £5m in 2021/22 and the remaining £4m balance in 2022/23. The financial risk to the Council arising from any negative variance is low, as it is a condition of the grant from the Department for Education that any overspends are carried forward and plans submitted for bringing the DSG account back into balance. Nonetheless, potential risks and mitigations are detailed below. The number of LA maintained schools in deficit has decreased and is now 28 (11.9% of the total number of LA maintained schools). The cumulative value of deficits has decreased by £2.4m to £6.3m; the Local Authority is working with Governing Bodies on deficit recovery plans to reduce this further. For 2021/22 there is a proposal to use £3m of the High

Needs Block to support special schools in financial difficulties and so reduce the liability that falls on the Council when special schools convert or close.

- 3.67. It should be recognised that 2020/21 has been a difficult year with the COVID-19 pandemic and whilst there have been reported cost increases and income losses, there have also been some savings associated with premises and utilities costs as a result of buildings being closed and staff working from home as well as additional funding being received to support schools during the pandemic. It is envisaged the true financial position will probably evolve over the next few years.

Future Years Impact

- 3.68. Future years impacts will be influenced most substantively by the Government's review of school funding and, in particular, ongoing guarantees of increased high needs funding. The current High Needs proposals should ensure that the deficit on the High Needs block is paid off by the end of 2022/23.

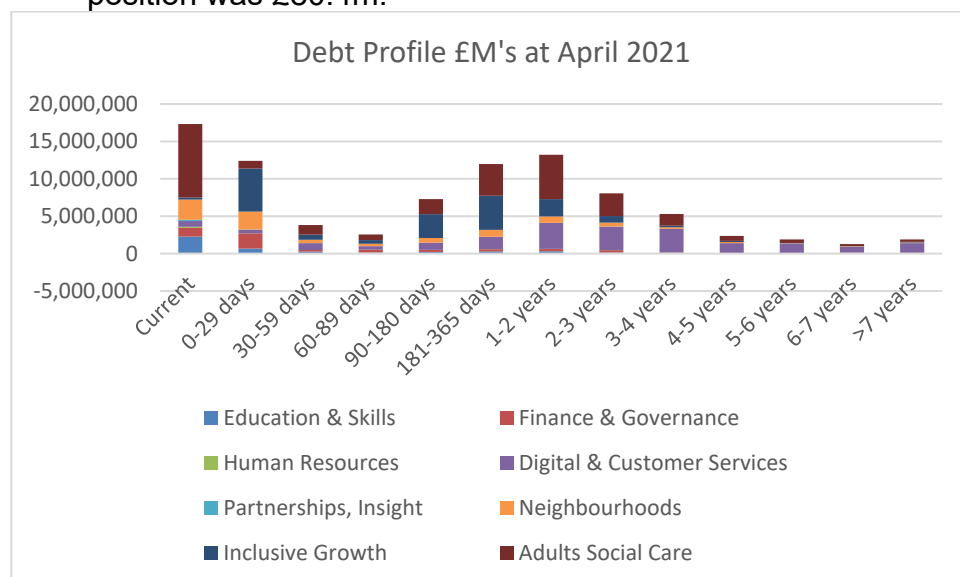
Balance Sheet

Borrowing

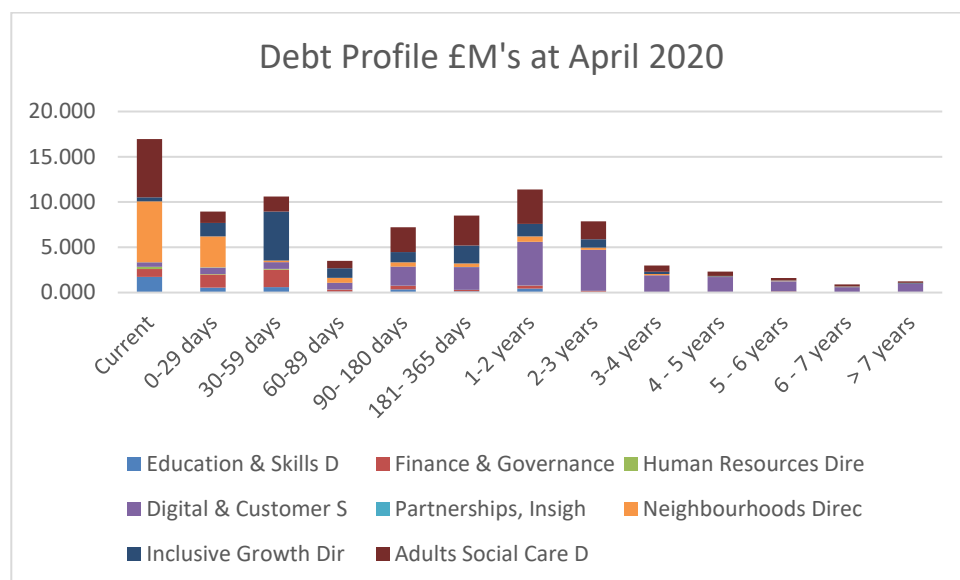
- 4.1. The annual cost of servicing debt represents approximately 27% of the budget. Gross loan debt is currently £3,211m, with the year-end projection likely to be below the planned level of £3,722m. Some government grants have been received early and there has been a reduced borrowing requirement for the capital programme. Uncertainty remains about the impact of Covid on future cashflows.
- 4.2. The positive cash flows mean that the Council's treasury investments remain temporarily higher at £172m against a planned level of £40m. This has meant the Council has been able to delay some of its short term and long-term borrowing needs.

Level of Debt and Provision

- 4.3. The Council's sundry debt position at the beginning of April 21 stood at £85.8m. This was an increase of £5.4m compared to the start of the previous year (April 20) when the position was £80.4m.



- 4.4. The table above shows there are year on year increases in age bands 0-29 days (£3.469m), 183 – 365 days (£3.474m) and 1 – 2 years (£1.832m). There is a decrease in age band 30 -59 days by £6.784m



- 4.5. The increases in the respective age bands is again primarily due to COVID related factors which has continued to impact in different ways. For example, Government and local decisions made not to chase any commercial rent resulting in an increased aged debt trend, most of which is likely to be overdue. This situation continues to be compounded by the limited support the Council can get from collection agencies due to restrictions in engaging with businesses and citizens and the court system's backlog situation caused by the courts shutting down earlier in the year.
- 4.6. To improve the position a more targeted approach to debt has been adopted which includes looking at current debt to recover it sooner, working with services to move to improved payment terms with customers and gaining a better understanding of the Council's top 50 debtors, analysis of which, is given below.

Top 50 Debtors Profile

- 4.7. Actions plans have and continue to be developed based on the top 50 sundry debtors reviews undertaken. As at the start of April 21 the value of the top 50 aged debtors (+ 90 days) was £7.252m which is 8.4% of total sundry debt. Analysis of this debt shows that £1.749m is highly likely to be or has been recovered, £4.111m is in the balance and £1.393m is high risk.

RAG Summary	£m	No. debts
	1.749	9
	4.111	28
	1.393	13
TOTALS	7.253	50

- 4.8. Of the high-risk debt, £0.915m is likely to be written off. The debt profile is spread across the following directorates as shown in table below-

Directorate	Value £m	Nature
Adults	2.314	Primarily residential care provision
Digital & Customer Services	0.102	Invoices to Acivico Ltd now paid.
Education & Skills	0.084	Invoices to Bham Community Health
Finance & Governance	0.657	Majority of debts are suppliers to schools for meals
Inclusive Growth	3.882	Majority of debt is commercial rent
Neighbourhoods	0.213	Markets debts
TOTAL	7.252	

4.9. The biggest areas of debt are for Residential Care Cost (£2.017m) and Commercial Rents (£2.611m).

4.10. Directorate reports detailing their top debtors and recovery actions to progress these items are now being produced and reviewed on a monthly basis.

Reserves

4.11. The Council operates a policy of not using reserves unless they have been set aside for specific purposes; they will not be used to mitigate the requirement to make savings or meet on-going budget pressures, except in exceptional circumstances. The main use of reserves relates to grant reserves where funding has been received prior to the requirement to spend the resource. The Council also has earmarked reserves where it has made a decision to set money aside to fund specific costs when they occur in later years.

4.12. The Council anticipated the net use of £155.7m of reserves in setting the 2021/22 budget. This is summarised in Table 6 together with the current forecast outturn balance. At Quarter 1, £37.4m of uses of reserves that were approved by Cabinet as part of the Outturn Report on June 29th have been reflected. A further £41.6m net uses of reserves are also forecasted.

4.13. This use of reserves includes assuming that the forecast overspend of £27.4m is funded by use of the Financial Resilience Reserve (FRR). Although the expectation is that budget will be brought back into balance by March 2022 and therefore such funding would not be required.

4.14. Any use of reserves to support Consideration of in-year requests to use reserves will be considered on an exception basis.

Table 6: Reserves	Balance as at 31st March 2021 *	Original Budgeted (Use) / Contribution	Change to budget approved at Outturn	Further changes forecast	Forecast Outturn Balance at 31st March 2022
	£m	£m	£m	£m	£m
Corporate General Fund Balance	38.382	0.000	0.000	0.000	38.382
Delivery Plan Reserve (formerly Invest to Save)	70.097	3.296	0.000	(10.000)	63.393
<i>Financial Resilience Reserve Gross</i>	<i>101.119</i>	<i>42.964</i>	<i>0.000</i>	<i>(27.385)</i>	<i>116.698</i>
<i>Net Borrowing from Financial Resilience Reserve</i>	<i>(11.863)</i>	<i>(9.017)</i>	<i>0.000</i>	<i>0.000</i>	<i>(20.880)</i>
Financial Resilience Reserve Net	89.257	33.947	0.000	(27.385)	95.818
General Reserves and Balances	197.735	37.243	0.000	(37.385)	197.593
Other Corporate Reserves	407.378	(205.454)	(21.954)	(5.934)	174.036
Grant	318.094	(7.419)	(15.480)	0.000	295.195
Earmarked	57.007	19.717	0.000	0.000	76.724
Schools	62.589	0.000	0.000	0.000	62.589
Non Schools DSG	19.460	0.000	0.000	0.000	19.460
Subtotal Other Reserves	864.529	(193.156)	(37.434)	(5.934)	628.004
Grand total	1,062.264	(155.914)	(37.434)	(43.319)	825.597

*The Opening Reserves Balances is subject to confirmation when the Accounts have been finalised. The figures are based on the draft accounts as published.

4.15. The forecast further net use of **£43.3m** of reserves is as follows:

- The forecast overspend of **£27.4m** is assumed to be funded from the FRR as mentioned above and considered unlikely to occur..
- The **£17.5m** of Covid Reserves carried forward from 2020/21 will be required in 2021/22 as referred to in paragraph 1.2.
- There will be a use of **£5.0m** of the Delivery Plan Reserve to fund the Delivery Plan as approved by Cabinet in April plus a further **£5.0m** requested in this report, and as described in paragraphs 3.25 to 3.28.
- In order to facilitate the further improvement to the SEND service Cabinet is asked to approve the drawdown of **£1.0m** from the Financial Resilience Reserve (FRR). A further request is likely in September.

This is offset by a reduction in uses of reserves of the following:

- The Council is using **£5.4m** less of the Tax Income Compensation Reserve than planned as there is less available to use, as referred to in paragraph 1.5.
- The Council is using **£6.2m** less of the Capital Receipts Flexibility Reserve than planned. This is a timing issue, and does not affect the bottom line.

List of Annexes

- 1. Covid Costs details**
- 2. Write off details**
- 3. Treasury Management**
- 4. Capital Programme tables**
- 5. Investment Property Portfolio Monitoring Dashboard**

Annex 1 Covid Cost Details

Detail of Covid Forecast Costs by Directorate

Directorate	Service	Description	Sum of Covid Cost (£m)
Adult Social Care	Assessment & Support Planning	Additional Adults staffing costs	0.325
Adult Social Care	Packages of Care	Loss of day centre income due to closure	0.212
Adult Social Care	Other Minor		0.085
Adult Social Care Total			0.622
Digital & Customer Service	Benefits Service	Housing Benefit Overpayment Recovery Income Losses	1.033
Digital & Customer Service	IT&D	IT equipment and support to respond to immediate Business Continuity requests including project work and staff time	0.992
Digital & Customer Service	Revenues	Loss of Income due to Courts being closed	1.255
Digital & Customer Service	Other Minor		0.041
Digital & Customer Services Total			3.320
Education & Skills	BCC Early Years, BCT	additional Covid expenditure approved by Coordination Response Group	0.300
Education & Skills	BCT - care leavers	Increased costs in BCT care leavers (estimate)	0.250
Education & Skills	BCT- other	Increased costs in BCT Children's Social Care - Other (estimate)	0.500
Education & Skills	BCT - residential	Increased costs in BCT residential placements (estimate)	0.125
Education & Skills	EWS	reduction in income from fixed penalty notices for school absences	0.100
Education & Skills	Libraries	Strategic and Community Libraries. Loss of income from sales, fees and room hire	0.070
Education & Skills	Other Minor		0.085
Education & Skills Total			1.430
Finance & Governance	Development & Commercial	City Catering – loss of income from functions	0.170
Finance & Governance	Development & Commercial	City Catering –saving CC104 19+ Commercialism	0.116
Finance & Governance	Development & Commercial	Loss of commercial advertising income from outdoor digital advertising, lamp posts, roundabouts etc	0.493
Finance & Governance	CityServe	Increase in cost of laundering uniforms due to increased frequency of washing - CityServe	0.070
Finance & Governance	Commercial Hub - Cityserve	Cityserve –loss of income from the schools	0.300
Finance & Governance	Procurement	CRG Decision - Pandemic Response and Recovery Procurement Support	0.150
Finance & Governance	Legal and Governance	CRG Decision - Pandemic Response and Recovery Legal and Governance Support	0.217
Finance & Governance	Service Finance	CRG Decision - Pandemic Response and Recovery Service Finance Support	0.148
Finance & Governance	Other Minor		0.087
Finance & Governance Total			1.751
Human Resources	Other Minor		0.021
Human Resources Total			0.021
Neighbourhoods	Street Scene	Delay in Street Scene re-structure will mean increased costs for Agency	1.522
Neighbourhoods	Street Scene	Loss of income due to closure of services ie , Garden waste, Garaging services, and loss of trade waste income	0.672
Neighbourhoods	Street Scene	Additional measures protective measures such as PPE - Requirements for Street Scene Operations (incl Waste Collection) as a result of COVID, increased sanitisation of vehicles	0.409
Neighbourhoods	Neighbourhoods	Loss of income due to closure of Leisure Centres	0.517
Neighbourhoods	Neighbourhoods	Estimated Claims from External contractors	2.644
Neighbourhoods	Neighbourhoods	Loss of income Community Centres and delay in transfer of Oddingley	0.136
Neighbourhoods	Regulation & Enforcement	Additional cost of gate security at cemeteries and crematoria - costs arranged through Security Services	0.200
Neighbourhoods	Regulation & Enforcement	Markets - Open Market St Martins Impact of traders leaving and giving up stalls and storage units	0.102
Neighbourhoods	Regulation & Enforcement	Markets - Rag Market traders giving up stalls and storage units	0.263
Neighbourhoods	Regulation & Enforcement	Reduction in court costs due to closure of courts over COVID response period and prioritisation of serious criminal hearings only.	0.150
Neighbourhoods	Regulation & Enforcement	Temp Mortuary facilities BCC / West Midlands Regional incl Registration with HTA	0.200
Neighbourhoods	Regulation & Enforcement	Register Office additional contracted hours for officers	0.090
Neighbourhoods	Regulation & Enforcement	Coroner - cost of additional coronerplus additional assistant coroners	0.082
Neighbourhoods	Housing Options	Loss of Income Temporary Accommodation Hostels	0.354
Neighbourhoods	Housing Options	Additional NRPF costs (third party and bed&breakfast)	0.247
Neighbourhoods	Housing Options	Reduced Capacity Hostels resulting in additional bed & breakfast costs	0.518
Neighbourhoods	Other Minor		0.248
Neighbourhoods Total			8.354
Partnerships, Insight & Prevention	Community Safety	Support re Domestic Abuse	0.135
Partnerships, Insight & Prevention	Communications	Covid communications campaigns and external agency engagement	0.150
Partnerships, Insight & Prevention	Other Minor		0.050
Partnerships, Insight & Prevention Total			0.335
Corporate	Council Tax	Council Tax Support	4.000
Corporate	Corporately Managed Budgets	Dividends	7.470
Corporate Total			11.470
Inclusive Growth	Car Parking	Car Parking On Street F&C	2.015
Inclusive Growth	Car Parking	Car Parking On Street-Bay Suspensions	1.055
Inclusive Growth	Car Parking	On street Season Tickets	0.066
Inclusive Growth	Car Parking	Car Parking Off Street F&C	4.721
Inclusive Growth	Car Parking	Car Parking Off Street Season Tickets	0.731
Inclusive Growth	Car Parking	Civil Parking enforcement	1.594
Inclusive Growth	Car Parking	Local Car Parks	0.647
Inclusive Growth	Property Services	Commercial Rent Property Strategy Growth (Inclusive Growth only): non-achievement of savings proposal in Council Financial Plan 2020+	0.749
Inclusive Growth	Property Services	Operational Hub Programme - non achievement of savings targets in Council Financial Plan 2020+	0.322
Inclusive Growth	Other Minor		0.054
Inclusive Growth Total			11.954
Grand Total			39.257

Write-off of Irrecoverable Housing Benefit, Council Tax and Business Rates

a. Irrecoverable Housing Benefit

1. In circumstances where Housing Benefit overpayments are identified as not being recoverable, or where recovery is deemed uneconomic, the City Council's Financial Regulations and delegated powers allow for these overpayments and income to be written off. All possible avenues must be exhausted before such write offs are considered. Amounts already written off will still be pursued should those owing the Council money eventually be located or return to the city.
2. The cost to the council of writing off these irrecoverable sums will be charged to the City Council's provision set up for this purpose, which includes sums set aside in previous years to meet this need. It is, therefore, the appropriate account to be charged. There is no effect on the revenue account.
3. In 2021/22, from 1st April up to 30th June 2021, further items falling under this description in relation to Benefit overpayments have been written off under delegated authority. The Table below details the gross value of amounts written off, which members are asked to note.

Age analysis	Over 6 years	3 to 6 years	Under 3 years	Total
	£m	£m	£m	£m
Benefit Overpayments	0.030	0.042	0.045	0.116
Total	0.030	0.042	0.045	0.116

Annex 2c to this report gives a more detailed age analysis of overpayments and income written off.

b. Irrecoverable Council Tax & Business Rates

Due to the support packages put in place by the Government to assist small businesses with the impact of the COVID-19 pandemic the Revenues Service had to divert resources to ensure these vital payments were authorised and paid as quickly as possible. Unfortunately, this has meant that the Service was not in a position to put forward any Council Tax or Business Rates write-offs for Quarter 1.

c. **Age analysis of overpayments and debts written off under delegated authority by Revenues and Benefits Division (Housing Benefit)**

Summary 01.04.21 – 30.06.21

Age Analysis of Overpayments and Debts Written-off Under delegated authority by Revenues and Benefits Division

Detail	Pre 2011	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	Total	No of Debtors
Housing Benefit debts written off under delegated authority	£11,818.63	£416.96	£7.40	£6,353.49	£4,607.85	£6,670.82	£7,224.81	£12,062.25	£22,270.25	£20,325.83	£18,021.27	£6,153.25	£115,932.81	210
TOTAL	£11,818.63	416.96	£7.40	£6,353.49	£4,607.85	£6,670.82	£7,224.81	£12,062.25	£22,270.25	£20,325.83	£18,021.27	£6,153.25	£115,932.81	210

Debt Size	Small		Medium		Large
Cases	>£1,000	Cases	£1,001-£5,000	Cases	£5,000-£25,000
181	£22,234.76	24	£56,349.06	5	£37,348.99

TREASURY MANAGEMENT MONITORING DASHBOARD: JUNE 2021

	value	comparator	difference
1 Gross loan debt	£m	£m	£m
at month end	3,211		
year end Forecast (vs Plan)	3,584	3,722	-138
year end Forecast (vs Pru Limit for loan debt)	3,584	4,103	-519

Forecast year end debt is below the year end plan and prudential limit due to the impact of Covid and reduced borrowing required for the capital programme. Uncertainty remains about the continued impact of Covid on the Council's cashflow.

2 short term borrowing			
at month end (vs Plan)	233	588	-355
interest rate year to date on outstanding deals (vs Plan)	0.25%	0.50%	-0.25%

Short term borrowing is currently lower than forecast. Covid grants received in advance has allowed the Council to temporarily use internal borrowing to meet its borrowing needs. As the Council utilises more of the Covid grants received in advance, the Council expects to resume short term borrowing later in the year.

3 Treasury investments			
at month end (vs Plan)	172	40	132
interest rate year to date on outstanding deals (vs Plan)	0.02%	0.20%	-0.18%

Treasury investments remain significantly higher than the Plan due to the receipt of Covid grants in advance.

4 Long term loans taken			
year to date (vs Plan)	-	130	-130
ave. interest rate obtained (vs Plan)	-	2.40%	-2.40%

No long term borrowing has been taken in the year to date, due to favourable cashflows deferring the need for long term borrowing.

5 Assurance	
were Credit criteria complied with?	yes
were investment defaults avoided?	yes
was the TM Code complied with?	yes
were prudential limits complied with?	yes

These are key performance indicators for treasury management which in normal circumstances should all be yes. Investment quality is kept under continual review with support from the Council's treasury advisers.

Treasury Management: portfolio overview			
<i>This appendix summarises the Council's loan debt and treasury management investments</i>			
	this quarter		last quarter
	30/06/2021 £m		31/03/2021 £m
PWLB	2,484.2		2,484.2
Bonds	373.0		373.0
LOBOs	71.1		71.1
Other long term	49.8		49.8
Salix	0.5		0.5
Short term	232.9		377.3
Gross loan debt	3,211.5		3,355.9
less treasury investments	(172.0)		(193.6)
Net loan debt	3,039.5		3,162.3
Budgeted year end net debt	3,681.8		3,791.8
Prudential limit (gross loan debt)	4,102.7		4,084.5

Short term borrowing was significantly lower at the end of the quarter as the use of internal borrowing has allowed the Council to repay maturing loans without refinancing.

Treasury investments by source	£m
UK Government	60
Money Market Funds	91
Banks and Building Societies	22
	172

Treasury investments by credit quality			
			£m
AAA			60
AAAmmf			91
AA			22
A			0
			172

In line with the Strategy, the Council holds its treasury investments in diversified liquid funds of high credit quality. The Covid grants received in advance have been retained in liquid funds due to uncertainty over the timing of needs.

Investments as Accountable Body

These are investments made as Accountable Body on behalf of on behalf of others, and are not the Council's own money.

	Growing Places Fund £m	AMSCI £m	Regional Growth Fund £m	Local Growth Fund £m	LGF3 £m	LOGRO £m	NMCL £m	Total £m
UK Government	0.0	15.0	10.0	0.0	0.0	0.0	0.0	25.0
Birmingham City Council ¹	0.0	0.0	0.0	4.2	0.0	0.0	0.0	4.2
Money Market Funds	11.6	24.1	3.1	0.0	0.4	3.2	0.9	43.3
	11.6	39.1	13.1	4.2	0.4	3.2	0.9	72.5

¹ These funds have been lent to the Council by agreement at a commercial rate

Annex 3.3

Treasury management: summary of delegated decisions in the quarter

This appendix summarises decisions taken under treasury management delegations to the Chief Finance Officer during the quarter.

1. Short term (less than 1 year)	borrowing		investments
	£m		£m
opening balance	377		-194
new loans/investments	56		-899
loans/investments repaid	-201		921
closing balance	233		-172

These loans and investments are for short periods from one day up to 365 days. Short term loans have decreased as loans have been repaid upon maturity.

2. Long term borrowing:				
date	lender	£m	rate	maturity

No long term borrowing has been taken to date

3. Long term loans prematurely repaid:				
date	lender	£m	rate	maturity

No long term loans were prematurely repaid. In line with treasury management practices, the Council will only repay long term loans prematurely if this provides a financial benefit to the Council.

4. Long term treasury investments made:				
date	borrower	£m	rate	maturity

No long term investments were made. The Council is a substantial net borrower and usually has cash to invest for relatively short periods.

DEBT AND PRUDENTIAL INDICATORS

WHOLE COUNCIL

	21/22 Indicators £m	21/22 Forecast £m	22/23 Indicators £m	22/23 Forecast £m	23/24 Indicators £m	23/24 Forecast £m	24/25 Indicators £m	24/25 Forecast £m
Capital Finance								
1 Capital Expenditure - Capital Programme	639.7	745.3	461.6	473.6	261.1	337.2	204.2	204.2
2 Capital Expenditure - other long term liabilities	37.8	37.6	33.2	33.0	33.4	33.2	34.3	34.1
3 Capital expenditure	677.5	783.0	494.8	506.6	294.5	370.4	238.5	238.3
4 Capital Financing Requirement (CFR)	4,797.1	4,714.1	4,891.5	4,768.4	4,723.3	4,633.6	4,663.3	4,580.7

Planned Debt

5 Peak loan debt in year	3,740.0	3,600.6	3,717.7	3,597.1	3,659.7	3,542.7	3,493.6	3,420.0
6 + Other long term liabilities (peak in year)	397.3	397.8	373.7	374.0	348.4	348.5	322.1	322.1
7 = Peak debt in year	4,137.3	3,998.4	4,091.4	3,971.1	4,008.1	3,891.2	3,815.7	3,742.1
8 does peak debt exceed year 3 CFR?	no	no	no	no	no	no	no	no

Prudential limit for debt

9 Gross loan debt	4,102.7	3,600.6	4,226.3	3,597.1	4,151.6	3,542.7	4,077.9	3,420.0
10 + other long term liabilities	397.3	397.8	373.7	374.0	348.4	348.5	322.1	322.1
11 = Total debt	4,500.0	3,998.4	4,600.0	3,971.1	4,500.0	3,891.2	4,400.0	3,742.1

Notes

- 1 There is a net increase in forecast capital expenditure due mainly to slippage from previous years.
- 4 The Capital Financing Requirement represents the underlying level of borrowing needed to finance historic capital expenditure (after deducting debt repayment charges).This includes all elements of CFR including Transferred Debt.
- 5-7 These figures represent the forecast peak debt (which may not occur at the year end). The Prudential Code calls these indicators the Operational Boundary.
- 8 It would be a cause for concern if the Council's loan debt exceeded the CFR, but this is not the case due to positive cashflows, reserves and balances.
- 11 The Authorised limit for debt is the statutory debt limit. The City Council may not breach the limit it has set, so it includes allowance for uncertain cashflow movements and potential borrowing in advance for future needs.

DEBT AND PRUDENTIAL INDICATORS

Annex 3.4b

HOUSING REVENUE ACCOUNT

		21/22	21/22	22/23	22/23	23/24	23/24	24/25	24/25
		Indicators	Forecast	Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
		£m	£m	£m	£m	£m	£m	£m	£m
Capital Finance									
1	Capital expenditure	126.0	122.5	165.0	143.2	144.4	152.4	120.1	120.1
HRA Debt									
2	Capital Financing Requirement (CFR)	1,113.4	1,081.4	1,144.0	1,112.0	1,156.4	1,124.4	1,161.7	1,129.7
Affordability									
3	HRA financing costs	102.9	102.7	103.8	103.6	104.4	104.1	105.8	105.5
4	HRA revenues	281.5	279.3	288.1	288.1	296.2	296.2	304.2	304.2
5	HRA financing costs as % of revenues	36.6%	36.8%	36.0%	35.9%	35.2%	35.2%	34.8%	34.7%
6	HRA debt : revenues	4.0	3.9	4.0	3.9	3.9	3.8	3.8	3.7
7	Forecast Housing debt per dwelling	£18,782	£18,241	£19,271	£18,731	£19,513	£18,973	£19,764	£19,219

Notes

- 3
- Financing costs include interest and depreciation rather than Minimum Revenue Provision (MRP) in the HRA.
- 6
- This indicator is not in the Prudential Code but is a key measure of long term sustainability.
- 7
- This indicator is not in the Prudential Code but is a key measure of affordability: the HRA debt per dwelling should not rise significantly over time.

DEBT AND PRUDENTIAL INDICATORS

Annex 3.4c

GENERAL FUND		21/22	21/22	22/23	22/23	23/24	23/24	24/25	24/25
		Indicators	Forecast	Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
		£m	£m	£m	£m	£m	£m	£m	£m
Capital Finance									
1	Capital expenditure (including other long term liabilities)	551.6	660.4	329.8	363.4	150.1	218.0	118.4	118.2
2	Capital Financing Requirement (CFR)	3,683.7	3,632.7	3,747.5	3,656.4	3,566.9	3,509.2	3,501.6	3,451.0
General Fund debt									
3	Peak loan debt in year	2,626.6	2,519.2	2,573.7	2,485.1	2,503.3	2,418.3	2,331.9	2,290.3
4	+ Other long term liabilities (peak in year)	397.3	397.8	373.7	374.0	348.4	348.5	322.1	322.1
5	= Peak General Fund debt in year	3,023.9	2,917.0	2,947.4	2,859.1	2,851.7	2,766.8	2,654.0	2,612.4
General Fund Affordability									
6	Total General Fund financing costs	222.4	225.7	218.3	233.7	241.6	250.0	241.7	250.0
7	General Fund net revenues	828.7	828.7	852.2	852.2	872.4	872.4	909.7	909.7
8	General Fund financing costs (% of net revenues)	26.8%	27.2%	25.6%	27.4%	27.7%	28.7%	26.6%	27.5%

Note

- 4 Other long term liabilities include PFI, finance lease liabilities, and transferred debt liabilities.
- 6 Financing costs include interest and MRP (in the General Fund), for loan debt, transferred debt, PFI and finance leases.
- 8 This indicator includes the revenue cost of borrowing and other finance, including borrowing for the Enterprise Zone and other self-supported borrowing.

PRUDENTIAL INDICATORS

Annex 3.4d

TREASURY MANAGEMENT

		21/22	21/22	22/23	22/23	23/24	23/24	24/25	24/25
		Indicators	Forecast	Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
1	General Fund impact of an unbudgeted 1% rise in interest rates	£4.1m	£3.8m	£3.7m	£3.5m	£2.3m	£2.6m	£2.2m	£2.6m
2	Variable rate exposures vs upper limit 30%	19%	18%	18%	18%	18%	18%	17%	17%
Maturity structure of borrowing		Indicators	Forecast	Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
(lower limit and upper limit)		Year End	Year End	Year End	Year End	Year End	Year End	Year End	Year End
3	under 12 months	18%	17%	18%	17%	16%	16%	16%	17%
4	12 months to within 24 months	1%	1%	2%	2%	2%	2%	2%	2%
5	24 months to within 5 years	5%	6%	7%	7%	8%	8%	9%	9%
6	5 years to within 10 years	16%	17%	14%	14%	15%	16%	14%	14%
7	10 years to within 20 years	23%	22%	24%	22%	22%	21%	23%	22%
8	20 years to within 40 years	35%	36%	33%	35%	35%	35%	34%	34%
9	40 years and above	2%	2%	2%	2%	2%	2%	2%	1%
Investments longer than 364 days									
upper limit on amounts maturing in:									
		Limit	Forecast	Limit	Forecast	Limit	Forecast	Limit	Forecast
10	1-2 years	400	0	400	0	400	0	400	0
11	2-3 years	100	0	100	0	100	0	100	0
12	3-5 years	100	0	100	0	100	0	100	0
13	later	0	0	0	0	0	0	0	0

Note

- 1
- Based on year end debt borrowing less investments, with less than one year to maturity.
- 2-9
- These indicators assume that LOBO loan options are exercised at the earliest possibility, and are calculated as a % of net loan debt.
- 2
- The limit on variable rate exposures is a local indicator.

Capital Monitoring Summary - Period 3 2021/22

Annex 4a

Expenditure

	2021/22 £m	2022/23 £m	2023/24 £m	Later Years £m	Total Plan £m
Original Budget as at February 2021	739.934	495.285	1,694.947	0.000	2,930.166
Slippage/(Acceleration) - from 2020/21	39.951	0.049	0.623	0.000	40.623
New Resources / (Reductions) & Rephasing Period 3	(45.857)	(21.771)	(1,358.329)	1,605.798	179.841
Budget Period 3	734.028	473.563	337.241	1,605.798	3,150.630
Forecast Slippage Period 3	0.000	0.000	0.000	0.000	0.000
Forecast Overspend / (Underspend) Period 3	11.313	0.000	0.000	0.000	11.313
Forecast Outturn at Period 3	745.341	473.563	337.241	1,605.798	3,161.943

Resources

Use of Specific Resources:

Grants & Contributions	187.619	92.957	92.403	56.520	429.499
Earmarked Capital Receipts - RTB & Revenue Reform	114.878	53.350	41.515	161.354	371.097
Revenue Contributions - Departmental	26.216	16.337	11.955	3.119	57.627
Revenue Contributions - HRA	65.623	68.521	73.802	576.634	784.580

Use of Corporate or General Resources:

Corporate Resources	17.394	0.319	16.850	0.000	34.563
Prudential Borrowing	333.611	242.079	100.716	808.171	1,484.577

Forecast Use of Resources

745.341	473.563	337.241	1,605.798	3,161.943
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Capital Forecast 2021/22 by Directorate

Directorate	(a) 2021/22 Original Approved Budget £m	(b) Slippage / Acceleration from 2020/21	(c) New Schemes, Resources & Rephasing £m	(d) 2021/22 Period 3 Revised Budget (a+b+c) £m	(e) Forecast Variation Period 3 £m	(f) 2021/22 Forecast Outturn (e+f) £m
Adult Social Care	10.605	(1.031)	0.000	9.574	0.000	9.574
Education & Skills	51.444	(3.157)	(1.416)	46.871	0.000	46.871
Neighbourhoods						
Neighbourhood Other	37.499	4.590	2.522	44.611	0.000	44.611
Housing Revenue Account	125.957	1.828	(17.339)	110.446	12.098	122.544
Total Neighbourhoods Directorate	163.456	6.418	(14.817)	155.057	12.098	167.155
Inclusive Growth						
Planning & Development	45.100	0.804	4.696	50.600	0.000	50.600
Transportation	66.096	9.224	6.345	81.665	(0.785)	80.880
Highways	1.980	0.744	1.958	4.682	0.000	4.682
Housing Development	0.000	1.563	0.000	1.563	0.000	1.563
Perry Barr Residential Scheme	130.222	21.591	0.002	151.815	0.000	151.815
Property Services	59.719	0.862	0.048	60.629	0.000	60.629
Total Inclusive Growth Directorate	303.117	34.788	13.049	350.954	(0.785)	350.169
Finance & Governance	125.410	4.756	(40.702)	89.464	0.000	89.464
Digital & Customer Services	9.758	1.526	(1.971)	9.313	0.000	9.313
Commonwealth Games	76.144	(3.598)	0.000	72.546	0.000	72.546
Assistant Chief Executive	0.000	0.250	0.000	0.250	0.000	0.250
<i>TOTAL</i>	739.934	39.952	(45.857)	734.029	11.313	745.342

		Budget Movements							
		Current Year				All Years			
Ref.		Original Budget £m	Slippage /Acceleration from 2020/21 £m	New Resources / Rephasing £m	Current Budget £m	Change £m	Original Budget £m	Current Budget £m	Change £m
ADULT SOCIAL CARE DIRECTORATE									
Adult Care & Health									
		0.169	0.107	0.000	0.276	0.107	0.169	0.276	0.107
		0.400	0.333	0.000	0.733	0.333	0.400	0.733	0.333
ASC1	●	10.036	(1.471)	0.000	8.565	(1.471)	10.036	8.565	(1.471)
Total Adult Social Care Directorate		10.605	(1.031)	0.000	9.574	(1.031)	10.605	9.574	(1.031)
EDUCATION AND SKILLS DIRECTORATE									
Education & Early Years									
		1.614	1.395	0.066	3.075	1.461	1.614	3.075	1.461
ED1	●	16.750	2.410	(4.796)	14.364	(2.386)	16.750	24.887	8.137
ED2	●	31.443	(8.704)	1.341	24.080	(7.363)	41.443	59.821	18.378
	●	0.000	0.013	0.000	0.013	0.013	0.000	0.013	0.013
		0.600	0.483	0.000	1.083	0.483	1.200	1.683	0.483
ED3	●	0.000	(0.119)	1.973	1.854	1.854	0.000	1.854	1.854
Total Education & Early Years		50.407	(4.522)	(1.416)	44.469	(5.938)	61.007	91.334	30.327
Skills & Employability									
		0.000	1.270	0.000	1.270	1.270	0.713	1.983	1.270
ED4	●	1.037	0.095	0.000	1.132	0.095	4.037	4.132	0.095
Total Skills & Employability		1.037	1.365	0.000	2.402	1.365	4.750	6.115	1.365
Total Education and Skills Directorate		51.444	(3.157)	(1.416)	46.871	(4.573)	65.757	97.449	31.692
NEIGHBOURHOODS DIRECTORATE									
Street Scene									
		21.533	1.230	4.625	27.388	5.855	67.091	74.628	7.537
N1	●	9.582	3.093	(0.755)	11.920	2.338	12.063	15.575	3.512
N2	●	31.115	4.323	3.870	39.308	8.193	79.154	90.203	11.049
Housing Services									
		0.000	0.057	0.000	0.057	0.057	2.320	2.377	0.057
		0.734	0.085	(0.289)	0.530	(0.204)	1.404	1.598	0.194
Housing Revenue Account									
		64.675	(3.565)	5.070	66.180	1.505	606.426	679.929	73.503
N3	●	59.475	5.296	(22.409)	42.362	(17.113)	450.672	490.118	39.446
N4	●	1.807	0.097	0.000	1.904	0.097	16.999	19.292	2.293
N5	●	125.957	1.828	(17.339)	110.446	(15.511)	1,074.097	1,189.339	115.242
Total Housing Revenue Account		125.957	1.828	(17.339)	110.446	(15.511)	1,074.097	1,189.339	115.242
Total Housing Services		126.691	1.970	(17.628)	111.033	(15.658)	1,077.821	1,193.314	115.493
Neighbourhoods									
		3.182	0.113	(1.070)	2.225	(0.957)	4.682	4.830	0.148
		0.000	0.013	0.000	0.013	0.013	0.000	0.013	0.013
		0.050	0.874	0.000	0.924	0.874	2.250	3.124	0.874
Total Neighbourhoods		3.232	1.000	(1.070)	3.162	(0.070)	6.932	7.967	1.035
Regulation & Enforcement									
		0.000	0.184	0.068	0.252	0.252	0.000	0.252	0.252
		0.000	0.000	0.000	0.000	0.000	0.759	0.759	0.000
		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
		2.418	(1.088)	(0.057)	1.273	(1.145)	2.418	1.330	(1.088)
N6	●	0.000	0.028	0.000	0.028	0.028	0.000	0.028	0.028
Total Regulation & Enforcement		2.418	(0.876)	0.011	1.553	(0.865)	3.177	2.369	(0.808)
Total Neighbourhoods Directorate		163.456	6.417	(14.817)	155.056	(8.400)	1,167.084	1,293.853	126.769
INCLUSIVE GROWTH DIRECTORATE									
Planning & Development									
Major Projects									
		23.029	1.127	(2.271)	21.885	(1.144)	27.649	28.776	1.127
		15.094	(3.390)	3.807	15.511	0.417	807.196	806.027	(1.169)
		6.627	2.544	3.160	12.331	5.704	6.627	16.600	9.973
IG1	●	44.750	0.281	4.696	49.727	4.977	841.472	851.403	9.931
IG2	●	0.350	0.523	0.000	0.873	0.523	0.350	0.873	0.523
Public Realm		0.350	0.523	0.000	0.873	0.523	0.350	0.873	0.523
Infrastructure									
		0.000	0.000	0.000	0.000	0.000	0.234	0.234	0.000
Infrastructure		0.000	0.000	0.000	0.000	0.000	0.234	0.234	0.000
Total Planning & Development		45.100	0.804	4.696	50.600	5.500	842.056	852.510	10.454
Housing Development									
		0.000	1.563	0.000	1.563	1.563	6.337	7.900	1.563
IG3	●	0.000	1.563	0.000	1.563	1.563	6.337	7.900	1.563
Total Housing Development		0.000	1.563	0.000	1.563	1.563	6.337	7.900	1.563
Transport Connectivity									
Major Schemes									
		8.147	0.213	(3.256)	5.104	(3.043)	85.688	86.032	0.344
		5.000	0.338	(0.535)	4.803	(0.197)	24.432	23.441	(0.991)
IG4	●	4.760	0.529	3.387	8.676	3.916	18.970	11.236	(7.734)
IG5	●								

			Budget Movements							
			Current Year				All Years			
Ref.			Original Budget £m	Slippage /Acceleration from 2020/21 £m	New Resources / Rephasing £m	Current Budget £m	Change £m	Original Budget £m	Current Budget £m	Change £m
Snowhil Public Realm	IG6	●	2.932	0.118	1.024	4.074	1.142	4.571	5.714	1.143
Other (Major Schemes)	IG7	●	7.997	1.914	(4.302)	5.609	(2.388)	7.997	14.796	6.799
Total Major Schemes			28.836	3.112	(3.682)	28.266	(0.570)	141.658	141.219	(0.439)
Brum Breathes & Route To Zero	IG8	●	16.989	4.896	1.257	23.142	6.153	33.256	40.409	7.153
Active Travel	IG9	●	9.507	1.026	6.730	17.263	7.756	15.279	23.031	7.752
Public Transport	IG10	●	8.120	0.099	1.313	9.532	1.412	8.120	10.882	2.762
Infrastructure Development	IG11	●	0.893	(0.045)	0.709	1.557	0.664	11.411	8.762	(2.649)
Places for People (Local Neighbourhoods)			1.670	0.364	(0.198)	1.836	0.166	3.770	4.479	0.709
Section 278/106			0.081	(0.234)	0.216	0.063	(0.018)	0.081	0.063	(0.018)
Local Measure			0.000	0.006	0.000	0.006	0.006	0.000	0.006	0.006
Total Transport Connectivity			66.096	9.224	6.345	81.665	15.569	213.575	228.851	15.276
Highways Infrastructure	IG12	●	1.980	0.744	1.958	4.682	2.702	5.180	17.043	11.863
Property Services										
Perry Barr Residential Scheme	IG13	●	130.222	21.591	0.002	151.815	21.593	222.789	244.382	21.593
Property Strategy			47.000	0.000	0.000	47.000	0.000	64.458	64.458	0.000
Other Schemes	IG14	●	12.718	0.863	0.048	13.629	0.911	27.718	28.629	0.911
Total Property Services			189.940	22.454	0.050	212.444	22.504	314.965	337.469	22.504
Total Inclusive Growth Directorate			303.116	34.789	13.049	350.954	47.838	1,382.113	1,443.772	61.660
DIGITAL & CUSTOMER SERVICES DIRECTORATE										
ICT & Digital	DCS1	●	9.758	1.526	(1.971)	9.313	(0.445)	11.658	13.184	1.526
Total Digital & Customer Services Directorate			9.758	1.526	(1.971)	9.313	(0.445)	11.658	13.184	1.526
FINANCE & GOVERNANCE DIRECTORATE										
Development & Commercial										
Gateway/Grand Central Residual Costs			0.200	0.019	0.381	0.600	0.400	18.272	18.291	0.019
Capital Loans & Equity			0.500	0.000	0.000	0.500	0.000	2.541	3.032	0.491
Total Development & Commercial			0.700	0.019	0.381	1.100	0.400	20.813	21.323	0.510
Corporately Held Funds										
Revenue Reform Projects	F&G1	●	39.467	4.237	0.000	43.704	4.237	39.467	43.704	4.237
Corporate Capital Contingency			74.743	0.500	(47.643)	27.600	(47.143)	120.908	119.360	(1.548)
ERP Implementation			10.000	0.000	7.060	17.060	7.060	20.000	20.000	0.000
Total Corporately Held Funds			124.210	4.737	(40.583)	88.364	(35.846)	180.375	183.064	2.689
SAP Investments			0.500	0.000	(0.500)	0.000	(0.500)	3.733	3.733	0.000
Total Finance & Governance Directorate			125.410	4.756	(40.702)	89.464	(35.946)	204.921	208.120	3.199
ASSISTANT CHIEF EXECUTIVE DIRECTORATE										
Public Health			0.000	0.250	0.000	0.250	0.250	0.000	0.250	0.250
Total Assistant Chief Executive Directorate			0.000	0.250	0.000	0.250	0.250	0.000	0.250	0.250
COMMONWEALTH GAMES 2022										
CWG Alexander Stadium	CWG1	●	44.353	(7.192)	7.121	44.282	(0.071)	50.050	49.639	(0.411)
CWG Organising Cttee			31.791	3.593	(7.121)	28.263	(3.528)	37.979	34.791	(3.188)
Total Commonwealth Games 2022			76.144	(3.599)	0.000	72.545	(3.599)	88.029	84.430	(3.599)
Total Capital Programme			739.933	39.951	(45.857)	734.027	(5.906)	2,930.167	3,150.632	220.465

Capital Monitoring Period 3 2021/22 - Budget Changes
Commentary

EDUCATION AND SKILLS DIRECTORATE			
			2021/22 Increase (Decrease) £m
Ref.	Project/Programme	Comments	
ED1	School Condition Allocations	The net variation is due to a rephasing of £9.939m grant allocation from 2021/22 to 2022/23, an additional £5.483m use of reserves and a transfer of £0.340m from SCA to Basic Needs as a contribution from reserves towards the Skilts project. All budget movements are as per the Education & Skills Capital Programme report to Cabinet on 16th March 2021.	(4.796)
ED2	Basic Need - Additional School Places	The net variation is due to a reduction of £10.122m following a nil allocation of grant funding from the Department for Education (DfE), £8.978m additional use of reserves, £1.915m additional use of S106 funding, £0.340m contribution from SCA to the Skilts relocation project and rephasing of £0.230m. All budget movements are as approved in the Education & Skills Capital Programme report to Cabinet on 16th March 2021.	1.341
ED3	Children's Trust Accommodation	An allocation from the Capital Modernisation Fund for the refurbishment of Children's Trust Accommodation as approved by Cabinet on 10th November 2020 (see below).	2.000

NEIGHBOURHOODS DIRECTORATE			
			2021/22 Increase (Decrease) £m
Ref.	Project/Programme	Comments	
N1	Waste Management Services	The net variation across the programme is due to; 1) Slippage from 2020-21 of £1.302m into 2021-22 & future years approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report, 2) adding new resources to the programme £6.235m approved by Cabinet for Atlas premises purchase-reported at month 2 and 3) Quarter 1 re-phasing (£1.610m) across various Parks schemes.	5.855
N2	Parks & Nature Conservation	The net variation across the programme is due to; 1) Slippage from 2020-21 of £3.093m into 2021-22 approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report, 2) adding new resources to the programme £0.419m approved by various delegated authorities for minor schemes and 3) Quarter 1 re-phasing (£1.174m) across various Parks schemes.	2.338
N3	Housing Improvement Programme	The net variation across the programme is due to; 1) Acceleration from 2021-22 of (£3.565m) into 2020-21 approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report and 2) adding new resources to the programme £77.068m in line with the 10 year HRA Business Plan, as approved by Cabinet 9th Februry.	1.505
N4	Redevelopment	The net variation across the programme is due to; 1) Slippage from 2020-21 of £5.296m into 2021-22 approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report , 2) adding new resources to the programme £34.150m in line with the 10 year HRA Business Plan, as approved by Cabinet 9th Februry and 3) Re-phasing of BMHT budget (£17.042m) - The programme has been rephased to take account of delays caused by a number of factors; there are shortages and delays in acquiring materials resulting in longer lead in times, as well as increasing prices. Highways approvals are also taking longer. Changes in policy and legislation have meant a need to adjust our standard house types and develop in tandem two eco projects. Therefore some caution has been exercised in the re-programming. The Clearance budget has been rephased by (£5.367m) as a result of the significant impact on clearance and rehousing activity due to the initial Covid 19 restrictions, which has had an effect on a number of services and combined with the lack of availability of suitable alternative properties, this is causing delays in the rehousing of households.	(17.113)
N5	Other Programmes	The net variation across the programme is due to; 1) adding new resources to the programme £2.196m in line with the 10 year HRA Business Plan, as approved by Cabinet 9th Februry and 2) some minor slippage of £0.097m from 2020/21 outturn as previously reported to Cabinet.	0.097
N6	Mortuary/Coroners	The net variation across the programme is due to; 1) Slippage from 2020-21 of £1.088m into 2021-22 & future years approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report, and 2) Quarter 1 re-phasing (£0.057m)	(1.145)

INCLUSIVE GROWTH DIRECTORATE			
			2020/21 Increase (Decrease) £m
Ref.	Project/Programme	Comments	
IG1	Enterprise Zone - Paradise Circus	The net variation across the programme is due to; 1) Slippage from 2020-21 of £1.127m into 2021-22 & future years approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report, and 2) Quarter 1 re-phasing (£2.271m)	(1.144)
IG2	Other Major Projects	The net variation across the programme is due to; 1) Slippage from 2020-21 of £2.544m into 2021-22 by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report and 2) adding new resources to the programme £7.430m approved by Cabinet April 2020 for ERDF grants to 3rd Parties.	5.704
IG3	In Reach	The net variation across the programme is due to Slippage from 2020-21 of £1.563m into 2021-22 & future years approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report.	1.563
IG4 to IG12	Transportation Connectivity & Highways Infrastructure	The net variation across the programme is due to; 1) Slippage from 2020-21 into 2021-22 approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report , and 2) Rephasing and adding new resources to the programme as approved by Cabinet on 09/02/2021 within the Transportation & Highways Capital Programme Annual update report. The report is a 6 year forecast, the annual update adds an additional planning year to the forecast i.e. financial year 2026/27 was added.	18.271
IG13	Perry Barr Residential Scheme	The net variation across the programme is due to; 1) Slippage from 2020-21 into 2021-22 approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report. A further update report is to be presented to Cabinet in due course.	21.593

DIGITAL & CUSTOMER SERVICES DIRECTORATE			
			2020/21 Increase (Decrease) £m
Ref.	Project/Programme	Comments	
DCS1	ICT & Digital	The net variation across the programme is due to; 1) Slippage from 2020-21 into 2021-22 of £1.526m approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report and 2) re-phasing of the current programme. The programme has been re-phased into 2022/23 as schemes are still being specked and further approvals will be presented for approval in due course	(0.445)

FINANCE & GOVERNANCE DIRECTORATE			
			2021/22 Increase (Decrease) £m
Ref.	Project/Programme	Comments	
F&G1	Corporate Capital Contingency & Modernisation Fund	The net variation across the programme is due to; 1) Slippage from 2020-21 into 2021-22 of £0.5m approved by Cabinet on the 29/06/2021 within the Financial Outturn 2020/21 report; 2) re-phasing of the current programme (£47.643m) and 3) (£2.048m) vired from Contingency to Birmingham Childrens Trust (£2.0m) and and Highbury Hall (£0.048m).	(47.143)

Capital Forecast Outturn 2021/22 - Period 3

		Forecast Variations										
		Current Year			All Years							
Ref.		Current Budget £m	Current Actuals £m	Forecast Outturn £m	Variation £m	Current Budget £m	Forecast £m	Variation £m				
<u>ADULT SOCIAL CARE DIRECTORATE</u>												
<u>Adult Care & Health</u>												
Property Schemes		0.276	0.000	0.276	0.000	0.276	0.276	0.000				
Adults IT		0.733	0.000	0.733	0.000	0.733	0.733	0.000				
Independent Living		8.565	1.351	8.565	0.000	8.565	8.565	0.000				
Total Adult Social Care Directorate		9.574	1.351	9.574	0.000	9.574	9.574	0.000				
<u>EDUCATION AND SKILLS DIRECTORATE</u>												
<u>Education & Early Years</u>												
Devolved Capital Allocation to Schools		3.075	0.106	3.075	(0.000)	3.075	3.075	0.000				
School Condition Allocations		14.364	0.425	14.364	(0.000)	24.887	24.887	0.000				
Basic Need - Additional School Places		24.080	0.683	24.080	0.000	59.821	59.821	0.000				
Other Minor Schemes - Schools		0.013	0.007	0.013	0.000	0.013	0.013	0.000				
IT Investment		1.083	0.000	1.083	(0.000)	1.683	1.683	0.000				
Other Major Projects (Children's Trust Accom)		1.854	0.000	1.854	0.000	1.854	1.854	(0.000)				
Total Education & Early Years		44.469	1.221	44.469	0.000	91.334	91.334	0.000				
<u>Skills & Employability</u>												
Adult Ed & Youth		1.270	0.000	1.270	0.000	1.983	1.983	0.000				
Birmingham Libraries		1.132	0.000	1.132	0.000	4.132	4.132	0.000				
Total Skills & Employability		2.402	0.000	2.402	0.000	6.115	6.115	0.000				
Total Education and Skills Directorate						46.871	1.221	46.871	0.000	97.449	97.449	0.000
<u>NEIGHBOURHOODS DIRECTORATE</u>												
<u>Street Scene</u>												
Waste Management Services		27.388	8.170	27.388	0.000	74.628	74.628	0.000				
Parks & Nature Conservation		11.920	2.458	11.921	0.001	15.575	15.575	0.000				
Total Street Scene		39.308	10.628	39.310	0.002	90.203	90.203	0.000				
<u>Housing Services</u>												
Housing Options Service		0.057	0.000	0.057	(0.000)	2.377	2.377	0.000				
Private Sector Housing		0.530	0.071	0.530	(0.000)	1.598	1.598	0.000				
Housing Revenue Account												
Housing Improvement Programme		66.180	17.282	78.278	12.098	679.929	692.027	12.098				
Redevelopment		42.362	4.361	42.362	0.000	490.118	490.118	0.000				
Other Programmes		1.904	(0.168)	1.904	0.000	19.292	19.292	0.000				
Total Housing Revenue Account		110.446	21.475	122.544	12.098	1,189.339	1,201.437	12.098				
Total Housing Services						111.033	21.546	123.131	12.098	1,193.314	1,205.412	12.098
<u>Neighbourhoods</u>												
Community, Sport & Events		2.225	0.019	2.225	0.000	4.830	4.830	0.000				
Neighbourhoods		0.013	0.010	0.013	(0.000)	0.013	0.013	0.000				
Cultural Development		0.924	0.030	0.924	(0.000)	3.124	3.124	0.000				
Total Neighbourhoods		3.162	0.059	3.162	0.000	7.967	7.967	0.000				
<u>Regulation & Enforcement</u>												
Bereavement		0.252	0.000	0.252	0.000	0.252	0.252	0.000				
Markets Services		0.000	0.006		0.000	0.759	0.759	0.000				
Mortuary/Coroners		1.273	(0.082)	1.273	(0.000)	1.330	1.330	0.000				
Illegal Money Lending		0.028	0.000	0.028	0.000	0.028	0.028	0.000				
Total Regulation & Enforcement		1.553	(0.076)	1.553	0.000	2.369	2.369	0.000				
Total Neighbourhoods Directorate						155.056	32.157	167.155	12.099	1,293.853	1,305.951	12.098
<u>INCLUSIVE GROWTH DIRECTORATE</u>												
<u>Planning & Development</u>												
Major Projects												
Enterprise Zone - Paradise Circus		21.885	0.797	21.885	0.000	28.776	28.776	0.000				
Enterprise Zone - Other		15.511	(1.190)	15.511	0.000	806.027	806.027	0.000				
Other Major Projects		12.331	0.470	12.331	0.000	16.600	16.600	0.000				
Total Major Projects		49.727	0.077	49.727	0.000	851.403	851.403	0.000				
Public Realm						0.873	0.062	0.873	0.000	0.873	0.873	0.000
Infrastructure/Site Enabling Programme						0.000	0.000	0.000	0.000	0.234	0.234	0.000
Grants/Loans Programme						0.000	0.000	0.000	0.000	0.000	0.000	0.000
Total Planning & Development						50.600	0.139	50.600	0.000	852.510	852.510	0.000
Housing Development												
In Reach		1.563	0.000	1.563	0.000	7.900	7.900	0.000				
Total Housing Development		1.563	0.000	1.563	0.000	7.900	7.900	0.000				
<u>Transport Connectivity</u>												
Major Schemes												
Tame Valley Phase 2 & 3		5.104	0.122	5.104	0.000	86.032	86.032	0.000				
A457 Dudley Road		4.803	0.006	4.803	0.000	23.441	23.441	0.000				
Birmingham City Centre Retail Core Public Realm		8.676	0.046	8.676	0.000	11.236	11.236	0.000				
Snowhil Public Realm		4.074	0.768	4.074	0.000	5.714	5.714	0.000				
Other (Major Schemes)		5.609	1.240	5.609	0.000	14.796	14.796	0.000				
Total Major Schemes		28.266	2.182	28.266	0.000	141.219	141.219	0.000				
Brum Breathes & Route To Zero		23.142	0.834	23.142	0.000	40.409	40.409	0.000				
Active Travel		17.263	0.481	17.263	0.000	23.031	23.031	0.000				
Public Transport		9.532	0.070	8.747	(0.785)	10.882	10.097	(0.785)				
Infrastructure Development		1.557	0.065	1.557	0.000	8.762	8.762	0.000				

Ref.	Forecast Variations						
	Current Year				All Years		
	Current Budget £m	Current Actuals £m	Forecast Outturn £m	Variation £m	Current Budget £m	Forecast £m	Variation £m
Places for People (Local Neighbourhoods)	1.836	0.034	1.836	0.000	4.479	4.479	0.000
Section 278/106	0.063	0.056	0.063	0.000	0.063	0.063	0.000
Local Measure	0.006	0.000	0.006	0.000	0.006	0.006	0.000
Total Transport Connectivity	81.665	3.722	80.880	(0.785)	228.851	228.066	(0.785)
Highways Infrastructure	4.682	0.309	4.682	0.000	17.043	17.043	0.000
Property Services							
Property Strategy	47.000	0.000	47.000	0.000	64.458	64.458	0.000
Perry Barr Residential Scheme	151.815	32.489	151.815	0.000	244.382	244.382	0.000
Other Schemes	13.629	(0.002)	13.629	0.000	28.629	28.629	0.000
Total Property Services	212.444	32.487	212.444	0.000	337.469	337.469	0.000
Total Inclusive Growth Directorate	350.954	36.657	350.169	(0.785)	1,443.772	1,442.987	(0.785)
DIGITAL & CUSTOMER SERVICES DIRECTORATE							
ICT & Digital	9.313	0.108	9.313	0.000	13.184	13.184	0.000
Total Digital & Customer Services Directorate	9.313	0.108	9.313	0.000	13.184	13.184	0.000
FINANCE & GOVERNANCE DIRECTORATE							
Development & Commercial							
Gateway/Grand Central Residual Costs	0.600	0.043	0.600	0.000	18.291	18.291	0.000
Capital Loans & Equity	0.500	0.000	0.500	0.000	3.032	3.032	0.000
Total Development & Commercial	1.100	0.043	1.100	0.000	21.323	21.323	0.000
Corporately Held Funds							
Revenue Reform Projects	43.704	0.201	43.704	0.000	43.704	43.704	0.000
Corporate Capital Contingency	27.600	0.000	27.600	0.000	119.360	119.360	0.000
ERP Implementation	17.060	0.000	17.060	0.000	20.000	20.000	0.000
Total Corporately Held Funds	88.364	0.201	88.364	0.000	183.064	183.064	0.000
SAP Investments	0.000	0.001	0.000	0.000	3.733	3.733	0.000
Total Finance & Governance Directorate	89.464	0.245	89.464	0.000	208.120	208.120	0.000
ASSISTANT CHIEF EXECUTIVE DIRECTORATE							
Public Health	0.250	0.000	0.250	0.000	0.250	0.250	0.000
Total Assistant Chief Executive Directorate	0.250	0.000	0.250	0.000	0.250	0.250	0.000
COMMONWEALTH GAMES 2022							
CWG Alexander Stadium	44.282	8.103	44.282	0.000	49.639	49.639	0.000
CWG Organising Cttee	28.263	(0.989)	28.263	0.000	34.791	34.791	0.000
Total Commonwealth Games 2022	72.545	7.115	72.545	0.000	84.430	84.430	0.000
Total Capital Programme	734.027	78.855	745.342	11.315	3,150.632	3,161.945	11.314

NEIGHBOURHOODS DIRECTORATE			
Project/Programme	Comments	Current Year (£m)	All Years (£m)
N3 - Housing Improvement	A first quarter assessment of the various programmes and schemes in this year's investment programme has identified a need to increase the spend this year by £12.098m. This includes the large programme of fire protection works to High Rise Residential Blocks, in particular the replacement of external cladding and fire panels requiring completion by March 2022. As a result of this there are additional works identified as necessary where it is not possible to provide the solution in isolation e.g. unable to replace panels without replacing windows. There are also large structural rectification schemes requiring additional solutions to address further defects identified once works have commenced on site aswell as new urgent structural defects identified in an ageing high and low-rise stock. There is limited capacity to reduce other cyclical and annual planned works. This will be funded by an increase in revenue contribution of £3m and the use of Major Repairs Reserve of £9.098m.	12.098	12.098

CAPITAL - QUARTER 1 2021/22 - 10 YEAR CAPITAL EXPENDITURE PLAN 2021/22 to 2030/31+

ANNEX 4G

This appendix shows capital plans over the ten year Long Term Financial Plan period, for those projects where longer term plans have been developed. Long term plans will be subject to ongoing review to ensure that any expenditure plans are within a prudent forecast of resources. Please note that many projects do not have such long term planning horizons, and the absence of forecasts does not mean that no spend is anticipated, just that it cannot yet be reasonably quantified.

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31+	Total
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
ADULT SOCIAL CARE DIRECTORATE	9.573	-	-	-	-	-	-	-	-	-	9.573
EDUCATION & SKILLS DIRECTORATE	46.871	38.369	12.208	-	-	-	-	-	-	-	97.448
NEIGHBOURHOODS DIRECTORATE											
Other - General Fund	44.611	29.679	16.994	11.207	-	-	-	0.329	-	1.693	104.514
HRA	122.545	143.155	152.399	128.631	104.532	101.237	96.729	100.225	122.805	129.179	1,201.436
TOTAL CAPITAL - NEIGHBOURHOODS DIRECTORATE	167.156	172.835	169.393	139.838	104.532	101.237	96.729	100.554	122.805	130.872	1,305.950
INCLUSIVE GROWTH DIRECTORATE											
Planning and Development											
Paradise Circus Redevelopment	21.885	3.187	1.790	1.914	-	-	-	-	-	-	28.776
Smithfield	1.715	2.491	-	-	-	-	-	-	-	145.073	149.279
LEP Investment Fund	-	-	-	-	-	-	-	-	-	20.000	20.000
HS2 - Interchange Site	-	-	-	-	-	-	-	-	-	20.000	20.000
HS2 Station Environment	0.363	0.126	5.696	19.245	6.848	-	-	-	-	24.996	57.273
Site Enabling Works	1.456	-	-	-	-	-	-	-	-	99.500	100.956
Local Transport Improvements	-	-	-	-	-	-	-	-	-	104.800	104.800
Digbeth Public Realm	0.073	15.628	-	-	-	-	-	-	-	70.123	85.825
Curzon Connecting Economic Opportunities	-	-	-	-	-	-	-	-	-	52.900	52.900
Metro Extension to East Birmingham/Solihull	-	-	-	-	-	-	-	-	-	183.300	183.300
EZ Other	11.903	3.410	4.411	5.449	2.007	2.270	0.952	-	-	1.525	31.927
Other Planning Schemes	13.204	3.440	0.830	-	-	-	-	-	-	-	17.474
Total Planning & Development	50.600	28.282	12.727	26.608	8.855	2.270	0.952	0.000	0.000	722.217	852.510

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31+	Total
	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
Housing Development	1.563	3.817	2.520	-	-	-	-	-	-	-	7.900
Total Transportation	80.128	46.392	85.959	4.420	4.370	4.320	-	-	-	-	225.589
Total Highways	5.433	2.348	3.726	2.105	4.882	1.025	-	-	-	-	19.519
Total Property Services	212.444	119.925	5.100	-	-	-	-	-	-	-	337.468
TOTAL CAPITAL - INCLUSIVE GROWTH DIRECTORATE	350.168	200.763	110.032	33.133	18.107	7.615	0.952	0.000	0.000	722.217	1,442.987
COMMONWEALTH GAMES 2022	72.546	11.885	-	-	-	-	-	-	-	-	84.431
FINANCE & GOVERNANCE DIRECTORATE	89.464	45.990	45.458	27.208	-	-	-	-	-	-	208.119
DIGITAL & CUSTOMER SERVICES DIRECTORATE	9.313	3.721	0.150	-	-	-	-	-	-	-	13.184
PARTNERSHIPS, INSIGHT & PREVENTION DIRECTORATE	0.250	-	-	-	-	-	-	-	-	-	0.250
TOTAL CAPITAL PROGRAMME	745.341	473.563	337.241	200.178	122.639	108.852	97.681	100.554	122.805	853.088	3,161.943

Resources

Use of Specific Resources

Grants & Contributions	180.403	92.177	90.078	18.684	17.332	12.525	4.729	0.250	0.250	0.250	416.677
Use of earmarked Capital Receipts	114.878	53.350	41.515	29.442	20.780	13.594	11.292	12.045	32.376	41.824	371.097
Revenue Contributions - Departmental	24.138	13.594	13.781	1.098				0.329		1.693	54.633
- HRA (incl reserves & S106)	74.916	72.042	74.302	78.667	75.672	80.462	80.708	86.341	90.179	87.105	800.394
Total Specific Resources	394.335	231.164	219.676	127.891	113.784	106.582	96.729	98.965	122.805	130.872	1,642.802

Use of Corporate or General Resources

Corporate Resources	17.394	0.319	-	-	-	-	-	-	-	-	17.714
Unsupported Prudential Borrowing - Corporate	97.421	87.176	64.500	27.408	-	-	-	-	-	-	276.505
Unsupported Prudential Borrowing - Directorate	236.190	154.903	53.066	44.880	8.855	2.270	0.952	1.589	-	722.217	1,224.922
Total Corporate Resources	351.006	242.399	117.566	72.288	8.855	2.270	0.952	1.589	0.000	722.217	1,519.141

Forecast Use of Resources	745.341	473.563	337.241	200.178	122.639	108.852	97.681	100.554	122.805	853.088	3,161.943
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INVESTMENT PROPERTY PORTFOLIO MONITORING DASHBOARD: QUARTER 1 2021/22

1 Portfolio objectives

The Portfolio comprises property investments which are held to earn a financial return and are not operational service properties.

2 Portfolio summary

	budget £m	forecast £m	variance
Direct property	-23.73	-23.73	0.00
Loans on property			
less portfolio prudential borrowing	3.39	3.39	0.00
less management costs	2.14	2.14	0.00
net total	-18.21	-18.21	0.00

3 Limit on borrowing for Investment property portfolio

	value £m	limit £m	variance £m
prudential borrowing from 1 April 2019 onwards	7.91	50.00	42.09
borrowing repaid from sale proceeds	-5.86	0.00	5.86
	2.05	50.00	47.95

4 Portfolio completions in the quarter (acquisitions and disposals)

	£m
Sales completed in quarter 1	
Sales	0.00
Purchase	0.00

Commentary:

5 Planned activity in the coming quarter**6 Assurance**

was the CIPFA Treasury Code complied with? yes

was the Council's Service and Commercial investment Strategy complied with?
(the Strategy implements the requirements of the Government Investment Guidance) yes

was the Council's Investment Property Strategy complied with? yes

commentary:

All properties fully evaluated disposed with in the appropriate manner.

Birmingham City Council

Late Amendment**Birmingham City Council**27th July 2021

Subject: ADDENDUM TO FINANCIAL MONITORING REPORT
2021/22 QUARTER 1 (UP TO 30TH JUNE 2021)

Report of: Interim Director of Council Management – Rebecca Hellard

Report author: Interim Director of Council Management – Rebecca Hellard

1) Late Reports

To be completed for all late reports, i.e. which cannot be despatched with the agenda papers i.e. 5 clear working days' notice before meeting.

<i>Reasons for Urgency / why late</i>	It arises out of the very recent SEND inspection outcome, provides additional funding for the service and cannot be reasonably deferred
<i>Date agreement obtained (Leader, CEX, Monitoring Officer):</i>	Councillor Brigid Jones, Deputy Leader, 26/7/21 Deborah Cadman, CEX 23/07/21 Satinder Sahota, DMO, 23/07/21

Birmingham City Council

Report to Cabinet (ADDENDUM)

27TH JULY 2021



Subject: ADDENDUM TO FINANCIAL MONITORING REPORT
2021/22 QUARTER 1 (UP TO 30TH JUNE 2021)

Report of: Interim Director of Council Management – Rebecca Hellard

Relevant Cabinet Member: Councillor Tristan Chatfield – Finance & Resources

Relevant O & S Chair(s): Councillor Mohammed Aikhlaq - Resources

Report author: Interim Director of Council Management – Rebecca Hellard

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009033/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This addendum report sets out the reasons for seeking Cabinet to agree an amended recommendation in the quarterly finance report concerning the funding of the Special Educational Needs and Disabilities (SEND) service.

2 Recommendation

That the Cabinet:-

- 2.1 Amends recommendation 2.9 to “Approves the use of £5.1m of the Financial Resilience Reserve for SEND and notes the need for additional funding in future years through the Medium-Term Financial Plan as set out in the addendum report.”

3 Key Issues

- 3.1 Between 24 - 27 May 2021, Ofsted and the Care Quality Commission (CQC) carried out a joint local area SEND revisit in Birmingham to decide whether sufficient progress has been made in addressing each of the areas of significant weakness detailed in the written statement of action issued on 3 September 2018. The inspection found that Birmingham has made sufficient progress in addressing one of the 13 significant weaknesses identified at the initial inspection and has not made sufficient progress in addressing the remaining 12 significant weaknesses.

- 3.2 The SENAR service plays a key role in the provision of SEND support in Birmingham, being responsible for the administration of the procedures related to the statutory requirements for assessment, planning and review as outlined in the SEND Code of Practice 2015.

- 3.3 The SEND Inspection Report (September 2018) found that:

“The Special Educational Needs Assessment and Review (SENAR) service lacks the capacity and culture to meet its intended aims. In common with other services, there are individuals who are making a difference to children and young people. However, there is a lack of strategic oversight”.

The need for change within SENAR was recognised within the Written Statement of Action provided in response to the report:

“Undertake a comprehensive review of the SENAR service and make recommendations regarding an improved operational model, within the context of a wider model of care review.”

- 3.4 In response to the written statement of action, a restructure of the SENAR service was planned to be implemented from September 2021. That proposal is now on hold. The Education & Skills service have reconsidered the proposed structure of the SENAR service and developed an immediate solution whilst considering a more long-term redesign. The proposed structure has been informed by a case allocation model which shows that additional staffing capacity is required to move caseloads down from the current average to the average recommended by the DfE. The model also includes provision for a commissioning function and a fully resourced Business Support function. This structure will be more effective in supporting parents and carers.

- 3.5 The SENAR service has become highly dependent on agency staff and a large number of these have contracts which expire at the end of August 2021. The current budget was set based on the assumption that the previously planned restructure would have been completed by then and permanent appointments

made. With the current hold on the restructure, there is an urgent need to retain existing staff and increase its staffing levels.

3.6 There is a link between the SENAR service and the increasing pressure on Home to School (H2S) transport as SENAR provides projections of need to the H2S transport team.

3.7 The table below gives a summary of the estimated £5.100m additional funding required in 2021-22 for the SENAR service and associated Business Support service. The estimate is after mitigation of (£2.000m) through the use of the funding approved in June by Cabinet.

	Available budget	Estimated cost in 2021-22	Pressure	Mitigated by	Funding required
	£m	£m	£m	£m	£m
SENAR	1.300	7.300	6.000	(2.000)	4.000
Business Support	0.500	1.600	1.100	-	1.100
	1.800	8.900	7.100	(2.000)	5.100

The estimated £7.300m costs of the SENAR team in 2020-21 include £4.800m for the use of agency staff. These costs will be expected to reduce in future years through permanent recruitment to vacant posts.

The estimated £1.600m costs of Business Support in 2020-21 are lower than those expected in future years as the number of currently filled posts is lower than that in the proposed structure.

3.8 The table below gives a summary of the estimated £5.850m additional funding which will be required to the base budgets in future years for the SENAR and Business Support services.

	Available budget £m	Estimated annual cost £m	Funding required £m
SENAR	1.300	5.850	4.550
Business Support	0.500	1.800	1.300
	1.800	7.650	5.850

These estimates will be further developed and put forward for inclusion in the October 2021 MTFP refresh.

4 Consultation

- 4.1 The Leader, Cabinet Member for Finance and Resources, and the City Solicitor, have been consulted in the preparation of this report.

5 Risk Management

- 5.1 The monitoring of the Council's budget and the identification of actions to address issues arising, as set out in this report, are part of the Council's arrangements for the management of financial issues.

6 Compliance Issues:

6.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 6.1.1 The budget is integrated with the Council Financial Plan, and resource allocation is directed towards policy priorities.

6.2 Legal Implications

- 6.2.1 Section 151 of the 1972 Local Government Act requires the Chief Finance Officer (as the responsible officer) to ensure the proper administration of the City Council's financial affairs. Budget control, which includes the regular monitoring of and reporting on budgets, is an essential requirement placed on Directorates and members of the Corporate Management Team by the City Council in discharging the statutory responsibility. This report meets the City Council's requirements on budgetary control for the specified area of the City Council's Directorate activities.

6.3 Financial Implications

- 6.3.1 Contained within this addendum.

6.4 Procurement Implications (if required)

- 6.4.1 N/A

6.5 Human Resources Implications (if required)

6.5.1 N/A

6.6 Public Sector Equality Duty

6.6.1 There are no additional Equality Duty or Equality Analysis.

7 Background Documents

7.1 City Council Financial Plan 2021-2025 approved at Council 23rd February 2021

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: PUTTING PREVENTION FIRST: CONSULTATION AND COMMISSIONING PLANS AND PROCUREMENT STRATEGY FOR VULNERABLE ADULTS SUPPORT FOR DISABILITIES & MENTAL HEALTH SERVICES

Report of: Professor Graeme Betts
Director for Adult Social Care

Relevant Cabinet Member: Cllr Paulette Hamilton - Health & Social Care
Cllr Tristan Chatfield - Finance & Resources

Relevant O &S Chair(s): Cllr Robert Pocock - Health & Social Care
Cllr Mohammed Aikhlaq - Resources

Report author: Kalvinder Kohli,
Head of Service Commissioning Adults Social Care
Tel: 0121 303 6132
Email Address: kalvinder.kohli@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008855/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report provides details of the commissioning plans and procurement strategy for the recommissioning of Vulnerable Adult Support for Disabilities and Mental Health Services. Current contracts relating to the services being commissioned expire on 30th June 2022.

- 1.2 The Services will be commissioned along a prevention pathway which include targeted Lead Workers to enable people to live independently within their own homes and longer-term community-based services including delivery into supported accommodation.
- 1.3 These services are vital in delivering against Council priorities which include corporate parenting, improved health and wellbeing, building resilient and independent communities and access to suitable and sustainable housing options for the most vulnerable.
- 1.4 The commissioned services will also directly contribute to the delivery of the following key strategies: Vision and Strategy to Modernise Adult Social Care 2017, Vision for Adult Social Care Refresh 2020, Homelessness Prevention Strategy 2017+, Transitions Strategy 2018+, which are supported through the Adult Social Care Putting Prevention First Commissioning Agenda 2017+

2 Recommendations

- 2.1 Cabinet approves commencement of the commissioning and procurement strategy outlined in section 4 and detailed in **Appendix 1** of this report.
- 2.2 Cabinet delegates authority to the Director of Adult Social Care in conjunction with the Interim Director of Council Management, Acting City Solicitor and the Assistant Director of Development and Commercial (or their delegates) following the procurement process to award contracts for Vulnerable Adults Support for Disabilities and Mental Health Services for a period of five years commencing between 1st July 2022 to 30th June 2027.
- 2.3 Cabinet delegates authority to the Director of Adult Social Care in conjunction with the Interim Director of Council Management, Acting City Solicitor and the Assistant Director of Development and Commercial (or their delegates) to approve the procurement strategy for the value of £200k for a Front Door Service subject to the outcome of the commissioning proposed.
- 2.4 Cabinet delegates authority to the Cabinet Members for Health and Social Care, Finance and Resources jointly with the Director of Adults Social Care, in conjunction with the Interim Director of Council Management, Acting City Solicitor and the Assistant Director of Development and Commercial (or their delegates) to extend the contracts awarded in 2.2 for up to a period of 2 years, subject to funding availability and satisfactory performance.
- 2.5 Cabinet delegates authority to the Assistant Director of Commissioning (Adults Social Care) in conjunction with relevant Finance, Legal and Procurement officers to update and approve the procurement strategy for Universal, Targeted and Transition services as required in response to the outcomes of the tendering process, market consultation and/or commissioning developments with partners, where this is in the Council's benefit and within the approved budget.
- 2.6 Cabinet authorises the Acting City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1 On 16th April 2019 a report to Cabinet for the recommissioning of 'Vulnerable Adults Housing and Wellbeing Support Services' was agreed. This was part one of commissioning, which included wellbeing support services for homelessness, domestic abuse, young people, and people leaving institutional settings. These contacts went live on the 1st December 2019.
- 3.2 We are now preparing for the second phase of recommissioning that covers the Disabilities and Mental Health client groups.
- 3.3 The approach is similar to the first phase of commissioning, with a Positive and Prevention Pathway approach being used. The Pathway and Customer Journey can be seen in **Appendix 5**. Commissioners are working closely with CCG partners to ensure that there is a seamless step down for citizens, who move through statutory health and social care services into community-based living. A whole life course approach is being adopted wherever possible to ensure positive transitions for young people, tailored support for working age and older adults through to end of life.
- 3.4 The pathway approach will also ensure greater connections for citizens with local community assets and Neighbourhood Network Services. The intention being that citizens accessing the proposed commissioned services are also supported to gain access to a wider support and activity offer close to where they live, creating greater levels of independence, community resilience and overcoming isolation or unintended dependency on one support agency. The intention being that services operate together as a system, which enable re – entry into services should the need arise.
- 3.5 The current contracts (CO218) contract (Tranche 2) come to an end on 30th June 2022 with the new contracts expected to start on 1st July 2022. It is intended that the contracts will run for five years with the option to extend for a further two years subject to performance and available budgets. The relevant break clauses will be inserted into the contracts to reflect this.
- 3.6 The current annual budget for current prevention services is £7.474m and is proposed to be carried over for this proposed re-commissioning and procurement exercise at a total five-year sum of £37.370m.
- 3.7 The design and specification of the services will facilitate clear pathways for support and ensure that a strong prevention first focus is built into every stage.
- 3.8 Universal Prevention Resources - the ability to access existing online resources/information, advice and guidance are proposed to be a significant feature of the pathway approach, ensuring that both customers and professionals have a clear overall picture of available resources to access well – being activities, prevent escalating need or alleviate crisis. The Information Advice and Guidance requirements of this cohort of population have therefore been fed into the development of the Councils wider Information Advice and Guidance strategies that are currently being developed.

3.9 Universal and Targeted Resources - as part of the support delivery, where appropriate commissioned providers will be expected to connect citizens to their local community assets and activities including Neighbourhood Network Services.

3.10 There is also continuing close dialogue with social work colleagues, PFA team, CCG and BSOL Mental Health Trust to ensure that our collective commissioned resources, avoid duplication are integrated and aligned to best effect from a citizen point of view.

3.11 Types of services to be commissioned and the identification and design of the proposed services has been informed by the engagement and consultation with key stakeholders both internal to the City Council, Health, provider sector and citizens themselves who either access or may access these services in future

3.11.1 **Lead Worker Services**

Lead Worker Services will provide face to face support and access to relevant services for people with learning disabilities, physical and sensory disabilities and people with mental health support needs alongside advice and information and sign posting and support to access the relevant services. The services will operate in three ways:

- Offer advice, information and guidance.
- Offer short term, intensive support interventions to assist a citizen to regain their independence and connect to local resources and support networks. There is some early dialogue with regards to co – location of some of this resource with the NHS commissioned mental health hubs to enable ease of step down.
- The Lead Workers will also provide a longer term on - going engagement to enable citizens to continue living independently within their own homes, support duration and intensity will be dependent upon the individual support need requirements and reviewed on a regular basis.

3.11.2 **Longer Term Supported Accommodations**

Support delivery through longer term community based supported accommodation for people with learning disabilities and mental health support needs. This type of provision bridges the gap for people whose support needs fall between living within their own homes and the thresholds for statutory care such as supported living or registered care homes. For some, this provision may be part of their step - down journey into their own tenancy and for others it may be much longer term, with flexible levels of support delivery.

3.12 The existing Vulnerable Adult Support for Disabilities and Mental Health contracts are due to expire on 30th June 2022. The future commissioning will continue to provide services to the existing cohorts of vulnerable adults; however, the design of future services will reflect a pathway approach as set out within this report.

4 Options considered and Recommended Proposal

4.1 The following options have been considered:

4.1.1 **Option 1** - Do not recommission Vulnerable Adult Support for Disabilities and Mental Health Services and decommission the existing services.

This option is not recommended as it would mean that the current vision around the Prevention First agenda set within the various Council Strategies will not be delivered. This would also mean not delivering on four of the five Council's priorities and leaving some of the city's most vulnerable citizens without the necessary support and putting an additional strain on statutory services, including Social Care, Housing, Homelessness, Health partners and the Police.

4.1.2 **Option 2** - Deliver the services in-house.

This option is not recommended for the following reasons: The skills currently do not exist to deliver the scale of the diversity of the services to be commissioned. A number of these services require an accommodation-based offer to be provided; the Council does not have this level of property provision within its existing assets and would need to acquire these through lease or purchase from the existing market. The cost and time to mobilise would not be possible by July 2022. Importantly, the majority of citizens in need of these services would prefer to engage with the market providers; many of these are third sector organisations.

4.1.3 **Option 3** - Procure a range of single and multiple contracts for the different client groups allowing timely and flexible provision that is responsive to the needs of vulnerable adults that is based on the prevention pathway.

This is the preferred option as these contracts deliver the Adult Social Care, Children, Health and Housing priorities for vulnerable people and will underpin the delivery of the Prevention First agenda. The Vulnerable Adult Support for Disabilities and Mental Health Services are provided in advance of more costly statutory interventions.

5 Consultation

- 5.1 Co-design activities have commenced with providers, key stakeholders and service users to begin to develop a picture of what the current market looks like and what we may wish to see in the future. This has helped inform the consultation documents and shape future services.
- 5.2 Further targeted engagement, workshops and coproduction activities with providers, stakeholders and service users ran alongside the Be-Heard online consultation.
- 5.3 NHS mental health and learning disabilities commissioning partners have been involved in the design of the pathway to ensure links to their own commissioned services and pathways.
- 5.4 The Vulnerable Adults Citizens Panel has retained oversight of this work including approval of the overall pathway modelling.

- 5.5 Existing providers delivering the contracts have been engaged in the co design of the proposed services set out in section 5.0 of this report.
- 5.6 Citizens in receipt of the existing services have been consulted on a face to face basis through forum discussions and given the opportunity to speak to commissioning officers on a one to one basis.
- 5.7 There will also be an expectation for organisations submitting bids to have been engaged and consulted with their stakeholders and services users as part of the bid formulation.
- 5.8 The Cabinet Member for Social Inclusion, Community, Safety and Equalities and Cabinet Member for Homes and Neighbourhoods have been consulted on this report and support the recommendations.
- 5.9 The BCC led Safeguarding Adults Partnership and Homelessness Partnership Board will be consulted on the proposal and support the recommendations.

6 Risk Management

- 6.1 Risks will be identified, evaluated and controlled in line with the Birmingham City Council Risk Management Methodology 2017.
- 6.2 The initial risks are detailed within the Procurement Strategy at **Appendix 1** of this report. A full Risk Register has been developed as part of the project management of this re commissioning. The project management, governance and oversight of this re commissioning will be through the Social Justice Commissioning Board chaired by the Assistant Director Commissioning (Adult Social Care) and will report through to the Adults Social Care Management Team chaired by the Director for Adults Social Care.
- 6.3 The risks are all as low as is reasonably possible. The highest risk rating is medium; all have mitigating actions.

6.4 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 6.4.1 The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022:
 - Birmingham is an entrepreneurial city to learn, work and invest in - by investing in and supporting the Health and Social Care Sector, including Social Enterprise Sector, we create local jobs, apprenticeships and encourage new innovations. We will create opportunities for local people to develop skills and make the best of economic growth.
 - Birmingham is an aspirational city to grow up in - This is achieved by working closely and collaboratively with the Early Help and Transitions Teams as well as local partners to ensure "whole life course" approach. We will inspire our children and young people to be ambitious and achieve their full potential.

- Birmingham is a fulfilling city to age well in - Citizens and communities will have choice and control over their care and improved resilience and independence.
- Birmingham is a great city to live in - We will work with our partners to build a fair and inclusive city for all. Birmingham's residents can access broad and varied localised community activity supporting them to live happier, healthier and more independent lives in their own communities.
- Birmingham residents gain the maximum benefit from hosting the Commonwealth Games - By collaborating and working in partnership with the Commonwealth Games Team, we ensure alignment, volunteer development, gap analysis intelligence exchange, as well as legacy and sustainability.

6.5 Legal Implications

- 6.5.1 Section 179 Housing Act 1996 provides that a local housing authority must provide or secure the provision of a service, available free of charge to any person in the authority's district, providing information and advice on, preventing homelessness, securing accommodation when homeless, the rights of persons who are homeless or threatened with homelessness, and the duties of the authority.
- 6.5.2 The Council may exercise powers under the Care Act 2014 together with associated regulations and statutory guidance relating to prevention and services to promote wellbeing.
- 6.5.3 Under Section 111 of the Local Government Act 1972, a local authority has the power to take action which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of any of its functions. Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determining by the Secretary of State.
- 6.5.4 The Council has a best value duty under Section 3 of the Local Government Act 1999 to improve the efficiency, economy and effectiveness of the services that it delivers. The use of an open procurement route will ensure that competitive bids are obtained, and the terms offered by the successful tenderer will deliver best value to the Council.
- 6.5.5 Some of the services being procured may be subject to the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) however in this instance no Council employees will be affected. The Council's role will be to facilitate the transfer of relevant information between the incumbent providers of existing services and perspective bidders without providing any indemnity regarding the accuracy of information provided.

6.5.6 The Council's obligations for this service under the General Data Protection Regulation (GDPR) will be met by conditions in the tender documents.

6.6 Financial Implications

6.6.1 Existing levels of spend and funding are proposed to be carried over as follows, with no additional annual investment required:

6.6.2

Budget	Total Funding	Adults Base Funding	Public Health Funding
	£m	£m	£m
RJZC1 – Mental Health	3.398	1.533	1.865
RJZC2 - LD & Physical/Sensory	4.075	2.230	1.845
TOTAL	7.473	3.763	3.710

6.6.3 This means a total annual budget of £7.473 and a five - year contract budget of £37.365m. The contracts have not increased in line with inflation for over 6 years and this will be reviewed once the contracts are in place, within the budget limits built into the medium term budget.

6.6.4 Number of clients - Table one below shows the average number of clients in each service area for accommodation and floating support.

Table one

Service area	Accommodation No' Clients	Floating support No' Clients	Total No' Clients
Mental health	187	776	963
Learning disability	199	1,321	1,520

6.6.5 Number of hours - Table two shows the number of hours for 2018/19 in each service area for accommodation and floating support.

Table two

Service area	Accommodation No' Hours	Floating support No' Hours	Total No' Hours
Mental health	62,088	162,656	224,744
Learning disability	58,344	161,408	74,752

6.6.6 The proposed fixed price contracts will be for an initial period of five years (with extension possible for two more). This is deemed the minimum service delivery and economic period to ensure value and efficiency for the Council and providers. The possibility to extend or not allows the Directorate to manage the

contingent nature of some of the funding and the different timeframes of particularly the grant funding.

- 6.6.7 Where contingent issues arise (most likely in the 5th year) regarding ongoing funding, then (as advised above) the Directorate will be able to manage this by mitigating the risks appropriately and making the changes to remain in line with the council's long-term planning and approval system and processes. The contracts will also contain a 3-month termination break clause.
- 6.6.8 The application of preventative strategies is a key element in reducing "downstream" effects on individuals which in turn increase the costs to the council and other partners and Birmingham as a whole.
- 6.6.9 This procurement continues the existing investment in this area, integrates it with the agreed strategy on prevention and links it to a number of innovations and other grant funded activities, thereby maximising and multiplying the council's own investment with other money and developments in services.
- 6.6.10 There is no financial pressure or risk arising from this proposal, however to ensure ongoing value for money there is a need for comprehensive monitoring, outcomes and review of performance to inform both contract management and the further strategies and procurements in the future and overall preventative strategy. Some elements of the contract payments will be based on results giving further reassurance of value for money. Such considerations are detailed further in the procurement strategy and through the report text below.

6.7 Procurement Implications

- 6.7.1 The full range of services to be procured is set out in the Vulnerable Adults Support for Disabilities and Mental Health Procurement Strategy; see **Appendix 1**.
- 6.7.2 It is proposed to tender for payment by outcomes contracts (PbO) which will combine the use of quantitative KPI data, quality assurance of service delivery alongside the outcomes delivered for citizens. A revised outcomes framework has been developed, see Appendix 4, and includes the following high-level outcomes: health and wellbeing, connection to and participation in community networks and assets, economic wellbeing and accommodation.
- 6.7.3 Birmingham Business Charter for Social Responsibility (BBC4SR) will be applied within the threshold of the Charter requirements and contract value.
- 6.7.4 Pre-procurement Duty under the Public Service (Social Value) Act 2012. Bidders will be asked how their bid addresses social value as part of the evaluation. Consideration of whether to undertake a consultation exercise was discussed during the planning stage and it was agreed that this would not be required as tenderers will be asked how their bid addresses social value as part of the evaluation and no additional stakeholder consultation was required. This consideration also included how this procurement exercise might improve the

social and economic well-being of the city and will be addressed by evaluating social value.

6.7.5 For more information see the procurement approach set out in **Appendix 1**.

6.8 Human Resources Implications

6.8.1 The recommissioning, procurement and subsequent contract awards and contract management will be undertaken by staff within the Adult Social Care Directorate in conjunction with Finance, Legal and Procurement colleagues.

6.9 Public Sector Equality Duty

6.9.1 An Initial Impact Assessment has been carried out and no adverse impacts have been identified and a Full Impact Assessment is not recommended at this stage. Any potential impacts that emerge during the re-commissioning and procurement will be monitored and mitigated inherently within the process and managed via the Risk Management process. Risk logs will be maintained to allow further considerations and will include contract award and mobilisation. See **Appendix 2** for the Initial Equality Assessment.

7 Appendices

1. Procurement Strategy
2. Equality Assessment
3. Environment and a Sustainability Assessment
4. Performance Outcome Framework
5. Pathway and Customer Journey

8 Background Documents

- 8.1 Birmingham City Council Plan: 2018 -2022
- 8.2 Health and Well-being Strategy
- 8.3 Homeless Prevention Strategy 2017+
- 8.4 Homeless Related Support Strategy 2019+
- 8.5 Financial inclusion partnership strategy
- 8.6 Financial inclusion strategy 2016+
- 8.7 Domestic Abuse Prevention Strategy 2018+
- 8.8 Strategy and Procurement Process Social Inclusion Housing Support Cabinet Report
- 8.9 PURE Cabinet Report November 2018
- 8.10 Refresh of Adult Social Care Vision and Strategy - Cabinet Dec 2020

- 8.11 Putting Prevention First - Supporting the Implementation of the Vision for Adult Social Care & Health - Cabinet Nov 2017
- 8.12 Putting Prevention First - Contract Extension Request for the Commissioning of Vulnerable Adults Support for Disabilities and Mental Health - Cabinet Sep 2020

APPENDIX 1

VULNERABLE ADULTS SUPPORT FOR DISABILITIES AND MENTAL HEALTH PROCUREMENT STRATEGY (Ref: P0792)

1 Strategic Procurement

Procure a range of services that align to the Disabilities and Mental Health Pathway for Vulnerable Adults whose health and wellbeing is at risk due to their unstable, precarious housing circumstance.

1.2 Procurement Options considered:

1. **Use a collaborative framework agreement.** This option is discounted as there are no collaborative framework agreements in place that meets the Council's requirements therefore this option was discounted.

2. **Tender as a framework agreement primarily for Birmingham but available for use by other public sector bodies.** This option is discounted as there is no benefit or economies of scale to be realised from this option to meet the required investment.

3. **Tender the contracts by Lots**, there are benefits to this as the current market conditions show sufficient appetite and expertise to deliver the proposed services. This is the recommended option.

The pathway has three elements: Universal Prevention, Early Targeted Help, and Transition (Accommodation services). This procurement is for all three elements and will be for a range of single and multiple contracts for the different client groups allowing the market to respond by specialism, e.g. support for people experiencing mental health issues.

A mix of payment for Service Provision and Payment by Outcomes (PbO) will be implemented. See Appendix 4 for the Performance Outcome Framework.

The procured services need to dovetail with a number of existing commissioned services in order to provide an integrated response to the service user.

2 Procurement approach

Duration - The contract will be for an initial period of five years, 1st July 2022 to 30th June 2027 with the option to extend for up to a further 2 years. A contract period of five years will help protect market diversity by recognising resources that may be required, particularly by smaller providers, in tendering for contracts.

Advertising Route - The contract will be advertised in the Find a Tender, Contracts Finder and on the www.finditinbirmingham.com website.

Route - The procurement will follow the Open Procurement Route on the basis that there is an established market and the services can be clearly defined. The procurement of these services will be subject to the Light Touch Regime of the Public Procurement Regulations.

Scope - The procurement and provision will be for vulnerable adult support for disabilities and mental health universal, targeted and accommodation support.

Provider model - There will be multiple providers across a number of lots. Some lots will have a single provider and other lots will have multiple providers where it is not possible for a single provider to deliver the range and volume of services required. It is beneficial for the Council to work with a range of providers in order to retain the appropriate level of understanding in order to be able to commission these services.

Delivery model - The delivery model will be comprised of a number of components that align to a disabilities and mental health positive pathway and are appropriately structured within the tender processes. The market sector is based on client groups.

Outcomes and KPIs - The outcomes are based around the Prevention First Vision and Outcomes and are focused on maintaining and maximising independence.

There are four main outcomes:

- Health and wellbeing
- Engaging and participating in the community
- Obtaining and maintaining accommodation
- Economic wellbeing.

Underpinning these will be a range of outputs providing evidence as to how they are achieved.

The Key Performance Indicators (KPIs) will focus on the level of need met for each of the four outcomes.

Payment by Outcomes will be focused on systems change with three elements:

- Partnership working
- Making use of community assets
- Quality standards.

A Performance Outcomes Framework can be seen in Appendix 4.

3. Market Assessment

Size and Competition in market

There are a range of providers; some large national based organisations and some smaller more specialised local providers. This mixture of potential bidding organisations has been considered in the development of the social value assessment criteria in order to prevent an unfair advantage to the larger organisations and considering the intrinsic social value nature of these contracts.

The procurement will ensure competition, allowing an opportunity for new entrants to the market. The contract values are considered attractive for the sector; this will enable the Council to achieve value for money Best value will be achieved by applying a cost threshold for each lot.

Current services are provided to 1,600 clients by eleven providers across 19 contracts.

No single provider can provide the number and range of quality in both accommodation units and support across the geographical area that is required and affordable.

Market engagement

A wide range of consultation and market engagement has been carried out as detailed in the Cabinet report.

A further market sounding, and engagement process will take place during the summer to update the market on commissioning intentions following the consultation and ensure we are commissioning the right services, at the right time for the right people.

5. Tender structure (Including Evaluation and Selection criteria)

5.1 Tender Structure

There are 3 Lots, one for each client group; all Lots will be delivered by a single or multiple provider ensuring coverage across the city:

Lot 1 – Adults with Learning Disabilities (Aged 18yrs and over) Value £3.41m p/a:

These services will be delivered by a single or multiple provider; sublots 1.1 – 1.2

LOT 1.1 Lead Worker – Value £2,357,327 p/a

The Lead Worker Service for learning disabilities will provide face to face support and access to relevant services. The services will operate in two ways:

- Offer short term, intensive support interventions to assist a citizen to regain their independence and connect to local resources and support networks.
- Provide a longer term on - going engagement to enable citizens to continue living independently within their own homes, support duration and intensity will be dependent upon the individual support need requirements and reviewed on a regular basis.

Support will be delivered for up to a period of two years when a review will be carried out.

LOT 1.2 Long term and emergency accommodation – Value £1,052,875 p/a

Support delivery through longer term community based supported accommodation. This type of provision bridges the gap for people whose support needs fall between living within their own homes and the thresholds for statutory care such as supported living or registered care homes. For some, this provision may be part of their step - down journey into their own tenancy and for others it may be much longer term, with flexible levels of support delivery.

For the long term and emergency accommodation services support will be delivered for up to a period of two years when a review will be carried out

Lot 2 – Adults with Mental Health Support Need (Aged 18yrs and over) Value £3.664m p/a:

These services will be delivered by a single or multiple provider; sublots 2.1 – 2.2

LOT 2.1 Lead Worker – Value £2,699,045 p/a

The Lead Worker Service for mental health will provide face to face support and access to relevant services. The services will operate in two ways:

- Offer short term, intensive support interventions to assist a citizen to regain their independence and connect to local resources and support networks.
- Provide a longer term on - going engagement to enable citizens to continue living independently within their own homes, support duration and intensity will be dependent upon the individual support need requirements and reviewed on a regular basis.

Support will be delivered for up to a period of two years when a review will be carried out.

LOT 2.2 Long term and emergency accommodation – Value £964,488 p/a

Support delivery through longer term community based supported accommodation. This type of provision bridges the gap for people whose support needs fall between living within their own homes and the thresholds for statutory care such as supported living or registered care homes. For some, this provision may be part of their step - down journey into their own tenancy and for others it may be much longer term, with flexible levels of support delivery.

Support will be delivered for up to a period of two years when a review will be carried out.

Lot 3 – Adults with Physical or Sensory Disabilities (Aged 18yrs and over) Value £199.83k p/a:

LOT 3.1 Lead Worker - Value £199,836 p/a

The Lead Worker Service for physical and sensory disabilities will provide face to face support and access to relevant services. The services will operate in two ways:

- Offer short term, intensive support interventions to assist a citizen to regain their independence and connect to local resources and support networks.
- Provide a longer term on - going engagement to enable citizens to continue living independently within their own homes, support duration and intensity will be dependent upon the individual support need requirements and reviewed on a regular basis.

Support will be delivered for up to a period of two years when a review will be carried out.

TUPE may apply and will be facilitated in the procurement.

A Front Door service is being considered as part of the pathway and it is intended to set aside £180k to seek to commission this service, at a later date if required.

Evaluation and selection criteria

The quality/price/social value balances below were established having due regard for the corporate document 'Advice and Guidance on Evaluating Tenders' which considers the complexity of the services to be provided. The tender documents will include the contract terms and conditions.

Tenders will be evaluated against the service specifications in accordance with a pre-determined evaluation model.

The Quality/ Social Value Price/ ratio for each sub-lot will be 50%/20%/30%

The evaluation of tenders for all sub-lots will be assessed on the standard Pass/Fail Criteria:

Stage 1 – Selection stage – Company information

Stage 1 – Potential Supplier Information	
Criteria	Evaluation
Potential Supplier Information	Information Only
Exclusion Grounds	Pass / Fail
Selection Questions:	
Economic and Financial Standing	Pass / Fail
Technical and Professional Ability	Pass / Fail
Modern Day Slavery Act 2015	Pass / Fail
Insurance	Pass / Fail
Health and Safety	Pass / Fail
Accommodation standards	
Environmental Sustainability	Pass / Fail
Energy Management Systems	Pass / Fail
Quality Management Systems	Pass / Fail
Compliance with Equalities	Pass / Fail
BBC4SR	Pass / Fail
Supplier Portal	Pass / Fail
Early Payment Scheme	Information Only

Tenderers will be required to pass Stage 1 in order to progress to Stage 2.

Stage 2 – Invitation to Tender Stage

Evaluation and Selection Criteria

There will be a number of generic Quality questions against the sub-lots in order to achieve consistency in provision along the pathway and efficiency in the evaluation process.

Quality (50% Weighting)

All Quality questions will assess the following criteria and, where possible, the same questions will be used in any sub-lots.

Criteria	Overall Weighting	Sub-weighting
Service delivery and capacity	50%	50%
Avoidance of crisis services and client dependency		15%
Organisation – Staff Resource and training		10%
Organisation – safeguarding		10%
Contract mobilisation		15%

Tenderers who score less than 50% of the quality threshold i.e. a score of 50 out of a maximum quality score of 100 (50 marks out of 100), may not proceed to the next stage of the evaluation.

The tenderer with the highest acceptable quality score is given the maximum possible weighted quality score. The other tenderers' weighted scores will be calculated on pro rata basis.

The following scoring criteria is being applied as we need a greater differentiation in the assessments in order to provide clarity of the quality scoring of the various bids to enable the strategic oversight for the number contracts that will be required.

Score	Assessment	Characteristics
0	Unacceptable	No response/irrelevant response provided, or extremely limited response provided which largely fails to address the subject-matter of the question and/or proposes completely unsuitable equipment (e.g. slow chargers only).
2	Poor	The Bidder provides a response which fails to adequately cover all the requirements within the question and specification. The proposed activities and service would not meet all the requirements and does not address the potential requirements of the clients.
5	Satisfactory	The Bidder provides a response which covers all the points within the question and specification. The Bidders response demonstrates sufficient understanding of the client and how they will deliver their requirements.

7	Good	The Bidders response covers all the points within the question and specification and demonstrates how the service and activities will be structured to deliver the outcomes required.
10	Excellent	The Bidders response comprehensively all the points within the question and specification and demonstrates how the service and activities will be structured to deliver the outcomes required. The Bidders response shows an excellent understanding of a range of activities; goes into detail on the pros and cons of the options available in an informative and succinct manner and demonstrates the thought process behind the selection of the proposed offer.

Social value

All Social Value questions will assess the following criteria:

	Sub-weighting	Sub-criteria	Theme sub-weighting
Qualitative	50%	Local employment	0%
		Buy local	0%
		Partners in communities	30%
		Good employer	20%
		Green and sustainable	30%
		Ethical procurement	0%
		Innovation	20%
		TOTAL	100%
Quantitative	50%	BBC4SR action plan	Total of financial proxies (£) score TBC
Overall social value	20%		

Social Value rationale can be viewed in appendix 6

Tenderers who score less than the threshold of 40% of the overall social value weighting may not proceed to the next stage of the evaluation.

The tenderer with the highest acceptable social value score is given the maximum possible weighted price score. The other tenderers' weighted scores will be calculated on pro rata basis.

Price (30% weighting)

Tenderers will be expected to submit a price based on the overall service delivery for the duration of the contract.

The tenderer with the lowest acceptable* price is given the maximum possible weighted price score. The other tenderers' weighted price scores will be calculated on pro rata basis.

*The lowest acceptable price will be based on the costed service delivery method statement submitted. This detail in the method statement will enable an assessment to be made on the financial viability of the proposed model to deliver services to the required cohort against the funding allocation.

Criteria	Overall weighting	Sub-weighting
Price	30%	100%

Overall evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer within each sub-lot. The proposed contracts will be awarded in order of ranking based on overall scores within each sub-lot. The ranking methodology, including the minimum number of providers for the sub-lots, will be explained at the Invitation to Tender stage with approval from Corporate Procurement Services.

The tenders will be evaluated by a number of panel members consisting of commissioners and, where possible, subject matter experts. A procurement officer will facilitate and moderate the evaluations.

The evaluation panels will be comprised of officers with relevant skills, knowledge and experience. The majority of these staff will be based in Adults Social Care Directorate. All evaluators are required to comply with the Councils procurement code of conduct that includes for any conflicts of interest and requires a confidentiality agreement for 3rd parties.

Risk

The CPS approach is to follow the Council Risk Management Methodology and the Procurement Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service has been jointly produced and owned by Adults Social Care and

Health commissioning and CPS with arrangements being put in place to ensure operational risks are appropriately mitigated.

Indicative Implementation plan

Activity	Timeline
Cabinet approval (Strategy)	27 July 2021
Find a Tender	October 2021
ITT issued – invitation to tender	October 2021
ITQ returned	December 2021
Evaluation period	January 2022
DPR Approval (award)	March 2022
Contract award	April 2022
Mobilisation including TUPE transfer	April to July 2022
Contract start	1 st July 2022

Service delivery management

The contract will be managed by a designated Commissioning Manager, Adults Social Care, using the Council's Contract Management process and toolkit. Key performance indicators will be used to regularly monitor and manage quality as well as social value outcomes.

There will be a mix of fixed quarterly payments and a payment by outcomes methodology.

Performance will be measured via quantitative KPI data, quality assurance of service delivery alongside the outcomes delivered for citizens.

A Performance Outcome Framework can be seen in Appendix 4.

Title of proposed EIA	Vulnerable Adults Support Disabilities & Mental Health Services
Reference No	EQUA699
EA is in support of	New Function
Review Frequency	Two Years
Date of first review	09/01/2023
Directorate	Adults Social Care
Division	Commissioning
Service Area	Prevention and Community Assets
Responsible Officer(s)	<input type="checkbox"/> Jason Bartlett
Quality Control Officer(s)	<input type="checkbox"/> Gordon Strachan
Accountable Officer(s)	<input type="checkbox"/> Kalvinder Kohli
Purpose of proposal	Commissioning of Vulnerable Adults Support Disabilities & Mental Health Services
Data sources	Survey(s); Consultation Results; Interviews; relevant reports/strategies; Statistical Database (please specify); research
Please include any other sources of data	Consultation Results, interviews, meetings with stakeholders and providers, performance data, contractual data, Census data, health data, POPPI and PANSI data and market intelligence from existing providers and service users
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Employees; Wider Community
Age details:	<p>The services to be commissioned for disabilities and mental health represent an intersectionality across the protected characteristics; it is important to be aware and have understanding, as many overlap and have interdependent systems of potential discrimination or disadvantages.</p> <p>Covid-19 has highlighted the inequalities in health and wellbeing in the UK. Services commissioned for disabilities and mental health will ensure collaborative partnerships are formed and appropriate pathways are engaged assisting vulnerable adults to access relevant agencies, therefore providing an enhanced support offer.</p> <p>This will ensure any needs arising as a result of protected characteristics for example Age, gender, disability, faith, LGBT, etc; are appropriately addressed.</p> <p>All services commissioned will be tested for diversity competence and must demonstrate adherence to the Equality Act and other relevant legislations as part of the tender process and contract awards. This includes organisational policies and procedures, through to staff training and competencies in being able to meet the diverse needs of Birmingham Citizens accessing these services.</p> <p>Age details:</p> <p>The service users will be of working age (18 plus) and older adults.</p> <p>Service User Impact: The intended impact is positive.</p> <p>Vulnerable adults with disabilities or mental health conditions are to be supported to live healthy happy, independent lives within communities. A whole life course approach is being adopted wherever possible to positive transitions for young people to adult based services.</p> <p>Tailored support is offered for working age and older adults through to end of life. It is intended that an individual will be able to access the right support, at the right time in their life course enabling an early response/intervention to people who are at risk of, prolonged hospitalisation, debt, losing independence, going into statutory care, their home, no access to health, or beginning to have difficulties in managing their home.</p> <p>Services will provide a range of support options from online advice and information for the younger adult population, who are perhaps more familiar with modern technology. Telephone or face to face support may be more appropriate for some of the adult population, who may find it difficult to navigate technology such as websites and gain the information they need. Covid has highlighted the need to offer a hybrid service, offering service users a choice of how they prefer to access and receive support. Accommodation Support will largely be face to face.</p> <p>The aim of these services is to avoid, reduce or delay the needs of costly, statutory services; where possible for the working age and older population.</p> <p>Impact Upon Employees:</p> <p>The services will be commissioned externally. The current services are delivered predominantly via third sector charitable, community or registered housing providers. The frontline workforce is predominantly local to Birmingham.</p> <p>Compliance with the Living Wage requirements is expected as part of the contract awards. Organisations within the sector also have a track record of providing employment opportunities for people with lived experience. Enabling citizens furthest away from the labour market to access paid work. The re-commissioning will enable continued employment opportunities.</p> <p>Whilst there is no direct de-commissioning of any service, there is a re-design and re-alignment against the pathway. As with any external re-commissioning/tendering activity there is a potential for a change of provider.</p>

TUPE may apply. However, at this stage it is difficult to predict any further implications.

Wider Communities:

Vulnerable adults will be supported to live independently within communities with their relevant support needs being met. The intention being that citizens accessing the proposed commissioned services are also supported to gain access to a wider support and activity offer close to where they live, creating greater levels of independent community resilience, being able to make a positive contribution to their community, and overcoming isolated dependency on one support agency.

Monitoring and Evaluation of the re commissioning process:

A risk log will be maintained throughout the re commissioning process, mobilisation and delivery of the new contracts. This will enable any adverse impacts, whether it be negative or against the protected characteristics or other vulnerabilities to be identified, addressed or mitigated against.

Protected characteristic: Disability

Disability details:

Service Users / Stakeholders; Employees; Wider Community

Disability details:

All service users will have some form of disability including, physical, sensory, learning and mental health ill

Around 1.5 million people in the UK have a learning disability. It's thought up to 350,000 people have a severe learning disability. This figure is increasing. - <https://www.nhs.uk/conditions/learning-disabilities/annual-health-checks/>

At least half of all adults with a learning disability live in the family home – meaning that many don't get the same chances as other people to gain independence, learn key skills and make choices about their own lives. Less than a third of people with a learning disability have some choice of who they live with, and less than half have some choice over where they live. The majority of people in supported accommodation had no choice over either who they lived with or where they lived. Nationally around 1.8 million households (around 4 million people) are in social housing, and people with learning disability are seen as low priority in social housing. https://www.mencap.org.uk/sites/default/files/2016-08/2012.108-Housing-report_V7.pdf

The 2018 Learning Disabilities Mortality Review (LeDeR) found the median age at death was 60 for men and women, for those (aged 4 and over) who died April 2017 to December 2018. This is significantly less than the median age of death of 83 for men and 86 for women in the general population.

1 million adults in England accessed long-term or short-term social care support in England in 2017/18. For 150,100 of these adults, a learning disability was the main reason they needed support.

Of these adults:

- approximately 147,920 accessed long-term support
- approximately 2,180 completed short-term support designed to maximise their independence (NHS 2018).
- People with a learning disability are 58 times more likely to die aged under 50 than other people. Around 10 times as many people with a learning disability die of preventable causes as people in the general population.
- Physical inactivity is a major contributing factor in the deteriorating physical health of people with learning disabilities and other disabilities – which leads to obesity, poor cardio-respiratory fitness, poor muscle strength, poor coordination, balance and flexibility.
- 75% of GPs have received no training to help them treat people with a learning disability.
- Adults are recommended to take part in 150 minutes of moderate aerobic exercise per week (NHS). The Active Lives Survey found that only 43% of people with a learning disability do at least 150 minutes of exercise a week, compared to 67.4% of people with no disability. 44% of people with a learning disability took part in less than 30 minutes of exercise a week (Sport England, 2018) various barriers such as inactivity, lack of funds, inclusive facilities are contributing factors

<https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/social-care-research-and-statistics>

People with learning disabilities are more likely to have other physical health problems such as obesity and diabetes, and certain kinds of learning disability, such as Down's syndrome, can make people more vulnerable to respiratory infections, which can increase their risk of dying from COVID-19.

People with learning disabilities are likely to have had difficulty recognising symptoms of COVID-19, or following government advice about getting tested, self-isolation, social distancing and infection prevention and control. It may also be more difficult for people caring for them to recognise the onset of symptoms if they cannot be communicated. <https://www.gov.uk/government/news/people-with-learning-disabilities-had-higher-death-rate-from-covid-19#:~:text=People%20with%20learning%20disabilities%20are,from%20COVID%20disease,from%20COVID%20disease>

A recent consultation carried out by providers for BCC commissioners found that Citizens were reporting that they felt there was not enough specialism for adults in the city to deal with the needs of those on the autistic spectrum. This research is still being analysed and will inform future commissioning.

Many of those responding to our survey reported that they were often supported by mental health services; they felt that these did not meet their needs. Many Citizens with Autism are being supported by mental health services in the third sector who do not always have either enough or appropriately trained staff to be able to support those affected with autism even when there is a mental health issue present. Anxiety affects 42% of autistic children and 54% of Adults with Autism according to [Autistica](#). It is therefore likely that many people living with Autism spectrum disorders will seek some support for mental health. However, there seems to be very little consideration to the need to understand Autistic Spectrum disorders in the treatment and support of Autistic individuals experiencing all levels of mental health issues.

During the height of the Covid-19 restrictions, BCC provided funding to a wide demographic in Birmingham to support people with LD and Autism to engage in drama and dance, this was a very successful project and provided those with LD and Autism with the opportunity to stay connected to other people, with people that understand their needs and their condition. This simple but effective intervention reduced the risk of increased mental health issues, reduced the risk of Autistic adults going out into the community and placing themselves at risk of contracting Covid-19, which in turn reduced the risk of them being hospitalised. The link below shows that citizens with LD and Autism were one of the groups disproportionately affected by Covid-19 physically. See link below

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/93361/19_learning_disabilities_mortality_report_easy_read.pdf

Vulnerable adults with disabilities or mental health conditions are to be supported to live healthy, happy, independent lives within communities. A whole life course approach is being adopted to ensure positive transitions for young people to adult based services, with tailored support for working age and older adults throughout their life.

It is intended that an individual will be able to access the right support, at the right time in their life course. Enabling an early response/intervention to people who are at risk of, prolonged hospitalisation, debt, loss of independence, going into statutory care, losing their home, no access to health, or beginning to have difficulty managing their home. It will also ensure consistency for service users who may need longer term support services those with a learning disability.

The aim of these services is to avoid, reduce or delay the needs or costs of, statutory services where possible. It is estimated that around 40% of people with learning disabilities also have mental ill-health. This is more than double the number in the general population. (skillsforcare.org.uk).

People with learning disabilities, and people who are deaf, have higher rates of mental health problems than the general population, with estimates for people with learning disabilities, from 25–40%. Challenging behaviours (aggression, destruction, self-injury and others) are also evident for 10%–15% of people with learning disabilities and, consequently they are over-represented in the criminal justice system. People with learning disabilities are vulnerable to violence and abuse. (<https://www.learningdisabilities.org.uk/>)

As with other socially disadvantaged groups, access to appropriate services has been problematic and people typically fall between mental health services and learning disability services.

Autism has been identified as an area that needs to be addressed, but there are robust wider health pathways that provide appropriate support. Therefore, we will ensure that the commissioned services are of the pathways that make appropriate referrals. The intention is to further develop partnership working and that a service user can receive support at any one time from a range of providers if required.

The importance in terms of improving outcomes and facilitating access to support/care pathways and services within the City needs to be coordinated and the purpose of the recommissioning of these services is to not create a new pathway but to link in with existing pathways to ensure that citizens are aware of all the support that is available and how to access it and for providers to understand what each other delivers and to make appropriate referrals.

The design of the specifications focus upon personalised support delivery, which will take into account the needs of the individual and engage with relevant agencies that provide a further enhanced and proficient support offer.

Commissioned Services will be aware of intersectionality, providing support where a mixture of discrimination (racism, gender, transphobia, homophobia, etc) is present. They will work with other services, through partnership boards and steering groups; joining pathways to help contest the many forms of discrimination which are preventing vulnerable adults from thriving.

The services will seek to offer personalised support that will enable the individual to live a happy life in their community.

Protected characteristic: Sex

Gender details:

Service Users / Stakeholders; Employees; Wider Community; Not Applicable

Services will be non-gender specific and there will be a positive impact as services recognise the wider range of gender identity that is emerging, whilst ensuring that everyone has the same opportunity to access appropriate support.

Issues such as gender realignment or identifying appropriate gender may cause anxiety, distress and have an impact on emotional wellbeing. These services will be able to support people if they are faced with such issues.

Women are more likely to have been treated for a mental health problem than men 26% compared to 9%). Depression is more common in women than men. 1 in 4 women will require treatment for depression at so compared to 1 in 10 men.

Men are more likely than women to have an alcohol or drug problem. 67% of British people who consume at 'hazardous' levels, and 80% of those dependent on alcohol are male. (<https://ramh.org.uk>)

According to the office for national statistics 1.3 million women and 695,000 men experience domestic viol each year.(<https://www.ons.gov.uk/>)

Research suggests that women experiencing domestic abuse are more likely to experience a mental health problem. Women who are experiencing domestic abuse are also nearly three times more likely to have a hi mental illness. (<https://www.birmingham.ac.uk/news/latest/2019/06/domestic-abuse-mental-illness-birmingham.aspx>)

The Services are accessible to all genders with a commitment to addressing their personalised support nee applying a holistic approach to their wellbeing.

As part of the support planning process and allocation of support staff, service users are able to request m female workers where it is appropriate to do so in the best interest and outcomes for the service user.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Service Users / Stakeholders; Employees; Wider Community

Gender reassignment is not a barrier to access support. The Services commissioned will ensure all people i services who identify as transgender, non-binary or intersex are treated with respect and dignity throughout support and will be able to access the same support, and be offered the same opportunities whilst ensuring have a personalised approach as any other gender.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Service Users/ Stakeholders; Employees; Wider Community

Marital Status will not act as a barrier when accessing the services. Both single and couples can access the assessment for support as those who are married or have a civil partnership.

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

Service Users / Stakeholders; Employees; Wider Community

More than one in five women develop a mental illness during this time and if untreated these illnesses can devastating impact on women and their families. This includes mental illness existing before pregnancy, as illnesses that develop for the first time, or are greatly exacerbated in the perinatal period. (<https://www.rcog.org.uk/globalassets/documents/patients/information/maternalmental-healthwomens-vc>

The NHS Long Term Plan builds on the commitments outlined in the Five Year Forward View for Mental He; transform specialist PMH services across England. Aims to ensure that by 2023/24, at least 66,000 women v moderate/complex to severe PMH difficulties can access care and support in the community. <https://www.england.nhs.uk/publication/implementing-the-fyfv-for-mental-health/>

<https://www.longtermplan.nhs.uk/publication/nhs-long-term-plan/>

Providers to be commissioned for disabilities and mental health will promote their services to midwives, GF health visitors; linking into early intervention pathways. Where the needs present as crisis, referrals will be i the appropriate statutory mental health teams.

Protected characteristics: Race

Race details:

Service Users / Stakeholders; Employees; Wider Community

Black British men: are five times more likely to be diagnosed and admitted to hospital for schizophrenia; ha disadvantageous pathways into mental healthcare; higher than expected rates of detention under the Men Health Act (MHA) are more likely to be prescribed medication; and have difficulties accessing services and j outcomes when they do (Lankelly Chase, 2014)

People from BAME communities are more likely to be disadvantaged in accessing support and overall, peo these communities have particularly low treatment rates.

This will be addressed by services working to deal with the diverse needs of BAME communities, addressing lack of trust in public services, language barriers or previous negative experiences of those services. <https://www.mind.org.uk/media/6484/race-equality-briefing-final-oct-2020.pdf>

Refugees are people whose asylum claims have been accepted and the estimates cited in the Birmingham i Sanctuary Policy Statement 2018-22 indicate there are 48,000 refugees living in Birmingham, although thes estimates are not based on current data. A number of people who have recourse to public funds can have i the services.

Services will have a positive impact on race as they will ensure that everyone has access to the appropriate and links with BAME partner organisations; encouraging take up of support and addressing any language t For example, case studies and interviews demonstrate how the Neighbourhood Network Service (NNS) sup assets to provide much needed, tailored support for communities who have felt isolated or overlooked.

	<p>The inclusive strategy of NNS ensures that all funded assets are designed to be inclusive and welcoming to people regardless of ethnicity, and other protected characteristics (Ethnic Minority Groups Supported by N P&C, BVSC April 2021). A key feature of specifications will be for providers to develop robust links with this</p>
Protected characteristics: Religion or Beliefs	Service Users / Stakeholders; Employees; Wider Community
Religion or beliefs details:	<p>Religion or beliefs will not be seen as a barrier when accessing these services. As for race a key feature of specifications will be for providers to develop robust links with the Neighbourhood Network Service.</p> <p>Faith-based organisations are key partners in the NNS. NNS has raised awareness of their contribution. The organisations representing different faiths and beliefs into local partnership arrangements. NNS capacity-b equality and diversity training ensure; partnerships and organisations work in a way, which is inclusive and respectful of different faiths and beliefs, and that local activities are inclusive of the needs of faith-based communities.</p>
Protected characteristics: Sexual Orientation	Service Users / Stakeholders; Employees; Wider Community
Sexual orientation details:	<p>Sexual orientation will not be a barrier when accessing the programme. With the strong link required to co- assets by these services, local groups for LGBTQ+ citizens can be identified and accessed. In addition, provi be expected to deliver equality and diversity training; ensuring that local assets and support will be accessil LGBTQ+ citizens and inclusive of their needs.</p>
Socio-economic impacts	<p>The commissioning with have a range of positive socio-economic impacts including:</p> <p>Support for service users to access training or education will help them to improve and gain new skills incre the opportunity of seeking employment.</p> <p>Social value is key to the commissioning and represents 20% of the evaluation of tenders.</p> <p>Service users can access support to better manage their finances and access all appropriate benefits reduci risk of falling into poverty.</p> <p>Support will be provided for service users to understand the impact of their behaviour on the wider commu the wider community to understand more about their vulnerabilities. This will enhance community safety fo the individual and wider community.</p>
Please indicate any actions arising from completing this screening exercise.	Not as a result of this screening. As mentioned in the above sections a risk impact log will be maintained throughout the re commissioning process which will enable oversight of any negative impacts in relation to protected characteristics to be identified and addressed.
Please indicate whether a full impact assessment is recommended	YES
What data has been collected to facilitate the assessment of this policy/proposal?	Consultation Results, interviews, Meetings with stakeholders and providers, performance data, contractual i Census data, health data, POPPI and PANSI data and market intelligence from existing providers and servic
Consultation analysis	
Adverse impact on any people with protected characteristics.	NO
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	N/A
How will the effect(s) of this policy/proposal on equality be monitored?	Contractual and monitoring data including; number of clients, hours utilized, referral details, profile data an outcome data.
What data is required in the future?	Contractual and monitoring data including; number of clients, hours utilized, referral details, profile data an outcome data.
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	NO
Initial equality impact assessment of your proposal	Not as a result of this screening. As mentioned in the above sections a risk impact log will be maintained throughout the re commissioning process which will enable oversight of any negative impacts in relation to protected characteristics to be identified and addressed
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	Not as a result of this screening. As mentioned in the above sections a risk impact log will be maintained throughout the re commissioning process which will enable oversight of any negative impacts in relation to protected characteristics to be identified and addressed
QUALITY CONTROL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	No
Decision by Accountable Officer	Approve

Date approved / rejected by the Accountable Officer

27/05/2021

Reasons for approval or rejection

An equalities risk log will be maintained for this commissioning activity which will run through to mobilisation contract monitoring. The impacts of this commissioning are positive for this cohort of vulnerable adults

Please print and save a PDF copy for your records

Yes

Julie Bach

☐ Gordon Strachan

Person or Group

☐ Jason Bartlett

Content Type: Item

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Last modified at 27/05/2021 05:41 PM by Workflow on behalf of ☐ Jason Bartlett



Appendix 3

Environment and Sustainability Assessment

Project Title:	Putting Prevention First: Consultation and Commissioning Plans and Procurement Strategy for Vulnerable Adults Support for Disabilities & Mental Health Services			
Department: Adult Social Care	Team: Prevention Commissioning	Person Responsible for assessment: Gordon Strachan		
Date of assessment: 6 th April 2021		Is it a new or existing proposal? new		
Brief description of the proposal: Re-commissioning vulnerable adult support for disabilities and mental health providing support to live independently and be as healthy as possible.				
Potential impacts of the policy/development decision/procedure/ on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources- Impact on natural resources including water, soil, air			√	
Energy use and CO ₂ emissions	√			During the pandemic support had to change and adapt moving from face to face contact to use of virtual platforms such as Zoom and Whatsapp. It has been recognised that this form of support is effective and more suited to some of our service users. Therefore, in the future this type of support will be increased ensuring a balance with traditional methods. The impact on the environment will be a reduction in carbon emissions with the reduction in travel time.
Quality of environment			√	
Impact on local green and open spaces and biodiversity			√	

Use of sustainable products and equipment			√	
Minimising waste			√	
Council plan priority: a city that takes a leading role in tackling climate change			√	
Overall conclusion on the environmental and sustainability impacts of the proposal	As the report is mainly focused on procuring services for adults with disabilities and mental health it is considered that there will limited environmental implications.			

Performance Outcomes Framework

There will be four main outcomes for providers to achieve:

- Health and wellbeing
- Engaging and participating in the community
- Obtaining and maintaining accommodation
- Economic wellbeing.

The data will be gathered each quarter as illustrated in Table one.

Table one - Outcomes

Outcome	QTR 1		
	Need	Need Part met	Need Fully met
Health and wellbeing			
Engaging and participating in the community			
Obtaining and maintaining accommodation			
Economic wellbeing			

Underpinning each outcome will be a series of outputs describing how the outcomes were achieved. An example for health and wellbeing is shown in Table two.

Table two – Health & wellbeing outputs

Individual output
Better managed or improved physical health
Better managed or improved mental health
Improved (self-reported) wellbeing satisfaction levels
Vulnerable adult safe and well
Vulnerable adult not self-neglecting
Accessed primary health care
Registered with a GP
Had an annual health check
Participated in leisure, cultural, faith, informal learning and community activities
Established contact with external services, family and/or friends
Access to specific health programmes such as flu jabs and inoculations
Adopted healthy lifestyle choices through pregnancy
Able to look after their children and keep them safe

Key Performance Indicators (KPIs) will measure the level of need met for each outcome and provide contractual reasons as to why all needs were not met. An example for health and wellbeing is shown in Tables three and four.

Table three – Health & wellbeing outcome

	QTR 1	QTR 2	QTR 3	QTR 4	Total
Level of need	No'	No'	No'	No'	
Needs fully met					0
Needs partially met					0
Needs not met at all					0
Total clients leaving service	0	0	0	0	0

Table four – Reasons why need not met health & wellbeing outcome

	QTR 1	QTR 2	QTR 3	QTR 4	Total
Reasons need not fully met	No'	No'	No'	No'	
Client choice					0
Exited service early					0
Client disengaged					0
Needs too complex for service					0
Unable to access relevant services					0
Exceptions to the above					0

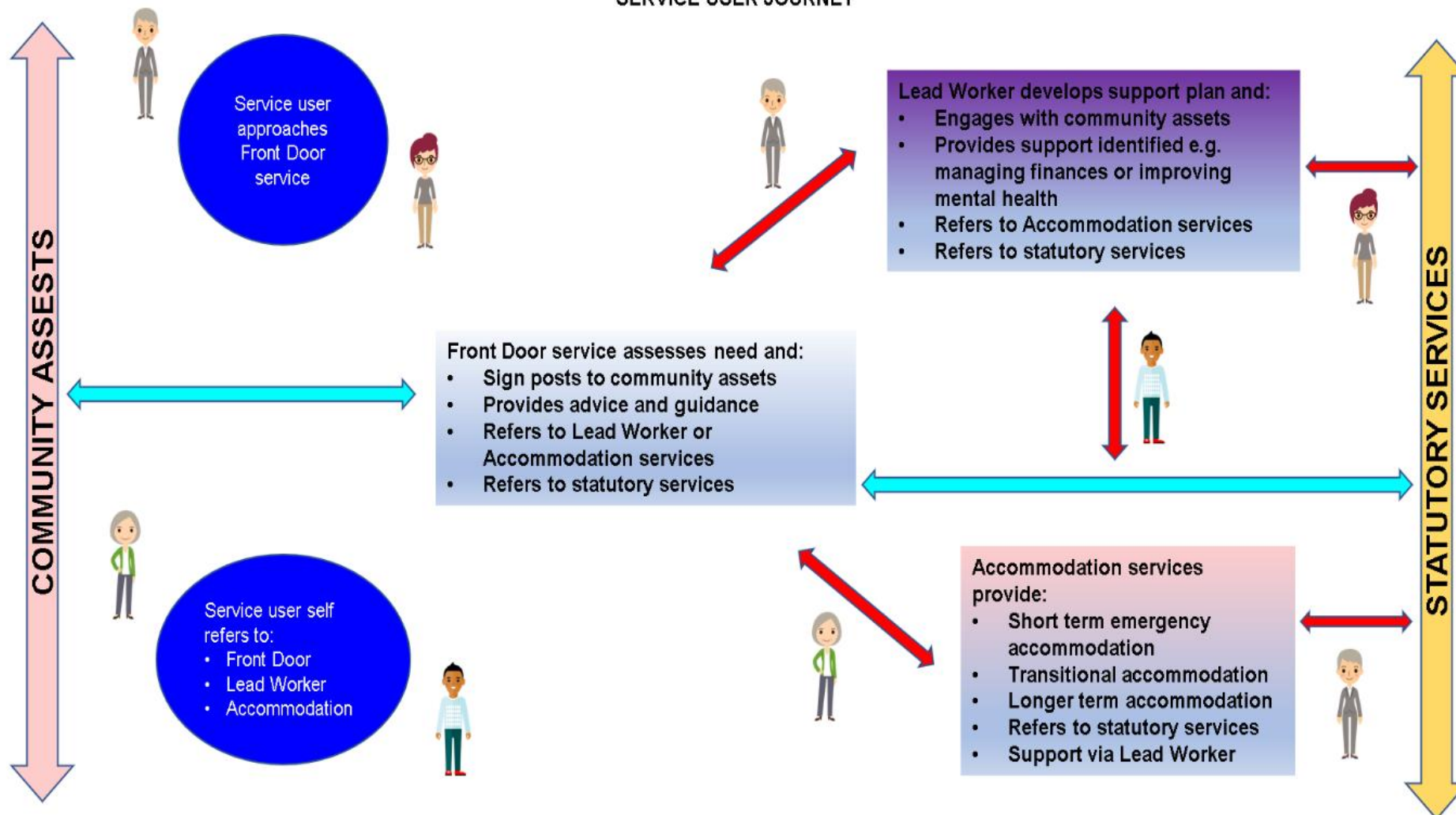
Payment by Outcomes

As part of the Outcomes Framework we want to take a payment by outcomes approach focused on a systems change element of services which links back to the behaviours and cultural outcome of the Prevention First Outcomes Framework. In addition to measuring the achievements and evidencing outcomes achieved for and by service users we need to evidence what providers are achieving in respect of delivery of service and how they are innovating and improving services.

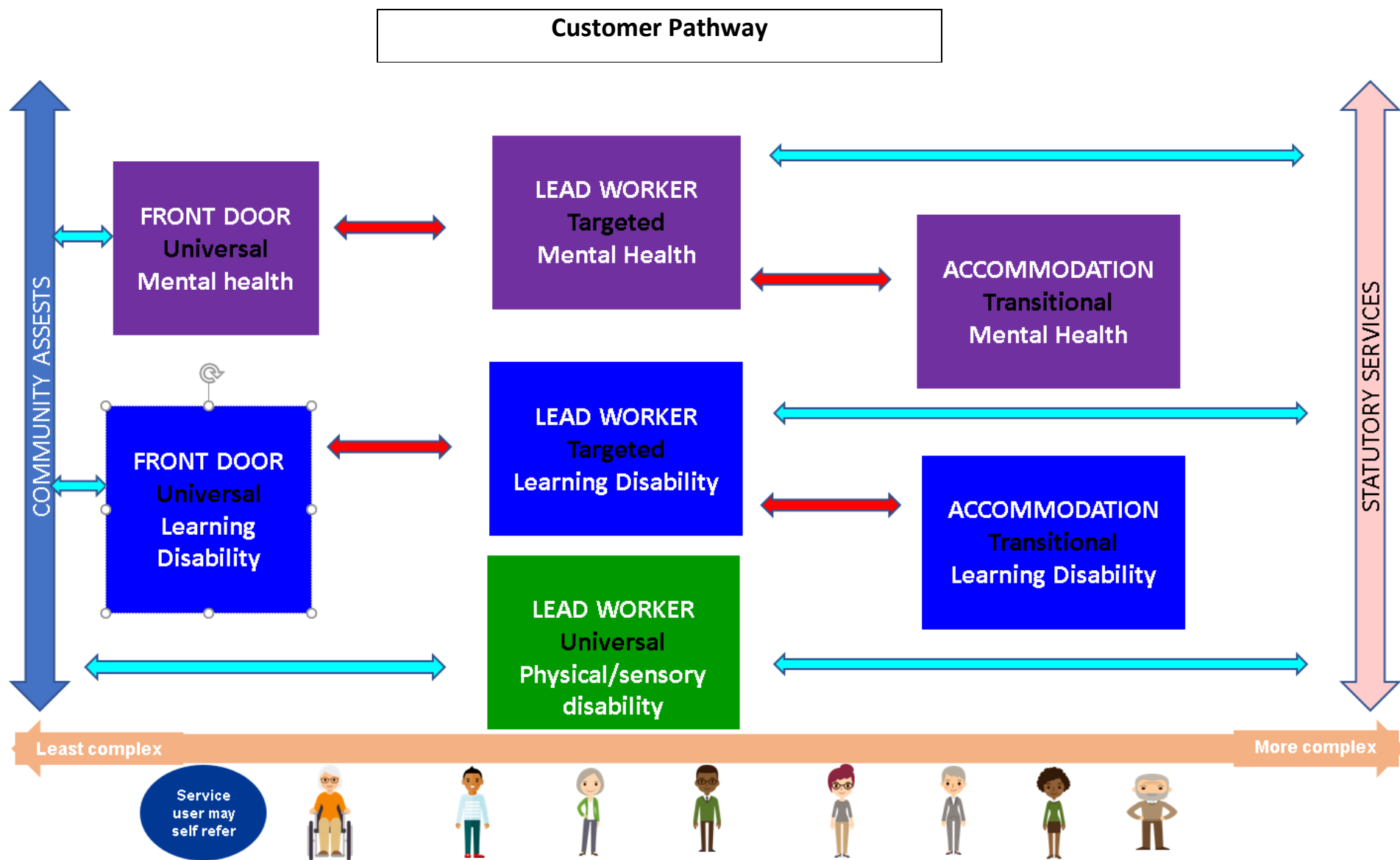
Payment by outcomes represents 10% of the overall contract and each individual element is weighted.

- Outcome 1 - Working in partnership and joint commissioning with others (50%)
- Outcome 2 - Cohesive quality standards (30%).

SERVICE USER JOURNEY



Support delivered throughout journey; Health and wellbeing, Engaging in the community, Obtaining and maintaining accommodation and Economic wellbeing



Social Value Rationale
PUTTING PREVENTION FIRST: COMMISSIONING PLANS AND PROCUREMENT STRATEGY FOR VULNERABLE ADULTS SUPPORT FOR DISABILITIES & MENTAL HEALTH SERVICES
<p>Project details:</p> <p>The procurement of universal, targeted and transitional services to vulnerable adults with a disability or mental illness. The design and specification of the services will facilitate clear pathways for support and ensure that a strong prevention first focus is built into every stage. Services will include; advice and information, navigating across community services, support planning and emergency accommodation.</p>
Value of spend (total contract): £37,365m
Estimated award date: 01/04/2022
Duration of the Contract: Five years
Main element of contract: Services
<p>Market dynamics: Currently there are eleven commissioned providers ranging from larger organisations to smaller specialised services supporting over 1,600 clients. It is expected by 2026 the number of clients for each client group will increase by 7.7%.</p> <p>No single provider can provide the number and range of quality in both accommodation units and support across the geographical area that is required and affordable (5 Rights of Procurement and Supply).</p> <p>It is an imperfect market structure based on the CIPS Level of Industry Structure Table. As an imperfect market there is multiple sources of supply with competition.</p> <p>The market is competitive with sufficient suppliers and based on the Kraljic model this is a Leverage contract so there are a number of suppliers and the procurement will secure best value. At a value of £7.473m, the contract is valuable and attractive for the sector; even when shared. The market is experienced in delivering social value as part of past and current contractual arrangements.</p>
Total Social Value Weighting: 20%
Qualitative / Quantitative split: 50% / 50%
Reasons for which themes are to be prioritised: This contract is linked to, good employer, partners in communities, green and sustainable and innovation.
List the themes in order of priority (sub-weighting)
<p>Priority Theme 1: Partners in communities 30%:</p> <p>The Council is keen to see partnership working with other providers, community assets, voluntary and non-voluntary organisations, ensuring a joint up approach to providing a service to Birmingham Citizens. In addition, the Council expects close working with CCGs and NHS services linking into appropriate pathways.</p>

<p>Priority Theme 2: Local employment 0%:</p> <p>The Council would like to see the provider employ locally, staff who understand the issues and concerns faced by citizens of Birmingham and provide appropriate representation. Intelligence indicates that providers in the sector gravitate to employing local people with good connections within their duties as a default position. Additional incentives are not deemed to be necessary.</p>
<p>Priority Theme 3: Good employer 20%:</p> <p>The Council would expect to see accreditation in Investors in People, or working towards this accreditation – focusing on leading, supporting and improving as an employer. Attainment of the joint BCC and NWD Quality Standard. As these are norm for this sector; an additional 20% weighting is achievable by those demonstrating positive practice in creating opportunities for citizens whose disadvantages are not covered by The Protected Characteristics. For example, A Carer Friendly Employer that actively encourages applications from unpaid/informal carers who are affiliation to the “Carer Friendly Brum” initiative or similar is highly desirable.</p>
<p>Priority Theme 4: Green and sustainable 30%:</p> <p>The Council would like to see plans by which providers intend to reduce their carbon footprint, over a course of time. This has a link to innovation with some services delivering support remotely using technology and reducing travel and carbon emissions. Additionally, considerations to support the client base to overcome digital poverty and promote digital skills attainment is highly desirable.</p>
<p>Priority Theme 5: Innovation 20%:</p> <p>The Council would like to see examples of how communities/stakeholders/citizens will continue to be engaged to ensure opportunity for citizens to influence and shape services. Incorporating the use of technology into service delivery as a component to sustain independence through digital skills acquisition and utilisation of digital resources. This includes but is not exclusive to modalities such as group videoconferencing and access to e-learning modules.</p>
Sub-weighting of the Themes:
Local Employment: 0%
Buy Local: 0%
Partners in Communities: 30 %
Good Employer: 20%
Green and Sustainable:30 %
Ethical Procurement: 0%
Innovation: 20%

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: APPROVAL TO EXTEND CONTRACT FOR THE PROVISION OF SEXUAL HEALTH TREATMENT AND PREVENTION SERVICES

Report of: Dr Justin Varney,
Director of Public Health

Relevant Cabinet Member: Cllr Paulette Hamilton, Health and Social Care
Cllr Tristan Chatfield, Finance and Resources

Relevant O &S Chair(s): Cllr Rob Pocock - Health and Social Care
Cllr Mohammed Aikhlaq - Resources

Report authors: Fharat Rehman – Senior Commissioning Offer, Adult Public Health Services
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Karl Beese – Commissioning Manager, Adult Public Health Services
karl.beese@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009044/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential: N/A		

1 Executive Summary

- 1.1 The purpose of this report is to seek approval from Cabinet for a 7.5-month contract extension to the current contract for the Provision of Sexual Health Treatment and Prevention Services, which is delivered by University

Hospitals Birmingham NHS Foundation Trust (UHB). Due to the unforeseen and unavoidable delays to the re-procurement timescales that have been experienced due to COVID, the existing sexual health contract with UHB requires extension for a period of 7.5 months to cover the period 10th August 2022 to 31st March 2023.

2 Recommendations

2.1 It is recommended that Cabinet:

Approves the extension of the contract for the Provision of Sexual Health Treatment and Prevention Services delivered by UHB to the value of £8,774,116.88 to cover the period 10th August 2022 to 31st March 2023 to be funded by the Public Health Grant as set out in this cover report.

3 Background

- 3.1 The provision of Sexual Health Treatment and Prevention services is defined as one of the “grant conditions” of the Public Health Grant.
- 3.2 Cabinet awarded the contract for the provision of Sexual Health Treatment and Prevention Services to UHB as the lead provider with a supply chain of primary care and third sector providers on the 14th November 2014 following a procurement exercise.
- 3.3 The contract was awarded for a 5-year period and commenced on the 10th August 2015. Delegated authority to approve the extension of the contract if required was also granted for a further 2 years, subject to satisfactory performance and budget availability to the Cabinet Member for Health and Wellbeing and the Cabinet Member for Commissioning, Contracting and Improvement with the Strategic Director for People in conjunction with Director of Finance, Director of Legal & Democratic Services and Assistant Director Corporate Procurement Services.
- 3.4 The option to extend the contract by a further two years until 9th August 2022 was exercised in 2020, based on satisfactory performance and budget availability. The contract value for the extension period 10th August 2020 to 9th August 2022 is £28,077,174. The Delegated Authority Report to support this extension is detailed under Paragraph 13.
- 3.5 The Public Health Division’s support to the Birmingham Emergency COVID response in terms of leading the Health Protection Cell and supporting the Wellbeing & Communications, Corporate COVID and Health and Welfare Cells directly impacted the initiation of the Sexual Health Needs Assessment (SHNA) and subsequent activities necessary to procure a new Sexual Health contract by 10th August 2022.

- 3.6 Undertaking a comprehensive SHNA is essential in helping Public Health and Commissioners understand the sexual health needs of our citizens and subsequently informs the strategy for the city and service specification. Therefore, without a SHNA further re-procurement activity cannot take place. The original intention of the Public Health Commissioning team was to commence work on the SHNA in August 2020 in order to have an ample two-year lead in time for all of the constituent re-procurement activities to take place and for a new contract to be in place on 10th August 2022. Due to the disruptions to business as usual outlined in point 3.5, work on the SHNA could not commence until April 2021 with the completed SHNA due to be available in July 2021. The re-procurement timeline, taking into account this delay, is detailed under point 10 of this report.
- 3.7 The 7.5-month contract extension is required to mitigate against the unforeseen and unavoidable delays experienced as a direct result of the COVID-19 pandemic, specifically that the SHNA and subsequent re-procurement process could not be launched in time in order to meet the 10th August 2022 deadline. See Paragraph 10.1 below for further details.
- 3.8 The Public Health Division is now in a position whereby staff can undertake the necessary re-procurement activities, including the Sexual Health Needs Assessment (SHNA) in order to have a new contract in place by 1st April 2023.

4 Recommended Proposal

- 4.1 To approve the 7.5-month extension of the contract for the provision of Sexual Health Treatment and Prevention Services to the organisation UHB to cover the period 10th August 2022 to 31st March 2023.
- 4.2 The cost of the 7.5-month extension is £8,774,116.88 to be met by the Public Health Grant. This cost is based on the current yearly contract value of £14,038,587.

5 Consultation

- 5.1 The Public Health Contracts Board and the Health & Wellbeing Board has been advised of the contract extension.

6 Risk Management

- 6.1 The decision to seek a 7.5-month contract extension up until 31st March 2023 negates the potential organisational and operational risks associated with Birmingham not having a contracted Sexual Health Treatment and Prevention service post August 2022.

- 6.2 Financial – The available financial resources are identified through the Public Health Grant allocation for the 7.5-month contract extension.
- 6.3 Inflation has been agreed with UHB and is built into the cost for the 7.5 months' extension amount of £8.774m. Moreover, inflation has been built into the five-year forecasts for Public Health, which illustrates that the service can continue to live with its means for the next five years.
- 6.4 Contract Performance will continue to be monitored through quarterly contract review meetings and the Public Health Contracts Board.
- 6.5 Quality Assurance - UHB is required to be CQC compliant.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?
- 7.1.1 The provision of Sexual Health testing, treatment and prevention services aligns to the following Council priorities:
- An aspirational city to grow up in
 - A fulfilling city to age well in
 - A great city to live in
- 7.2 These priority areas are supported by the overarching commitment to reduce health inequalities (a duty of the Local Council under the Health and Social Care Act 2012).

8 Legal Implications

- 8.1 Section 12 of the Health and Social Care Act 2012 introduced a new duty at Section 2B of the NHS Act 2006 Act for all upper-tier and unitary local authorities in England to take appropriate steps to improve the health of the people who live in their areas.
- 8.2 Section 6C of the National Service Act 2006 as amended by the Health and Social Care Act 2012 and The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 provide for the discharge of public health functions by Local Authorities.

9 Financial Implications

- 9.1 Local authorities receive an annual ring-fenced Public Health grant from the Department of Health. The core condition of this grant is that it should be used only for the purposes of the Public Health functions of local authorities.

- 9.2 The cost of £8,774,116.88 for the 7.5-month contract extension will be met by the Public Health Grant.

10 Procurement Implications

- 10.1 Under the Public Procurement Regulations (PCR) 2015, Contracts may be modified without a new procurement procedure where all of the following conditions are fulfilled:
- the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen.
 - the modification does not alter the overall nature of the contract.
 - any increase in price does not exceed 50% of the value of the original contract.
- 10.2 The unforeseen circumstances arose as a result of the COVID-19 pandemic and could not have been foreseen. The pandemic caused disruptions to the Public Health Division in terms of the latter being unable to undertake business as usual due to supporting the Birmingham Emergency COVID response in terms of leading the Health Protection Cell and supporting Wellbeing & Communications, Corporate COVID and Health and Welfare Cells. This had a direct impact on the preparation of the required SHNA which could not commence in August 2020 as originally planned, commencement of which was delayed until April 2021. The completed SHNA is due to be available in July 2021. Undertaking a comprehensive SHNA is essential in helping Public Health and Commissioners understand the sexual health needs of our citizens and subsequently informs the strategy for the city and service specification. Therefore, without a SHNA further re-procurement activity cannot take place.
- 10.3 These conditions have been fulfilled therefore the risk of a successful procurement challenge to the Council for extending the contract is considered low. A VEAT (Voluntary Ex-Ante Transparency) Notice will be issued in accordance with Procurement Regulations to give notification of the contract extension.
- 10.4 An indicative timeline for the commissioning and future procurement of the Sexual Health Treatment and Prevention Services contract is set out below:

Activity	Timeline
Joint BCC / SMBC Sexual Health Needs Assessment	July 2021
Develop sexual health strategy	July to September 2021
Develop service specification	July to September 2021
Public consultation	October to December 2021
Analysis of public consultation responses	January 2022
Produce consultation summary report	February 2022
Produce procurement and commissioning strategy	March 2021 – April 2022
Cabinet approval of procurement and commissioning strategy	May 2022
Invitation to Tender (ITT) developed	May 2022 to June 2022
Issue ITT	July 2022 to September 2022
ITTs returned and contract award	September 2022
Contract award approved by Cabinet	October 2022
Mobilisation of new contract	October 2022 to March 2023 (6 months)

11 Human Resources Implications

11.1 No Birmingham City Council staff or UHB staff are affected.

12 Public Sector Equality Duty

12.1 An equality impact assessment has not been completed as this is the continuation of an existing contract that is open access to all Birmingham citizens aged 18 and over.

13 Appendices

13.1 None

14 Background Documents

14.1 [Cabinet Member Decision 1 November 2019 - Contract Extension for the Provision of Sexual Health Treatment and Prevention Services](#)

Birmingham City Council

Report to Cabinet

Date: 27 July 2021



Subject: NEIGHBOURHOOD NETWORK SCHEMES
RECOMMISSOINING

Report of: Professor Graeme Betts
Director for Adult Social Care

Relevant Cabinet Member: Cllr Paulette Hamilton - Health & Social Care
Cllr Tristan Chatfield - Finance & Resources

Relevant O &S Chair(s): Cllr Robert Pocock - Health & Social Care
Cllr Mohammed Aikhlaq - Resources

Report author: Kalvinder Kohli,
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Care
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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009089/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1. Executive Summary

- 1.1 This report provides details of the commissioning plans and procurement strategy for the recommissioning of Neighbourhood Network Schemes (NNS). Current contracts expire on 31st March 2022.
- 1.2 The proposed procurement is via the Light Touch Regime (LTR). The contracts will be for a period of 5 years commencing on 1st April 2022, with an option to extend for 2 years subject to satisfactory performance and budget availability. The estimated value of the contracts based on historical and forecast data is £2.57m per annum or £3.57m if the service is expanded to younger adults with a long-term disability, which is further explained below.
- 1.3 NNS supports the delivery of the vision for Adult Social Care and the first phase of its transformation journey by providing a prevention-based approach to developing local community assets, resources and activities to support older and disabled citizens.
- 1.4 Birmingham's Neighbourhood Networks started with a six-month development phase in 2018 leading to a Neighbourhood Network being established in each of the City's Constituencies. The first two started in October 2018, four in April 2019 and the last four in November 2019.
- 1.5 The original approval for Neighbourhood Networks was given in Nov 2017 – following the cabinet report: **Putting Prevention First: Supporting the Implementation of the Vision for Adult Social Care and Health.**
- 1.6 As part of the Prevention First Strategy, Neighbourhood Networks are responsible for developing preventative community-based support and activities for older adults whilst also supporting the transformation of Adult's social work to a strength-based community focused model, known as the Three Conversations Framework.
- 1.7 It is proposed that the elements of the existing Neighbourhood Network's Model are kept, as illustrated at 3.8 below, with some minor additions. The current older adults work will be retained with a planned expansion of the service to benefit adults over 18 years with a long-term disability. Once the planned adult's transformation plan funding is confirmed, the successful provider contracts will be modified to accommodate the expansion to younger adults
- 1.8 Proposed commissioning includes a lead facilitator for each Constituency. Selly Oak and Perry Barr Constituencies will be provided via internal Service Level Agreements (SLA), as explained at 4.3 below, and the remaining Constituency NNS' will all be externally commissioned. Edgbaston and Northfield will have an integrated structure to include a Community Partnership Worker role and a specialist grant maker contract. The whole Neighbourhood Network Scheme will be supported citywide by a network coordination and development provider. Full details can be seen in section 4 below.

- 1.9 The commissioned services will directly support the delivery of the following key strategies: Vision and Strategy to Modernise Adult Social Care 2017, Vision for Adult Social Care Refresh 2020, Prevention First Strategy 2017+.

2 Recommendations

That Cabinet:

- 2.1 Approves the contents of this report in order to implement the strategy and the commencement of procurement activity for Neighbourhood Network Schemes Recommissioning in accordance with the requirements and approach set out in **Appendix 1** and outlined in section 4. This includes the expansion to younger adults 18-49 with a long-term disability at an additional annual value of £1m pending Adult Social Care Transformation Plan budget approval. Due to the timescales for the commissioning timelines and expiry of the current contracts, both options 2 and 3 in section 5 of this report are included for approval. The team will proceed with either option depending on the outcome of the additional funding request.
- 2.2 Delegates approval of the outcome of the procurement process to the Director, Adult Social Care and the Assistant Director, Development and Commercial in conjunction with the Interim Director of Council Management (or their delegate) and the City Solicitor (or their delegate) who will approve the award of the contracts.
- 2.3 Delegates authority to the Director of Adults Social Care in conjunction with relevant Finance, Legal and Procurement officers to update the procurement strategy as required in response to the outcomes of the tendering process, market consultation and/or commissioning developments with partners, where this is in the Council's benefit and within the approved budget.
- 2.4 Delegates authority to the Director of Adults Social Care in conjunction with relevant Finance, Legal and Procurement offices (or their delegates) to extend the contracts awarded at 2.2 for up to 2 years subject to funding availability and satisfactory performance
- 2.5 Authorises the City Solicitor and Monitoring Officer to negotiate and execute any documents to give effect to the above recommendations.

3 Background

- 3.1 The Vision and Strategy to Modernise Adult Social Care 2017 recognised that a preventative approach to manage the increasing demand to social care. The move to a strength-based model for social work, known as the Three Conversations Framework, focused on connecting citizens to their local assets and resources, to enable citizens to live independently within their own homes and communities.

- 3.2 This shift in approach also required a shift in investment ‘upstream’ into prevention activities within communities to complement the Three Conversations social work approach.
- 3.3 The current 10 Neighbourhood Networks Service (NNS) were agreed by Cabinet in November 2017, with the aim of providing older people with a range of community-based alternatives to support citizens within their own neighbourhoods. They do this by promoting and developing partnership work between the Voluntary and Community Sector, Health, Social Care and other parts of the public sector.
- 3.4 Since 2018 the NNS have had a significant positive impact. In summary, they have supported social work teams with adopting the Three Conversations Framework, contributed to reducing demand for new packages of care and corresponding budget savings, built strong networks and partnership across voluntary and community sector and public sector, supported active citizenship / civil society especially during the Pandemic, which included partnership working with the Children’s Partnership Board’s Early Help offer.
- 3.5 Each NNS has created, and published online, a community asset map (groups, services and activities) to help citizens and professionals connect locally and find support. The NNS engages each local asset encouraging them to sign up as a ‘member’ of their local NNS. Each asset contributes to one or more of the following 5 outcomes:
- Improved social participation
 - Healthier lifestyles
 - Maximised income
 - Living independently in their own homes
 - Carers feeling more supported
- 3.6 Each NNS has a partnership steering group to oversee their work. These have representation from local social work teams, local councillors, local community organisations, citizens, police, fire service, local GP practices and BCC officers.
- 3.7 Currently the NNS capacity building work is primarily for the benefit of older adults. Following feedback from existing stakeholders during the delivery of the existing NNS and the co-design findings outlined in section 5 of this report, it is proposed this round of commissioning activity takes a whole life course approach. This means extending the NNS to develop community based preventative support for citizens over 18 years with a long-term disability, thereby benefiting a wider range of citizens (for example, those with a learning disability, physical disability, autism, mental health difficulties, a sensory loss or impairment). There is an expectation that the NNS Leads retain and build on their work for the benefit of over 50’s. Work is also underway to align activities with the Birmingham Children’s Partnership Early Help offer, so that a localised whole life offer starts

to embed. This expansion is subject to an additional £1m funding approval as stated in paragraph 1.2

- 3.8 It is proposed that the existing core elements, or 'building blocks', of the NNS are retained. These are summarised in the diagram below. There is strong evidence that they are effective and work well together. It is proposed that we add a citywide element to the model consisting of a steering group and grants panel. This, and all the other elements of the NNS model, are explained in the Commissioning Plan, section 4 below.



- 3.9 An impact assessment was completed in late 2020 (The Birmingham Neighbourhood Network Scheme Impact Assessment, BVSC, Nov. 2020). The aim of which was to inform the future commissioning processes, and to assess the role of NNS in light of any new and existing vulnerabilities and inequalities arising from the COVID19 pandemic.

- 3.10 This impact assessment made several recommendations. Those most relevant to recommissioning are summarised below:

- During the Pandemic the NNS has demonstrated an effective partnership response to a crisis which therefore demonstrates that having an NNS in place makes the City more resilient.
- Whilst the Pandemic disrupted some of the planned next phase of development of the NNS, to demonstrate the impact and full benefit of the model. Nevertheless, there remains a very strong evidence base for the continuation of NNS.

- The initial impact assessment calculated social return on investment which showed significant promise and potential. A longer term NNS delivery through the next round of commissioning will build upon these findings.
- There is also strong evidence that the longer the NNS is sustained, with providers having financial stability, the greater the impact on Prevention First Outcomes.

4 Commissioning Plan

- 4.1 Based on the intelligence from a range of relevant sources, market analysis, provider market feedback, stakeholders internal and external to the council, performance data, adult social care demand data and the impact evaluation, the following services are proposed to be commissioned:
- 4.2 An NNS lead facilitator service will be commissioned from the external market for Sutton Coldfield, Erdington, Yardley, Hall Green, Hodge Hill and Ladywood.
- 4.3 Market intelligence continues to identify a limited external provider market in Perry Barr and Selly Oak, therefore it is proposed that the current service delivery in these two constituencies should continue. This will be via a revised internal Service Level Agreement with the Neighbourhoods directorate pending receipt of an agreed business case.
- 4.4 Each NNS facilitator will be responsible for all aspects of delivery including maintaining an asset map of the local area, working collaboratively with the local social work teams, market engagement, networking with key stakeholders, coproduction activity with local citizens, capacity building support to small organisations, managing a transparent NNS grants process which supports the delivery of the vision for adult social care and the Prevention First Outcomes Framework.
- 4.5 Due to external market capacity issues within Edgbaston and Northfield the delivery model will be split. The lead facilitator role will manage all the activity except for the NNS grants prospectus which will be delivered by a grant making organisation. The lead facilitator will be expected to work closely with the grant maker and support the decision-making process.
- 4.6 A grant maker will be commissioned for Edgbaston and Northfield. Their role will be to manage the grants prospectus, convene the stakeholder decision making panels and manage the grant agreements. The grant maker will also be responsible for the award of citywide grants in support of activities for communities of interest, whose needs cannot be met on a place-based approach.
- 4.7 An NNS Support and Development Organisation will be commissioned to coordinate the lead facilitator activity, provide sector development, capacity building and undertake evaluations, analysis, sharing of good practice.

Appendix 1 sets out the proposed procurement strategy.

5 Options considered and Recommended Proposal

5.1 Option 1 – Do not recommission the NNS.

This is not the recommended option for several reasons: The impact assessment and other smaller evaluations all evidence the NNS has made good progress with supporting the first phase of the transformation journey for adult social care. The Pandemic has demonstrated that having a network of community development organisation does increase the resilience of the City and its people. Following discussion with a wide range of stakeholders, including citizens and social work teams, there is strong support for retaining and building on what the NNS has achieved to date.

5.2 Option 2 - Recommission NNS for older adults and extend to benefit adults 18 – 49 years with a long-term disability.

This is the preferred option (pending funding approval as stated in 1.2) Stakeholders including social workers and younger citizens with a disability want the NNS to benefit them. There are smaller numbers of younger disabled adults in the City, but the unit cost of individual care package is often higher as well as being more long-term, there is therefore a good business case to reduce demand for this group. Opportunities for inclusion and intergenerational work will be easier if the '50 years +' criteria are removed. Some younger disabled adults can be anticipated to be active participants in the running of the NNS, such as steering groups and grant panels.

5.3 Option 3 – Recommission NNS retaining current restriction to older adults.

This is not recommended: there may be further challenges regarding perceived inequity, the exclusion of citizens age 18 to 49 years with a long-term disability. Currently they are not benefitting from preventative support developed by NNS [for example; adults with a learning disability or sensory disability]. The '50 years +' criteria for community assets can often be unnecessarily restrictive and opportunities for inclusion, integration and intergenerational work are being missed.

Should the Adults Transformation Plan not approve the additional £1m per year to expand NNS to younger adults with a long-term disability, the team will proceed with Option 3 – “recommission NNS retaining current restriction to older adults”.

6 External Co-design engagement

6.1 Formal consultation was not undertaken, instead over 500 stakeholders have taken part in co-design engagement events and conversations including citizens, primary care networks, Clinical Commissioning Groups, and existing providers. There were over 300 individual engagements.

6.2 The engagement was undertaken through online workshops, Be Heard questionnaires and face to face discussions.

- 6.3 The engagement to date provides strong support to sustain existing NNS provision as well as expanding to incorporate younger adults as set out in this document. This includes support for the need for additional funding to ensure younger adults work can be delivered without undermining progress made for older adults. Full details of the co-design engagement responses can be found in **Appendix 3**.

Internal Consultation

- 6.4 The Cabinet Member for Homes and Neighbourhoods and Cabinet Member for Social Inclusion, Community Safety and Equalities have been consulted on this report and support the recommendations.
- 6.5 The Birmingham Safeguarding Adults Partnership have been consulted on the proposal and support the recommendations.
- 6.6 Local Elected Members have been engaged as part of the co-design activity with key stakeholders.
- 6.7 Local Social Work teams fully support the re-design of the service specifications. There was also strong support for extending to younger adults, from an equalities and social justice perspective as well as ensuring NNS fully aligns with responsibilities of social work teams.

7 Risk Management

- 7.1 Risks will be identified, evaluated and controlled in line with the Birmingham City Council Risk Management Methodology 2017.
- 7.2 The initial risks are detailed within the Procurement Strategy at **Appendix 1** of this report. A full Risk Register has been developed as part of the project management of this recommissioning. The project management, governance and oversight of this recommissioning will be through the Community Assets Board chaired by the Assistant Director Commissioning (Adult Social Care) and will report through to the Adults Social Care Management Team chaired by the Director for Adults Social Care.
- 7.3 The risks are all as low as is reasonably possible. The highest risk rating is medium; all have mitigating actions.

8 Compliance Issues:

8.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

The recommended proposal supports the delivery of one or more of our Council's priorities as set out in the Birmingham City Council Plan 2022:

- **Birmingham is an entrepreneurial city to learn, work and invest in:**
Through investment in the health and social care sector and social enterprises, we will create local jobs, apprenticeships and foster innovation in

service delivery and outcomes for citizens. We will open-up opportunities for local people to develop skills and share in the benefits of local economic growth. This will include the creation of appropriate opportunities for younger adults with learning, mental health, physical and sensory disabilities to access volunteering and a longer-term pathway into paid employment.

- **Birmingham is an aspirational city to grow up in:** We will work in close collaboration with the Early Help and Transitions teams and local partners to embed a “whole life course” approach across all our services. This will create opportunities to inspire and support the cohort of children and young adults who will ultimately move into adult services to develop ambitions and achieve their full potential.
- **Birmingham is a fulfilling city to age well in:** Expanding the opportunities for older citizens to make meaningful choices about and exercise genuine control over their care and support will ensure they are more resilient and independent. This has been proven to bring positive improvements to the quality of life for citizens and the broader wellbeing of communities.
- **Birmingham is a great city to live in:** These proposed extended NNS schemes will ensure that younger adults with learning disabilities, mental health, physical and sensory support needs are able to access a broad and varied range of community-based activities and opportunities. They will foster greater inclusion and fairness, by enabling these citizens to live happier, healthier and more independent lives in their own communities.
- **Birmingham residents gain the maximum benefit from hosting the Commonwealth Games:** We will work closely with the Commonwealth Games Team to ensure that NNS services are aligned with Games-related activities. This will include the use of shared intelligence and gap analysis to ensure that no cohorts are excluded from opportunities arising from the Games. There will also be a focus on volunteer development opportunities, together with maximising the benefits of a sustainable Games legacy in the city.

8.2 Legal Implications

- 8.2.1 The Care Act 2014 together with associated regulations and guidance states that a Local Authority must provide a range of services to contribute towards preventing or delaying the need for care and support for individuals and for carers in their area.
- 8.2.2 Under Section 111 of the Local Government Act 1972, a local authority has the power to take action which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter

into contracts for the discharge of any of its functions. Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determining by the Secretary of State.

- 8.2.3 The Council has a best value duty under Section 3 of the Local Government Act 1999 to improve the efficiency, economy and effectiveness of the services that it delivers. The use of an open procurement route will ensure that competitive bids are obtained, and the terms offered by the successful tenderer will deliver best value to the Council.
- 8.2.4 The Council's obligations for this service under the General Data Protection Regulation (GDPR) will be met by conditions in the tender specification.

8.3 Financial Implications

- 8.3.1 The below financial implications are set out for options 2 and 3, explained in paragraphs 5.2 and 5.3 above. Option 2 is the preferred option which includes expanding the NNS to younger adults with a long-term disability. This is pending funding approval of the Adults Transformation Plan. Option 3 retains the existing older adults only focus.
- 8.3.2 Option 2 – The total annual investment required to progress this proposal is £3.57m. The total investment across 5 years is £17.85m and if extended for a further 2 years £24.99m
- 8.3.3 Option 3 – The total annual investment required to progress this proposal is £2.57m. The total investment across 5 years is £12.85m and if extended for a further 2 years £17.99m

The table below summarises the elements of the NNS:

Service Area	Option 2 (preferred option): Annual value – younger disabled adults and older adults	Option 3: Annual value – older adults only
Hodge Hill	£350,000	£250,000
Hall Green	£290,000	£190,000
Ladywood	£310,000	£210,000
Erdington	£370,000	£270,000
Sutton Coldfield	£280,000	£180,000
Yardley	£380,000	£280,000

Selly Oak	£380,000	£280,000
Perry Barr	£340,000	£240,000
Edgbaston	£300,000	£200,000
Northfield	£370,000	£270,000
City-wide NNS structure supporting communities of interest, whose needs cannot be met on a place-based approach.	£100,000	£100,000
City-wide Support, Development and Learning & Evaluation Service Provider	£100,000	£100,000
Total:	£3.57m	£2.57m

- 8.3.4 The proposed fixed price contracts will be for an initial period of five years (with option to extend for two years). This is deemed the minimum service delivery and economic period to ensure value and efficiency for the Council and providers. The possibility to extend or not allows the Directorate to manage the contingent nature of some of the funding and the different timeframes of particularly the grant funding. The contract value for each Constituency varies to reflect levels of deprivation, numbers of funded packages of care and amounts of external grant funding in the 10 geographies. The Constituencies with higher levels of need and lower levels of investment have a higher contract value.
- 8.3.5 The application of preventative strategies is a key element in reducing “downstream” effects on individuals which in turn increase the costs to the council and other partners and Birmingham as a whole. The financial savings from the Older Adults contract are already reflected in the budgets for the provision of Adult Social Care, and the renewal of this element of the contract will allow these savings to continue. The inclusion of Younger Adults in the contract, if agreed, will create further savings as part of the programme of early intervention and community capacity initiatives, and will be modelled as a whole for the Adults Transformation programme
- 8.3.6 This procurement continues the existing investment in this area, integrates it with the agreed strategy on prevention and links it to several innovations and other grant funded activities, thereby maximising and multiplying the council’s own investment with other money and developments in services. The additional investment in the Younger Adults element of the contract will be part of the Adults Transformation programme funding, which will come from a mix of existing service budget, joint health funding and if necessary through a business case request for addition to the Delivery Plan, dependant on savings, once modelled.

- 8.3.7 There is a need for comprehensive monitoring, outcomes and review of performance to inform both contract management and the further strategies and procurements in the future and overall preventative strategy. Some elements of the contract payments will be based on results giving further reassurance of value for money. Such considerations are detailed further in the procurement strategy.

8.4 Procurement Implications (if required)

- 8.4.1 The full range of services to be procured is set out in the Neighbourhood Network Scheme Procurement Strategy; see **Appendix 1**.
- 8.4.2 A list of services to be commissioned are in the Commissioning Plan, section 4 of this report.
- 8.4.3 The recommendations in this report are compliant with the Council's Procurement Governance Arrangements (PGA).
- 8.4.4 Birmingham Business Charter for Social Responsibility (BBC4SR) will be applied within the threshold of the Charter requirements and contract value.
- 8.4.5 Pre-procurement Duty under the Public Service (Social Value) Act 2012. Bidders will be asked how their bid addresses social value as part of the evaluation. Consideration of whether to undertake a consultation exercise was discussed during the planning stage and it was agreed that this would not be required as tenderers will be asked how their bid addresses social value as part of the evaluation and no additional stakeholder consultation was required. This consideration also included how this procurement exercise might improve the social and economic well-being of the city and will be addressed by evaluating social value.

8.5 Human Resources Implications (if required)

- 8.5.1 Some of the services being procured may be subject to the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) however in this instance no Council employees will be affected. The Council's role will be to facilitate the transfer of relevant information between the incumbent providers of existing services and perspective bidders without providing any indemnity regarding the accuracy of information provided.
- 8.5.2 The recommissioning, procurement and subsequent contract awards and contract management will be undertaken by staff within the Adult Social Care Directorate in conjunction with Finance, Legal and Procurement colleagues.

8.6 Public Sector Equality Duty

- 8.6.1 An Initial Impact Assessment has been carried out and no adverse impacts have been identified and a Full Impact Assessment is not recommended at this stage. Any potential impacts that emerge during the re-commissioning and procurement will be monitored and mitigated inherently within the process and managed via the Risk Management process. Risk logs will be maintained to allow further

considerations and will include contract award and mobilisation. **See Appendix 2** for the Initial Equality Assessment.

9 Appendices

1. Procurement Strategy
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- [Birmingham City Council Plan: 2018-2022](#)
- [Health and Wellbeing Strategy](#)
- [Vision and Strategy for the Modernisation of Adult Social Care - Cabinet Report Oct 2017 \(Vision Refresh 2020\)](#)
- [Putting Prevention First: Delivering the Vision for Adult Social Care and Health - Cabinet Report Nov 2017](#)
- [The Birmingham Neighbourhood Network Scheme Impact Assessment, BVSC, Nov 2020](#)

APPENDIX 1

NEIGHBOURHOOD NETWORK SCHEMES RECOMMISSIONING PROCUREMENT STRATEGY (Ref: P0790)

1 Background

- 1.1 The requirements and outcomes are set out in the Cabinet Report titled 'Neighbourhood Network Schemes Recommissioning Cabinet Report June 2021'
- 1.2 The existing Neighbourhood Network Scheme (NNS) is delivered in three distinct services: 1) A City Wide NNS and Prevention and Community Grants Programme Support Service; 2) An NNS Grant Maker Service for Northfield and Edgbaston; 3) A Lead Facilitator service for community provision within each of the ten Constituencies across the City,
- 1.3 The service is delivered by the Neighbourhood Directorate in two Constituencies, Perry Barr and Selly Oak, via Service Level Agreements as market intelligence continues to identify a limited external provider market. Capacity building in those two Constituencies continues. One organisation in Perry Barr and potentially two in Selly Oak are now developed to support delivery of some components of the service but not all. These providers will join Neighbourhoods Directorate as partners in the delivery of this service. The other eight Constituencies are delivered by commissioned services.
- 1.4 Details of the current arrangements are set out in the table/list below:

Lot 1			
Name of the Service	Provider Name	End date of the current contract	Value per annum
City-wide NNS and Prevention and Communities Grants Programme Support, Development and Learning Service	Birmingham Voluntary Service Council (BVSC)	31/03/2022	£100,000
Lot 2			
NNS Grant Maker for Edgbaston and Northfield Constituencies and the city-wide NNS structure	Heart of England Community Foundation	31/03/2022	£134,533 (this fee includes NNS grants management of Edgbaston and Northfield, grants management of the city-wide structure as well as £100,000 city-wide grants budget)
Lot 3			

NNS Lead Facilitator – Hall Green Constituency	Accord Housing Association	31/03/2022	£190,000
NNS Lead Facilitator – Hodge Hill Constituency	POhWER	31/03/2022	£250,000
NNS Lead Facilitator – Erdington Constituency	Witton Lodge Community Association	31/03/2022	£270,000
NNS Lead Facilitator – Yardley Constituency	Disability Resource Centre	31/03/2022	£280,000
NNS Lead Facilitator – Ladywood Constituency	Birmingham Settlement	31/03/2022	£210,000
NNS Lead Facilitator – Sutton Coldfield Constituency	Age Concern	31/03/2022	£180,000
NNS Lead Facilitator – Selly Oak and Perry Barr Constituencies	Neighbourhoods Directorate – Neighbourhood and Development Support Unit	31/03/2022	£520,000
NNS Lead Facilitator – Northfield and Edgbaston Constituencies (South Locality)	Northfield Community Partnership Age UK Gateway Family Services	31/03/2022	£435,467

Market Analysis

1.5 The market expertise is limited in the 3 service areas as set out below:

- 1) City Wide NNS and Prevention and Community Grants Programme Support service: According to research undertaken by commissioners and the recent State of the Sector report, there seems to be only one organisation which has the expertise, understanding of ASC requirements, capacity and capability to provide this service. There are a number of organisations that operate within a

specific locality, or offer a particular type of support only, which isn't enough to fulfil this city-wide, multi-community support role. However, it's been 3 years since the original SCN was signed with the current provider and we are seeking a long-term contract, therefore it is felt that this procurement will test the market fully.

- 2) NNS Grant Maker Service in Edgbaston and Northfield. In 2019 an Invitation to Quote was issued and resulted in two bids. The suppliers are reasonably large meaning the level of industry competition is likely an Oligopoly. The value of the contract is relatively small and a fixed price. This procurement will test the market.
 - 3) Lead Facilitator service for community provision within each of the eight Constituencies where the service is being procured: There is at least one lead provider for each Constituency. There is potential for New Entrants in the market due to increased awareness of the NNS model and the potential inclusion of Citizens 18+ with a long-term disability, this is subject to budget approval in February 2022. Some areas of this market are still immature in relation to procurement and may self-exclude.
- 1.6 Prior to the procurement of the Lead Facilitator service in 2018-19 a market shaping exercise took place including four market engagement events, data analysis and profiling of Birmingham's neighbourhoods and communities. The following themes and issues were identified:
- 1.6.1 The diversity and complexity of some of Birmingham's constituencies provides substantial challenges to delivering an NNS service through a single provider or partnership for the whole city.
 - 1.6.2 The capacity in the market to deliver in the eight Constituencies varies significantly.
 - 1.6.3 There were a number of providers that are strong in their area of community provision but lacked the expertise to deliver a Lead Facilitator service.
- 1.7 Further market shaping was undertaken by investing in research and development projects for a six-month period in the eight Constituencies; this incorporated element of the Lead Facilitator service and was carried out before the procurement.
- 1.8 The procurement exercise identified the following market issues:
- 1.8.1 There were limited providers within all Constituencies; fourteen bid submissions were received; 10 passed the selection questionnaire stage. Of these ten, two Lots received two bids; the remaining Lots received one bid each. This is to be expected for this type of service.
 - 1.8.2 Of the eight Lots, awards were made to four lots from the initial procurement, this was due to a lack of expertise within the bidding

organisations. This is to be expected for these providers and was the first time the market was engaged to deliver this service in Birmingham.

- 1.8.3 A follow up procurement resulted in the awards for the remaining four constituencies. Three tender submissions were received for Hodge Hill and one for Hall Green.
- 1.9 The support provided by BVSC as the provider for the overarching support services has resulted in capacity building within the provider network.
- 1.10 Feedback from the current providers is to add the Younger Adults/citizens 18yrs+ with a long-term disability to the Older Adults services with a degree of separation on the multi-agency partnership working. A pilot to ascertain the best approach is taking place from April 2021 to March 2022 in two constituencies. This will be addressed in the contracted terms and conditions.
- 1.11 Feedback from social workers and lead facilitators on the Edgbaston and Northfield model have requested the model remains the same. This is beneficial to the Council as additional £34k external grant funding injection into the two constituencies is a contractual requirement of the Grant Maker with Payment by Results. The community partnership social worker facilitates the collaboration and partnership working between the Adult Social Worker teams and NNS providers and manages the steering group releasing the NNS and social work teams to focus on other aspects of NNS. Both NNS leads and social work teams in these two constituencies feel that changes to this model would confuse practitioners and stakeholders and would disturb the relationships and the momentum built up during the pandemic. There is currently a citywide NNS pilot for both these roles and will be a requirement in the proposed procurement.

Strategic Procurement Approach

The following options were considered:

- 1.11.1 Not to tender the requirement; the success of the service is due to the involvement of the small, local groups responding directly to the presenting need of the community in a timely and appropriate way. Delivering the Lead Facilitator role via contracted arrangements ensures the required outcomes are achieved and evidenced and is appropriate for the value of the investment.
- 1.11.2 To tender for a Birmingham only contract. This is the recommended option as this would give the Council the most flexibility in specifying its service provision and enable the contract to be awarded within the timescales.

- 1.11.3 To tender for a framework agreement led by Birmingham and available for other local authorities or public sector bodies. This was discounted as a) The service is based on geographical locations, it is not appropriate for other local authorities and b) The potential co-commissioning with Health is not an option as Health is not currently providing funding in this area and there are no economies of scale benefits for the Council to pursue this further.
- 1.11.4 To use a collaborative framework agreement. There are no collaborative framework agreements in place that meet the Council's requirements therefore this option has been discounted.

Procurement Approach

1.12 Duration and Advertising Route:

The contracts will be awarded for a period of 5 years plus a 2 year extension and advertised in the Find a Tender, Contracts Finder and www.finditinbirmingham.com.

1.13 Sourcing Strategy

The three service requirements will be sourced as follows:

- 1) A citywide NNS and Prevention and Community Grants Programme Support service; a single provider will fulfil the necessary citywide oversight and provide consistency of support throughout the programme.
- 2) An NNS Grant Maker Service in Edgbaston and Northfield; a single provider will provide consistency of decision making and is sufficient based on the value of the contract.
- 3) A Lead Facilitator service for community provision in each of the ten Constituencies across the City. Two Constituencies will be delivered in-house and contracts will be awarded to eight suppliers; one per Constituency.

Having a lead provider for the Lead Facilitator service in each Constituency allows:

- Locality partnerships to be developed; this will provide opportunities for collaboration, innovation and potential efficiencies.
- Constituency and locality oversight by a lead provider in the area with a single point of contact for the citywide support and consistency of grant making decisions.

- Potential for competitive tension in the procurement and supply chain
- Most efficient contract management arrangements providing whole life cost reductions.
- If the funding is available to include Younger Citizens 18yrs+ with Long Term Disabilities having a lead provider will enable partnership delivery ensuring the required expertise.

If the outcome of the evaluation is that a single provider is unable to deliver the Lead Facilitator service in any of the Constituencies then contracts will be awarded to more than one provider.

1.14 Procurement Route

As this is a Social Care Contract that requires an element of flexibility the Light Touch Regime (LTR) will be applied. LTR allows the Council to design a procurement procedure suitable for certain social and other specific services provided they comply with the general principles of equal treatment and transparency and have reasonable and proportionate timescales.

The design of the LTR will be based on the Open Route for all services and include Competition with Negotiation (CwN) and an Innovation Partnership (IP) for the Lead Facilitator Constituency services. This will allow for tenders to be amended via negotiation, including the Final Tender, and if appropriate allows for a service trial.

The Invitation to Tender will ask for substantial solutions and will include a Selection Stage based on previous experience.

Following the evaluation of the Tenders there will be 3 available options:

- Option 1 is to award the contract if there is a sufficient and satisfactory tender.
- Option 2 is to negotiate on the tenders selected for negotiation to produce sufficient and satisfactory tender(s).
- Option 3 is to trial the service(s) with one or more providers.

The option selected will be based on the evaluation of the bids received. Option 3 may be applied if agreement cannot be achieved at Option 2. If a trial basis is selected then a funding arrangement will be agreed and the timeframe(s) negotiated with the potential provider(s). A contract may be offered at a later stage.

The reason for the application of an LTR design based on Open, Competition with Negotiation and Innovation Partnership routes is that there is potential for substandard tenders to be submitted which could, with some negotiation or service trialling, be developed into sufficient bids. This route allows the Council to directly contract with the supplier if the final tender is appropriate. The Council can end the procedure at any phase.

1.15 Scope and Specification

Neighbourhood Network Schemes are locality and Constituency based networks which enable the engagement with and investment in community assets. This is for the purposes of supporting older people and potentially citizens who are 18yrs + with long term disability to connect to individuals, groups, organisations, activities, services and places in their neighbourhoods. This approach is integral to the new community social work mode and the overall investment by Adult Social Care & Health in "Prevention First".

To support this purpose, Lead Facilitators are being commissioned through this procurement strategy to deliver the following outcomes on behalf of the Council:

System – Council and NHS:

- Reduced demand on statutory services
- Financial savings
- Additional investment
- Happier, more productive workforce

Citizens:

- Increased social participation
- Healthier lifestyles
- Maximised income
- Housing which supports independence
- Cares feel more supported
- Have a better experience of the social care and health system

Communities:

- Access to a relevant and diverse community offer
- Access to more opportunities to participate in neighbourhoods

System behaviour and culture:

- Better internal partnership working across Council and NHS
- Better cross-sector partnership working between the statutory, voluntary, community and social enterprise sectors
- Embedding of a culture which focuses on and support the strengths, assets and positive outcomes for citizens

To deliver these outcomes Lead Facilitators will be commissioned to deliver a number of activities aligned to the following functions and responsibilities:

- Community Assets
- Local brokerage, coordination and relationships
- Local commissioning
- Local partnership governance
- Citywide collaboration, coordination and innovation

The citywide NNS and Prevention and Community Grants Programme Support service will deliver the following outcomes/outputs:

“Prevention First” Outcomes Framework		Aligned contract outcomes
System – Council and NHS	<ul style="list-style-type: none"> • Reduced demand on statutory services • Financial savings • Happier, more productive workforce 	<ul style="list-style-type: none"> • Secure additional financial investment in Neighbourhood Network Schemes and community assets • Secure additional financial investment in Third Sector Grants providers • BCC and NNS Lead Facilitators have clear knowledge and understanding of the practices in the Neighbourhood Network Schemes and Third Sector Grants programme which can contribute to reduced demand and financial savings in statutory services
Citizens	<ul style="list-style-type: none"> • Increased social participation • Healthier lifestyles • Maximised income • Housing which supports independence • Carers feel more supported (as people and as carers) • Better experience of the social care system 	<ul style="list-style-type: none"> • NNS Lead Facilitators and Locality/City-wide/Specialist Social Work teams have clear knowledge and understanding of the practices in the Neighbourhood Network Schemes and Third Sector Grants programme which can contribute to delivering relevant citizen outcomes • Social workers feel more supported and connected to practices which are proven to work in the context of prevention and early intervention • Other key stakeholders, particularly in the NHS feel connected to practices which are proven to work in the context of prevention and early intervention
Communities	<ul style="list-style-type: none"> • Access to a relevant and diverse community offer • Access to more opportunities to participate in neighbourhoods 	<ul style="list-style-type: none"> • BCC and NNS Lead Facilitators have clear knowledge and understanding of the practices in the Neighbourhood Network Schemes and Third Sector Grants programme which can contribute to relevant community outcomes and wellbeing • NNS Lead Facilitators feel effectively supported in and connected to practices which are proven to work in the context of prevention and early intervention in communities

		<ul style="list-style-type: none"> • Third Sector Grants providers are better able and equipped to sustain their organisations, offer and activity – relevant to “Prevention First” outcomes
System behaviour and culture	<ul style="list-style-type: none"> • Better internal partnership working across Council and NHS • Better cross-sector partnership working between the statutory, voluntary, community and social enterprise sectors • Embedding of a culture which focuses on and support the strengths, assets and positive outcomes for citizens 	<ul style="list-style-type: none"> • Third Sector Grant providers have clear knowledge and understanding of how they can engage with Neighbourhood Network Schemes • At a city-level, stakeholders have clear strategic knowledge and understanding of NNS and how they can engage with it • At a city level NNS Lead Facilitators feel effectively supported and connected to citywide initiatives, policies, strategies and activity which are relevant to older people, younger adults with long-term disability and communities

The NNS Grant Maker Service will deliver the following outcomes/outputs:

General functions and responsibilities	Specific activity to be delivered
Community Assets	<ul style="list-style-type: none"> • Working with Neighbourhood Network Scheme partners to promote the grants programme to community assets across the area’s neighbourhoods and networks
Connecting, coordinating and relationships	<ul style="list-style-type: none"> • Be a single point of contact for the Neighbourhood Network Scheme grants programme providing advice, guidance and signposting for: <ul style="list-style-type: none"> ○ Citizens, community groups and organisations ○ Social work locality teams ○ NHS social prescribing teams ○ Other stakeholders interested in the Constituency and/or prevention
Local commissioning and grants	<ul style="list-style-type: none"> • With guidance and agreement from representatives of the Adult Social Care’s Commissioning Team implement, manage and maintain a small grants scheme to invest in and commission community assets and activities • Working with Neighbourhood Network Scheme partners to identify gaps in the community offer, which are directly relevant to the ideas and issues being raised through adult social care and social prescribing conversations • Develop an ongoing and dynamic grants prospectus which addresses and closes gaps in the locality community offer for older people and younger disabled

General functions and responsibilities	Specific activity to be delivered
	<p>adults. This includes working with Neighbourhood Network Scheme partners to co-design and co-produce with citizens, the specifications and eligibility for grants which will be made through the programme.</p> <ul style="list-style-type: none"> • Involvement of citizens, Neighbourhood Network Scheme partners and other stakeholders in the governance process for the awarding of small grant funding through the programme. • Management and delivery of the small grants programme to issue funding for community activity and assets, in line with the Council's Conditions of Grant Aid. • Working with Neighbourhood Network Scheme partners monitor and evaluate activity and services delivered as a result of grant awards made to community groups and organisations.
Local partnerships	<ul style="list-style-type: none"> • Provide regular reports to the Neighbourhood Network Scheme Steering Group to promote progress and the status of the small grants programme. • Working with Neighbourhood Network Scheme partners to contribute to the development and delivery of communications and engagement activity and plans, which promotes the activities, services, events being funded through the grants programme, to local citizens, stakeholders and communities.
Citywide collaboration, coordination and innovation	<ul style="list-style-type: none"> • Engage with the citywide NNS forums and network, coordinated by the Support, Development and Learning Support Organisation, including regular attendance at meetings, as appropriate • Engage with BSAB Partnership meetings, workshops and networks where relevant to prevention, early intervention, risk enablement and neighbourhood networks • Contribute to cross-city NNS collaboration and learning between Constituencies • Develop and test innovative activity to drive the development of the NNS model across the city
City-wide NNS grants programme	<ul style="list-style-type: none"> • With guidance and agreement from representatives of the Adults Social Care Commissioning Team, to adhere to all the above points in relation to the city-wide NNS grants programme, which is set up to benefit communities of interest that are not geographically-placed. Grants budget responsibility of £100k

General functions and responsibilities	Specific activity to be delivered

1.16 Tender Structure (Including Evaluation and Selection Criteria)

1.16.1 Tender Structure

There will be a Lot for each of the 3 service types:

Lot 1: Citywide NNS Prevention and Community Grants Programme Support service

Lot 2: NNS Grant Maker Service Edgbaston and Northfield

Lot 3: Lead Facilitator Service with 8 geographical sub lots:

Lot 3.1 - Edgbaston Constituency (excludes Grants)*

Lot 3.2 - Erdington Constituency

Lot 3.3 - Hall Green Constituency

Lot 3.4 - Hodge Hill Constituency

Lot 3.5 - Ladywood Constituency

Lot 3.6 - Northfield Constituency (excludes Grants) *

Lot 3.7 - Sutton Constituency

Lot 3.8 - Yardley Constituency

* There is an allocated Community Partnership worker based in Adult Social Care.

SLAs with Neighbourhoods Directorate will be updated for Perry Barr and Selly Oak.

1.16.2 Evaluation and Selection Criteria

The quality / price balances below were established having due regard for the corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided. The tender documents will include the standard Terms and Conditions which will be reviewed and amended as required with the appropriate data sharing agreements for each service.

The evaluation of tenders will be assessed as detailed below:

The assessment will be divided into the following stages:

Stage 1 – Selection Stage

Stage 2 – Invitation to Tender

Stage 3 – Negotiate on tenders selected for negotiation if needed

Stage 4 – Invite selected suppliers to trial the service subject to mutual agreement if needed

Stage 1 – Company Information

Criteria	Evaluation
STAGE ONE - Selection Stage	
Company Information	Pass / Fail
Economic and Financial Standing (including insurance)	Pass / Fail
Health and Safety	Pass / Fail
Compliance with Equalities	Pass / Fail
Quality Management	Pass / Fail
Grounds for Mandatory Exclusion	Pass / Fail
Grounds for Discretionary Exclusion	Pass / Fail
Supplier Portal	Pass /Fail
Modern Slavery Act 2015	Pass / Fail
Technical and Professional Ability	Pass / Fail
Safeguarding Policy & Procedures	Pass / Fail
Whistle Blowing Policy	Pass/Fail
BBC4SR	Pass/Fail
Declaration	Pass / Fail

Tenderers will be required to pass Stage 1 in order to progress to Stage 2.

Stage 2 – Invitation to Tender Stage

Evaluation and Selection Criteria

Tenders will be evaluated using the quality / social value / price in accordance with a pre-determined evaluation model. The quality element will account for 60%, social value 20% and price 20%. This quality / social value / price balance has been established having due regard to the corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided and the degree of detail contained within the contract specification.

Tenders will be evaluated against the specification in accordance with the pre-determined evaluation model described below:

Quality (60% Weighting)

Criteria	Overall Weighting	Sub-weighting
Vision and outcomes	100%	20%
Place-based service delivery		20%
12-month plan and milestones		20%
Stakeholder engagement		20%
Risk and risk management		10%
Partnership working		10%

Tenderers who score less than 55% of the quality threshold i.e. a score of 55 out of a maximum quality score of 100 (55 marks out of 100) may not proceed to the next stage of the evaluation.

Social Value (20%)

All contracts include money to be granted which reduces the actual contract value for the provider.

	Sub-Weighting	Sub-Criteria	Theme Sub-Weighting
Qualitative	70%	Local Employment	30%
		Partners in Communities	35%
		Good Employment	35%
			TOTAL 100%
Quantitative	30%	BBC4SR Action plan	Total of financial proxies (£) score
			TOTAL 100%
Overall Social Value	20%		

Tenderers who score less than 50% of the social value threshold i.e. a score of 50 out of a maximum quality score of 100 (50 marks out of 100) will not proceed to the next stage of the evaluation.

In the event that the Council deems that no acceptable bids have been received following Stage 2 then the Council reserves the right to invite up to 3 of the highest scoring tenderers per lot to participate in negotiation and thereafter proceed to Stage 3 - Invitation to Submit Final Tenders based on the same evaluation criteria.

Price (20%):

Tenderers will be required to submit a price based on the annual price to deliver.

The tenderer with the lowest acceptable price is given the maximum possible weighted price score. The other tenderers' weighted price scores will be calculated on a pro rata basis.

1.17 Overall Evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer. The maximum quality score will be awarded to the bid that demonstrates the highest quality. The maximum social value score will be awarded to the bid that demonstrates the highest social value. The lowest price will be given the maximum score. Other tenderers will be scored in proportion to the maximum scores in order to ensure value for money and the proposed framework agreement will be awarded to the first ranked tenderer.

The Council reserves the right not to invite any tenderers to Stage 3, or Stage 4 or to award a contract to tenderers who score:

- Below 55% of available marks threshold in terms of quality
- Below 50% of available marks threshold in terms of social value
- 0% in any one section or Zero / no response in any one scored question

1.17.1 Evaluation Team

The evaluation of Stage 2, and Stage 3 and Stage 4 for the Lead Community Facilitator Lots, will be undertaken by a panel made up of a minimum of 3 panel members from the following areas:

- ASC Commissioning
- ASC Social Work
- ASC Citizens Panel member (optional)
- Birmingham Ageing Better
- Preparation for Adulthood

Each evaluation stage will be moderated by a Procurement Officer.

If negotiations on selected tenders are required, this will be undertaken by Senior Commissioning Officers in the in the 'Community Assets' Commissioning Team Adult Social Care and a Procurement Officer.

1.17.2 Indicative Implementation Plan

Approval (Strategy)	July 2021
ITT Issued	August 2021
ITQ Return	October 2021
Evaluation Period	November 2021
Potential Stage 3 Negotiation Period	December 2021
Potential Stage 3 Evaluation	January 2022
DPR Approval (Award)	February 2022
Contract Award	March 2022
Contract Start	1 st April 2022
Mobilisation period	April 2022

1.18 Service Delivery Management

Contract and performance Management

Contracts will be managed by a designated Commissioning Manager, Adults Social Care, together with allocated Senior Commissioning Officer support, using the Council's Contract Management process and toolkit. Key performance indicators will be used to regularly monitor and manage quality as well as social value outcomes.

Payments will be made on quarterly basis subject to satisfactory performance.

Performance will be measured via quantitative KPI data, quality assurance of service delivery alongside the outcomes delivered for citizens.

1.19 Risk Management

The CPS approach is to follow the Council Risk Management Methodology and the Procurement Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service has been jointly produced and owned by Adults Social Care and Health commissioning and CPS with arrangements being put in place to ensure operational risks are appropriately mitigated.

1.20 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of these contracts. Tenderers will be required to submit an action plan with their tender that will be evaluated in accordance with the procurement strategy set out and the action plan of the successful tenderers will be implemented and monitored during the contract period.

Title of proposed EIA	Neighbourhood Networks Scheme
Reference No	EQUA698
EA is in support of	Amended Function
Review Frequency	Six Months
Date of first review	23/11/2021
Directorate	Adults Social Care
Division	Commissioning
Service Area	Prevention and Communities
Responsible Officer(s)	<input type="checkbox"/> Lise A Smith
Quality Control Officer(s)	<input type="checkbox"/> Gordon Strachan
Accountable Officer(s)	<input type="checkbox"/> Kalvinder Kohli
Purpose of proposal	Recommissioning of the Neighbourhood Networks Schemes
Data sources	Consultation Results; Interviews; relevant research
Please include any other sources of data	internal reviews and data analysis
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community; Not Applicable
Age details:	<p>Service user/stakeholders The NNS supports people 50+ to live independently within communities. Recommissioning will ensure that the NNS model and the support provided for citizens 50+ is sustained. The proposal is to extend the NNS to younger disabled adults 18+ as well. The impact on younger disabled adults is set out in the section below.</p> <p>NNSs are constituency-based networks, set up to develop community-based preventative support and connect citizens and professionals to groups, organisations, activities, services and places in their local neighbourhoods.</p> <p>They support the delivery of the vision for Birmingham Adult Social Care (refresh 2020). They are an</p>

integral part of Birmingham City Council's strength-based community social work model and the Prevention First Strategy, which aims to keep people living happy, healthy lives in their own homes and neighbourhoods, and make communities better, more inclusive places to live.

Community activities promote mental, emotional and physical wellbeing, friendships and social connections, addressing loneliness and isolation.

The aim of community-based prevention is for individuals to be able to access the right support, at the right time, enabling an early response/intervention to older people who are at risk of isolation, poor health, financial exclusion, difficulties managing their home, losing their independence and going into statutory care.

The NNSs map assets local assets (groups, activities and services) and make these available online to help citizens and professionals connect locally and find support. Each NNS carries out a gap analysis, identifying gaps in support and needs amongst the over 50s. They provide capacity-building to help organisations develop and deliver activities and services that meet identified needs, and grant-funding via a locally-managed grant panel. Each NNS works to an Outcomes Framework and specification, which requires them to make positive changes to citizens in the locality and increase the numbers of people participating in local activities.

Birmingham contains the largest number of areas where there is a very high risk of loneliness amongst older adults. Despite increasing life expectancy, there remains a significant gap in healthy life expectancy for both men and women in Birmingham, compared to the national figures (JNSA 2018-9).

The benefits to individual older citizens and their carers of the current NNS model has been clearly demonstrated (BVSC Impact Assessment Nov 2020).

Recommissioning will sustain this support for older adults. Impact will be assessed through equality monitoring of funded activities and review of performance against the NNS Outcomes Framework.

The NNS will encourage intergenerational activities, fostering good relations between young and old. NNS activities will be aligned to the Children's Partnership Early Help offer, promoting the whole life course approach.

The positive impact on older adults of sustaining the NNS, and on younger disabled adults from extending it, were the key messages from co-design meetings.

Wider communities

Older adults will be supported to live independently within communities. Accessing local activities and groups will connect them to others in their community, creating greater levels of interdependence and community cohesion.

Older adults are active in running community activities, making a positive contribution to their communities. The NNS will enable more older people to run activities,

and increase their skills and confidence to develop wider provision. Although the target group for NNS funding has been 50+, many activities support the wider community as well, for example, activities improving green spaces or cultural activities.

Impact upon employees

The services will be recommissioned externally in all constituencies where these services are already delivered via the third sector.

Recommissioning will provide continued employment opportunities; extension will create additional employment and volunteering opportunities.

Opportunities will be available through grant-funded organisations as well commissioned providers.

Organisations within this sector have a track record of providing opportunities for people with lived experience. Compliance with the Living Wage requirements is expected as part of the contract awards.

Protected characteristic: Disability

Disability details:

Service Users / Stakeholders;
Employees; Wider Community

Recommissioning and extending NNS will have a positive impact on people with disabilities.

Disability affects 40% of older people aged 60, and 75% of those aged 80 and above. 1 in 4 older adults live with a mental health problem (Age UK). It is estimated that around 40% of people with learning disabilities also have mental ill-health - more than double the number in the general population (skillsforcare.org.uk). People with visual impairment face barriers accessing support and opportunities (RNIB Research). People with hearing impairment and autism experience similar barriers. The proportion of disabled people who reported feeling lonely "often or always" is nearly four times that of non-disabled people (Disability, well-being and loneliness, UK: ONS 2019).

Recommissioning will ensure that older disabled adults can continue to access community-based support, and improved outcomes which the current NNS model has delivered (BVSC Impact Assessment April 2020).

Extending the NNS to younger disabled adults 18+ (with a learning disability, physical disability, autism, mental health issues, sensory loss or impairment) will enable them to access better community-based support and benefit from improved outcomes.

Asset mapping and gap analysis carried out by NNSs will identify support available from local organisations, and needs within local

communities. Grant-funding and capacity-building will develop activities and services to meet identified needs. Impact will be assessed through equality monitoring of funded activities and review of performance against the NNS Outcomes Framework.

Information-sharing and partnership working through the NNS will connect citizens and assets to support/care pathways, improving access to support and appropriate referrals. Access to the right support at the right time will enable an early response and successful intervention, preventing an escalation or deterioration in the situation and entry into statutory services. A whole life course approach is being adopted to ensure positive transitions for young people to adult based services.

The citywide structure will enable the NNS to address those issues affecting disabled people which need a citywide focus and solution, for example accessible transport

Wider community

Vulnerable disabled adults will be supported to live independently within communities. Accessing community-based support locally will connect them to others in their community, creating greater levels of interdependence and community cohesion.

Co-production is a key principle of the NNS. Disabled adults will be involved in steering groups, grants panels, and gap analysis, developing local solutions and making a positive contribution to their communities.

Comments at co-design meetings were extremely positive about the benefits of extending NNS to younger disabled adults.

Impact upon employees -
see above

Protected characteristic: Sex

Gender details:

Service Users / Stakeholders; Wider Community

There will be a positive impact on gender equality.

Activities for men are an NNS priority as men are at high risk of loneliness and isolation. Gap analysis carried out by current commissioned providers has identified needs for women from particular ethnic communities in constituencies such as Yardley and Ladywood, and these have been addressed by NNS capacity-building and grant-funding.

This characteristic will continue to be addressed in the new Outcomes Framework and specification for NNSs. Asset mapping and gap analysis will identify organisations providing support, and needs within local communities. Capacity-building and grant-funding will develop activities and services to meet identified needs. Impact will be assessed through equality monitoring of funded activities and review of performance against the Outcomes Framework.

Codesign meetings did not receive any questions or comments related specifically to gender.

Wider community

Older men will be more connected to others in their community through greater involvement in community activities , creating greater levels of interdependence. Women, particularly women from ethnic minority communities, will be more visible and active in their communities, making a positive contribution.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Service Users / Stakeholders

There will be a positive impact on transgender people.

A citywide structure and grant-panel will be included in NNS April 2022+, to improve support and access to grant-funding for communities of interest who are spread geographically across the city, with less access to constituency-based grant-funding.

LGBTQ+ citizens will be a key target group for the citywide structure and grants panel. NNS capacity building and equality and diversity training will ensure that groups and activities are accessible and inclusive of their needs. This will be reviewed through equality monitoring of NNS activities.

Comments at co-design meetings were extremely positive about the benefit of the citywide structure and grant panel on LGBTQ+ groups.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Protected characteristics: Pregnancy and Maternity

Not Applicable

Service Users / Stakeholders;
Employees; Wider Community

Pregnancy and maternity details:

Should the business case be approved for working age adults the assets will be accessible both in terms of access to resources.

Protected characteristics: Race

Service Users / Stakeholders; Wider Community

Race details:

The recommissioning and future model of NNS will have a positive impact on race equality, for individual citizens and within the wider community.

The NNS Outcomes Framework has a specific outcome of increasing the numbers of people from ethnic minority groups participating in local groups and activities, and this will be included in the new specification.

The disproportionate impact that Covid-19 has had on ethnic minority groups will also be included.

Asset-mapping by NNSs identifies organisations providing support for different ethnic minorities, and gap analysis identifies local needs. Grant-funding and capacity-building develops activities and services to meet these needs. Impact will be assessed through equality monitoring of funded activities and review of performance against the Outcomes Framework.

NNS make links with hard-to-reach communities and bring ethnic minority groups into partnership arrangements, raising awareness of their needs and their contribution to their local communities. NNSs strengthen small and emerging organisations supporting these communities by capacity-building. They provide training on equality and diversity, ensuring that partnerships and organisations work in a way that is inclusive of diversity.

Case studies and interviews shows how the NNS supports assets to provide much needed, tailored

support for communities who have felt isolated or overlooked; and how the inclusive strategy of NNS ensures that all funded assets are designed to be inclusive and welcoming to all older people regardless of ethnicity, ethnicity and other protected characteristics (Ethnic Minority Groups Supported by NNS and P&C, BVSC April 2021).

The citywide structure and grant-panel will give the recommissioned NNS the mechanism to respond to the needs of ethnic minority groups who are spread geographically across the city, supported by a city-wide organisation, and travel to where the city-wide organisation is based. Communities served by city-wide organisations have less access to a constituency- based funding model.

Figures from the Institute of Superdiversity at Birmingham University show that people of 187 different nationalities have settled in Birmingham. It is anticipated that new and emerging groups, such as the Eritrean community, would benefit, although further evidence of their needs is required.

Comments received through codesign meeting were very positive about the benefits of the NNS to ethnic minority groups.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Service Users / Stakeholders; Wider Community

There will be a positive impact on religion and belief, for individual citizens and the wider community.

Faith-based organisations are key partners in the NNS. NNSs raise awareness of their contribution. They

bring organisations representing different faiths and beliefs into local partnership arrangements. NNS capacity-building and equality and diversity training ensure that partnerships and organisations work in a way which is inclusive and respectful of different faiths and beliefs, and that local activities are inclusive of the needs of faith-based communities.

Gap analysis will identify the needs of faith-based communities who are under-represented in community activities so that action can be taken to address barriers in accessing support.

The NNS was key to the city's response to the Covid-19 pandemic, co-ordinating, grant-funding and directly delivering the Third Sector emergency response. Feedback from citizens suggests that the role played by faith organisations is likely to have long term positive impacts on community cohesion (Ethnic Minority Groups Supported by NNS and P&C, BVSC April 2021).

Impact will be assessed through equality monitoring of funded activities and review of performance against the Outcomes Framework.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders; Wider Community

Sexual orientation details:

There will be a positive impact on sexual orientation equality.

The NNS has a specific outcome of increasing the numbers of people from communities of interest participating in local groups and activities, and this will be included in the new model. The needs of LGBTQ+ citizens will be identified through local gap analysis. Equality and diversity training and capacity-building provided by NNS will ensure that local assets and activities

will be accessible to LGBTQ+ citizens and inclusive of their needs. It is intended that LGBTQ+ citizens will be more active and visible in their communities, that there will be greater awareness of their needs and the positive contribution they make.

LGBTQ+ citizens will be a key target group for the citywide structure and grants panel.

All support and activities of the NNS will be required to be respectful and sensitive to specific needs related to this characteristic in line with The Equality Act. The number of LGBTQ citizens benefiting from NNS funded activities will be reviewed through equality monitoring.

Comments at co-design meetings were extremely positive about the benefit of the citywide structure and grant panel on LGBTQ+ groups.

Socio-economic impacts

The recommissioning and future model of NNS will have positive socio-economic impacts.

There are economic benefits for local communities of commissioning voluntary and community organisations to deliver activities that meet Council priorities (Locality: Keep it Local March 2020).

Social value is a key part of the commissioning strategy and providers will be required to evidence their contribution.

The NNS outcomes framework and local gap analysis will include socio-economic needs, recognising and addressing the disproportionate impact of Covid-19. NNSs will align their priorities and activities to the Covid-19 Economic Recovery Strategy and will be key delivery partners across the 4 Themes.

The NNS will support the wider community as well as service users/stakeholders. NNS capacity-building will support local organisations to develop and become sustainable, creating volunteer and paid employment opportunities for local citizens. Grant-funding will increase the breadth, relevance and accessibility of the community offer, making neighbourhoods more vibrant places to live. Activities will improve the local infrastructure and environment, for example, through developing green spaces.

The funding formula for NNS takes into account the different profiles of Birmingham's constituencies, and levels of deprivation, recognising the greater needs of deprived communities. Over £2million of grant-funding has been distributed through the NNS to date. The proposed model will bring additional funding into constituencies, targeted toward Birmingham's most deprived communities. Information about the purpose and beneficiaries of all grant-funded activity is collated and reviewed. This will allow the impact of the NNS in this area to be assessed.

-

Please indicate any actions arising from completing this screening exercise.

Not as a result of this screening. An EA impact log will be maintained

throughout the recommissioning process in order monitor and address any adverse impacts.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

Demographic data__
Social care client data
Future demand modelling
Consultation responses
Analysis of data evidences the need of younger disabled adults and older adults, and the numbers affected by this proposal. Evidence shows the impact of the NNS on improved outcomes for older citizens and the likely impact on younger disabled adults.

Consultation analysis

over 300 stakeholders have been engaged through a co-design activity. Additional comments were received through BeHeard. These groups were engaged:

- Older adults and disabled citizens who currently access NNS services, and Prevention and Community programmes;
- Voluntary and community sector groups representing disabled adults and communities of interest;
- constituency-based and citywide groups
- wider voluntary and community sector;
- NNS assets and Steering Group partners for each constituency;
- Existing providers delivering the NNS contracts;
- Social work teams and aligned BCC services;
- Primary Care Networks, Senior Managers within both BSOL and Sandwell and West Clinical Commissioning Groups.

Comments and questions relating to equality and diversity related to key themes:

- There was an overwhelmingly positive response to extending the NNS to younger disabled citizens. Participants said it was important to respond to need, not age, and that as the needs of disabled adults are likely to increase with age, preventative support before 50 was crucial to reduce and delay the impact.
- The lack of support available for younger disabled adults with learning disabilities was highlighted, and the particular difficulties of navigating and accessing support at key transition times, eg. moving from Childrens to Adults services.
- The impact of covid-19 on mental health issues for all communities
- The disproportionate impact of Covid-19 on ethnic minority groups, particularly the mental health of young black men and communities where mental health issues are not openly discussed, and people find it difficult to recognise them and identify the need for support, or how to access it
- The lack of support services for people whose first language is not English was highlighted
- The need to involve younger disabled citizens, and groups supporting them, in NNS structures to ensure that their voices are heard and their needs met
- The importance of ensuring that sufficient resources are available to meet the requirements of an extended NNS, recognising that supporting younger disabled adults, particularly those with mental health issues and learning disabilities, may require more intensive and specialised support
- The importance of retaining the current NNS specialism in supporting older adults, and of bringing in the equivalent expertise in working with

- younger disabled adults, particularly those with learning disabilities
- Concern that support for older citizens may be diluted if the extension is not matched with the required resources, both for Lead Facilitators staffing resources and for grant-funding activities

Adverse impact on any people with protected characteristics.

A potential adverse impact on older people has been identified if the NNS is extended to include younger disabled adults, without adequate resources to meet their needs.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

The funding requirements of an expanded NNS will be rigorously costed and different models optioned and presented to Cabinet. This will ensure that the final model approved is adequately resourced to deliver all the building blocks of the NNS model.

How will the effect(s) of this policy/proposal on equality be monitored?

This will be done through the Outcomes Framework for NNS. Equality data and evidence of impact and positive changes for groups with protected characteristics will be monitored and reviewed at constituency level by individual NNSs. Data will be collated, aggregated at citywide level and reviewed by the Commissioning Team.

What data is required in the future?

Equality data for NNS grant-funding will be collected and reviewed. The NNS outcomes framework will specify positive improvements in the lives of

citizens with relevant protected characteristics and data (quantitative and qualitative) will be collected and reviewed.

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

There will be a positive impact on impact on citizens with protected characteristics, including older citizens, younger disabled adults, men, women from underrepresented communities, ethnic minorities, faith communities and LGBTQ+. There will be positive impact on citizens and communities experiencing socio-economic disadvantage.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

The Neighbourhood Networks Scheme (NNS) was set up in 2018 to support the delivery of the vision for Birmingham Adult Social Care (refresh 2020). NNS are constituency-based networks responsible for developing preventative community-based support and activities for older adults 50+, enabling them to live independently in their communities.

Recommissioning the NNS will ensure the sustainability of the model for 5-7 years, ensuring that the benefits it has delivered for older adults (and older disabled adults) to date will be sustained and developed.

It is proposed to extend the NNS to working age disabled adults, pending approval of the business case by the corporate centre, so that they will

benefit from the improved outcomes that the NNS has delivered to older adults.

Research and analysis (both internal and external) reviewed demonstrates the level of need that the NNS is designed to address.

Evidence from the current NNS shows a significant positive impact for older citizens (including older disabled adults), on their health and wellbeing, improved social participation (reducing isolation and loneliness) and reduced financial exclusion. Evidence also shows a benefit for wider community.

Promoting equality and addressing exclusion are key to the model of NNS delivery. The NNS Outcomes Framework requires them to increase the numbers of people from under-represented group participating in local activities, particularly men, ethnic minority groups and communities of interest.

Evidence reviewed showed the positive impact that the current NNS has already had on men, women from particular ethnic groups, ethnic minority groups and faith communities.

The new NNS model will include a citywide structure specifically to address the needs of communities of interest and ethnic minority groups who are spread geographically across the city.

The Outcomes Framework for the new model will recognise the disproportionate effect that Covid-19 has had on particular communities, and existing inequalities. NNSs will be key delivery partners in the Covid-19 Recovery Strategy.

Codesign meetings were held with over 300 people from a wide range of stakeholder groups, including

citizens, and additional comments were received via BeHeard. Analysis of comments show a very high level of support from all stakeholder groups for the recommissioning and extension of NNS, and the new citywide structure.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Date approved / rejected by the Accountable Officer

09/06/2021

Reasons for approval or rejection

The commissioning of NNS will have a positive impacts upon older people. Should the bussiness case for working age adults be approved this will provide further benefits to citizens and local communities. The NNS are locality based by design and therefore will maintain local employment opportunities and volunteering.

Please print and save a PDF copy for your records

Yes

Julie Bach

☐ Lise A Smith

Person or Group

Content Type: Item

Version: 40.0

Created at 25/05/2021 01:40 PM by ☐ Lise A Smith

Last modified at 09/06/2021 03:39 PM by Workflow on behalf of ☐ Kalvinder Kohli

Close

Introduction

An engagement process took place between February and April 2021 to inform the recommissioning of Neighbourhood Network Scheme [NNS], due to start from April 2022. The commissioning team set out to engage as many stakeholders as possible to test out proposals and listen to ideas. Over 500 people from a wide range of backgrounds and perspectives were invited to participate with 339 actively responding.

Stakeholders included current NNS providers, social work staff, health professionals, housing and other public sector staff, as well as voluntary sector stakeholders. There was a mix of people already engaged with an NNS and some stakeholders who were new to it. Citizens with relevant lived experience were also engaged [approx. 35], this was done by attending existing forums; there was a mix of people already volunteering with an NNS and those who did not know about it. Due to the pandemic it was harder to engage some groups of citizens because they were not attending physical meetings or were unable to access technology for example, those with a learning disability and Autism. All Councillors were invited to join a discussion in their local NNS steering group meeting; eight Councillors were able to participate.

Most stakeholders were invited to a meeting, arranged by commissioning, at which a presentation was given explaining the NNS and then each of the 6 codesign questions were discussed. For others the commissioning team attended existing externally arranged meetings, the same format of a presentation followed by discussion of the 6 codesign questions was followed. Feedback was recorded by the commissioning team as summary of responses for each meeting. Alongside this the codesign questions and supporting information were uploaded to Be-heard and the link shared widely. We received 18 completed questionnaires.

A summary of the meetings, numbers and designations of respondents can be seen in the table at the end of this report.

Summary of responses to the codesign questions

Q. 1 - *Currently the NNS is focused on developing local communities to enable people over 50 to stay independent; do you agree that we should expand this to all adults that might (at some point) have care and support needs?*

A large majority of stakeholders [over 90%] agreed that we should extend to disabled adults over 18; but with some reservations. In support of including younger disabled adults in the NNS the following are typical of the feedback we received:

- Birmingham a young city therefore there is a strong case to extend, “everyone eventually gets to be older so start on prevention earlier.”
- It would be discriminatory for disabled people under 50 not to benefit from the NNS.
“I am and remain a strong believer that all people (children, young people and adults) with a learning disability and/or autism who display behaviour that challenges, including those with a mental health condition, have the right to the same opportunities as anyone else to live satisfying and valued lives and, to be treated with the same dignity and respect. All people should 'have a home' within their community, be able to develop and maintain relationships and get the support they need to live a healthy, safe and fulfilling life.”
- Social Workers strongly supported expanding; it would align better with 3C’s approach as well as other prevention and early intervention services. There was a particular emphasis on need for those with Learning Disabilities to benefit as well as how the NNS could support hospital discharge services.
- Feedback from Citizens was strongly in support of a fairness and equalities argument for extending to younger disabled adults.
- One Citizen said: “some younger adults are living with a profound disability and don’t have many opportunities”.
- Citizens were also positive about possibilities for improving intergenerational relationships and partnerships

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- Citizens working with Ageing Better felt that when the Ageing Better programme ends in 2022, the NNS is well placed to continue their capacity building work.
- A Be-heard respondent said –
“The work of NNS so far has been brilliant, there is nothing like it for 'working age' adults. I hear often that it is really challenging for people to connect with local opportunities and to find out what is available. In particular I hear that people are looking for groups that are accessible for people with a learning disability/ autism and relevant to the interests of younger adults.”

Reservations about extending were mainly about how ASC manages this development, the timing of extending, and a need for caution. Understandably existing NNS lead facilitators and steering group members gave the more comprehensive responses which are summarised below:

- Concern that NNS extension would increase demand on voluntary sector without the investment to develop capacity – sector already stretched and “battered by the pandemic”
- Concern about diluting and weakening a model that works – “don’t move away from a model that works”.
- Concern NNS leads lack specialist skills in specific disabilities like Autism and some felt that NNS capacity building work for younger disabled adults might be more complex than it is for older people.
- Several NNS leads stated that key they work with existing orgs that have expertise / specialist knowledge in relation to specific conditions.
- People wanted to see that the Council was reinvesting savings made so far from prevention services to expand NNS to younger adults with a long-term disability
- GP’s now have Social prescribers in post, and they work well with the NNS, but there is a concern that they are not backed by any investment in the sector. There may be a danger of high demand, across a wider age/ disability range, for community support watering down the NNS scheme.
- Need to make sure community assets not stretched into supporting citizens with needs that are too complex for small groups and service
- Concern that citizens with high levels of need still get support via ASC directly provided services or direct payments, rather than inappropriately ‘pushing them’ towards community assets.

Q.2 - If you agree that we should expand NNS to all adults that may at some point have care and support needs, is there anything we need to consider to ensure this expansion is successful?

The existing lead facilitators and steering group members had the most to say on this question:

- Make sure the learning from the pilots is used to inform the extension to younger adults
- Must ensure adequate **additional resources** for expansion. Support for these groups is more specialised/resource intensive. Concern that it will need more specialist staff in the NNS.
- Most leads felt it better to keep the younger adult work separate but linked to main NNS work, need to prevent diluting older adults work.
- Need to make sure community support developed in a sustainable way and is good quality – caution needed in how assets expanded to support younger disabled adults.
- Concern that larger provider organisations might dominate community activity (e.g. take most of grant funding), this may result in the role of community assets being diminished."
- Need for the NNS to stop providing a Covid19 emergency response and return to its prevention and community capacity building focus. A danger that the NNS get entrenched in emergency response mode.
- But be careful not to duplicate and make sure each NNS develops right partnerships with other organisations who are running services in the different disability groups.
- More work needed on gap analysis to include more diverse communities. Need more awareness of what languages are spoken, ensure services are accessible to people who don’t speak or read English. Need to look at more trust issues, unemployment levels and newly arrived communities.

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- Race and ethnicity. You must provide activities that are relevant and respectful of an individual's background and culture. There is no point setting up a choir for lung health in Balsall Health if you omit kwali, Ghazals and Bollywood music. Avoid the bland. Do not expect everyone to leap into activities unless you have asked them what they want first.
- Look at employing people from local area to build sustainability of community-based support.
- Specialist support organisation could help developing support and activities based on what younger disabled adults want. There should also be co-production with younger disabled adults about the support they want in their networks, neighbourhoods and communities. There is a need to make coproduction more creative so people can actively take part in engagements.
- NNS staff will need training in specific issues or conditions. For example, mental health issues, the social communication and environmental needs of autistic people. Likewise need to look at development needs of existing assets to support disabled adults
- Developing community-based support for people with mental health needs should be a priority
- Need to build on an strengthen links with ASC social work teams and the new Community Network Support Officers etc. In some constituencies the partnership is not working as well as it should.
- Citizens within group should all be safe guarded with appropriate training provided to community assets.
- More work will be needed on improving the accessibility of venues and facilities. For example; for the Deaf community information being published will need to be in an accessible format (easy read, QR code, BSL). Also, transport is a big issue and the barrier for citizens using community-based activities. There needs to be funding to make venues and spaces accessible including outdoor spaces like allotments
- Data is crucial to any expansion. BCC has data on funded packages of care, but it does not have data on other activity e.g. external funded programmes, volunteer activity, faith group support etc.
- A refresh of the asset mapping will be needed to identify what we have and what is missing in terms of support for younger disabled adults.

Citizens made some specific points in relation to expanding the NNS:

- Citizens struggle to understand what the NNS is and how to engage with it, each of the 10 NNS has a different approach and style – there is a recommendation that we develop some communications that give an overview of the NNS for citizens and perhaps develop branding for the NNS. But all of this should link back to the local NNS's.
- There was a view that the NNS should have more of a focus on supporting carers – including funding carers to run peer support
- Citizens were also strongly in favour of developing mental health support, this might include peer led support.
- People with learning disability need to be part of the community, we don't always have the right spaces in communities. Day centres should share their spaces with different services and groups, the Council owned premises don't seem open to this.

Social workers raised the following:

- Priority to develop support for those with learning disabilities especially in terms of social interaction and skills development
- The Out of Hours service respond to lots of MH issues and would like to understand how they can work with the NNS

Q.3 – *Reviewing each of the 10 NNS building blocks: a.) What should we keep and build upon? b.) What needs to be adapted or expanded? c.) Are there any aspects of the NNS we should stop doing?*

Across stakeholder groups, both those currently involved and those that were new to the NNS, there was a strong sense that the ‘building blocks’ of the NNS work well and should be retained and refined, rather than any being removed or added. The exception was a citywide element to the NNS which is covered in question 4 below.

One Be-heard respondent, in relation to the question about what would improve the building blocks of the NNS said; *“I can't think of anything. The NNS teams I have worked with to put together applications and support us in developing projects, have been brilliant.”*

From a citizen perspective there is a need to improve information, advice and guidance in relation to community assets and preventative support. This is not one of the NNS building blocks although they do contribute to this via publish asset mapping and support to professionals. **Should other parts of the Health and Social Care System do more, or is it a matter of better joining up the IAG we already have in the Health and Social Care System?**

There were general points made by some of the NNS leads about learning from the work of other parts of the Council, *“its important to learn from neighbourhood working and localisation across BCC rather than reinvent the wheel within Adults”*. Also, *“In terms of informing and enabling some of that strategic alignment, there's a real opportunity for the NNS to shape how a lot of BCC strategic work across the city is aligned.”* Another NNS lead stated that we need to consider the social justice agenda and how NNS's are addressing and building that into the future workstreams.

Asset Mapping – more resources need to be put into this. NNS will need to do have a renewed focus on asset mapping especially if extension to younger disabled adults takes place. Connect to Support is a good resource but need to be promote more so it gets the use it deserves. A Be-heard respondent stated that Connect to support is not an easy to use or upload information to and therefore it isn't used by smaller community organisations. There is also confusion between this and Routes to Wellbeing and other directories held by NNS lead organisations. Also feedback about people finding the post code search problematic [*this has recently been improved*]. Social workers acknowledged they needed to be more effective at increasing usage of Connect to Support and awareness, some don't know it exists or has been updated. Also, helps that NNS leads sending SW teams regarding monthly updates on assets.

Coproduction [citizens with lived experience] - Need to look at how coproduction can work more effectively and what parts of the NNS it should focus on. The pandemic has held back plans to develop coproduction for many of the leads due to difficulties recruiting citizens and need to do everything online. The citizens spoken to were keen to share their lived experience by helping with things like gap analysis and grants panels. One be-heard response stated it would be good to see the scheme helping people with disabilities to start their own groups and be actively engaged with leading the local work. A recommendation that community organisations who are planning a project pass ideas through a community citizens panel in each area - before getting to grant stage.

Partnership with Social worker [and other professionals] – This is not consistent, some NNS's feel constituency SW Teams are not engaged enough and not always actively participating in steering groups and gap analysis work. More ownership of the partnership needed by social workers. Social workers and social prescribers should be more widely engaged with citizens, not just those with care and support needs, this can't be left to community organisations solely. Post Pandemic work needed to get social workers back out in the community, it feels like this has gone backwards. Social workers acknowledge that after the pandemic – *“Work needs to be done in getting social workers back out in the Community.”*

Some good engagement from social prescribers in NNS and with local assets, but this is not working in some areas. One suggestion that social prescribers should bring their own budget to invest. Overall leads consistently say there is a need to develop the relationship with PCNs and GP's – social prescribers often feel marginalised by GP's.

Networking events – the feedback is that everyone finds these very helpful and they have been missed in the Pandemic. *"I like 'check in, networking' events - where you can pop in and remind yourself what assets are doing. We get really busy with our own programmes that having the NNS to bring us together - is very useful!"*

Steering Groups – in the Be-heard responses there is some criticism of how the steering groups operate, it is likely that some are working better than others. "it is not a participatory process it is an arm's length City provision with very little input in planning and development by community organisations and limited understanding of community provision." Another person said; "Our steering group influences nothing, we just receive reports. There has been a digital inclusion subgroup but little else. Councillors don't attend and in speaking to some of them, don't understand the relevance of the group."

Capacity Building & Gap Analysis - Need to develop capacity building offer to enable more 1-1 support and guidance for assets in terms of governance and business development. It would be good if we had more resource within the NNS team to offer this level of support because it is very time intensive and we only have small teams. Better communication channels are needed with minority communities in Birmingham. Don't make the mistake of amalgamating 'BAME' people together to make it easier for organisation to provide support; we still need to respond to those individual and cultural needs. We need more support/awareness work to encourage smaller community groups to get involved in the NNS. Social workers acknowledge the importance of their contribution to gap analysis; "...lot of work needs to be done there and SW need to be feeding in what they learn from discussions with citizens." Another social worker comments that, "Citizens are telling us things that they want; they could be part of fun ways of interacting and learning from each other like the speed networking events. This allows for great ideas to go into the planning."

Grants Schemes – This works well locally, and the model of local panels is good. A standardised grant form and process would be useful for consistency and would feed into a central grant panel more easily. A specific question from citizens was whether enough small local organisations were accessing the grants?

NNS Support and Develop from BVSC – Some leads felt BVSC should provide a more localised approach that incorporates individual review meetings with each NNS. This would be helpful in terms of sharing local and City-wide intelligence and insight. Other suggestions were to provide more of a developmental role in terms of upskilling NNS teams. One lead commented that they were not convinced about BVSC's role; "I've had nothing from them and need more transparency about what they can offer". One Be-heard responded suggested BVSC's role should be externally evaluated for its effectiveness.

Q. 4 - Do we need to add a 'City-wide' NNS to the model for 'communities of interest' that are not linked to any neighbourhood? For example, we are wondering if this might improve the support for citizens from the LGBTQ+ community or Deaf Community etc. Or ethnic minority

- Most stakeholders, include social workers, supported adding a city-wide NNS; *"I strongly support this, we have communities that are not geographically based, this is a brilliant idea."*
- A citywide element to NNS will cater for smaller groups dispersed across the City have insufficient numbers in an individual constituency for them to be identified as a gap
- In some instances, its best to develop community assets to support a 'community of interest'. Some examples might be the LGBTQ+ community, some faith communities or ethnic minority communities that are fragmented across the City.

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- An NNS lead commented that the Somali community recently shared that they don't feel included and would welcome more interaction and opportunity – a city-wide approach would work for them.
- People don't live according to organisational and ward boundaries.
- A citywide NNS would need a mechanism to ensure people are linked back to their local NNS and for City -wide and local NNS to work closely together.
- Citywide would work better for some grant applications for preventative support.

What needs to be considered to make this work?

- Any citywide element but needs to be an integral part of overall NNS model.
- Both citywide perspective and local focus are important – needs to be balanced without one dominating.
- The citywide structure needs to have a separate budget
- Could work for tackling big trends Cross cutting themes and solutions can be shared across city and will save resources
- Would be useful to include a lot of the partnerships that are present at the Steering groups to inform decisions at citywide level – they have a rich background of citywide issues.
- Need to decide what data is used to priorities the gap in analysis.
- Need a city-wide NNS strategy to address the cross-cutting issues
- We need to identify the 'big ticket' priorities which are citywide and then make a case based on a need's analysis (to the Council and other stakeholders) for financial resources to tackle these priorities.
- Some suggested priorities were digital inclusion, mental health support, jobs & skills, poverty, domestic violence.

Concerns –

- Not convinced BCC has the ability or the infrastructure to develop and implement a cross city strategy
- Maybe you don't need a citywide structure, just the option to do one grant application instead of 10 different NNS schemes - each one contributing bit of their grant funding
- Need a mechanism to engage people with local NNSs and vice versa.
- A specialist vol. organisation commented that they weren't sure the deaf community would benefit from citywide.
- Don't take funding away from constituencies, have a central budget for citywide services.

Q. 5 - So far, the NNS has been driven by Adult Social Care and our Voluntary Sector partners; but which other parts of the public sector should be part of this?

Stakeholders gave a long list of public sector organisations which they consider should play a more active role in their constituency NNS.

Health / NHS organisations

Whilst there are good partnerships with Social Prescribers, but this does not follow through into the rest of the Health Service. The Pandemic has drastically reduced the capacity of Health professional to engage with the NNS; however, existing NNS leads have consistently said that there was a lack of engagement before the Pandemic started. Some NNS's had GP surgeries engaged prior to the Pandemic but this stopped and currently it's very difficult to get engagement. The majority of Social Prescribers are managed by the voluntary sector and several are also NNS leads so it is not surprise that they have engaged well with the NNS. Stakeholders suggested the following parts of the NHS should engage:

- GP's / Primary Care Networks
- NHS Community / primary care services
- Hospital discharge teams.
- Community mental health professionals

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- The IHub is key link with health for hospital and community bed-based discharges. The integrated hub is a service that monitors and supports activity across the whole hospital discharge area

Children's / Early Help

The partnership with Children's Partnership Board in relation to their Early Help work should be developed. There is some existing partnership work and some of the NNS providers are also delivering Early Help but there was a feeling this need further development.

Other parts of Birmingham City Council + Housing Associations

- The City Council's NDSU were also keen to point out that two of the NNS's are facilitated by them.
- Suggestions included BCC Equalities and Community Safety participating in the NNS
- BCC Housing Officers as well as external Housing associations who deal with people either in supported housing or general needs housing, those who are flagged up within their system as lonely, isolated. A lot of progress has been made on the partnership with BCC Housing but clearly more can be done.
- A suggestion of linking with Conrad Parke who runs Birmingham Anchor Network
- Cascade knowledge of the NNS other BCC funded projects e.g. Vulnerable Adults; PURE 2 employment support.

West Midlands Police

- Build on partnership with the Police – currently most steering groups have Police involvement
- Include the substance misuse providers Working with the Police on a "Connected Communities" project
[Note substance misuse not included in work of NNS]

Care Home Providers - Social Care

- Care Homes activity workers could play a role in NNS
- Engaging with care homes to support resident to reconnected to their communities.

Museums sector

- They do great work with older people; Birmingham Museums Trust could apply for grant funding and they would deliver fantastic work

Other suggestions for Public Sector involvement -

- Department of Work and Pensions in relations to their Benefits work in Birmingham
- A link with Education and schools to connect children and young people's voice to the NNS work. Also to get the voices of young people in relation to developing NNS for younger disabled adults.
- Green spaces and parks – improve links to work in this area including the "Future Parks Accelerator Project"
- Tapping in with universities and colleges as they will have some new ideas.

Q.6 - *Is there anything we need to consider so that the NNS can work well with the Children's Partnership Board's 'early help' offer / contribute to developing a 'whole life course approach'?*

- For Early Help the default option should be local third sector providers with minimal statutory input, only as needed/specialist roles.
- Agree in principle with the whole life course approach but is it realistic with resource cuts?
- We need a focus group for whole life course which includes Preparation for Adulthood, Early Help and NNS.
- Make sure knowledge of Early Help offer/other initiatives is shared widely with partners; groups and assets

NNS Cabinet Report - APPENDIX 3 – Co-design engagement summary

- Mirror the 'Right help, right time' guidance i.e. levels of early help can be identified, and certain help is provided at certain level. If there was a similar model for adults, staff would know when and where to link adult and children services. For example; there would be no gaps in service with domestic abuse situations.
- The ideas being used by the children's trust where early identification and intervention officers are being used as facilitators and convene meeting. They will lead and steer the support offered to families. This would be a good model to adopt.
- Feedback from social workers suggests there is desire to join things up – *“Within Adults we are a little bit disjointed still from Children’s, but I know there’s a lot of areas where we’re trying to rectify that. E.g. - preparation for adulthood and family group conferencing teams.”*
- Community network support officers are also going to be working with children and the whole life course approach so this should help integration.
- Work on the link with Preparation for Adulthood Team, this should form a natural part of NNS partnerships (particularly if extension NNS to younger disabled adults goes ahead)

Summary of meetings, numbers and designations of respondents

Date/s	Type	Number	Who was Represented?
9/03/2021, 10/03/2021 11/03/2021, 16/03/2021,	4 Stakeholders events – presentation & discussion: 1 for Constituency SW Teams and 1 for citywide & specialist Teams 2 events for general stakeholders	76	BCC HoS, BCC Commissioning Managers, SW HoS, TM's, SCPs, SW, NNS, Forward Carers, LGBT, Mencap, BVSC, Arts Group, forward Carers, Head of Community Partnerships, Healthwatch, St Giles Hospice, CCG, Birmingham Community, BCC Head of Business Improvement, Education & skills, Public Health, Community Catalysts, Groundworks, Gateway Family Support, Inclusive Growth, Housing, Neighbourhoods, NHS, Birmingham Older Peoples Programme Board
18/03/2021	Stakeholders (information sent via Email e.g. presentation & links)	195	BCC HoS, BCC Commissioning Managers, SW HoS, TM's, SCPs, SW, NNS, Forward Carers, LGBT, Mencap, BVSC, Arts Group, forward Carers, Head of Community Partnerships, Healthwatch, St Giles Hospice, CCG, Birmingham Community, BCC Head of Business Improvement, Education & skills, Public Health, Community Catalysts, Groundworks, Gateway Family Support, Inclusive Growth, Housing, Neighbourhoods, NHS, Birmingham Older Peoples Programme Board
09/03/2021	BCC SW TMs small group	5	Community Partnership Worker Role + Northfield & Edgbaston TM's
28/01/2021	Local assets - Northfield Community Partnership	11	NNS funded / supported assets
03/02/2021	DRC Yardley - NNS Leads	7	NNS Contracted lead facilitator
15/02/2021	Erdington - NNS Leads	4	NNS Contracted lead facilitator
17/02/2021	Ladywood NNS partners	6	
19/02/2021	Hodge Hill NNS Leads	6	NNS Contracted lead facilitator
25/02/2021	Hall Green NNS Leads	5	NNS Contracted lead facilitator
03/03/2021	Yardley NNS Steering Group	17	Incl. Cllr Marje Bridle, 2 TAWS and 1 resident (Stechford Forum) also 3 NNS funded projects
25/02/2021	Focus Birmingham – visual	5	Citizens with visual impairment

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	impairment service user group		
24/03/2021	BSMHFT - MH coproduction group	9	Citizens – 8 with experience of MH issues
16/04/2021	Age of experience	8	Citizens
02/02/2021	People for Public Services	10	Citizens
17/03/2021	People for Public Services	6	Citizens
TBC	Cllr Locke Meeting	1	Emil met with Cllr Locke
12/03/2021	Edgbaston Leads [Age UK]	3	NNS Contracted lead facilitator
19/04/2021	Northfield NNS Lead	3	NNS Contracted lead facilitator
08/04/2021	Perry Barr NNS Steering Group	25	Incl. Cllr Hamilton and Cllr Narinder Kooner
08/04/2021	Hodge Hill NNS Steering Group	17	Councillors were invited, but did not attend
14/04/2021	Hall Green NNS Steering Group	25	Councillors were invited, but did not attend
12/04/2021	South - Edgbaston & Northfield NNS steering Group	16	3 Cllr's attended that don't normally - Cllr. Kate Booth, Cllr. Simon Morrall, Cllr. Julie Johnson
22/04/2021	Selly Oak NNS Steering Group	18	Incl. Cllr Karen McCarthy
10/02/2021	P&C Grants Provider Forum	25	P&C Grant's Providers
TBC	Emil met Steven Raybould	1	BVSC leadership
14/04/2021	Erdington NNS assets and interested parties	5	
13/04/2021	Ladywood NNS assets	8	
28/01/2021	P&C Provider 1-1	1	Arts provider - BCAT
29/04/2021	Be-heard Online Survey (to be updated 7-5-21)	18	Community Catalysts Woolly Mammoth Stitch Works CIC RnR Organisation Hip Hop H.E.A.L.S. Handsworth Association of Schools Aesop UCAN Birmingham Black Country and West Birmingham Clinical Commissioning Group Athac Stechford Village Neighbourhood Forum Local Ward Councillor Druids Heath & Monyhull Birmingham Centre for Arts Therapy Brandwood Community Centre
		Total 534 engaged Responses from 339	

Environment and Sustainability Assessment

Project Title:	Neighbourhood Network Schemes Recommissioning			
Department: Adult Social Care	Team: Prevention & Communities Commissioning Team	Person Responsible for assessment: Matthew Bick		
Date of assessment: 13 th May 2021	Is it a new or existing proposal? Existing proposal to be recommissioned and extended			
Brief description of the proposal: As part of Adult Social Care's strategy to prevent, reduce and delay the need for Citizen to access long-term care service; we have 10 Neighbourhood Networks Schemes (NNS) working to develop a range of community-based support within neighbourhoods. They do this by asset mapping, capacity building, localised commissioning, developing partnerships with the voluntary sector, Health, Social Care and other parts of the public sector. We propose to recommission and extend NNS starting from April 2022 for 5 years.				
Potential impacts of the policy/development decision/procedure/ on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources- Impact on natural resources including water, soil, air			√	
Energy use and CO ₂ emissions			√	
Quality of environment	√			Each NNS has worked with local older people to identify ways to promote wellbeing and independence through being active. This has led to mapping of environmental groups or activities and small grants for community projects that improve the local environment. E.g. community led litter clearance.

Impact on local green and open spaces and biodiversity	√			<p>Each NNS has mapped local green spaces and activities / groups / services active in these places. The NNS promotes positive participation of older and disabled adults as part of the Prevention First Outcomes – ‘being more active’ & ‘reducing isolation’. NNS also work in partnership with the Future Parks Accelerator Programme which protects and develops natural resources in urban areas, and make sure green space are accessible.</p> <p>https://www.futureparks.org.uk/birmingham</p> <p>Across the City NNS’ have also awarded small grants for projects in local green spaces e.g. allotments or community gardens.</p>
Use of sustainable products and equipment			√	
Minimising waste			√	
Council plan priority: a city that takes a leading role in tackling climate change			√	
Overall conclusion on the environmental and sustainability impacts of the proposal	<p>Although improving the environment / use of green spaces is not the primary purpose of the NNS; their work to build the capacity of community based support to enable older, and disabled, people to lead happy independent lives in their own homes will make a positive contribution to improving the local environment. NNS are also based on a local partnership model which will provides opportunities to work with specialist environmental or green space projects.</p>			

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: BIRMINGHAM CITY COUNCIL SUPPORT FOR A WEST MIDLANDS REFUGEE TRANSITIONS OUTCOMES FUND BID

Report of: Professor Graeme Betts
Director for Adults Social Care

Relevant Cabinet Member: Cllr John Cotton, Cabinet Member - Social Inclusion, Community Safety & Equality
Cllr Tristan Chatfield, Cabinet Member - Finance & Resources

Relevant O & S Chair(s): Cllr Carl Rice, Co-ordinating O&S Committee
Cllr Mohammed Aikhlaq, Resources O&S Committee

Report author: Bethany Finch
Commissioning Manager, Refugee and Migration Team
Email: bethany.finch@birmingham.gov.uk

Saba Rai
Head of Service, Interim lead Health, Homelessness and Migration
Email: Saba.Rai@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009084/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 The purpose of the report is two-fold. Firstly, to brief Cabinet and seek its retrospective approval on a bid which was submitted to Home Office as part of the Refugee Transitions Outcomes Fund in two parts on 22nd and 28th June 2021, with the support of Birmingham City Council, amongst others.
- 1.2 Secondly, if the bid is successful it is to request approval to accept funding and enter into all necessary agreements to be able to begin mobilisation of the project from 1st September 2021.

2 Recommendations

- 2.1 That Cabinet:
 - 2.1.1 Notes and retrospectively approves BCC's participation in the bid that was submitted by Big Issue Invest to the Home Office as part of the Refugee Transitions Outcomes Fund in two parts on 22nd and 28th June 2021.
 - 2.1.2 If the bid is successful, delegates the Director of Adult Social Care, in consultation with the Interim Director of Council Management and the City Solicitor (or their nominees) to consider whether any grant conditions require further approvals, and, if not, to accept funding from the Special Purpose Vehicle (a limited company to be set up and owned by Big Issue Invest).
 - 2.1.3 Authorises the Director for Adult Social Care, in consultation with the Interim Director of Council Management and the City Solicitor (or their nominees), to enter into a Grant Agreement for performance management with the Special Purpose Vehicle (a limited company to be set up and owned by Big Issue Invest) for a period from 1st September 2021 until 31st March 2024.
 - 2.1.4 Authorises the City Solicitor to negotiate and execute any documents to give effect to the above recommendations.

3 Background

- 3.1 At any one time, the city of Birmingham is home to around 1,600 people who are awaiting a decision on an asylum claim. Annually, local data suggests that around 120 people per year exit that process with a positive decision in Birmingham. However, it is also the case that the ultimate national grant rate of positive decisions is around 64%, the highest it has ever been. When someone receives a positive decision on their asylum claim, they are given 28 days' notice in which to leave Home Office accommodation and start their new lives as settling citizens of Birmingham. Since 2018, Birmingham City Council, with funding first from MHCLG and followed by EU funding until May 2022, has invested in a "Move On" service to help the city's new refugees with immediate and practical tasks: set up bank accounts, look for their own accommodation, register for a GP, etc.
- 3.2 It is widely accepted that refugees experience barriers to integration. Left unaddressed, such barriers can contribute to long-term inequality and cohesion

challenges. However, in the last decade, there has not been any dedicated government investment in the medium- to longer- term outcomes for new asylum-route refugees settling in the city, such as employment / self-employment, sustainable housing, or wider integration and wellbeing.

- 3.3 The Refugee Transitions Outcomes Fund (RTOF) is a national £14m pilot from the Home Office to invest in positive outcomes across employment, housing and integration for new refugees who have recently exited the asylum process with a grant of Refugee Status or Humanitarian Protection. The funding attached to RTOF will end in March 2024.
- 3.4 A condition of the fund is that projects must include Social Impact Bonds (SIBs), which allow for up-front cash investment to be provided by a social investor so that the Home Office only pays for outcomes if and when achieved. SIBs are a type of outcomes-based contract where a social investor is involved to provide upfront working capital to providers and support project delivery. This is done for the purposes of driving innovation and reflective practice within delivery and to focus resource on achievement of fund outcomes. Crucially, this also means that the local authorities involved are not the main applicants in this bid; but instead have taken a strategic and supporting role.
- 3.5 The main applicant for funding is the Special Purpose Vehicle that will be set up and owned by Big Issue Invest (BII). The local authorities working together to support the application are: - Birmingham, Coventry, Sandwell and Wolverhampton.
- 3.6 The application was submitted to the Home Office by Big Issue Invest in two parts on Tuesday 22nd and Monday 28th June 2022. This followed a six-week application window, in which initiating a Cabinet process has only been possible towards the end of this window. This is due both to the length of time available and to the evolving nature of developing SIB project applications, which is a particularly complex and resource intensive process.
- 3.7 The application was for a regional total of £2,463,900 (per annum, £985,560) to support 361 people. This included an element for Birmingham of £756,203 (per annum £302,481) to support 118 people. Of this, £46,966 (per annum, £18,786) will come into Birmingham City Council on a quarterly basis in arrears.
- 3.8 The available support will be to assist new refugees (who have received a grant of refugee status or humanitarian protection within the last 18 months at the point of enrolment) in achieving the following outcomes, which are prescribed by the Home Office:
 - 3.8.1 **Intermediate employability**– Examples: recognition of qualifications; completion of training; 10 hours' mentoring employability training; 10 days' volunteering or internship.
 - 3.8.2 **Entry to employment** – Entry into an apprenticeship, full time or part time work at national or living age (depending on age).
 - 3.8.3 **Entry to self-employment** – As defined by the UK Government.

- 3.8.4 **3-month employment/self-employment sustainment** – One of the above, sustained over a period of 12 weeks.
- 3.8.5 **Entry to accommodation** – Entry into safe and secure accommodation (with a 6-month tenancy agreement) in the Private Rented Sector, Social housing or Supported housing. Excludes Exempt accommodation.
- 3.8.6 **6-month housing sustainment** – As above, sustained over a period of 6 months.
- 3.8.7 **Integration plan** – Completion of a person-centred integration plan, with steps outlined to assist toward medium- and long-term goals.
- 3.8.8 **6-month improvement** – Achievement of targets set out on the above.
- 3.8.9 **12-month improvement** – Further achievement of targets set out on the above.

4 Options considered and Recommended Proposal

4.1 Development of a Bid

- 4.1.1 Local authorities that are also asylum dispersal areas were invited to express an interest in the Refugee Transitions Outcome Fund in Nov-Dec 2020. A sub-regional Expression of Interest was coordinated via the West Midlands Strategic Migration Partnership which was, at the time, hosted by Birmingham City Council and reported directly into the Assistant Chief Executive.
- 4.1.2 During bid development, local authorities were expected to select a lead Social Investor, of two that the Home Office had engaged in the Refugee Transitions Outcomes Fund programme; Big Issue Invest and Bridges Outcomes Partnership. Big Issue Invest was selected due to their willingness to invest in the relatively complex model favoured by the region.
- 4.1.3 The model chosen by the region is one that allows for pooling of outcomes, programme governance and evaluation at a regional level, but maintains localism in the selection of delivery partners, the roles of local authorities and design of the specific interventions.

4.2 Role of the Local Authority

- 4.2.1 The role that Birmingham City Council will be required to take is two-fold:
 - Performance Management: Birmingham City Council will be responsible for performance management of the delivery partnership in Birmingham. The rationale for this is that the delivery partnership would benefit from the BCC's strategic view of the local landscape and presenting needs, and that the BCC would benefit from access to performance data and continuous learning. BCC will work closely with BII to do this, as they hold the risk in this arrangement and will want

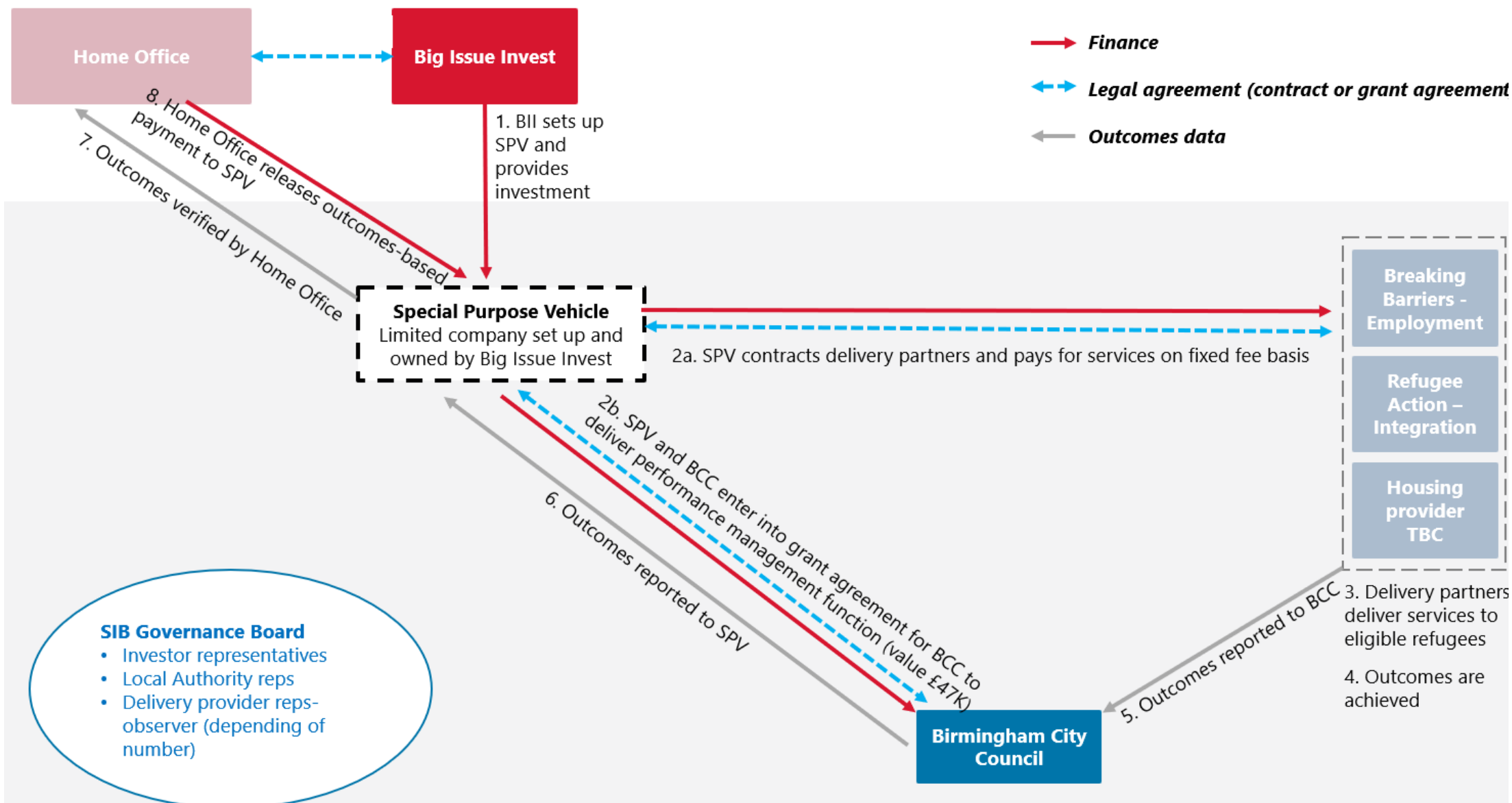
to ensure performance is optimised. This element of BCC's role will be resourced, and this will allow for the recruitment of a GR4 Commissioning Officer. There will also be a Grant Agreement for performance management required between BCC and the SPV.

- Strategic Input and Governance: The Home Office is keen that local authorities in all pilot areas, whether involved in delivery, performance management or neither, have a level of strategic engagement with the work of the RTOF project in their area. Local authorities will be invited to have a seat at governance / steering boards set up for the project. This will not necessitate any bilateral agreement between the LA and the SPV as involvement in strategic oversight and governance will not, on its own, bring any funding into the local authority. There will however be a Terms of Reference or Memorandum of Understanding for the governance arrangements, that BCC will be party to.

In addition to the above, some of the other West Midlands local authorities involved chose to take a delivery role in the project as well. This was not pursued in Birmingham mainly due to the strong commissioning discipline and rationale.

4.3 Structure of the Project

4.3.1 The following project structure will apply:



- 4.3.2 As a matter of course, Social Impact Bond projects entail the setting up of a Special Purpose Vehicle (SPV). The SPV acts as a vehicle to facilitate finance flows and outcomes attached to Social Impact Bonds. It will close down at the end of the project. The SPV will be set up as a limited company and legally owned by Big Issue Invest. With the cash investment into the SPV from BII itself, the SPV will be able to commission a delivery partnership and work with this partnership to co-design services that all parties feel will most likely lead to achievement of fund outcomes. The delivery partnership will be commissioned against agreed KPIs and paid fixed-fee as in standard contract management. Payment to the delivery partnership will not be dependent on or linked to achievement of fund outcomes. Big Issue Invest will be able to recoup their initial investment from the Home Office, if and when fund outcomes are achieved by the delivery partnership. To cover the costs of SPV set-up and associated management and admin requirements, BII will require approx. 4% of the overall project funding (approx. £100k across the region).

4.4 Delivery Partners

- 4.4.1 Between 26th May and 9th June, Big Issue Invest ran an Expressions of Interest process with prospective delivery partners to cover the Birmingham area. This followed consistent engagement, first by the Home Office then by Birmingham City Council with a wide range of prospective delivery partners. The first of these meetings was advertised on the BVSC noticeboard. The Birmingham City Council Refugees & Migration Commissioning Team was invited to assist Big Issue Invest in the scoring of Expressions of Interest. The following delivery partners have since been engaged to cover the Birmingham area:

- Refugee Action – Wider Integration
- Breaking Barriers – Employability
- A housing provider – TBC, not yet engaged

4.5 Bid Submission

- 4.5.1 The application window – from Home Office publication of the final application pack to the submission deadline – was six weeks from 10th May to 22nd June. The final application pack included some key changes from previous development materials that had been shared by the Home Office. For this reason, key elements of the bid development could not commence prior to 10th May, including Big Issue Invest's Expressions of Interest process for selecting delivery partners; the finalisation of the overall financing involved; and the development of the delivery plan. All these things were necessary to get in place before a Cabinet process could be started. However, the Lead Cabinet Member, Director of Adults Social Care, and colleagues across Finance, Legal and Procurement,

were kept informed of the nature and timeline of the bid throughout its development and prior to submission.

5 Consultation

- 5.1 Prior to bid submission by Big Issue Invest on 22nd June, consultation took place internally with officers from Finance, the Legal & Governance Department and Procurement, as well as Adult Social Care Management Team and Cabinet Member Briefing of the Lead Cabinet Member.
- 5.2 Externally, the City of Sanctuary Partnership Board was consulted, as was the West Midlands Strategic Migration Partnership.
- 5.3 There has been consultation on the contents of this Cabinet report with the Cabinet Member for Homes & Neighbourhoods, Cabinet Member for Health & Social Care and Cabinet Member for Education, Skills & Culture who are supportive of proposals.

6 Risk Management

- 6.1 If the application is successful, the chosen model protects both delivery partners and local authorities from financial risk. This is accepted fully by Big Issue Invest, as 100% owners of the Special Purpose Vehicle.
- 6.2 Big Issue Invest will be party to a Head Contract with the Home Office, setting out the liabilities and risk they take on as social investor and owners of the Special Purpose Vehicle Limited Company.
- 6.3 Delivery partners will be contracted by the Special Purpose Vehicle on a fixed-fee basis, regardless of outcome achievement.
- 6.4 The Grant Agreement for Performance Management that Birmingham City Council will be party to will also be set up on a fixed-fee basis, regardless of outcome achievement.
- 6.5 The Home Office will only repay Big Issue Invest's investment once fund outcomes are achieved. The risk of non-achievement of outcomes and non-repayment by the Home Office is accepted by Big Issue Invest as part of their Head Contract with the Home Office.
- 6.6 For risks attached to delivery and impact, a West Midlands project-wide Risk Log is requested by the Home Office as part of the application process (**Appendix 1**). Throughout project mobilisation and delivery, risks will be managed through the SIB Governance Boards set up for the project, at which Birmingham City Council will be represented.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 If the bid is successful and funding is accepted, the Refugee Transitions Outcomes Fund project will be a significant asset to the delivery of the Council's outcomes, priorities and Council plan. As well as bringing additional funding into the city, the interventions delivered through the RTOF will help extend the Council's priorities to include an existing, underserved but nevertheless growing group of people – namely, new, asylum-route refugees.

7.1.1.1. **Birmingham is an aspirational city to grow up in:** We will improve protection of vulnerable children and young people (including those with Special Needs and Disability). Many new refugees are settling in Birmingham with children and families. Their parents' engagement with the RTOF services will create stability for them to develop and flourish.

7.1.1.2. **Birmingham is a fulfilling city to age well in:** We will work with our citizens to prevent social isolation, loneliness, and develop active citizenship. This will include better connecting new refugees to community services, activities and networks to prevent isolation and loneliness.

7.1.1.3. **Birmingham is a great city to live in:** We will work with partners to tackle rough sleeping and homelessness. This is a particularly strong focus for the bid, which will work to identify sustainable accommodation pathways for refugees.

7.1.1.4. **Birmingham is a great city to live in:** We will work with our partners to build a fair and inclusive city for all. The overall intention of the RTOF services will be to reduce the gap between new refugees and other citizens so that everyone living here regardless of background is able to live productive and meaningful a life in Birmingham.

7.1.2 In addition, the proposal is consistent with the City of Sanctuary Policy Statement 2018-22, which sets out the Council's position and commitments to enabling the city to be a welcoming place of safety, where asylum seekers, refugees and migrants can successfully settle and integrate in the city. It is also consistent with the Cohesion Strategy and recognising the additional support needed for new communities in Birmingham.

7.2 Legal Implications

7.2.1 Birmingham City Council's role in the Refugee Transitions Outcomes Fund will be implemented through a Grant Agreement for performance management with the Special Purpose Vehicle (to be set up and owned by Big Issue Invest). The value of this agreement will be £46,966 for the duration of the project (per annum, £18,786).

7.2.2 Birmingham City Council will also have a role in the SIB Governance Board (as illustrated on the diagram at 4.3.1). A Terms of Reference will outline this, which may be appended to the Grant Agreement mentioned above.

7.3 Financial Implications

7.3.1 The Social Impact Bond mechanism involves Big Issue Invest providing all of the funding and then reclaiming this from the Home Office upon evidenced delivery of results. This places the complete financial risk on Big Issue Invest.

7.3.2 Birmingham City Council receive funding from Big Issue Invest to administer the performance management and monitoring of the initiative and will also provide strategic insight to the partnership board. This work will be carried out within the Refugees and Migration Team within Adult Social Care Commissioning.

7.3.3 The aim of the initiative is to support people exiting the asylum system with a grant of refugee status with employment, housing and integration, therefore reducing the potential burden on local public services from a lack of social integration.

7.3.4 The overall value of the project in the region is as follows:

	Duration of project	Per annum
Region	£2,463,900	£985,560
Birmingham	£756,203	£302,481

7.3.5 Of the funding available in Birmingham, the following broad breakdown is expected:

	Duration of project	Per annum
Big Issue Invest Return on Investment (@ 4%)	£30,248	£12,099
Birmingham City Council performance management resource (@ 6%)	£46,966	£18,786
Contracts between the Special Purpose Vehicle (owned by BII) and the delivery partnership	£678,989	£271,596
Total	£756,203	£302,481

7.4 Procurement Implications (if required)

7.4.1 There are no planned procurement activities through this fund. Big Issue Invest, as owners of the Special Purpose Vehicle limited company that has not yet been set up (subject to funding success) is responsible for procurement activity in relation to the delivery partnership.

7.5 Human Resources Implications (if required)

- 7.5.1 The Birmingham City Council resource £46,966 (or £18,786 per annum) will be used to co-fund the appointment of GR4 Commissioning Officer to oversee the delivery partnership's performance and outcomes evidence. The remainder of the funding for this post will be identified within other Migration team budgets, which are all externally funded. This post holder will also work closely with BCC's current Local Authority Asylum Seeker Liaison Officer (GR4), Senior Commissioning Officer for this area (GR5) and the Commissioning Manager for Refugees & Migration (GR6).
- 7.5.2 These existing posts are 100% externally funded, including Home Office and EU funding (available until May 2022).

7.6 Public Sector Equality Duty

- 7.6.1 An equality impact assessment has been completed and attached to this report (**Appendix 2**).
- 7.6.2. In summary, the main findings of the equality impact assessment are that those with protected characteristics will benefit positively from the project, especially those with characteristics such as a race, religion, gender, and marriage / civil partnership which commonly coincide with the target group of new refugees in Birmingham. The aim of the project is to address the barriers faced by many in these groups in accessing needs and opportunities such as housing, employment and wider integration.

8 Appendices

- 8.1 **Appendix 1** - Risk Log
- 8.2 **Appendix 2** – Equality Impact Assessment

9 Background Documents

- 9.1 [City of Sanctuary Policy Statement 2018-22](#)

METHODOLOGY - Risk scoring - see guidance document for further information

Probability of a risk occurring

Probability	Definition	Scale	Value
High	Almost certain: The risk will materialise in most circumstances	> 80 % chance	5
Medium/ High	Likely: The risk will probably materialise at least once	60 – 80 % chance	4
Medium	Possible: The risk might materialise at some point	25 – 60 % chance	3
Low/ Medium	Unlikely: This risk will probably not materialise	5 – 25 % chance	2
Low	Rare: This risk will materialise only in exceptional circumstances	0 – 5 % chance	1

Risk Rating

Risk Factor Score (Probability x Impact)	Risk Rating
Low	Green
Medium	Amber
High	Red

Risk Matrix
Impact

	1	2	3	4	5
1	1	2	3	4	5
2	2	4	6	8	10
3	3	6	9	12	15
4	4	8	12	16	20
5	5	10	15	20	25

Probability

These ratings are then multiplied to give a final score for each risk; see the example to the left. Scores can be plotted onto a Risk Matrix and banded into overall ratings - Red, Amber and Green- which allows you to concentrate on the 'top risks' - those in the Red and Amber rating

Impact of a risk/issue occurring

Impact	Definition	Value
High	Critical impact on the achievement of objectives and overall performance. Critical impact on costs and/ or reputation. Very difficult and possibly long term to recover	5
Medium/ High	Major impact on costs and objectives. Serious impact on output and /or quality. Medium to long term effect and expensive to recover	4
Medium	Significant waste of time and resources. Impact on operational efficiency, output and/or quality. Medium term effect which may be expensive to recover	3
Low/ Medium	Minor loss, delay, inconvenience or interruption. A short to medium term affect	2
Low	Minimal loss, delay, inconvenience or interruption. Can be easily and quickly amended	1

Example

There is a project risk and it is fairly likely to occur therefore it's
Probability = 4

The Impact of the risk upon the project is Medium therefore it's
Impact = 3

To assess the overall Risk Rating, multiply the
Probability by the Impact = 12

Using the Risk Rating table, this risk is assessed as
a Medium Risk to the project

Proximity

Proximity Impact	Descriptor
Short Term	Likely to happen within a month
Medium Term	Likely to happen within 3 months
Long Term	Likely to happen in 3 months time or longer

METHODOLOGY - Issue Scoring - see guidance document for further information

Impact Score

Use the scoring system below to determine the impact an issue or dependency will have on the project/programme

Impact	Descriptor	Score
Low	Minimal loss, delay inconvenience or interruption. Can be easily and quickly remedied	1
Low/Medium	Minor loss, delay, inconvenience or interruption. Short to medium term effect	2
Medium	Significant waste of time and resources. Impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover	3
Medium/High	Major impact on costs and objectives. Serious impact on output and /or quality. Medium to long term effect and expensive to recover	4
High	Critical impact on the overall achievement of objective and overall performance. Critical impact on costs and/ or reputation. Very difficult and possible long term to recover	5

Date Reviewed 16/06/21							Original score				Current score								
Risk ID Code	Raised By	Date Identified	Impact	Mitigating actions	Target Resolution Date	Risk Owner	Proximity	Probability score	Impact score	Original PI Score	Proximity	Probability score	Impact score	Current PI Score	Trend Indicator	Status	Date Reviewed	Updated by	Comments
R001	WM Consortium	10-May-21	Project will not go ahead if we are unsuccessful on the project bid	Full engagement with all Home Office consultation processes. Estimated outcome projection shared with the Home Office and costings and cohorts sized shared with the Home Office and no concerns raised by Home Office.	22-Jun-21	WM Consortium	Short	2	5	10	Short	1	3	3	-	Open	16-Jun-21		
R002	WM Consortium	10-May-21	Project will not go ahead if there is no Social Investor to support financially	Co-producing bid with Social Investor will be lead applicant for the bid submission	22-Jun-21	BI	Short	2	5	10	Short	1	2	2	-	Open	16-Jun-21		
R003	WM Consortium	10-May-21	Partners may become disengaged due to delays in payments	Payment schedule and financial plan in process. Outcomes profiling and full revenue costs submitted to Social Investor ensuring they are prepared to pay cost of delivery.	01-Aug-21	BI	Short	2	5	10	Short	1	3	3	-	Open	16-Jun-21		
R004	WM Consortium	10-May-21	Project will not meet its full outcomes	Work closely with providers, bid to be co-produced with providers to ensure full collaboration. Reduce Project outputs and cost and discuss with social investor. Identify other partners to support outcomes.	22-Jun-21	WM Consortium	Short	1	5	5	Short	1	2	2	-	Open	16-Jun-21		
R005	WM Consortium	10-May-21	Governance will not be signed off by internal compliance teams in time for project delivery	Briefing reports submitted to relevant Cabinet Members and LA governance structures including SEB for full authorisation	01-Aug-21	Home Office, WM Consortium and BI	Short	4	5	20	Short	2	4	8	-	Open	16-Jun-21		
R006	WM Consortium	10-May-21	No clarity currently on data collection systems for providers to plan delivery	Implementation of unofficial data collection systems have been embedded into the project setting out clear expectations of project reporting	01-Aug-21	Home Office and BI	Short	4	5	20	Short	2	4	8	-	Open	16-Jun-21		
R007	WM Consortium	10-May-21	Social Investor will not be able to evidence outcomes to claim money back from Home Office	Regular performance monitoring and review of delivery to be diarised: linked to performance management and governance structures	01-Sep-21	WM Consortium	Short	2	5	10	Short	1	3	3	-	Open	16-Jun-21		
R008	WM Consortium	10-May-21	The Social Investor will not receive payment from the Home Office, impacting working relationships	Confidence in providers and trusting relationships with this cohort amongst consortium members. Experience of engagement via historical LASLOO project.	01-Sep-21	WM Consortium	Short	2	5	10	Short	1	3	3	-	Open	16-Jun-21		
R009	WM Consortium	10-May-21	The Social Investor will not receive payment from the Home Office, impacting working relationships	Work with wider providers including Serco, Migrant Help, Home Office and REED in partnership ensuring communications with cohort and engagement with project are ongoing	09/01/2021	WM Consortium	Short	3	5	15	Short	1	2	2	-	Open	16-Jun-21		
R010	WM Consortium	10-May-21	Additional resource pressures on providers and inequality of service delivery	Conversations and communications have been had with Social Investor and Home Office to review potential opportunities for additional funding. Discussions to continue through the lifetime of programme to identify how consortium could support additional participants if	01-Sep-22	WM Consortium / BI	Short	4	5	20	Short	3	2	6	-	Open	16-Jun-21		
R011	WM Consortium	10-May-21	Inequality of service delivery to newly granted refugees across the region	Project has been identified and published as a pilot working with specific number of individuals to ascertain learning opportunities for future funding. Added value for the project has been considered inclusive of access to resources such as housing advice or training opportunities for all newly granted refugees.	22-Jun-21	WM Consortium	Short	4	5	20	Short	1	2	2	-	Open	16-Jun-21		
R012	WM Consortium	10-May-21	Project outcomes will not be met due to restrictions in place	Confidence in providers to identify key opportunities across the city working in partnership with other providers to meet outcome needs. Experience of delivery partners already with hybrid/blended models of delivery and supporting participants' solution for	01-Sep-21	WM Consortium	Short	5	5	25	Short	1	3	3	-	Open	16-Jun-21		
R013	WM Consortium	10-May-21	The Social Investor will not receive payment from the Home Office, impacting working relationships	Recruitment of providers for the project has been carefully thought out to ensure ability to meet outcomes with wide portfolio of potential employers. Access to a wide range of services locally that will add value to the work of the consortium, e.g Refugee Employment Network; Business Leaders forum etc.	01-Nov-21	WM Consortium	Short	3	5	15	Short	1	3	3	-	Open	16-Jun-21		
R014	WM Consortium	10-May-21	Project outcomes will not be met	Lead organisations to ensure cultural awareness training is available	01-Nov-21	WM Consortium	Short	2	6	12	Short	2	3	6	-	Open	16-Jun-21		
R015	WM Consortium	10-May-21	Project outcomes will not be met due to restrictions in place	Recruitment of providers for the project has been carefully thought out to ensure ability to meet outcomes with wide portfolio of potential employers.	01-Nov-21	WM Consortium	Short	2	5	10	Short	1	3	3	-	Open	16-Jun-21		
R016	WM Consortium	10-May-21	Project outcomes will not be met and loss of opportunities for cohort	Where possible opportunities will be within reasonable walking distance. However integration provider will also be delivering workshops around Covid safety whilst using public transport and engaging in	01-Nov-21	WM Consortium	Short	2	5	10	Short	1	2	2	-	Open	16-Jun-21		
R017	WM Consortium	10-May-21	The Social Investor will not receive payment from the Home Office, impacting working relationships	Recruitment of providers for the project has been carefully thought out to ensure ability to meet outcomes with wide portfolio of potential landlords and housing options	01-Oct-21	WM Consortium	Short	3	5	15	Short	1	3	3	-	Open	16-Jun-21		
R018	WM Consortium	10-May-21	Project outcomes will not be met and newly granted refugees will become homeless	Recruitment of providers for the project has been carefully thought out to ensure ability to meet outcomes with wide portfolio of potential landlords and housing options	01-Oct-21	WM Consortium	Short	3	5	15	Short	2	3	6	-	Open	16-Jun-21		
R019	WM Consortium	10-May-21	Continued resource pressure on Social Housing	Integration provider will be delivering workshops to set housing expectations and raise awareness of the benefits of different housing options.	01-Oct-21	WM Consortium	Short	3	5	15	Short	1	2	2	-	Open	16-Jun-21		
R020	WM Consortium	10-May-21	High concentration of cohort within certain demographic areas	Integration provider will be delivering workshops to set housing expectations and raise awareness of important of community cohesion and benefits of living in a diverse neighbourhood	01-Oct-21	WM Consortium	Short	2	5	10	Short	1	2	2	-	Open	16-Jun-21		
R021	WM Consortium	10-May-21	Financial implications on providers to meet outcomes	Landlords are being pre engaged to discuss potential engagement on the project	01-Oct-21	WM Consortium	Short	3	5	15	Short	2	3	6	-	Open	16-Jun-21		
R022	WM Consortium	10-May-21	Delay in project delivery and restrictions in delivery project outcomes	Big Issue Invest has provided reassurance as the risk carrier and funding source that they have experience of dealing with similar circumstances	30-Mar-24	Central Government / Home Office and BI	Long	5	5	25	Long	2	5	10	-	Open	16-Jun-21		
R023	WM Consortium	10-May-21	Unable to meet project outcomes	Identify other members of the team to 'step in' on an interim basis. Start recruitment process inc secondment opportunity		WM Consortium				0				0	=				
										0				0	=				
										0				0	=				
										0				0	=				
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Title of proposed EIA	Refugee Transitions Outcome Fund
Reference No	EQUA717
EA is in support of	New Service
Review Frequency	Annually
Date of first review	01/07/2022
Directorate	Adults Social Care
Division	Commissioning
Service Area	Refugees & Migration
Responsible Officer(s)	<input type="checkbox"/> Bethany Finch
Quality Control Officer(s)	<input type="checkbox"/> Gordon Strachan
Accountable Officer(s)	<input type="checkbox"/> John Freeman
Purpose of proposal	To support the implementation of the Refugee Transitions Outcome Fund project, should the funding application be successful
Data sources	relevant reports/strategies; relevant research; Other (please specify)
Please include any other sources of data	Locally held data on new refugee families
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders
Age details:	<p>The age profile of newly granted refugees in Birmingham tends to be 20s - 40s, and of working age. Some refugees will be in family groups that include children, and some may also have adult and /or elderly dependents. Only those economically active and of working age are eligible for direct support through the project, due to the Home Office fund-level stipulations. But that support may have a wider impact on that person's dependents (either children or elderly relatives). In order to mitigate risks of potential discrimination through age, the following considerations will be made:</p> <ul style="list-style-type: none"> * delivery of project activity via face to face delivery rather than solely online. * Housing advice that as far as possible takes into account age-related considerations. * Personalised integration plans that take into account age-related

considerations.

Governance boards attached to the SIB Governance will monitor risks attached to the programme on an ongoing basis including discrimination.

Protected characteristic: Disability

Disability details:

Service Users / Stakeholders

New refugees in Birmingham tend to demonstrate a lower rate of disability than the UK-born resident population. Only those economically active and of working age are eligible for direct support through the project, due to the Home Office fund-level stipulations. This will exclude anyone unable to work or look for work for reasons related to disability. In order to mitigate against the risk of discrimination on the basis of disability, BCC will ensure that all services and activities offered through the project can be made accessible to all e.g. through the use of wheelchair accessible rooms for group sessions.

Protected characteristic: Sex

Gender details:

Service Users / Stakeholders

New refugees in Birmingham are a mix of males and females, with the slight majority being young males. The services provided as part of the project will be accessible by all genders. In order to mitigate any risks of discrimination based on gender, the service will delivery appropriate measures in order to allow for full participation by different genders. This may include childcare referrals for women with children, or culturally aware services for some men.

Protected characteristics: Gender Reassignment

Service Users / Stakeholders

Gender reassignment details:

To our knowledge, existing services (Local authority asylum seekers liaison project) have not been accessed by new refugees who have undergone gender reassignment. In order to mitigate the risk of discrimination on this basis, the project partners would engage the advice of specialist agencies where needed.

Protected characteristics: Marriage and Civil Partnership

Service Users/ Stakeholders

Marriage and civil partnership details:

New refugees in the city can include those in marriages or in civil partnerships. The project will not discriminate against anyone on the basis of this characteristic by engaging culturally aware service providers who can work with couples and singles alike to meet their housing, integration and employability needs.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders

Pregnancy and maternity details:

New refugees are sometimes currently or recently pregnant. Those who become pregnant whilst enrolled on the project will be supported to access their pregnancy and maternity rights whilst in work or in society generally.

Protected characteristics: Race

Service Users / Stakeholders

Race details:

The project seeks to recognise the overall inequality new refugees in Birmingham face on the basis of being newly arrived in the UK. This will include refugees from different countries all over the world - a broad range of countries of origin are represented in Birmingham's asylum trends. Many seek sanctuary in the UK on the basis of an identification with a specific race or ethnicity. Overall this group will benefit positively from the project as it will help overcome some key barriers such as employment and housing, as well as reduce longer

term inequality for individuals and family members.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders

Religion or beliefs details:

The project seeks to recognise the overall inequality that new refugees in Birmingham face on the basis of being newly arrived in the UK. This will include refugees with many different or of no religion or belief. Many seek sanctuary in the UK on the basis of that religion or belief. Overall this group will benefit positively from the project as it seeks to address the barriers faced by many in accessing key needs and opportunities such as housing and employability, and close the gap accordingly.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders

Sexual orientation details:

New refugees in Birmingham can include those who have sought sanctuary and safety in the UK due to their sexual orientation. This group will experience a positive impact from the project, as the services provided will help address the barriers faced by many new refugees in accessing needs and opportunities such as employment and housing.

Socio-economic impacts

New refugees through the asylum route tend to come from a range of social economic backgrounds. However, this project will predominantly be aimed at supporting those who were accommodated by the Home Office as destitute asylum seekers. The project will support them to access needs and opportunities

such as employment and housing.

Please indicate any actions arising from completing this screening exercise. No actions arisen.

Please indicate whether a full impact assessment is recommended NO

What data has been collected to facilitate the assessment of this policy/proposal?

Consultation analysis

Adverse impact on any people with protected characteristics. No

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future?

Are there any adverse impacts on any particular group(s) No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Overall those with protected characteristics will benefit positively from the project, especially those characteristics such a race, religion, gender, and marriage / civil partnership which commonly coincide with the target group of new refugees and migrants in Birmingham. The aim of the project is to address the barriers faced by many in these groups in accessing needs and opportunities such as housing, employment and wider integration, and close the gap accordingly.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

Overall those with protected characteristics will benefit positively from the project, especially those characteristics such a race, religion, gender, and marriage / civil partnership which commonly coincide with the target group of new refugees and migrants in Birmingham. The aim of the project is to address the barriers faced by many in these groups in accessing needs and opportunities such as housing, employment and wider integration, and close the gap accordingly.

02/07/2021

Assessments - Refugee Transitions Outcome Fund

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Whereby it is noted that there is little instance disability presentation within this cohort, it would be pertinent to consider the possibility of increased instances of poor mental health as a result of increased likelihood of trauma country of origin. Annual review should be mindful of equity of opportunity to access support and treatment mental health conditions.

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

02/07/2021

Reasons for approval or rejection

agree with comment from Quality Officer - early review will start to pick up issues for individuals with "invisible" disabilities.

Please print and save a PDF copy for your records

Yes

Julie Bach

☐ John Freeman

Person or Group

Content Type: Item

Version: 34.0

Created at 01/07/2021 03:33 PM by ☐ Bethany Finch

Last modified at 02/07/2021 08:46 AM by Workflow on behalf of ☐ John Freeman

Close

Close

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: AFGHAN INTERPRETERS RELOCATION SCHEME

Report of: Professor Graeme Betts
Director of Adult Social Care

Relevant Cabinet Member: Cllr John Cotton, Social Inclusion, Community Safety & Equality

Relevant O &S Chair(s): Cllr Carl Rice, Co-ordinating O&S Committee

Report author: Bethany Finch
Commissioning Manager, Refugee and Migration Team
Email: bethany.finch@birmingham.gov.uk

Saba Rai
Head of Service, Interim lead Health, Homelessness and Migration
Email: Saba.Rai@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009085/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 The purpose of this report is to inform Cabinet about the urgency with which decisions were required by the Home Office in response to requests to Local

Authorities to support the Afghan Interpreters Relocation Scheme. The urgency relates to the immediate and ongoing withdrawal of British troops from Afghanistan, which puts the lives of Afghan Interpreters themselves in direct and imminent danger.

- 1.2 The report sets out the details of the response by Birmingham City Council, as a City of Sanctuary, and requests approval to implement the scheme and welcome 80 individuals to Birmingham.
- 1.3 In addition, the report requests authorisation for a formal Single Contractor Negotiation with an existing commissioned provider of Orientation, Accommodation & Support Services on the basis of this requirement being an unforeseen priority.

2 Recommendations

That Cabinet:

- 2.1 Notes the Council's commitment to receiving and welcoming 80 individuals under the Afghan Interpreters Relocation Scheme from mid July 2021.
- 2.2 Approves the continued use of private rented sector housing as an appropriate housing option for accommodating people included in this scheme.
- 2.3 Approves the commencement of single contractor negotiations and the award of contract by the Director of Adult Social Care to Refugee Action for the implementation of the Afghan Interpreters Relocation Scheme. This contract will commence 16th August 2021 subject to Cabinet approval and the call-in period for this decision. For the period 1st July – 15th August 2021, a contract variation has been issued with officer delegation. The total estimated value of the variation and new contract combined is £580,082.40.
- 2.4 Authorises the City Solicitor (or their delegate) to negotiate and agree all legal documents to give effect to the above recommendations.

3 Background

- 3.1 On Monday 24th May 2021, local authorities including Birmingham City Council were approached by the West Midlands Strategic Migration Partnership on behalf of the Home Office to request local authorities' urgent support for the Afghan Interpreters Relocation Scheme.
- 3.2 The Afghan Interpreters Relocation Scheme enables interpreters for British troops who served for a year or more continuously on the frontline in Helmand any time between 2006 and 2014 to apply for relocation to the UK. This is in recognition of their commitment to UK interests and of the direct threat to the security situation of individuals who have supported the UK and US governments in Helmand as troops withdraw. The relocation scheme has been in place since 2013 but there is now a pressing need to accelerate the rate of transfers to the UK, in line with the now active withdrawal of UK troops from Afghanistan. The UK

government aims to relocate 5,000 individuals under this scheme by the end of September 2021.

- 3.3 Birmingham has historically supported Government's migration programmes participating in the Syrian Vulnerable Person's Resettlement Scheme (SPVRS), the UK Resettlement Scheme UKRS (formerly Global Resettlement), the National Transfer Scheme for Unaccompanied Asylum-Seeking Children (UASCs) and the Asylum Dispersal Scheme.
- 3.4 As of September 2020, 445 former staff had relocated to the UK under the scheme. Including their families, this was 1,319 people. Only a handful of local authorities in the UK participate in the scheme; one of them being Coventry.
- 3.5 The Relocation Scheme is open to singles, couples and families. At the time of applying to the scheme, all those eligible must be in Afghanistan and themselves Afghan citizens.
- 3.6 On arrival to the UK, those relocated under the scheme will not have refugee status, but will be visa holders with 5 years' limited leave to remain, and will have the opportunity to apply for Indefinite Leave to Remain at the end of those 5 years; for which the fee has been waived. Those relocated will not have access to mainstream benefits and housing assistance until such time as they can meet the habitual residency test, which Home Office guidance states can take 3 months.
- 3.7 For that reason, local authorities participating in the scheme will receive funding to provide 12 months' integration support to those relocating. This includes procurement of accommodation, assisting with arrangements for obtaining school places, health services, National Insurance Numbers, mainstream benefits, employment opportunities and wider integration services. The funding tariff is given in the table below:

Accommodation				
Rent (up to 4 months or when in receipt of benefit)	£15 per person, per day			
Integration				
To provide integration support (includes element for void and set up costs for accommodation)	Per person rate			
	£10,500			
Cash support				
Weekly cash support rates (up to 4 months or when in receipt of benefit)	Single (under 25)	Single (25 or over)	Couples	Child (under 18)
	£59.20	£74.70	£117.40	37.75
ESOL provision				
£850 per adult (who requires it)				

- 3.8 The Home Office and the Ministry of Defence are operating with considerable urgency around this scheme. The first arrivals into the UK took place in late June

2021. Given the urgent decision made and communicated by Birmingham City Council, officers in the relevant Commissioning team are aiming to stand up provision in order for Birmingham to participate in the scheme by late July.

4 Options considered and Recommended Proposal

4.1 Given that local authorities were asked to respond with an initial commitment by the end of the same week in which the request was received, an Options paper was drawn up for urgent decision by the then Acting Chief Executive with the Leader of the Council and Cabinet Member for Social Inclusion, Community Safety & Equality. This included the following options, of which Option 3 was selected by the above parties and communicated back to the West Midlands Strategic Migration Partnership and Home Office.

Option		Rationale
1	Do not participate	Existing pressures on housing and other services in the City.
2	Overall: 64 people	Cabinet has previously agreed to resettle Syrian Refugees at a rate of 110 people over 12 months. That rate applied to a 7-month period (the remainder of this year) is 64.
3	Overall: 80 people; of which 29 people by end of June. At least the initial 29 would need to be exclusively singles and couples with option of reviewing following end of June.	Based on provider indications of feasibility, considering: <ul style="list-style-type: none"> • Ability to mobilise quickly. • Avoiding impact on other schemes and contracts over an anticipated 7-month arrival period (by end of year). • Availability of housing in the Private Rented Sector right now, including the fact that singles and couples are much easier to accommodate.
4	Overall: 86 people; of which 26 people by end of June.	Based on proportion of national total per head of Birmingham's local population.
5	Overall: 100 people	In line with other offers in the region. In this scenario it is likely hotel accommodation would be required for a period of time before accommodation can be sourced; a model that may add challenges when combined with a short offer of support.

4.2 Following advice from Corporate Procurement Services and the decision as set out in 4.1, a contract variation was issued with officer delegation to Refugee Action as the Council's existing provider of Orientation, Accommodation and Support services, covering the period 1st July – 15th August. This variation facilitates the mobilisation of their services in the context of the Afghan Interpreters Relocation Scheme in order for the Council to respond with the urgency required by Government, while authority is sought from Cabinet to enter into Single Contract Negotiations with this provider and make a new contract award accordingly, in order for the Council to fulfil its pledge in its entirety.

- 4.3 To that end, this Cabinet report also seeks approval to enter into Single Contract Negotiations due to unforeseen priority and to award a further contract to Refugee Action for the Council to fully meet its obligations in supporting people to arrive under the Afghan Interpreters Relocation Scheme, as described in 3.7.
- 4.4 The contract management will sit in the Refugees & Migration Commissioning Team, and management of the programme and contract can be absorbed by existing postholders attached to the Refugee Resettlement Schemes. These posts are funded 100% by Home Office funding for the delivery of these schemes. They are overseen by a Commissioning Manager, Refugees & Migration, Adult Social Care, and are:
 - 4.4.1 1 x GR4 Commissioning Officer
 - 4.4.2 1 x GR5 Senior Commissioning Officer

5 Consultation

- 5.1 There has been consultation on the contents of this Cabinet report with the Cabinet Member for Homes & Neighbourhoods and Cabinet Member for Health & Social Care who are supportive of proposals.
- 5.2 This has been accompanied by ongoing engagement with relevant officers across procurement, legal and housing.

6 Risk Management

- 6.1 Housing and accommodation
- 6.2 Delivery of previous and current similar schemes in Birmingham has worked well with accommodation being procured in the Private Rented Sector. Procurement of this accommodation and support for people to maintain their tenancies will form part of the commissioned service delivered by the provider or their subcontracted party(ies). The availability of appropriate and affordable accommodation in Birmingham remains a risk, as does the Home Office's ability to match family configuration to property configuration.
- 6.3 It is important to note that the BCC commitment to welcome 80 people will be dependent on being able to locally supply the properties for this group. This risk will be regularly monitored through the relevant Commissioning Team with any potential shortfalls flagged with the lead Cabinet Member.
- 6.4 Social cohesion and integration
- 6.5 Birmingham is a diverse city with 1 in 5 of the city's residents having been born overseas. In addition, there is an existing Afghan community in the city. For these reasons it is likely that Afghan interpreters and their families moving to Birmingham as part of this scheme will be able to meet their cultural, religious and social needs in the city.

- 6.6 Part of the service specification for the provider of Orientation, Accommodation & Support services will be to prepare new individuals and families to integrate in Birmingham – including English language, employment and social and cultural opportunities. Beyond the short-term support offered, individuals and families will be referred and have access to a range of services in the city that support with these activities, including some of the existing services commissioned by Birmingham City Council.
- 6.7 A unique characteristic of this scheme is that, due to the nature of the cohort, it is expected that at least one member of each household arriving will have a reasonable level of spoken English. This is considered a facilitator of positive outcomes in economic and social integration.
- 6.8 Social care, health and education
- 6.9 Individuals arriving on this scheme are different to those arriving through asylum dispersal routes that may not have recourse to public funds. Since March 2021, the Leader of Birmingham City Council and the other West Midlands dispersal areas have been liaising with the Minister for Immigration regarding achieving a more equitable approach to the Government's current Asylum Dispersal scheme.
- 6.10 With Limited Leave to Remain in the UK and a visa, individuals and families arriving on this scheme have the right to remain in the UK and will have access to public funds once the habitual residency test is met. The Home Office anticipates this will take 3 months; this period is covered by the Home Office funded support to be commissioned by Birmingham City Council.
- 6.11 No information provided by the Home Office to date, nor the experiences of other local authorities suggests that this group will have higher than average rates of uptake of social care or health services. Although the urgency around this scheme comes from the unsafe situation individuals face presently in Afghanistan, the scheme itself and the eligibility criteria are not, unlike Refugee Resettlement schemes, based on vulnerability or medical grounds.
- 6.12 Depending on the precise demographic and the make-up of households arriving in Birmingham under this scheme, there may be an impact on education services. This can be supported through an existing post within the Schools Admissions team, currently funded through Refugee Resettlement Scheme funding (Home Office).
- 6.13 Experience with the Refugee Resettlement Scheme shows that children of non-UK-born parents attending mainstream school in Birmingham tend to learn English quickly and settle well overall.
- 6.14 Covid-19
- 6.15 Afghanistan is currently on the UK Government Red List. For this reason, the Home Office has agreed to fund and arrange hotel quarantine for all individuals

arriving on this scheme following their arrival into the UK. Neither this period, nor the cost of it, is included in the support local authorities are funded to provide.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The decision is consistent with the Council's City of Sanctuary policy statement, which was approved by Cabinet on 11th November 2018.

7.2 Legal Implications

- 7.2.1 The acceptance and defrayal of funding is within the general power of competence conferred on the Council under Section 1 of the Localism Act 2011. Under Section 111 of the Local Government Act 1972, a local authority has the power to take action which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of any of its functions. Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determined by the Secretary of State.
- 7.2.2 The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2014 amend regulations 3 and 5 of the Eligibility Regulations. They make provision for certain Afghan nationals directly employed by the UK Government in Afghanistan who have been granted limited leave to remain in the UK to be eligible for an allocation of social housing and homelessness assistance if they are habitually resident.

7.3 Financial Implications

- 7.3.1 As detailed above, funding is available to local authorities supporting people arriving in their local areas under the Afghan Interpreters Relocation Scheme. The tariff that the Home Office will provide to BCC is shown in 3.7. Based on a pledge of 80, BCC could receive funding of a minimum of £1,024,502.40 and maximum of £1,082,816.00. The final amount will depend on the composition of the families that arrive.
- 7.3.2 Payments to the local authority from the Home Office will be made in three instalments per household, the first of which is paid following the arrival of the household. This is the approach taken by the Home Office to payments made under the existing Refugee Resettlement schemes.
- 7.3.3 Contract values for the provision of Orientation, Accommodation and Support services are given in section 7.4 of this report. The value is drawn up on a per capita basis. The maximum contract value based on 80 arrivals represents between 54% and 57% of funding to be received by Birmingham City Council from the Home Office based on the same number of arrivals. The remainder of

the funding to be received will fund further provision for this group, in ways to be determined subject to emerging need.

7.4 Procurement Implications

- 7.5 The request to participate in this scheme is an unforeseen and urgent priority, as is the timeframe for mobilisation. This urgency has been consistently expressed by Home Office and Ministry of Defence and relates to the current and immediate withdrawal of British troops from Afghanistan, which directly impacts on the safety and security of the Afghan Interpreters and their family members to be relocated under this scheme. The Ministry of Defence aims to have totally withdrawn troops from Afghanistan in September, meaning that the majority of this group will need to arrive over the Summer months.
- 7.6 As arrivals are expected from July, this has meant that BCC has limited time in which to negotiate contracts. The choice of using an existing provider of the same services is the most appropriate course of action to enable BCC to meet its commitment within the expected timescales.
- 7.7 Given the above, and in order for the Council to meet its obligations in supporting people to arrive under the Afghan Interpreters Relocation Scheme, as described in 3.7 within the timescale required by the UK Government, it is necessary for the Council to enter into Single Contract Negotiations with Refugee Action, the existing provider of Orientation, Accommodation and Support services, and to award a contract accordingly.
- 7.8 It has also be necessary, following the decision made by Birmingham City Council's then Acting Chief Executive in consultation with the Leader and relevant Cabinet Member, and given the Home Office's and Ministry of Defence's urgency around this scheme and timetable for arrivals, to issue a Contract Variation notice to Refugee Action in order for them to start to mobilise services prior to and pending approval of the above approach by Cabinet.
- 7.9 BCC requires Refugee Action to provide the same Orientation, Accommodation and Support services under the Afghan Interpreters Relocation Scheme for twelve months following arrivals, to enable BCC to deliver its intention to welcome 80 individuals. The contract variation covers the period 1st July – 15th August 2021. The new contract to be awarded via Single Contract Negotiation will then commence 16th August 2021 and last for a period of 12 months following the last arrival into Birmingham on this scheme (estimated end date 30th September 2022).
- 7.10 The combined total value of the Contract Variation and new contract will be £580,082.40. This is based on £7,251.03 per individual x 80 people. This value is based on costing provided by the existing provider which correlate with the values of the existing Orientation, Accommodation and Support contract under Refugee Resettlement schemes.

7.5 Human Resources Implications (if required)

7.5.1 There are no direct human resources implications in this proposal. Administration of the commissioned services will be absorbed by existing Adult Social Care commissioning posts as follows, and overseen by the Commissioning Manager for Refugees & Migration:

7.5.2 1x Senior Commissioning Officer

7.5.3 1x Commissioning Officer

7.5.4 1x Business Support Officer

7.6 Public Sector Equality Duty

7.6.1 An equality impact assessment has been completed and is attached to this report as **Appendix 1**.

8 Appendices

8.1 Equality Impact Assessment

9 Background Documents

9.1 [City of Sanctuary Policy Statement 2018-22](#)

Title of proposed EIA	Afghan Interpreters Relocation Scheme
Reference No	EQUA718
EA is in support of	New Service
Review Frequency	Annually
Date of first review	01/07/2022
Directorate	Adults Social Care
Division	Commissioning
Service Area	Refugees & Migration
Responsible Officer(s)	<input type="checkbox"/> Bethany Finch
Quality Control Officer(s)	<input type="checkbox"/> Gordon Strachan
Accountable Officer(s)	<input type="checkbox"/> John Freeman
Purpose of proposal	To support the introduction and implementation of the Afghan Interpreters Relocation Scheme
Data sources	relevant reports/strategies; relevant research; Other (please specify)
Please include any other sources of data	Evidence from delivering Refugee Resettlement Schemes.
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders
Age details:	<p>The Afghan Interpreters Relocation Scheme targets Afghan citizens who have worked as interpreters to British troops during their time in Afghanistan. Its also includes their family members and dependents which can include people of any age. Based on our experience with other Refugee Resettlement Schemes, the most vulnerable tend to be older adults with complex needs. A potential negative impact of the scheme is that any older people who arrive in the city might be at risk of isolation. This will be mitigated by ensuring that through caseworkers, any isolated individuals are supported to connect with the services that are available to them and commissioned for them.</p>

Protected characteristic: Disability

Service Users / Stakeholders

Disability details:

Based on data available through other Refugee Resettlement Schemes, less than 5% of arrivals may include refugees with a range of disabilities. BCC does not know what the population make-up is likely to be under the Afghan Interpreters Relocation Scheme. To ensure that people with disabilities are not discriminated against, once BCC receives case information, plans will be put in place to engage with relevant support services.

As mitigation, BCC will ensure that all services and activities offered through the scheme are accessible to all e.g. transport provision for attending appointments or the use of wheelchair accessible rooms for group sessions.

If individuals are unable to leave home to attend ESOL classes which are an important part of integration, volunteers are sent to the home environment to help with English language learning.

Protected characteristic: Sex

Service Users / Stakeholders

Gender details:

Through the Afghan Interpreters Relocation Scheme both males and females will be welcomed. Services commissioned directly by BCC to support individuals will be accessible for both genders, and will be sensitive to cultural differences.

Protected characteristics: Gender Reassignment

Service Users / Stakeholders

Gender reassignment details:

Through previous resettlement schemes, we have not welcomed anyone who falls under this protected characteristic. If the Afghan Interpreter relocation scheme individuals were to fall into this category, BCC would ensure that adequate support was provided to mitigate discrimination and would also utilise specialist services

available in the voluntary sector in the city, aimed at supporting individuals who have undertaken gender reassignment.

Protected characteristics: Marriage and Civil Partnership

Service Users/ Stakeholders

Marriage and civil partnership details:

Under the Afghan Interpreters Relocation Scheme, it is likely that the a number of arrivals will be be married couples. The scheme will have a positive impact on refugees that are married or in civil partnerships. Housing options ensure that partners are housed as a family unit and all activities and services commissioned target the whole family unless they are specifically children's activities.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders

Pregnancy and maternity details:

Through existing Resettlement Schemes, we have seen a number of pregnancies at various terms. We do not yet know to what extent this will apply to the Afghan Interpreters Relocation Scheme. Pregnant women arriving on the Afghan Interpreters Relocation Scheme will be able to access and benefit from maternity support services as they would other health services once they are in the UK. BCC will ensure that any negative impact on pregnant mothers are mitigated by working with GP surgeries to ensure staff are made aware of pregnancies pre-arrival allowing for the necessary midwifery appointments to be made if possible before the mother arrives in the country.

Protected characteristics: Race

Service Users / Stakeholders

Race details:

In terms of racial discrimination, some individuals arriving on this scheme may experience hostility in some of the areas that they will be housed. This will be mitigated by ensuring that properties that are offered are checked with local policing

teams prior to their usage. If intelligence suggests that families should not be being housed in an area due to potential risks, then that property will not be offered. All individuals or families will have case workers who work closely with families who will help to support families if discrimination does occur. BCC will seek to move families if required. During the first few weeks of arrivals, information is shared with refugees on how racial discrimination is a crime, understanding what it is and what to do if you become a victim of racial discrimination. Any negative stereotypes will be challenged by ensuring positive messaging on the contributions of individuals in employment and education and, ensuring that local elected members are briefed on their constituents.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders

Religion or beliefs details:

Any activities offered through commissioned services will be culturally sensitive e.g. under the existing Resettlement Schemes, the majority of individuals are Muslim and therefore activities and services avoid Fridays to allow for attendance to Friday prayers and any catering if provided is halal.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders

Sexual orientation details:

Under existing resettlement schemes, we have not had any individuals that fall under this protected characteristic. Under the Afghan Interpreters Relocation scheme, BCC will ensure that services are sensitive to needs and seek support from services already existing in the city, that provide specialist support to these groups. This will mitigate any negative impact on this group.

Socio-economic impacts

It is not known from what socio-economic groups will be represented among those who arrive under the Afghan Interpreters Relocation Scheme. However, based on experience with previous schemes, needs presenting on arrival in a new country tend to be consistent regardless of background. Commissioned services will help these needs to be addressed.

Please indicate any actions arising from completing this screening exercise.

No actions arising.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

Consultation analysis

Adverse impact on any people with protected characteristics.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future?

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

The guidance suggests this box should not be completed unless a full EIA is completed. This EIA has only been taken to screening stage.

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

It should be noted that whereby pertinent considerations around ensuring equity for the Afghan cohort, it is advisable to undertake a broader and more in-depth assessment upon annual review based on anticipated cross-cultural adaptations may impact on future inequalities.

Decision by Quality Control Officer

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Proceed for final approval

02/07/2021

Assessments - Afghan Interpreters Relocation Scheme

Submit draft to Accountable Officer?	Yes
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	02/07/2021
Reasons for approval or rejection	Approve at this stage. recommend review when the schemem becomes fully operational.
Please print and save a PDF copy for your records	Yes
Julie Bach	<input type="checkbox"/> John Freeman
Person or Group	
Content Type: Item	
Version: 27.0	
Created at 01/07/2021 04:02 PM by <input type="checkbox"/> Bethany Finch	
Last modified at 02/07/2021 08:38 AM by Workflow on behalf of <input type="checkbox"/> John Freeman	

Close

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: Acceleration of City Housing Transformation to enable reduction in Temporary Accommodation

Report of: Julie Griffin, Managing Director of City Housing
Ian MacLeod, Director of Inclusive Growth

Relevant Cabinet Member: Councillor Sharon Thompson - Homes and Neighbourhoods
Councillor Ian Ward Leader of the Council
Councillor Tristan Chatfield – Finance and Resources

Relevant O & S Chair: Councillor Penny Holbrook, Housing and Neighbourhoods
Councillor Mohammed Aikhlaq - Resources

Report author: Bill Pickbourn, Housing Transformation Director of City Housing
Mobile: 079597 013477
Email: bill.pickbourn@birmingham.gov.uk

Colette McCann, Assistant Director Housing Development, Inclusive Growth
Mobile: 07500 125 401
Email: colette.mccann@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009093/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential: No		

1. Executive Summary

- 1.1. Further intervention is required to help the City reduce the increased risks of temporary accommodation (TA) and bed & breakfast (B&B) usage.
- 1.2. A new City Housing Directorate has recently been set up that will undertake a transformation programme to develop a best in class housing service for our citizens. The work will involve carrying out a review of all housing services to ensure fit for purpose operating models are designed across the directorate. Some of this work is already underway within the Housing Options Service, where a new operating model has been designed to reduce the overall cost of provision whilst delivering a more sustainable, legally compliant and customer focussed service.
- 1.3. This report sets out the approvals for investment required to accelerate homeless prevention activity and achieve additional reductions in B&B usage and cost. To realise these benefits the following approvals are requested:
 - Capital investment of £2m for a TA property project
 - Capital investment of £60m to implement a Property Acquisition Programme to procure up to 230 properties for TA and Social Housing use where it makes financial sense.
 - To utilise the Council's wholly owned company InReach, to undertake the Property Acquisition Programme.
- 1.4. Delivery of the proposals requires one-off transformation funding of £2.8m which will be requested through delivery plan governance arrangements. The funding will enable the establishment of a property acquisition capability, acceleration of prevention and move on capability and project management capacity.

2. Recommendations

That Cabinet:

- 2.1. Approves the Strategic Outline Business Case at Appendix 1, concerning the proposal "to accelerate interventions to reduce the use of B&B accommodation".
- 2.2. Approves the provision of £2m capital funding from general fund for a TA property project.
- 2.3. Delegates authority to approve a Property Acquisition Programme Business Case to procure up to 230 properties for TA and Social Housing use to the Leader, Cabinet Member Finance and Resources and Cabinet Member for Housing, in conjunction with the Acting Director Inclusive Growth, the Chief Finance Officer (or their delegate) and the City Solicitor (or their delegate) and the Managing Director City Housing.
- 2.4. Delegates authority to the Managing Director of City Housing, in conjunction with the Leader, the Cabinet Member for Finance and Resources and the Acting

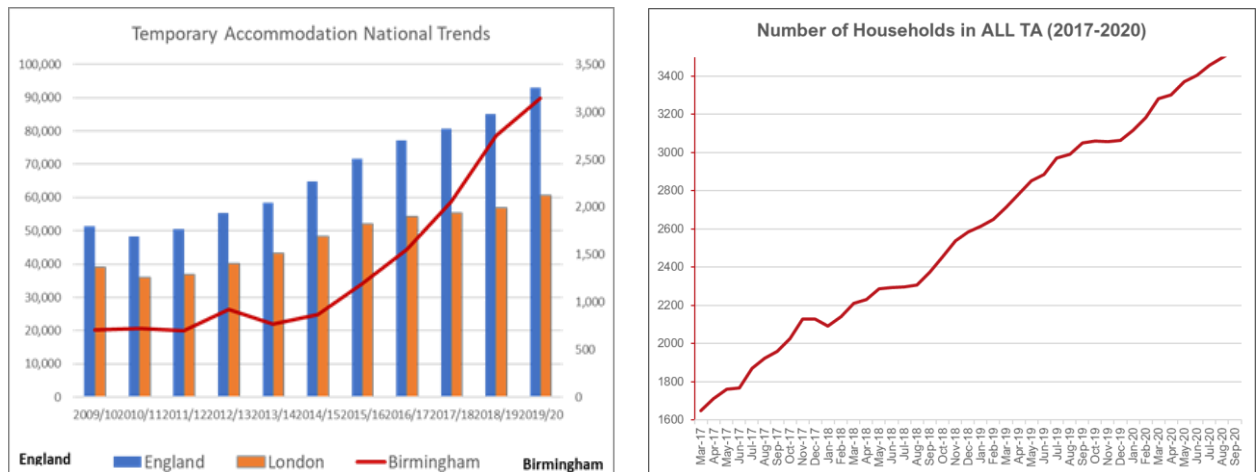
Director Inclusive Growth and the City Solicitor (or their delegate) to acquire shares in, and approve loans to InReach, the Council's wholly owned company, up to an aggregate limit of £60m, on commercial terms and in compliance with HMRC rules on 'thin capitalisation' over 35 years in connection with the property acquisition programme.

- 2.5. Authorises the Assistant Director Property in conjunction with the Managing Director City Housing to negotiate and enter into property leasing arrangements for the use of the 230 properties for TA and Social Housing use.
- 2.6. Authorises the City Solicitor to negotiate, execute and complete all necessary documentation to give effect to the above recommendations.

3. Background

- 3.1. The City Housing Directorate aspires to develop a best in class housing service by developing fit for purpose operating models across the directorate.
- 3.2. The priority is to enhance the new Housing Options Service operating model, and to better support households at the early stages to prevent a housing crisis, before it manifests into a statutory need.
- 3.3. The Housing Options Service has a statutory duty to provide or secure suitable accommodation for residents that present as homeless and are eligible for assistance. The ability to discharge this responsibility effectively through the current operating model and resources is becoming increasingly challenging, which is resulting in a huge increase in the use of TA.
- 3.4. It is the provision of TA, and more specifically the use of B&B, which places extreme cost pressures and other performance challenges upon the Housing Options Service.
- 3.5. Compared to other core cities and West Midlands authorities Birmingham City Council has:
 - Significantly more families accommodated in B&B.
 - Higher volume of families more likely to spend more than six weeks in B&B.
 - Assessed a much larger volume of homeless applications during the financial year 2019/20.
 - Significantly underutilised PRS accommodation to prevent, relieve or bring the main homeless duty to an end.
- 3.6. Moreover, the volume of individuals presenting as homeless, coupled with a lack of housing supply in the city (predicted to be a shortfall of 40,000 units by 2031 – BMHT market report) which is affordable and covered by Local Housing Allowance (LHA) rates means that there is little capacity to ensure people have a longer-term tenancy to move on to.

- 3.7. Although the city council's direction of travel in relation to TA usage is in line with the national trend, our percentage increase is much higher:



Our overall use of TA has increased by 262% during 2015-2020 and B&B has increased by 134% during 2017-2020. If the number of households in B&B continues to increase as it has in previous years, the B&B cumulative cost would amount to £148m by 2024.

- 3.8. A new operating model for Housing Options Service has been designed that focuses on homeless prevention work and effective casework to move households out of TA in a timely fashion and into suitable accommodation. The change from crisis management to an effective prevention and case management model, supported by a robust accommodation offer for our customers will help the service to significantly reduce the B&B budget by 2025.
- 3.9. There is an opportunity to accelerate homeless prevention and TA Move On activity, which will help to further reduce the number of households in B&Bs. To realise this objective needs additional housing capacity, working to a consistent methodology, defined governance and leadership model to manage and deliver this programme.
- 3.10. There are three separate cabinet reports that should be in due course read in conjunction with this report:
1. Increasing Private Sector Leasing property growth for TA usage (approved)
 2. Working with the private sector to deliver housing growth (proposed Autumn 2021)
 3. Delivering a programme of additional housing (proposed Autumn 2021)

4. Options considered and Recommended Proposal

- 4.1. Continue only with the service improvements to eradicate B&B by 2025: This is not viable as current limitations in service delivery and housing capacity are being

exacerbated by changes to COVID policy (increased listing of cases at courts, tapering of furlough) which means the numbers of people presenting as homeless is likely to increase in the short term. This will maintain or enhance cost pressures on the service. To fully implement the new operating model will take many months to mobilise.

4.2. Stop providing the service: This is not feasible as most of the service areas are statutory in nature.

4.3. Increase the short and medium-term supply of affordable housing: The council and / or one of its wholly owned companies could acquire homes by some or all other the following means:

- Buying back leasehold properties in existing estates, particularly those that are earmarked for regeneration
- Changing the mix of homes developed by BMHT
- Bulk purchasing homes from the open market or Registered Providers
- Targeted street purchases
- Construction of meanwhile homes on brownfield sites, or repurposing of buildings

This option is NOT PREFERRED because whilst boosting the supply of housing is desirable, alone it will not address homelessness as there are other management activities that could prevent homelessness, manage the existing stock better and help people into suitable private sector housing.

4.4. Increase the short and medium-term supply of affordable housing, TA and TA move on activity: To increase the affordable housing and TA supply, deliver a number of additional intervention activities, to accelerate the reduction of Bed and Breakfast accommodation usage - **THE PREFERRED OPTION**

5. Consultation

Capital Board has been consulted with regards to the capital investment.

6. Risk Management

- Demand continues to be greater than available affordable housing supply.
- A continued increase in the levels of homelessness that exceeds the Council's resources.
- Lack of suitable accommodation in the City available to purchase.
- Demand exceeds modelled expectations = increased costs and continued use of B&B accommodation.

7. Compliance Issues:

7.1. How are the recommended decisions consistent with the City Council's priorities, plans and strategies? The proposals within this report will make a direct contribution to both Corporate and Directorate outcomes:

Birmingham City Council Plan 2018-22: Outcome 4 - Birmingham is a great city to live in:

- Priority 2: We will have appropriate housing to meet the needs of our citizens measured through:
 - *Minimising the number (and time) of households living in Temporary Accommodation.*
- Priority 3: We will work with partners to tackle rough sleeping and homelessness measured through:
 - *Reducing the number of rough sleepers across the city.*
 - *Increasing the number of households where homelessness is successfully prevented or relieved.*

7.2. Legal Implications

- 7.2.1. Under Section 206(1) of the Housing Act 1996 the City Council may discharge their housing functions relating to persons who are homeless only by securing that suitable accommodation provided by them is available, by securing that such persons obtain suitable accommodation from some other person, or by giving such persons such advice and assistance as will secure that suitable accommodation is available from some other person.
- 7.2.2. In recent High Court proceedings (R (on the application of Abdelmotalib Elkundi and Others) v. Birmingham City Council) the court ruled that the main housing duty under s193(2) of the Housing Act 1996, namely the duty to secure that suitable temporary accommodation is available for applicants who have been found to be homeless, eligible for assistance, in priority need and not intentionally homeless and had a local connection is unqualified, immediate and non-deferrable. In practical terms, this judgment means that it is necessary to have and offer suitable temporary accommodation immediately where a decision is made that the property currently occupied by an individual is unsuitable.
- 7.2.3. As per the Homelessness (Suitability of Accommodation) (England) Order 2003 if no alternative accommodation is available for the applicant the Housing Authority may accommodate the family in B&B for a period, or periods, not exceeding 6 weeks in result of a single homelessness application. It is unlawful for Councils to accommodate families in temporary accommodation that is privately owned B&B for more than six weeks.
- 7.2.4. Under Section 209 of the Housing Act 1996 the City Council may make arrangements with a private landlord to discharge their interim duties under Part VII of that Act, and any tenancy granted pursuant to such arrangements cannot be an assured tenancy before the expiry of the period of 12 months commencing on

the date on which the homeless person was notified of the Council's decision with regard to their interim duty or the date of the determination of any review or appeal of such decision, unless the homeless person is informed, before or during the expiry of that period that the tenancy is to be an assured shorthold tenancy or an assured tenancy other than an assured shorthold tenancy.

- 7.2.5. By virtue of paragraph 4 of Schedule 1 to the Housing Act 1985 a tenancy granted in pursuance of any function under the City Council's duties to homeless persons under Part VII of the Housing Act 1996 is not a secure tenancy unless the City Council have notified the tenant that the tenancy is to be regarded as a Secure Tenancy.
- 7.2.6. Sections 120 to 123 of the Local Government Act 1972 contain the Council's powers to acquire, appropriate and dispose of land for the purpose of the discharge of any of their statutory functions.
- 7.2.7. Section 111 of the Local Government Act 1972 contains the Council's subsidiary powers to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

7.3. Financial Implications

- The report seeks to progress two proposals which would provide alternative accommodation to Bed and Breakfast. This is part of the wider programme to eliminate the use of Bed and Breakfast through an early intervention and prevention model. The 2021/22 Q1 forecast for the service is projecting demand led pressure in this area which would be further mitigated through the introduction of more cost effective accommodation types. The proposals support existing placements in B&B and do not account for ongoing demand led growth and compare the cost of placements in B&B with the alternative proposed accommodation .
- External financial modelling has been undertaken to assess the viability of proposals and is summarised in the table below.
- The modelling indicates that investment of £2m capital into the repurposing of a council property into hostel accommodation would provide cost avoidance of £6.7m pa full year impact from 2023/24 through reduction in B&B and a bottom line surplus within hostel operating costs, including the cost of borrowing. As the building is only available for a period of 5 years the financial benefit is time limited up to 2025/26.
- Investment of £60m will enable the purchase of approximately 230 street units and should be progressed where it makes financial sense compared to using B&B. The modelling indicates that this will further reduce the use of B&B delivering cost avoidance in the region of £2.9m full year affect from 2022/23 .

This is net of the repayment of borrowing cost estimates at £2.47m pa and assumes provision through InReach. The modelling does not take account of rental payments to InReach as it is assumed this would net off through loan repayments back to the council.

- Progressing both proposals would deliver cost mitigation in 2021/22 between £1.0m to £1.4m (depending on conservative or accelerated property acquisition approach), between £9.4m and £9.5m in 2022/23 and £9.6m pa from 2023/24 to 2025/26 (due to 5 year availability of hostel accommodation space). This only supports existing placements in B&B and does not address further placements within the service.
- Delivery of the proposals requires one-off transformation funding of £2.8m which will be requested through delivery plan governance arrangements. The funding will enable the establishment of a property acquisition capability, acceleration of prevention and move on capability and project management capacity.

Below is a table summarising the different actions;

- Opportunity A – Repurposing of an existing asset for temporary accommodation use.
- Opportunity B – Purchase Programme of properties, one view is a conservative view and more is a more accelerated pace.

Programme – Summary

Opportunity A – Repurposed Asset	2021/22	2022/23	2023/2024	2024/2025
Gross B&B Cost Avoidance	(£824,074)	(£5,768,519)	(£5,933,333)	(£5,933,333)
Net Position (revenue generated minus operating costs and loan repayments)	(£132,211)	(£743,137)	(£772,933)	(£772,933)
Net Position including B&B cost avoidance	(£956,285)	(£6,511,656)	(£6,706,266)	(£6,706,266)
Purchase Programme S1 (Conservative)	2021/22	2022/23	2023/2024	2024/2025
Gross B&B Cost Avoidance	(£32,963)	(£2,874,370)	(£4,390,667)	(£4,390,667)
Net Position (revenue generated minus operating costs and loan repayments)	(£4,874)	(£42,011)	£1,447,775	£1,447,775
Net Position including B&B cost avoidance	(£37,837)	(£2,916,381)	(£2,942,891)	(£2,942,891)
Purchase Programme S2 (Accelerated)	2021/22	2022/23	2023/2024	2024/2025

Gross B&B cost avoidance	(£395,556)	(£4,390,667)	(£4,390,667)	(£4,390,667)
Net Position (revenue generated minus operating costs and loan repayments)	(£79,055)	£1,397,825	£1,397,825	£1,397,825
Net Position including B&B cost avoidance	(£474,610)	(£2,992,841)	(£2,992,841)	(£2,992,841)

7.4. Procurement Implications:

The work will require the procurement of additional temporary / agency staff and specialist consultants using the Council's current contracts or following the Council's Procurement Governance Arrangements.

Revenue related services to support the accommodation will be provided by the existing Councils Housing Repairs and Maintenance contracts.

To procure up to 230 properties for TA and Social Housing, utilising the Council's wholly owned company InReach, to undertake the Property Acquisition Programme

7.5. Public Sector Equality Duty

Regarding section 149 of the Equality Act 2010, the proposed operating model has no practices that could be considered unfair, unlawful or discriminatory within this context. The Equality Assessment (EA) that reflects the changes of this proposal will be monitored and re-evaluated at the end of consultation

8. Background Documents:

- Working with the private sector to deliver temporary accommodation solutions – 10th November 2020

9. Appendices:

Appendix 1 – Strategic Outline Business Case - To accelerate interventions to reduce the usage of Bed and Breakfast accommodation

Appendix 2 – Equality Assessment

STRATEGIC OUTLINE BUSINESS CASE

*To accelerate interventions to reduce the
usage of Bed and Breakfast accommodation*

CITY HOUSING & INCLUSIVE GROWTH PORTFOLIOS



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This document provides the description of the outcomes, analysis, cost, risks, issues and actions planned to accelerate reduction in Bed and Breakfast (B&B) accommodation usage.

Executive Summary

Further intervention is required to help the City reduce the risk of increased temporary accommodation (TA) and bed & breakfast (B&B) usage.

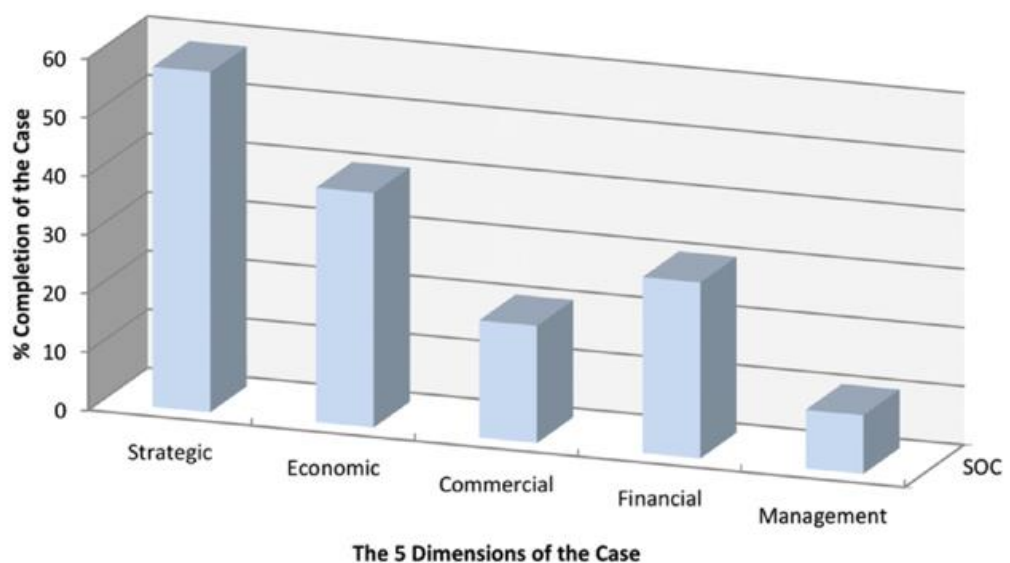
This strategic outline business case considers options to help the city to accelerate reduction in B&B accommodation usage. It concludes that there are range of social and financial benefits to accelerate plans to eradicating B&B.

Introduction

This Strategic Outline Case (SOC) is to set out the rationale for urgent action to achieve additional reductions in B&B usage. This is the scoping phase for the project to affirm the strategic context for the project, to make the case for change and to determine 'the preferred way forward'.

Identifying the preferred way forward is achieved in two stages: first, by appraising a wide range of possible options ('the long-list') against the spending objectives and critical success factors for the project; and second, by calculating the indicative costs and benefits of the shortlisted options.

At the conclusion of the SOC, stakeholders should have a good understanding of the robustness of the proposal and the future direction of travel. Further work will be required for all cases, but the Government's best practice guidance particularly states that it is expected for the commercial and management cases to require substantial additional detail at the next stage.



1 Strategic Case

1.1 The organisational overview

As a result of Cabinet adopting the Investing in our Future strategy in January 2021, the council's strategy is to fundamentally shift its focus from crisis to prevention whilst increasing the pace and scale of growth, to benefit those that need it the most. The strategy created the new City Housing Directorate among other changes to the organisational structure.

City Housing has three main service teams:

- **Housing Options Service:** Delivers statutory support to households who are at risk of homelessness or homeless. This service is responsible for making homeless application decisions, preventing and relieving homelessness, including placing households in temporary accommodation (TA) who present as homeless on the day.
- **Housing Management Service:** Housing Management is defined as all housing landlord and asset management services. This includes managing lettings and voids, tenancy and rental income. Providing estate services and facilities management including Hard and soft facilities management and neighbourhood maintenance. The team also provide Tenancy Management and support includes addressing anti-social behaviour, responding to domestic abuse, tenancy support and other support to vulnerable residents.
- **Housing Investment & Repairs:** The remit of the Housing Investment and Repairs Services includes carry out replacement programmes, ensuring statutory compliance and certification for utilities and carrying out fire protection and safety programmes. The team are also responsible for repairs and maintenance of Council properties through their contracts with the three external providers.

City Housing will undertake a transformation programme to develop a best in class housing service for our citizens. The work will involve carrying out a review of all housing services to ensure fit for purpose operating models are designed across the directorate. Some of this work is already underway within the Housing Options Service, where a new operating model has been designed to reduce the overall cost of provision whilst delivering a more sustainable, legally compliant and customer focussed service.

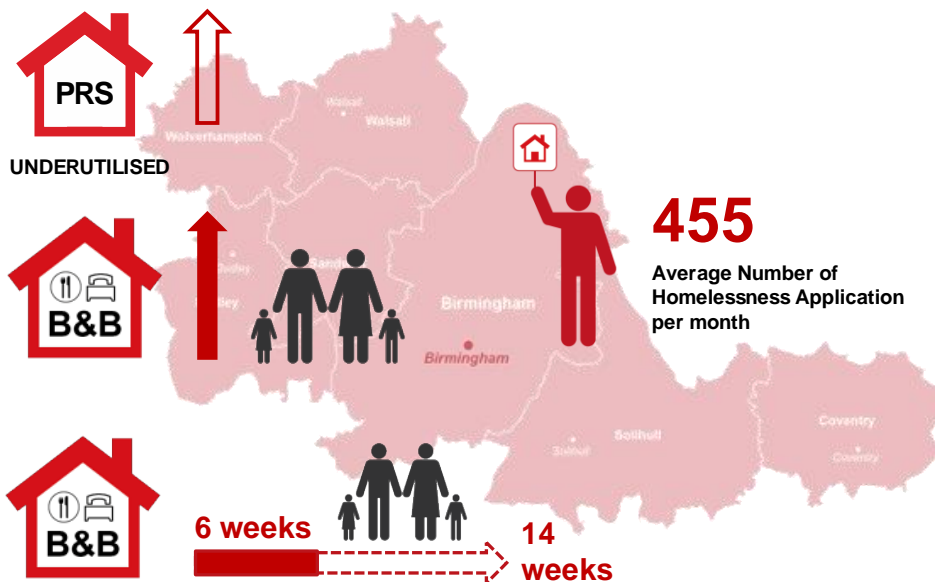
1.2 The case for change

The priority is to enhance the new Housing Options Service operating model, to better support households at the early stages to prevent a housing crisis, before it manifests into a statutory need.

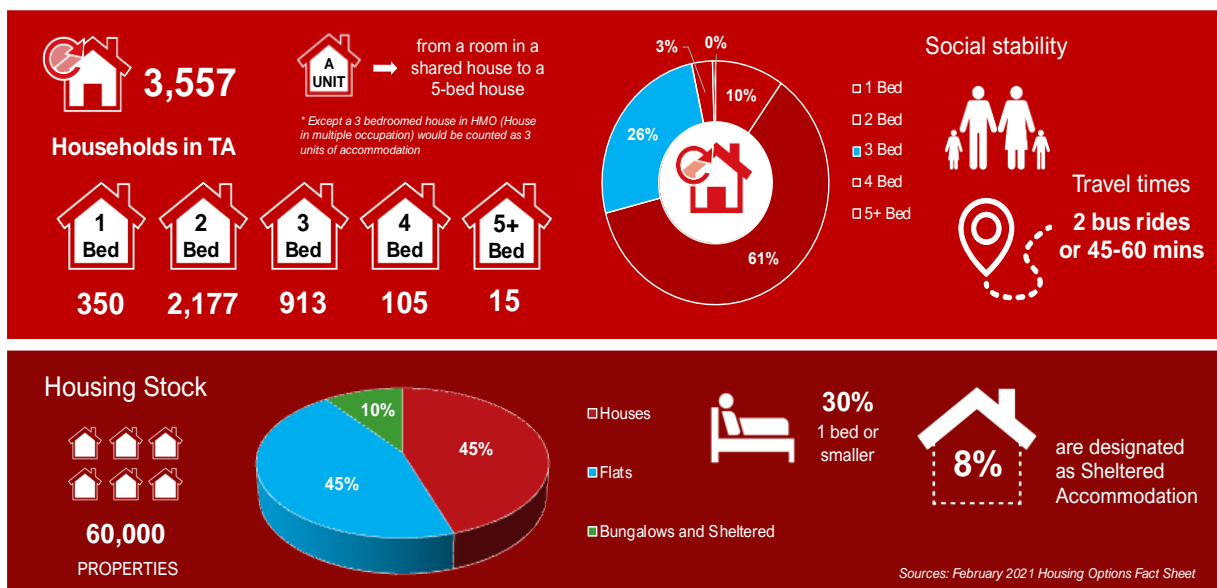
The Housing Options Service has a statutory duty to provide or secure suitable accommodation for residents that present as homeless and are eligible for assistance. The ability to discharge this responsibility effectively through the current operating model and resources is becoming increasingly untenable, which is resulting in a huge increase in the use of TA. It is the provision of TA, and more specifically the use of B&B, which places extreme cost pressures and other performance challenges upon the Housing Options Service.

Compared to other core cities and West Midlands authorities Birmingham City Council have:

- Significantly more families accommodated in B&B.
- Higher volume of families more likely to spend more than the legal minimum time (six weeks) in B&B.
- Assessed a much larger volume of homeless applications during the financial year 2019/20.
- Significantly underutilised PRS accommodation to prevent, relieve or bring the main homeless duty to an end.



Moreover, the volume of homelessness cases presenting, coupled with a lack of housing supply in the city (predicted to be a shortfall of 40,000 units by 2031 – BMHT market report) which is affordable and covered by LHA rates means that there is little capacity to ensure people have a longer-term tenancy to move on to.



Patterns of rising TA demand

Whilst the city council's direction of travel in relation to TA usage is in line with the national trend, our percentage increase is much higher:

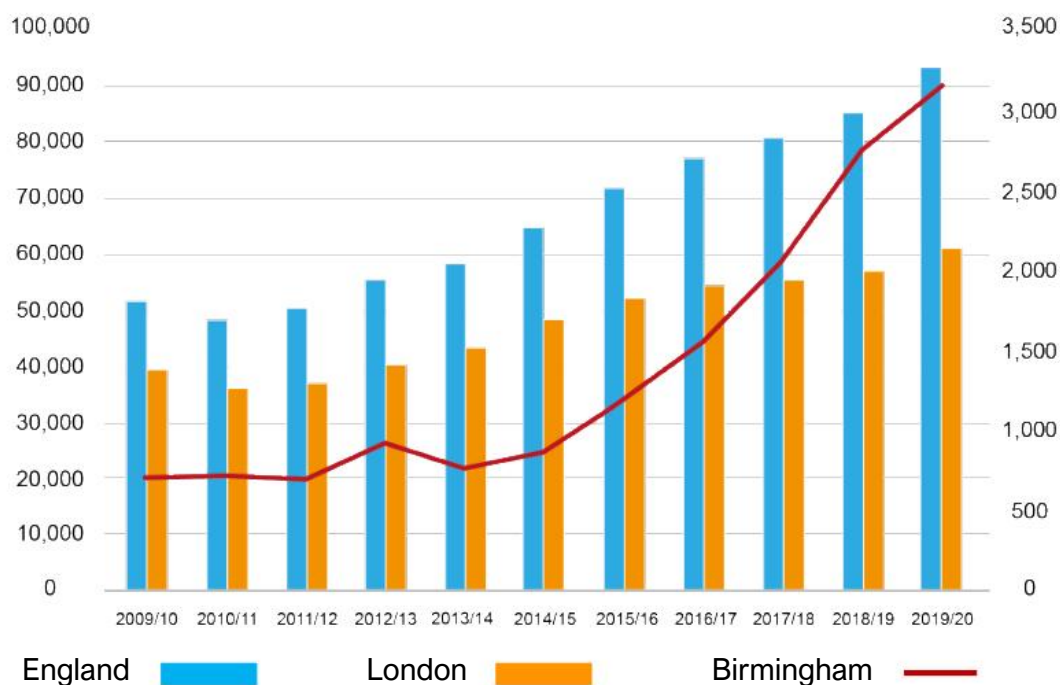


Figure 1. Temporary Accommodation National Trends

The chart below illustrates our use of TA continuously increasing over the last three years:

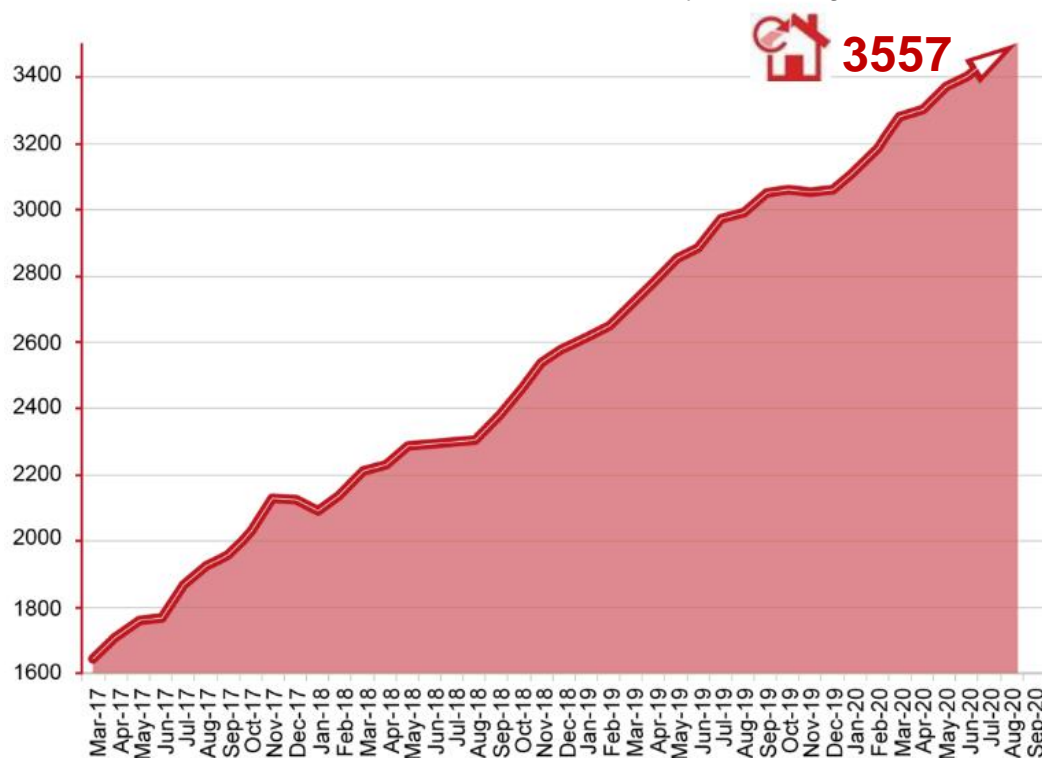


Figure 3. Number of Households in ALL TA (2017-2020)

Bed and Breakfast

Whilst the service has been working hard to reduce B&B usage and its associated expense, there is more work to be done to reduce B&B use as a form of TA. It is by far the costliest and the most unsuitable TA provision for our customers. Compared to other core cities and West Midlands authorities Birmingham has significantly more households in B&B and much higher number of families with dependent children occupying B&B for more than 6 weeks.

The use of B&B has significantly increased since 2017 as it is the most readily available TA provision for use in emergency accommodation situations. The following charts show the changes in the number of households in B&B since 2017:

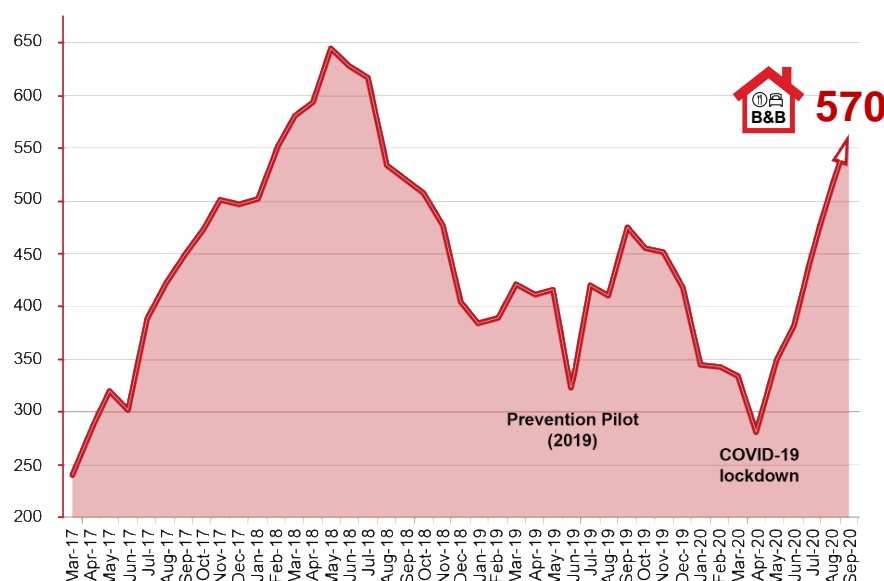


Figure 4. Number of Households in B&B (2017-2020)

Our overall use of TA has increased by 262% during 2015-2020 and B&B has increased by 134% during 2017-2020. If the number of households in B&B continues to increase as it has in previous years, the B&B cumulative cost would amount to £148m by 2024,

In June 2018 a TA reduction action plan was drawn up to use more stock as TA disperse accommodation to address the rising use of B&B. Through successful implementation of this plan the use of B&B reduced from 690 at its peak to a low of 310 – a 55% reduction over a four-month period.

As a result of the Covid-19 national government lockdown, the number of households in B&B decreased to 279 on the 13th April 2020, however the numbers have since increased by an average of 10 households per week due the full impact of the pandemic and this is forecast to increase as the Government policy tapers off.

Homeless Demand

One of the main challenges for the service is to reduce the cost of TA with increasing number of households presenting as homeless in crisis and needing TA. During 2019-20 Birmingham processed more homeless applications than its neighbouring authorities and other core cities. Compared to 2018-19, the total number of homeless assessments conducted by the service during 2019-20 increased by almost 12%:

Shifting from crisis management to prevention

A new operating model for Housing Options Service has been designed that focuses on homeless prevention work and effective casework to move households out of TA in a timely fashion and into suitable accommodation. The change from crisis management to an effective prevention and case management model, supported by a robust accommodation offer for our customers will help the service to reduce the B&B budget to **zero** by 2025.

There is an opportunity to accelerate homeless prevention and TA Move On activity, which will help to further reduce the number of households in B&Bs. To realise this objective needs additional capacity, working to a consistent methodology, defined governance and leadership to manage and deliver this programme.

2 Economic Case

2.1 Critical Success Factors

The key Critical Success Factors (CSFs) are as follows.

Desired outcome	Critical Success Factors
Reducing homelessness	<ul style="list-style-type: none">• Conduct more early intervention and homeless prevention work• Reduce the need for social housing• Increase access to PRS properties
Reduction in all unnecessary costs whilst contributing to the long-term financial sustainability of the council	<ul style="list-style-type: none">• Reduce Bed and Breakfast usage and cost• Optimising the return on investment from assets for the council over short, medium and long-term (true value, tax efficiency and public accounting)• Take investment decisions from a clear understanding of risk and commercial reward• Facilitating regeneration
Increase the supply of quality affordable housing	<ul style="list-style-type: none">• Increase the supply of housing that people need across that city - affordability, size, location and tenure types• Increase the supply of TA that acts as an alternative to B&B• Address unacceptable practice among private landlords.• Support the growth of the city through proactive use of city real estate assets

2.2 Long list of options

The long list of options was generated by a series of workshop held during June 2021. The evaluation was undertaken in accordance with how well each option met the investment objectives and Critical Success Factors:

OPTION 1 - Continue only with the service improvements to eradicate B&B by 2025:

This is not viable as current limitations in service delivery and housing capacity are being exacerbated by changes to COVID policy (increased listing of cases at courts, tapering of furlough) which means the numbers of people presenting as homeless are likely to go up in the short term. This will maintain or enhance cost pressures on the service. To fully implement the new operating model will take many months to mobilise (NOT PREFERRED)

OPTION 2 - Stop providing the service: This is not feasible as most of the service areas within are statutory in nature (NOT PREFERRED)

OPTION 3 - Increase the short and medium-term supply of affordable housing. The Council has been working hard to increase the current build rate from 300 per annum as it does not outstrip the rate of homes lost to right-to-buy, which is nearer 700 per annum. A new approach to accelerating the supply of housing using council land and assets is underway, but more needs to be done faster. The council and / or one of its wholly owned companies could acquire homes by some or all other the following means:

- Buying back leasehold properties in existing estates, particularly those that are earmarked for regeneration
- Changing the mix of homes developed by BMHT
- Bulk purchasing homes from the open market or Registered Providers
- Targeted street purchases
- Construction of meanwhile homes on brownfield sites, or repurposing of buildings

This option is NOT PREFERRED because whilst boosting the supply of housing is desirable, alone it will not address homelessness as there are other management activities that could prevent homelessness, manage the existing stock better and help people into suitable private sector housing.

OPTION 4 - Increasing the supply of additional TA and affordable housing whilst simultaneously accelerating the required operational actions: To accelerate a flexible portfolio of activities to enhance homeless prevention and TA move on activities, expand the use of alternative options to TA, including increase housing supply - **PREFERRED OPTION**

2.3 Preferred way forward

The strategy is to implement as fast as possible a spectrum of activity that effectively manage households when they are in TA and increases the overall supply of TA. Specifically, there are five elements:

1. Expand homeless prevention and TA tenancy support activity
2. Expand the use of alternative options to TA
3. Reduce numbers of households in TA
4. Improved management
5. Increase the supply of Social Housing

Expand homeless prevention and TA tenancy support activity: Planned actions focus on establishing tenancy support capability to prevent crisis occurring and develop “toolkit” of actions including financial incentives, rent guarantees. With enhancement to data and analytics capacity it is also possible to forecast who is likely to present as homeless so support can be given prior to the event.

Expand the use of alternative options to TA: This starts with increasing the use of Private Rented Sector (PRS) accommodation. Working with residents and landlords we can avoid some people going into TA in the first place. It is possible to make PRS option more attractive and we can accelerate use of Help2Rent scheme. Actions below seek to improve the offer in this sector through the use of the InReach and private sector provider of homes.

Reduce numbers of households in TA (people action): The Council currently has circa 3557 households in TA. It is important to:

- Establish an effective “Move-on and Resettlement” capability. This includes encouraging people to bid for social housing
- Move people on if had negative decision i.e. that they are not eligible for accommodation.
- Increase use of alternative options such as increased use of PRS; promotion and use of the Seaside and Country Homes (the scheme is open to people living in council or housing association properties where at least one member of the household is age 55 or above), or innovative schemes such as Home Finder and Bridge Housing.
- Long Term Case Reviews to review all cases of households who have been in a TA setting for a long time, with the aim of offering alternative housing solutions.
- Review Council Housing Register Suspensions cases to stop households being stuck in TA.

Improved management of TA (property actions): In order to reduce the cost of TA by ensure the rates and rentals being paid are market rate (LHA rates), stop using expensive provision such as B&Bs, re-negotiate rates with agents and providers and recommission contracts. Additionally, it is important to ensure effective Void Management to optimise the number of available properties and the length of time a property remains unoccupied. Also critical to this enhanced management is to increase supply of TA properties by repurposing existing assets.

Increased supply of Affordable Housing: Sufficient homes that people can afford to live in is crucial to the ultimate solution to homelessness and therefore a priority for the city. As part of the Investing in our Future strategy approved by Cabinet work is underway to enhance the operating model of the Inclusive Growth division of the council so it can accelerate the supply of homes people need. Given the nature of the property development process and the end-to-end design/approval/construction process the results of this acceleration will be felt from 2023 at the earliest. However, there are activities we can do now to rapidly increase the supply of homes and reduce the number of people in the B&B. We can

- Increase allocations from RPs
- Effective use of settled stock / social housing: mutual exchanges - mobility transfers, homeswapper, under-occupancy
- Block purchase homes to rent: full rent, mid-market offers for key / essential workers, or provide temp accommodation.
- Change the mix from BMHT development
- Single purchase homes to rent: leaseholder buy-backs in estates (especially those earmarked for regeneration where CPO would ultimately be required), large accommodation in suitable locations across the city to support the pattern of demand from families.
- Fundamental increases to the supply of social housing across the city that can be offered with secure tenancies.

2.4 Indicative Cost / benefit analysis of activities to increase the supply of homes within the preferred option

From the shortlisting process, two opportunities have been identified as the preferred options and they form the basis of the cost benefit analysis. The assessment is based on best available data and considers scenarios as a means of sense checking risk and opportunity.

Opportunity A: repurposing an existing property for use as TA: The Council has an existing property with suitable accommodation that can be repurposed. The accommodation consists of individual rooms with showers, WC and wash basins, with a number of shared facilities. The property will require a change of use planning permission, refurbishment, some minor modifications and the appointment of a management team.

Opportunity A: repurposing an existing property, phase refurbishment: £10.7m gross revenue gains (saved and generated) cumulative across 2021/22 and 2022/23

From the beginning of the programme through the end of FY 2022/23, The council will have:

- generated £4.1m in rent
- saved £6.6m in B&B costs
- paid £520,431 in loans and interest (capital costs)
- spent 2.7m in revenue (operating costs)

Net position including B&B costs avoided in FY 22/23: c£6.5m before transformation team costs apportionment.

Opportunity B: Property Acquisition Programme: The council is able to purchase housing assets on the open market. Given the exceptional circumstances in the rise of homelessness, the need for larger three to five bedroom properties, the geographic span of demand and the need to maintain family social support network as far as possible, it is necessary to consider open market purchases. This strategy, when aligned with other area-based regeneration initiatives means the following options should be explored:

- Leaseholder buy-backs on regeneration estates
- Change the mix from BMHT development
- Block purchase from developers
- Targeted street purchase: size and location aligned with specialist need or tackling the worst private landlord behaviour

Unlike investment in assets, we already own, this approach has a higher initial capital outlay. However, the benefits come from reducing revenue costs. Furthermore, the housing asset can be repurposed or sold at a later date. Upon purchase and refurbishment, the asset could be immediately made available to replace B&B and in the long term should the demand for short term accommodation subside, it can be repurposed for different forms of affordable housing.

- **Scenario 1: (Conservative) Purchase 20 properties per month until Dec 2022, total 222 properties**

£3.7m gross revenue gains (B&B costs avoided and rent generated) cumulative by end of FY 22/23 (including 21/22)

- Avoided £2.9m in B&B costs
- Generated £830k in rent
- Spent £116k in revenue
- Spent £668k on acquisition, retrofit/refurb, stamp duty, and loan repayments including interest while acquiring a portfolio of 222 properties with a purchase value of £60m.

Net position including B&B costs avoided in FY22/23: £2.9m surplus before transformation team costs apportionment.

- **Scenario 2: (Accelerated) Purchase 40 properties per month until April 2022, total 222 properties**

£5.9m gross revenue gains (saved and generated) (occupied by June 2022 hence full cost avoidance) cumulative 21/22 and 22/23

- Avoided £4.6m in B&B costs.
- Generated £1.3m in rent
- Spent £216k in revenue
- Spent £2.47m on acquisition, refurb, maintenance, and loan repayments including interest while acquiring a portfolio of 222 properties with a purchase value of £60 m.

Net position including B&B costs avoided in FY22/23: £2.9m surplus before transformation team costs apportionment.

2.5 Summary of the Economic Case

Following a review of the long list of options the priority is to focus on measures to increase the supply of homes (alongside accelerate homeless prevention and TA Move On activity).

The preferred option must be subject to further analysis through the next stage of business case and project delivery planning. However, it is important to note that Opportunity A shows time is of the essence. Every month that passes without sufficient accommodation represents additional B&B costs to the council which could have been avoided.

If, for example, Opportunity A was decelerated to being occupation next fiscal year in April 2022, the council would lose out on a potential c£800k this fiscal year which could have been saved from occupation beginning in November 2021. Therefore, the conclusion is to progress to the next stage of activity as fast as possible, and over deliver on every measure to meet the known need and be prepared to meet any unspecified increase in need due to changes in the Government's pandemic policy.

These require c.£2.8m transformation funding (details set out in the Management Case. This also requires access to £60m capital budget for acquisition."

3 The Commercial Case

3.1 Introduction

This section provides a concise overview of the potential commercial arrangements for the successful delivery of the project. It centres on ownership and leasing of the additional housing stock.

3.2 Commercial Approach

InReach is the Council's PRS provider therefore it is considered as the preferred owner and supply of new homes to meet the aims and objectives set out in this business case. It is wholly owned by the Council. Owning a housing company means that the council can develop and provide affordable housing for rent to a range of tenants. It makes an important contribution to the supply of homes to rent in the city filling a gap for those who are not yet able to become homeowners. It also acts as a means of recycling investment for social purpose because any profit InReach makes is distributed as dividend to the Council as the 100% shareholder and that dividend is reinvested for social purposes (for example in education and social care). In addition, any loan provision made to InReach is on commercial terms resulting in the Council achieving a surplus income to the General Fund.

InReach currently focuses on market rent but has the opportunity to be used flexibly. It could offer properties rented out to the Council to accommodate people who present as homeless and in need of temporary accommodation. It can also be used flexibly to provide a range of affordable tenancies to those cannot afford to buy or rent privately and have limited access to social housing. The mix of rental offers can change over time so long as it is in line with the company's business plan and articles of association. Used flexibly InReach can pioneer a range of affordable housing, providing homes for working people on lower wages, to ensure that everyone benefits from the city's growth and regeneration programmes.

InReach is a relatively new company and currently has limited stock. The more stock the company has the more viable it will become (subject to other managements). Hence any stock acquired as part of the emergency action to boost the supply of housing to tackle the current homelessness crisis is likely to make a positive contribution to the success of the company and help it achieve its purpose.

Given that InReach is a provider of PRS housing, it is already set up to acquire, lease and manage homes for rent albeit the activities require additional resource to move at pace. Work is required to explore a new investment strategy for InReach. That is likely to require a combination of equity and loans over a 35-40 year period to enable the company to acquire sufficient residential property portfolio. Further detailed work is required to develop a viable financial business model and adjust the overall business plan for InReach to deliver on the proposal, this may also result in the need to review and make minor amendments to the articles of association of the company and its governance/board structure. In addition, the financial model will also need to explore the most efficient approach to the ongoing management and maintenance of the purchased property portfolio which may include entering into full repairing lease arrangements with the Council subject to detailed tax advice.

This work is subject to a further phase of business case detail, but resource is required in the meantime to undertake such work based on the agreement in principle to proceed.

4 The Financial Case

4.1 Introduction

The purpose of this section is to set out the indicative financial implications of the preferred way forward (as set out in the economic case section) and the considerations for the potential deal (as described in the commercial case section).

4.2 Impact on BCC's income and expenditure account

At this stage the analysis of financial implications is focused on identifying the short-term funding needed to take the preferred way forward, together with indicative and provisional assessments of the year-by-year cash flows to the council of the various options.

The financial analysis finds that, if not considering B&B revenue cost savings, Opportunity A (repurposing an existing property) operates at a net surplus of circa £0.8m per year and both of the Purchase Programme scenarios operate at a net loss of circa £1.4m per year. While the Purchase Programme would require a subsidy to operate, it still operates at a reduction to the overall budget when considering B&B cost avoidance (seen as the “net position including B&B reductions” in the summary table below).

Programme – Summary

Opportunity A – Repurposed Asset	2021/22	2022/23	2023/2024	2024/2025
Gross B&B Cost Avoidance	(£824,074)	(£5,768,519)	(£5,933,333)	(£5,933,333)
Net Position (revenue generated minus operating costs and loan repayments)	(£132,211)	(£743,137)	(£772,933)	(£772,933)
Net Position including B&B cost avoidance	(£956,285)	(£6,511,656)	(£6,706,266)	(£6,706,266)
Purchase Programme S1 (Conservative)	2021/22	2022/23	2023/2024	2024/2025
Gross B&B Cost Avoidance	(£32,963)	(£2,874,370)	(£4,390,667)	(£4,390,667)
Net Position (revenue generated minus operating costs and loan repayments)	(£4,874)	(£42,011)	£1,447,775	£1,447,775
Net Position including B&B cost avoidance	(£37,837)	(£2,916,381)	(£2,942,891)	(£2,942,891)
Purchase Programme S2 (Accelerated)	2021/22	2022/23	2023/2024	2024/2025
Gross B&B cost avoidance	(£395,556)	(£4,390,667)	(£4,390,667)	(£4,390,667)
Net Position (revenue generated minus operating costs and loan repayments)	(£79,055)	£1,397,825	£1,397,825	£1,397,825
Net Position including B&B cost avoidance	(£474,610)	(£2,992,841)	(£2,992,841)	(£2,992,841)

Opportunity A: Repurposing an Existing Property

<u>Opportunity A Overall</u>	Cumulative total by April 2023	Cumulative total after 5 years
Gross B&B Cost Avoidance	(£6,592,593)	(£24,392,593)
Revenue Expenditure	£2,716,037	£9,937,850
Rent Revenue Generated	(£4,111,816)	(£15,213,721)
Cost of Borrowing	£520,431	£2,081,724
Total Gross Cost Avoidance + Revenue Generated	(£10,704,409)	(£39,606,314)
Total Net Cost Avoidance (Revenue)	(£7,467,941)	(£27,586,740)

<u>Opportunity A PA</u>	PER ANNUM 2021/22	PER ANNUM 2022/23	PER ANNUM 2023/2024 (normalised)
Gross B&B Cost Avoidance	(£824,074)	(£5,768,519)	(£5,933,333)
Revenue Expenditure	£381,766	£2,334,271	£2,407,271
Rent Revenue Generated	(£513,977)	(£3,597,839)	(£3,700,635)
Cost of Borrowing	£0	£520,431	£520,431
Total Gross Cost Avoidance + Revenue Generated	(£1,338,051)	(£9,366,358)	(£9,633,968)
Total Net Cost Avoidance (Revenue)	(£956,285)	(£6,511,656)	£(6,706,266)

Opportunity B: Property Acquisition Programme (Scenarios 1 and 2)

<u>Street Purchase Cumulative</u>	(S1 Conservative) Cumulative total by April 2023	(S2 Accelerated) Cumulative total by end of FY 2022/23	(S1 Conservative) Cumulative total - end of 2031/2032 (10 years)	(S2 Accelerated) Cumulative total - end of 2031/2032 (10 years)	(S1 Conservative) Cumulative total - end of 2036/2037 (15 years)	(S2 Accelerated) Cumulative total - end of 2036/2037 (15 years)
Gross B&B Cost Avoidance	(£2,907,333)	(£4,647,778)	(£38,032,667)	(£39,773,111)	(£59,986,000)	(£61,726,444)
Revenue Expenditure	£116,558	£216,443	£1,975,438	£2,075,323	£3,137,238	£3,237,123
Rent Revenue Generated	(£831,197)	(£1,328,784)	(£10,873,411)	(£11,370,998)	(£17,149,795)	(£17,647,382)
Cost of Borrowing	£667,755	£2,470,692	£24,706,920	£24,706,920	£37,060,380	£37,060,380
Total Gross Cost Avoidance + Revenue Generated	(£3,738,530)	(£5,976,562)	(£48,906,078)	9£51,144,110)	(£77,135,795)	(£79,373,827)
Total Net Cost Avoidance (Revenue)	(£2,954,218)	(£3,289,426)	(£22,223,720)	(£24,361,866)	(£36,938,178)	(£39,076,324)

<u>Street Purchase Per Annum</u>	(S1 Conservative) PER ANNUM 2021/22	(S2 Accelerated) PER ANNUM 2021/22	(S1 Conservative) PER ANNUM 2022/23	(S2 Accelerated) PER ANNUM 2022/23	(S1 Conservative) PER ANNUM 2023/24	(S2 Accelerated) PER ANNUM 2023/2024 (normalised)
Gross B&B Cost Avoidance	(£32,963)	(£395,556)	(£2,874,370)	(£4,390,667)	(£4,390,667)	(£4,390,667)
Revenue Expenditure	£4,550	£34,033	£112,008	£182,410	£232,360	£182,410
Rent Revenue Generated	(£9,424)	(£113,088)	(£821,773)	(£1,255,277)	(£1,255,277)	(£1,255,277)
Cost of Borrowing	£0	£0	£667,755	£2,470,692	£2,470,692	£2,470,692
Total Gross Cost Avoidance + Revenue Generated	(£42,38)	(£508,644)	(£3,696,143)	(£5,645,943)	(£5,645,943)	(£5,645,943)
Total Net Cost Avoidance (Revenue)	£37,837	£474,610	(£2,916,381)	(£2,992,841)	(£2,942,891)	(£2,992,841)

<u>Capital loan repayment</u>	Cumulative total by April 2023	Cumulative total 10 years (5yrs OG)	Cumulative total 15 years	TOTAL LOAN COST
Opportunity A Loan Repayment	£416,345.00	£2,081,724.00	N/A	£2,081,724.00
Street Purchase Loan Repayment	£2,470,692.00	£24,706,920.00	£37,060,380.00	£86,474,234.00

4.3 Capital funds for transformation

In order to pay for the refurbishment of an existing property and similar schemes to refurbish existing multi-unit buildings revenue budget will be used.

In order to facilitate purchase of additional homes a facility for up to £60m capital funding is required. Should the preferred option be for InReach or another wholly owned company to own and lease the units, a suitable investment strategy would require a combination of equity and loans over a 35-40 year period to enable the company to acquire a residential property portfolio.

5 The Management Case

5.1 Introduction

This section of the SOC addresses the ‘achievability’ of the various preferred way forward. Its purpose is to set out the considerations for the next stage business case to ensure the successful delivery of finally selected portfolio of projects required to reduce the use of B&B.

5.2 Delivery phases

This programme will be developed through a series of rapid steps and gateways.

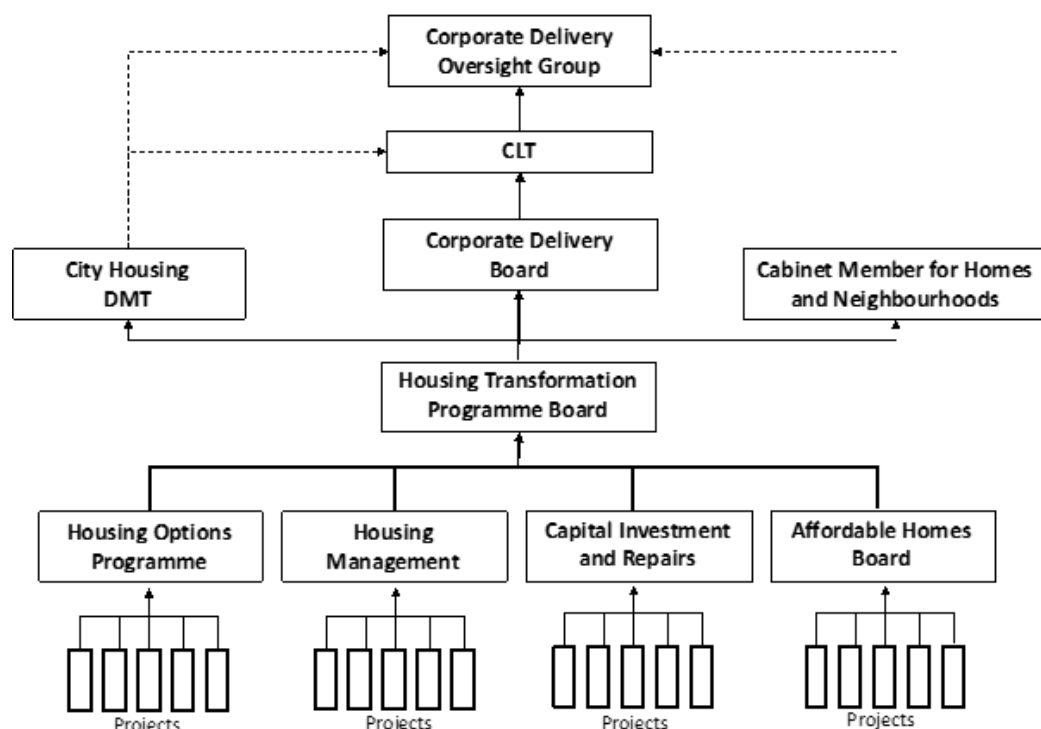
Phase 1: (July 2021) Scope and Align - culminates in this initial Strategic Outline Case.

Phase 2: (August – October 2021) Mobilise the team - accelerate key refurb projects (existing property), provide definition for other elements of the portfolio (detailed business case and investment plan for InReach).

Phase 3: (September 2021 – March 2022) Accelerated delivery – simultaneous acquisition, refurbishment, early intervention and prevention, enhanced management.

5.3 Governance

The project will be managed through the City Housing Transformation Board chaired by the Director of City Housing. That board reports to the Corporate Delivery Board, part of CLT.



5.4 Delivery Capacity

The Council does not have sufficient capacity within its existing teams to support the acceleration of B&B usage reduction. Therefore, it is proposed that a team is created that comprises of internal staff secondments, temporary posts and specialist advisors where necessary.

The Better Housing Management Group:

In TA we believe there are currently circa 600 to 800 households who we will support and work with to accelerate move-on and resettle to alternative housing options.

The Acquisition Group:

InReach will require a small team of suitably skilled individuals to work up an acquisition plan that meets the needs of the Council and specifically this homelessness reduction programme. This team will work closely with the housing management group, with all progress being reported into the client governance as set out above.

Title of proposed EIA	To accelerate interventions to reduce the usage of Bed and Breakfast accommodation
Reference No	EQUA724
EA is in support of	New Strategy
Review Frequency	No preference
Date of first review	14/07/2021
Directorate	Neighbourhoods
Division	Housing Services
Service Area	Housing Options & PRS Service
Responsible Officer(s)	<input type="checkbox"/> Bill Pickbourn
Quality Control Officer(s)	<input type="checkbox"/> Leroy Pearce
Accountable Officer(s)	<input type="checkbox"/> Gary Messenger
Purpose of proposal	Additional Temporary Accommodation provision
Data sources	relevant reports/strategies
Please include any other sources of data	Business Case
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Not Applicable
Disability details:	
Protected characteristic: Sex	Not Applicable
Gender details:	
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	
Protected characteristics: Marriage and Civil Partnership	Not Applicable
Marriage and civil partnership details:	
Protected characteristics: Pregnancy and Maternity	Not Applicable
Pregnancy and maternity details:	
Protected characteristics: Race	Not Applicable
Race details:	
Protected characteristics: Religion or Beliefs	Not Applicable
Religion or beliefs details:	
Protected characteristics: Sexual Orientation	Not Applicable
Sexual orientation details:	

Equality Information details.

Socio-economic impacts	None
Please indicate any actions arising from completing this screening exercise.	None
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	Business Case
Consultation analysis	None
Adverse impact on any people with protected characteristics.	None
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	No
How will the effect(s) of this policy/proposal on equality be monitored?	Not Applicable
What data is required in the future?	Not applicable
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	No groups are disproportionately affected by the procurement of the properties
QUALITY CONTORL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	This EIA has been reviewed and has been passed to the Accountable Officer for final approval.
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	No
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	15/07/2021
Reasons for approval or rejection	Essential business.
Please print and save a PDF copy for your records	Yes
Julie Bach	
Person or Group	

Content Type: Item

Version: 50.0

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Close

Birmingham City Council

Report to: Cabinet

27 July 2021



Subject: ROUGH SLEEPER ACCOMMODATION PROGRAMME
ROUND ONE 2021/22
FUNDING BID APPROVAL AND AWARDS

Report of: Managing Director – City Housing

Relevant Cabinet Member: Councillor Sharon Thompson, Homes and Neighbourhoods

Relevant O&S Chair(s): Councillor Mohammed Aikhlaq, Resources
Councillor Penny Holbrook, Housing and Neighbourhoods

Report author: Steve Philpott, Strategic Lead of Rough Sleeping, Housing Options, Neighbourhoods Directorate
Telephone No: 07516031725

Email Address: stephen.philpott@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008961/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This public report seeks retrospective approval for the submission of a bid under the Rough Sleepers Accommodation Programme (RSAP) round one 2021-22, along with permission to spend funds and deliver the programme as described. It is a retrospective request due to the timeframe given for bidding. The RSAP

round was launched on 18th March 2021 with the programme information and bid documentation, with a deadline to submit of 29th April 2021. In that time consultations with partners, the development of a proposal and sign-off to bid had to be secured. The timescale did not allow for Cabinet approval in advance of bidding.

- 1.2 This is a programme provided by the Ministry of Housing, Communities and Local Government (MHCLG) working with Homes England to secure move-on accommodation to people accommodated under 'everyone-in' and current rough sleepers. Birmingham's submission is made via the West Midlands Combined Authority, at the request of MHCLG, and is set out in Appendix A with a total value of £680,191 revenue. This will be awarded to Birmingham City Council in order to grant or commission support for accommodation units.
- 1.3 The accommodation units will be 1-bedroom, self-contained flats in Birmingham. Citizen Housing Association will directly receive Homes England grant to enable the purchase of 15 units off the open market, to complete by March 2022. These will be available to Birmingham City Council nominations of rough sleepers in accordance with a local lettings plan. As additional value to the programme Birmingham City Council is offering 25 x 1-bedroom flats, July 2021 – March 2022, making a total of 40 units.
- 1.4 The units of accommodation are to be available to the programme for 30 years. The indicative stay for each individual is 2-3 years with a move-on plan. The initial revenue programme for support covers the period 2021-24.

2 Recommendations

That Cabinet:

- 2.1 Retrospectively approves the submission of a bid from the Council via WMCA for RSAP revenue of £680,200.
- 2.2 Approves the route to deliver 40 units of accommodation into the programme.
- 2.3 Notes that delivery of support will be via a support provider granted or contracted to a value of no more than £680,200.
- 2.4 Delegates authority to the Managing Director, City Housing (or their delegate) in conjunction with the Assistant Director of Development and Commercial (or their delegate), the Chief Finance Officer (or their delegate) and the City Solicitor (or their delegate) to spend the funds, via the approval of the procurement strategy and contract award; if a procurement is the preferred commissioning route.
- 2.5 Authorises the City Solicitor to negotiate and execute any documents to give effect to the above recommendation.

3 Background

- 3.1 The RSAP was launched on 18th March 2021 and represents a £212m government investment into homes for people who have been rough sleepers.

This is the next stage of the 2020 Next Steps Accommodation Programme (NSAP). Both programmes seeking to create additional move-on accommodation for rough sleepers accommodated through 'everyone-in', or newly presenting as rough sleepers. The target is to secure additional social housing, available for 30 years, while providing support services initially to March 2024. The accommodation is not aimed at being permanent, rather a 2-3 year stay, and in most cases further move-on so that other rough sleepers may benefit. The units are not supported housing or a hostel, they are required to be self-contained and are ideally to be scattered rather than in a single block.

- 3.2 Under the NSAP, Birmingham City Council was included within a WMCA bid in partnership with Citizen Housing (Registered Social Landlord). Citizen have received capital from Homes England to purchase 10 x 1-bedroom flats in Birmingham with a Local Lettings Agreement securing these for Birmingham City Council to nominate rough sleepers into for 30 years. A revenue grant to Birmingham City Council from MHCLG enables the contracting of support for these 10 units for the initial 3 years.
- 3.3 The first deadline for RSAP was 29th April 2021 for bids, there are additional bidding windows in July and September, but funds will be allocated to suitable proposals and so there is no guarantee of allocations remaining in July or September. Decisions on bids made in April are expected in June. Officers are working with partners on potential bids for subsequent rounds.
- 3.4 The programme offers an important asset towards Birmingham meeting commitments to prevent and relieve rough sleeping. Official count figures show a reduction on single nights from 91 (2018), 52 (2019) to 17 (2020) an important factor has been the regional Housing First Pilot through which Birmingham has accommodated over 140 rough sleepers into independent tenancies in the city 2018-2021. The pilot ends in June 2021 and an important pathway to newly presenting needs is lost. Birmingham still sees a significant number of people sleep rough in any single month e.g. February 2021, 90 individuals slept rough at some point in the month, and 32 of those were new to rough sleeper services.
- 3.5 The RSAP enables partners to build upon the learning and success of Housing First and provides an important pathway into move-on accommodation and support.

4 Options Considered and Recommended Proposal

- 4.1 Not to bid for the funding. This would have a substantial and negative impact upon service provision and relationships with partners, strategic and local. The loss of Housing First and the absence of a replacement programme is likely to result in an increased level of rough sleeping.
- 4.2 Alternative plans have been invited from across the authority and from partners. There are proposals that may be brought forward to later funding rounds. Delivery of capital units within the financial year 2021-22 is a critical factor and challenge, and one that excludes longer-term options.

- 4.3 It is recommended that retrospective support is given to the bid for RSAP round one, alongside permission to commission the associated support service, spend the funds, via a procurement, grant or use of an established Framework Agreement and mobilise delivery as set out.

5 Consultation

- 5.1 External consultation with partners and providers took place via the Homelessness Partnership Board, 28th April 2021, regional Homelessness Taskforce 22nd April 2021, and through the Birmingham Homelessness Forum, and Birmingham Social Housing Partnership. This included invitations to submit proposals to be a partner in the RSAP bid.
- 5.2 MHCLG and Homes England require the bid to be developed through co-production. This has been done throughout in consultation with designated specialist advisors.
- 5.3 The following Cabinet Members have been consulted and support the proposal: Cabinet Member for Social Inclusion, Community Safety and Equalities, Cabinet Member for Health and Social Care, Cabinet Member for Finance and Resources.

6 Risk Management

- 6.1 At this stage the risks are related to compliance, these risks are managed within the governance arrangements and compliance issues in Section 7.

7 Compliance Issues:

- 7.1 The bid supports the Homelessness Prevention Strategy 2017+ and in particular the Rough Sleeping Addendum which supplements it and was formally adopted by Full Council on 12 January 2021.
- 7.2 The service delivery element of the bid complements the Vulnerable Adults Housing and Wellbeing Pathway investment as set out in the Cabinet Report 16 April 2019.
- 7.3 Elements of the bid will support young people who are homeless and therefore supports the Council's Corporate Parenting responsibilities.

8 Birmingham Business Charter for Social Responsibility (BBC4SR)

There are no BBC4SR implications.

9 Legal Implications

- 9.1 Section 179 Housing Act 1996 provides that a local housing authority must provide or secure the provision of a service, available free of charge to any person in the authority's district, providing information and advice on, preventing homelessness, securing accommodation when homeless, the rights of persons who are homeless or threatened with homelessness, and the duties of the authority.

- 9.2 The Council may also exercise powers under the Care Act 2014 together with associated regulations and statutory guidance relating to the provision of services to meet the need for care and support as well as prevention and services to promote wellbeing.
- 9.3 Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determined by the Secretary of State.
- 9.4 The Council's obligations for this service under the General Data Protection Regulation (GDPR) will be met by commissioned arrangements.

10 Financial Implications

- 10.1 Birmingham City Council is not directly involved in the capital element of the bid. The capital will go direct from Homes England to the Registered Provider. It is understood that the 15 purchased units will amount to a value of circa £2.5m additional social housing within the city.
- 10.2 The revenue ask, from Birmingham, via WMCA, to MHCLG will be for sufficient support to cover all 40 units to March 2024. It is envisaged that units will be drawn down gradually across the first year so the support requirement will gradually be mobilised. With a likely draw down of BCC units in the early phases due to availability. A cost of £1000 per unit for furniture has been included in revenue while furniture for Citizen purchases are capitalised.
- 10.3 Based upon recent procurement work and dialogue with providers, commissioners have identified a rate of £32,600 per support worker (inclusive). Discussion with commissioners further agreed a ratio of 8:1 per support worker/unit; and with 40 units that is 5 workers, plus Team Leader, identified as £57,500 (inclusive). Commissioning colleagues have further sought capacity to allow for commissioning, contracting and contract management as 50% of GR6 to allow for 50% of GR5 contract management plus associated costs for procurement/Payment Order raising.
- 10.4 A timeline has been identified as; June 2021 – notification of award with the option to bring BCC units through quickly, so staffing from August 2021, with a target of 6 units pcm, August – February 2022. A second support worker from October, third from November, fourth in December, fifth for February and team leader from the start – so extra support capacity there till the team is fully functioning.
- 10.5 On that basis: -

2021-22 is 7 months, 6 months, 5 months, 4 months, 2 months = 24 months of support work, plus 7 months of team leader

2022-23 is 60 months of support workers, plus 12 of team leader

2023-24 is 60 months of support workers, plus 12 of team leader
- 10.6 Total of 144 months of support workers (at £2,717 pcm total £391,248) and 31 months of team leader (£4792 pcm total £148,541) = £539,789

- 10.7 Commissioning capacity and oversight for 31 months = £115,402 (£3,723 pcm)
- 10.8 Furniture for x 25 units at £1000/unit = £25,000
- 10.9 Grand total of £493,541 + £115,402 = £680,200 (revenue bid for 2021-24)

10.10 Broken down by year:

2021-22 £65,195 + £33,544 + £26,061 + 25,000 = £149,800

2022-23 £163,020 + £57,504 + £44,676 = £265,200

2023-24 £163,020 + £57,504 + £44,676 = £265,200

10.10.1 The funding will be a Section 31 grant from MHCLG accompanied by a Memorandum of Understanding (MoU).

10.10.2 There are no specific revenue implications arising from the submission of the bid or contract awards. Funding allocations will be passed on to providers in line with submissions they made to the council for inclusion the bid. The revenue implications in relation to the receipt of the proposed bid and contract awards will be contained within the bid with no additional cost to the Council.

11 Procurement Implications

11.1 The route to procure or grant award for the provision of support will be contingent upon the level and requirements of MHCLG award for support and delivery requirements.

11.2 If a procurement is required approval will be sought via the standard Delegated Procurement Reporting process.

11.2.1 It is noted that the timescales for this are challenging, with first additional support ideally in place from August 2021. On that basis other options are being explored.

12 Human Resources Implications (if required)

12.1.1 The revenue finance will be held by Adult Social Care and the commissioning will be undertaken by staff within the Adult Social Care Directorate, and capacity for this has been included in the bid. Operational delivery management will follow a similar profile as that in place for the Housing First programme. Contract oversight will be supported by Housing Directorate staff.

13 Public Sector Equality Duty

13.1.1 An Initial Impact Assessment has been carried out and no adverse impacts have been identified and a Full Impact Assessment is not recommended at this stage.

14 Background Documents

14.1 Cabinet Report Putting Prevention First: Commissioning and Procurement Strategies for Vulnerable Adults Housing and Wellbeing Support; 16 April 2019.

14.2 List of Appendices accompanying this Report (if any):

- Appendix A – Birmingham element of WMCA RSAP bid
- Equality Assessment

Appendix A

BID Proposal

7a. Scheme name (or multiple Scheme names if support services commissioned jointly for more than one Scheme) and IMS Offer line ID (if available and/or relevant)	7b. Please confirm the level of support that will be provided in your Scheme (as detailed at paragraph 35 of the Prospectus) - Low / Medium / High	7c. Please explain the expected impact of the support your Scheme(s) will provide for rough sleepers or those with a history of rough sleeping currently in emergency accommodation to support them into fully independent housing. (max 250 words)	7d. Total number of support workers proposed to be funded through RSAP revenue grant, their roles, committed hours and costs				7e. Total number of support workers funded through existing initiatives who will support this RSAP Scheme, and their committed hours to RSAP			7f. Total costs to deliver support to people in the Scheme (£)			7g. Amount of support funding requested from RSAP to provide support people in the Scheme (£)		
			Total number	Their role(s)	Committed hours	Total cost (£)	Total number	Their role(s)	Committed hours to RSAP	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24
WMCA dispersed rough sleeping accommodation and support scheme - Birmingham (15 RSAP units and 25 from Birmingham City Council) - revenue to be paid to the local authority. Revenue ask includes £1000/unit for 25 units BCC for furniture while RSL units furnished via capital.	High	This approach builds upon experience and structures of our Housing First pilot, while ensuring fidelity with RSAP requirements. The impact will be to maintain an alternative to homeless supported housing and hostels responding to needs seen in current rough sleepers and those in emergency accommodation. The support needs are high and complex. The impact will be 40 (15+25) rough sleepers accommodated independently in dispersed social housing 1 bedroom units, in areas they seek, with substantial support. This will be available for the 2-3 year timetable, with move-on plans in place to take lifestyles further away from the streets. The impact of Housing First has been a key factor in the reduction in rough sleeping in Birmingham, RSAP offers the same prospect of impact and it is believed will be another key component in further rough sleeping reductions. The support will be focused on the strengths and needs of the individual, it will be psychologically informed and tied into the extensive range of services making up the public services and commissioned providers in the rough sleeper partnership. This includes the RSAP support utilising mental and physical health services, substance misuse services, befriending, employment and move-on support.	5x Support Workers; 1 x Team Leader to support; 0.5 x commissioning, oversight and programme support	Provide support to individuals accommodated and support transition into permanent accommodation	243.75 per week	£680,200.00	0	N/A	N/A	£149,800.00	£265,200.00	£265,200.00	£149,800.00	£265,200.00	£265,200.00

Title of proposed EIA	Rough Sleeper Accommodation Programme (RSAP)
Reference No	EQUA684
EA is in support of	New Service
Review Frequency	Two Years
Date of first review	31/05/2023
Directorate	Neighbourhoods
Division	Homelessness
Service Area	Rough Sleepers
Responsible Officer(s)	<input type="checkbox"/> Stephen Philpott
Quality Control Officer(s)	<input type="checkbox"/> Leroy Pearce
Accountable Officer(s)	<input type="checkbox"/> Gary Messenger
Purpose of proposal	Permission to bid for revenue programme paper to Cabinet
Data sources	relevant reports/strategies; relevant research
Please include any other sources of data	
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders
Age details:	<p>The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.</p> <p>The age profile of rough sleepers tends to be 5-10% in the age band 16-25, with the majority being 26-39, and a further 10-15% being 40+. The RSAP is open to all ages, and support is in place regardless of age, with specialist services in place for 16-25's.</p>
Protected characteristic: Disability	Service Users / Stakeholders
Disability details:	<p>The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.</p> <p>Those with disabilities, both recognised and unrecognised, make up a higher proportion of rough sleepers than the general population. The RSAP does not exclude on the grounds of disability but looks at support requirements for successful accommodation outcomes. There is a partnership in place that includes social services, health, DWP professionals able to assess and secure relevant support to enable access to the RSAP</p>
Protected characteristic: Sex	Service Users / Stakeholders
Gender details:	<p>The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme</p>

builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

Women account for around 10-20% of rough sleepers found bedded down on the streets of Birmingham, men 80-90%. With this it is recognised that women's homelessness can be more hidden and less likely to present as street sleeping. The RSAP is accessible to both men and women and is a programme committed to identification and provision for both presenting and hidden rough sleeping. The provision seeks to include choice and so secure accommodation outcomes that are suitable according to needs and wishes, regardless of personal characteristics. Linking into the rough sleeper partnership there are specialist services for women seeking to ensure particular needs are addressed, these include outreach, daycentre and emergency accommodation options.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Service Users / Stakeholders

The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

Gender reassignment is not a barrier to the programme. The programme proactively seeks to provide accommodation of choice with support required to rough sleepers.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Service Users/ Stakeholders

The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

Marital status is not a factor in access to the RSAP. Whether a person is single or a couple will be part of the assessment in terms of requirements both for accommodation and support, but it is not a case for exclusion.

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

Service Users / Stakeholders

The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

Pregnancy and maternity details may have relevance in terms of an individuals legal status as homelessness. Priority need applicants may be afforded further rights, benefiting the individual.

Protected characteristics: Race

Service Users / Stakeholders

Race details:

The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

People from black and minority ethnic groups present as sleeping rough at a lower rate than the general population of Birmingham. It is recognised that rough sleeping may be more hidden amongst particular minority groups. Work is done across the homeless partnership to address areas of under-representation and access to services. There is an over-representation of people sleeping rough from EU nation states, especially eastern europeans, where individuals have rights to be in the UK and to work, but without rights to benefits/public funds - this status can exclude from programmes including RSAP if there is no means to pay for rent. Also over represented are failed asylum seekers, from a range of countries, primarily African and Asian, who have the right to remain in the UK but no access to public funds. Such individuals may also be excluded from the RSAP on the basis on it not being sustainable.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders

Religion or beliefs details:

The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

Religion or beliefs are not a factor leading to exclusion from RSAP. The RSAP brings into access a wider range and choice of accommodation and support linked to the accommodation.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders

Sexual orientation details:

The Rough Sleeper Accommodation Programme targets the relief of rough sleeping by enabling access to accommodation and support for people who are or have been rough sleepers. It is a capital programme purchasing 1 bedroom flats in Birmingham via a Housing Association, and a revenue programme enabling support to those tenants. The criteria is rough sleepers aged 18+ who are able to sustain accommodation with support, and move away from rough sleeping. The programme builds upon the experience and success of the Housing First programme 2018-21 which has accommodated over 150 individuals who were rough sleepers in Birmingham. Rough sleepers are acknowledged as some of the most excluded of groups with a increased chance of early death, substance misuse, poor physical and mental health, disability, offending behaviour, a history of being in care including as a child, and legal issues relating to status in the country and access to benefits.

Recording of sexual orientation amongst rough sleepers is very low and in some part reflective of the crisis in which individuals are presenting. Sexual orientation is not a factor in excluding access to RSAP, a programme that opens additional accommodation and support options for people who sleep rough.

Socio-economic impacts

Overall the programme aims to bring around £2.5m of additional capital investment into Birmingham through the provision of additional social housing units. In addition revenue funding to provide support to in total 40 units of accommodation. This accommodation is then made available to people who are, or have a history of sleeping rough. The capital investment is in place to ensure access for 30 years and the revenue initially till March 2024. People who sleep rough are some of the most socio-economically excluded, the RSAP provides a means to address two factors in that exclusion - access to good, affordable accommodation, and access to support to make

	that accommodation viable. With those components in place further support to address other factors in exclusion are made available - for example, substance misuse services, physical and mental health services. This foundation then support a process of accessing sustainable include, education, training, employment and other elements that help integration.
Please indicate any actions arising from completing this screening exercise.	
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	National rough sleeper count data from MHCLG; Birmingham Rough Sleeper Addendum to Homelessness Prevention Strategy; Delta reporting to MHCLG; Housing First data reporting
Consultation analysis	The development of the bid included consultation with Housing First Board, Homelessness Forum, Regional Homelessness Taskforce, Rough Sleeper Action Group. The loss of Housing First as a pathway for rough sleepers into accommodation was noted, and the RSAP identified as a means to address elements of this.
Adverse impact on any people with protected characteristics.	Non identified
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	NA
How will the effect(s) of this policy/proposal on equality be monitored?	The RSAP will have a reporting requirement through to Homes England and MHCLG. This will include the access to the programme of rough sleepers and the long-term effectiveness of outcomes.
What data is required in the future?	To be determined according to MHCLG reporting requirements. Likely to include applications, assessments, decisions, access, move-on and outcomes.
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	Increases access to social housing and support to some of the most excluded and vulnerable citizens through both capital and revenue investment. No negative EIA factors. https://www.gov.uk/government/statistics/rough-sleeping-snapshot-in-england-autumn-2020 https://www.birminghambeheard.org.uk/people-1/rough-sleeping-homelessness-prevention-strategy-co/supporting_documents/Rough%20Sleeping%20Strategy%20Document%202020.pdf https://www.gov.uk/government/publications/housing-first-pilot-national-evaluation-reports
QUALITY CONTORL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	This EIA has been passed to the Accountable Officer for final approval.
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	No
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	20/05/2021
Reasons for approval or rejection	
Please print and save a PDF copy for your records	Yes
Julie Bach	
Person or Group	

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Birmingham City Council

Report to Cabinet

27th July 2021



Subject: Major Sporting Events Strategy 2022-2032

Report of: Managing Director City Operations

Relevant Cabinet Member: Councillor Ian Ward – Leader

Relevant O & S Chair(s): Councillor Mariam Khan - Commonwealth Games, Culture and Physical Activity

Report author: Laura Denham – Sports Events Manager
Telephone No: 07548 123 782
E-mail: laura.denham@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009020/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1. Executive Summary

- 1.1.To obtain approval and endorsement of a new major sporting events strategy.
- 1.2.This is a strategic approach to major sporting events within the city over the next 10 years running from 2022 to 2032
- 1.3.The strategy outlines our aims and objectives which will boost Birmingham's economy and enhance our world class reputation. It is vital we build on the legacy of the Commonwealth Games and help the city's recovery from the pandemic.

2. Recommendations

2.1. Cabinet agrees the Major Sporting Events Strategy 2022-2032.

3. Background

3.1. Birmingham has a rich history of hosting major sports events; recent years have seen a period of consolidation and the strategy sets out an ambitious agenda for events over the next 10 years.

3.2. The role of Major Events to support our post Covid economic recovery has formed a key part of the service planning with two global events now secured for 2023 in both the World Tumbling and Trampolining Championship and the World Blind Games both of which will bring in thousands of additional people into Birmingham and give a much needed boost to the economy.

3.3. In 2019 Birmingham's Major Sporting Events programme delivered more than £75m economic benefit to the city and we are eager to capitalise on the opportunities presented by events post Covid. In addition to the events currently secured the City Council has therefore made a bold statement in setting aside the resources to deliver the World Road Running Championships in either 2023 or 2024 should its bid to host this be successful.

3.4. Major sporting events enhance Birmingham's profile and status as a city of sport, culture and events. They help us tell the story of our city, strengthen our identity and promote Birmingham nationally and internationally as a welcoming, diverse, youthful and inclusive city.

3.5. The city's ambitions to be a sporting capital of accessibility, inclusivity and sustainability can help drive change in the visitor economy. It will provide a narrative for Birmingham as it seeks to improve the quality of the visitor experience for all.

3.6. Hosting major sporting events attract new visitors, growing our visitor economy and generating income within the leisure, culture, tourism and hospitality sectors. Major sporting events stimulate investment in businesses providing supplies and services to the event industry, enhance skills and provide employment opportunities.

3.7. There is a major employment gap in the hospitality sector. The opportunity to work on major events could provide a welcome introduction to events, tourism and hospitality as attractive career options. Skills such as customer service, marketing and languages would be highly sought after.

3.8. Birmingham is going through an unprecedented period of sustained growth, regeneration and investment and Major Sporting Events play a key part in celebrating the vibrancy, diversity and youth that is driving the innovation at the heart of this great city's regeneration.

- 3.9. We want to attract and host events that have Purpose and a deliver a positive social, economic and environmental Impact for the residents and citizens of Birmingham, its businesses, national governing bodies and the wider regional economy.
- 3.10. We will aim to attract and support events in Birmingham that clearly contribute and deliver against the cities priorities and key outcomes, Therefore the events that Birmingham chooses to invest in going forward should be able to clearly demonstrate where and how they contribute. These principles will guide our investment decisions and evaluation of success.
- 3.11. The strategy outlines 6 main objectives Major events will be delivered against:
- Profile & Image
 - Business and Economic Impact
 - Engagement and participation
 - Environment and Infrastructure
 - Employment and skills
 - Social Impacts
- 3.12. Birmingham has some of the best city centre hosting venues anywhere in the UK, including Utilita Arena Birmingham, The International Convention Centre and Symphony Hall, Alexander Stadium, Edgbaston Cricket Ground and the University of Birmingham Sports Campus.
- 3.13. It also boasts iconic outdoor city centre event spaces including Victoria and Centenary Squares and over 8,000 acres of green space and 15 green flag parks including Cannon Hill Park, Sutton Park and Edgbaston Reservoir in which to host outdoor sports and mass participation events.
- 3.14. Birmingham will introduce a new standardised Birmingham Major Sporting Event Evaluation Framework an approach which aims to align event propositions to the City's corporate ambitions and priorities. This measurement framework will allow us to successfully evaluate the impact events have had individually and cumulatively across the year and ensure that we are making investment decisions which are evidence and insight led in the future.
- 3.15. A portfolio approach relies less on the impacts and outcomes of individual 'major' events but takes a more holistic view about the combined outcomes achieved by a rich calendar of events which take place throughout the year, attract different audiences, make use of multiple indoor and outdoor venues and provide a diverse and interesting offer.
- 3.16. Over the next 12 months we will set up a Major Events advisory group which will be made up of industry experts, key strategic stakeholders and partners from the public, private and voluntary community sectors who can provide expertise and add value to the major event proposition.

3.17. We will also start to assess what sports to target and measure event opportunities against our criteria to formulate a target list and strategic plan.

3.18. Birmingham has currently secured the following major sports events:

- IBSA World Blind Games 2023
- FIG World Trampoline, Tumbling & DMT Championships 2023

3.19. The following Major Events are just some listed on UK Sports target list of events that are available to bid for within the timeframe of the strategy.

- World Athletics Road Running Championships 2023 (Host city to be announced imminently)
- Triathlon World Series and Para Triathlon World Series
- World Athletic and Para Athletic Championships
- Urban Cycling World Championships
- Netball World Cup
- Billie Jean Cup finals
- Davis Cup Finals
- European Artistic Gymnastic Championships
- Badminton World Championships
- World Climbing Championships

3.20. Birmingham will also consider the opportunities for Invictus Games as well how it could get involved with UK-wide bids for events requiring multiple venues such as the FIFA Football World Cup. One of the key initial actions from the strategy will be to apply the criteria within the strategy to develop a Birmingham specific target list of events to bid for over the next 10 years.

4. Options considered and Recommended Proposal

4.1 Not endorse the strategy. The City Council has a stated outcome to enhance Birmingham's status as a city of culture, sports and events. This strategy meets the ambitions under this priority.

4.2 Endorse the strategy. This will set out Birmingham's ambition to build on the legacy of the Commonwealth Games.

4.3 **Recommended Proposal** – Endorse the strategy

5 Consultation

- 5.1. Various stakeholders have been consulted, specifically about their vision and ambition for major sporting events in Birmingham, what kind of partnership co-ordination and governance arrangements would need to be in place, what kind of events and properties we should consider and how best to maximise the value, impact and return on investment for the city.
- 5.2 UK Sport have been engaged. They have announced their new strategy for 2023 – 2033 and our strategy has an aligned approach.
- 5.3 Sport Birmingham and West Midlands Growth Company have shown support and been engaged and will assist in maximising the benefits of the event for residents and businesses in the region.

6 Risk Management

- 6.1. There is a reputational risk of not building on the legacy of the Commonwealth Games and utilising the investment.

7. How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 This project is entirely consistent with the Council Plan outcome 4 Priority 8, to enhance Birmingham's status as a city of culture, sports and events.

7.2 Legal Implications

- 7.2.1. Under the Local Government Act 2000 the Council is empowered to further the wellbeing of its communities and Major Events fall within this remit

7.3 Financial Implications

- 7.3.1. There are no direct financial implications from this report. The service holds an annual revenue budget of £1.1m for Major Events and the major events reserve is available to manage risk and peaks in demand. Decisions to bid for specific events will be based on separate financial assessment and be taken through the appropriate governance routes as required.

7.4 Procurement Implications (if required)

- 7.4.1 Appropriate procurement processes will be followed when seeking to secure any future events.

7.5 Human Resources Implications (if required)

7.5.1 There are no Human Resource implications associated with this report

7.6 Public Sector Equality Duty

7.6.1. This decision has no negative impact on those covered by the Equality Duty. This project is unlikely to have a disproportionate impact on any of the protected groups and characteristics under the Equality Act 2010.

8 Background Documents

8.1 None.

List of appendices accompanying this report:

Appendix 1: Major Events Strategy



BIRMINGHAM MAJOR SPORTING EVENTS STRATEGY

2022-2032



Foreword

Birmingham has a bold and proud history of successfully hosting major sporting events, which boost our visitor economy and enhance our reputation as a welcoming, diverse and inclusive place to study, live and work.

Now, as we build back from the Covid pandemic, the 2022 Commonwealth Games and other major events will make a significant contribution to Birmingham's social and economic recovery.

As we prepare to welcome visitors, athletes, officials, international media and the global sporting community to Birmingham for the Games, the regeneration of facilities such as the Alexander Stadium and preparations at venues across the city, re-affirm our commitment to a major events sector that has been hit hard by the pandemic.

This strategy aims to enhance our existing portfolio of major sporting events, while helping us prioritise, plan and bid for future opportunities.

Success will be a team effort and Birmingham City Council will play its part, working closely with stakeholders and partners across the region in the leisure, culture, tourism and hospitality sectors, in addition to partners across the sports industry to make this a reality.

Together we can build on Birmingham's global reputation as a city that delivers first-class events

It is our time to Be Bold.

Ian Ward
Leader Birmingham City Council



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1. Introduction

Birmingham has a bold and proud history of hosting major international sporting events, including in recent years the IAAF World Athletics Championships, World Gymnastics Championships, the Cricket World Cup, The Ashes Series and the All England Badminton Championships which have provided some iconic sporting moments, delighted millions and inspired sports fans across the globe.

Behind the media and sporting headlines there is an important economic, social and cultural value to hosting major sporting events and Birmingham wants to recognise this and put it at the heart of our new Major Sporting Events Strategy.

Major sporting events enhance Birmingham's profile and status as a city of sport, culture and events. They help us tell the story of our city, strengthen our identity and promote Birmingham nationally and internationally as a welcoming, diverse, youthful and inclusive city.

Hosting major sporting events attract new visitors, growing our visitor economy and generating income within the leisure, culture, tourism and hospitality sectors. Major sporting events stimulate investment in businesses providing supplies and services to the event industry, enhance skills and provide employment opportunities.

Importantly, they also engage and inspire individuals and communities, encouraging greater participation in sport and physical activity to improve people's health and wellbeing. They enrich people's lives, engender a sense of civic pride and help to promote Birmingham as a vibrant place to visit, live, work and study in.

Birmingham has a population of 1.2 million with a further 4.1 million people living in the wider metropolitan area. It is more ethnically diverse than anywhere else in the UK with 90 different languages spoken and is the youngest city in Western Europe with 46% of its citizens under the age of 30. Birmingham is home to no less than 5 Universities with over 87,000 Students aged 16-64.

Importantly, Birmingham is the major retail and commercial centre of the UK, ideally located in the geographic centre with a wide range of hotels and accommodation within 100 miles of other

major population centres like Merseyside, Greater Manchester, South Yorkshire to the north and Greater London to the south and easily accessible by air, rail and road.

Event organisers tell us they want to return to the city time and again because of the unique atmosphere, diversity, vibrancy and warm Birmingham welcome athletes, officials and visitors receive in our city. They benefit from the excellent value for money, culture and entertainment, food and drink and the broad range of affordable hotel and accommodation provision.

This makes Birmingham the perfect host for major sporting events, and we will work with national governing bodies, international federations, rights holders, sponsors and event organisers to deliver events that have purpose and impact.



2. Our Ambition

Our ambition is for Birmingham to be recognised for hosting Major Sporting Events that have ‘Purpose’ and deliver positive ‘Impact’ for our city and its citizens.

Birmingham is going through an unprecedented period of sustained growth, regeneration and investment and we want Major Sporting Events to play a key part in celebrating the vibrancy, diversity and youth that is driving the innovation at the heart of this great city's regeneration.

We want to capitalise on all the great new infrastructure, excellent transport links, world class venues, diverse cultural offer, warmth of hospitality and broad range of accommodation that is all available right in the heart of our city.

We aim to become the preferred city of choice for international federations, event organisers, rights holders and commercial partners who chose to come to Birmingham because of all it has to offer their competitors, their officials, their volunteers, their supporters and fans.

Importantly, we want to attract and host events that have **Purpose** and deliver a positive social, economic and environmental **Impact** for the residents and citizens of Birmingham, it's businesses, national governing bodies and the wider regional economy.



Events with Purpose and Impact

We will aim to attract and support events in Birmingham that clearly contribute and deliver against the cities priorities and key outcomes.

Therefore the events that Birmingham chooses to invest in going forward should be able to clearly demonstrate where and how they contribute. These principles will guide our investment decisions and evaluation of success.

This is not just the events responsibility of course, but there should be a clear understanding of the expected outcomes and roles and responsibilities at the start of a project, contract and relationship.

Birmingham will prioritise those events that give us the widest possible contribution to the key corporate outcomes of;



Profile and Image

Events which enhance our status nationally and internationally as a city of culture, sports and events and promote Birmingham's unique heritage and identity as a welcoming, youthful and diverse city.



Environment and Infrastructure

Events which enhance or develop sporting environments or infrastructure such as improving facilities and/or enhancing resources available to the community. We also aim to promote positive environmental and sustainable practices in event delivery.



Business and Economy

Events which provide opportunities for businesses, the economy and help stimulate economic and employment growth.



Employment and Skills

Events which help to build and improve the capacity of our workforce, develop and promote volunteering, coaching, leadership and apprenticeship opportunities to enhance the skills and employability of our communities.



Engagement and Participation

Events which encourage citizens of all abilities and ages to engage in physical activity and improve their health and wellbeing.



Social Inclusion and Diversity

Events which work with our diverse communities to ensure they are inclusive and connect with our citizens in a way that helps to deliver civic pride.



CASE STUDY

Profile and image

All England Open Badminton Championship

The Yonex All England Badminton Championships is one of the greatest and most prestigious Badminton events in the world and each year plays host to 300 of the world best players. As a result, the championships hosted at Arena Birmingham for the 26th consecutive year, generated \$64.2 Million of media value with China, Indonesia and Malaysia being the top 3 TV markets. The Championships in Birmingham was broadcast for 1325 hours into 59 territories and reached 239m households around the world.



3. Strategic Context

In developing the strategy we have considered key national, regional and local influences.



UK Sport
– Major Events Strategy 2021

Sport England
- Uniting the Movement

International Best Practice
- Learning from the best cities and regions

Global Sporting Events
- Exploring options to bid for and attract major events

Emerging Markets
- Innovation in emerging sports and new formats

National Governing Bodies
- All England Badminton
- British Gymnastics
- UK Athletics
- British Cycling

2022 Commonwealth Games
- Legacy
- Cultural Programme
- Delivery Unit

West Midlands Combined Authority
- Regional Tourism Strategy 2019-2029
- West Midlands Local Industrial Strategy
- Strategic Economic Plan

Our Future City Plan 2040

Sport Birmingham
- Supporting growth in priority sports and amongst target groups

Emerging strategies
- Sport
- Tourism
- Culture
- International

Venue Portfolio & Investment Plans
- Utilising sporting venues and assets

Cultural Compact
- Supporting culture and creative industries as part of the wider cultural offer

2019 Major Events Review
- Measuring and evaluating the Value and Impact of Major Sporting Events

Birmingham Corporate Plan 2018-2022

Outcome 1:

Birmingham is an entrepreneurial city in which to learn, work and invest

Outcome 2:

Birmingham is an aspirational city to grow up in

Outcome 3:

Birmingham is a fulfilling city to age well in

Outcome 4:

Birmingham is a great city to live in

Outcome 5:

Birmingham residents gain the maximum benefit from hosting the Commonwealth Games

Outcome 6:

Birmingham is a city that takes a leading role in tackling climate change



STRATEGIC INFLUENCES AND CONSIDERATIONS

The Birmingham 2022 Commonwealth Games

The Birmingham 2022 Commonwealth Games provides a once in a generation opportunity to market and promote Birmingham and the regions credentials as a world class sporting city to the global media and sporting community.

In 2022, Birmingham and the West Midlands region will welcome the sporting world to host one of the world's premier global sporting events, the XXII Commonwealth Games. The Games will be held in venues across Birmingham and the West Midlands from 28 July until 8 August 2022 with athletes from across 71 nations coming together in global celebration of sport, competition and community.

The Commonwealth Games is encouraging partners across Birmingham and the West Midlands to think and operate differently by greater collaboration and integration to maximise the impact of the games for people and our communities.

The Major Events Team will work closely with partners in the Commonwealth Games Delivery Unit, Birmingham 2022, the West Midlands Combined Authority to ensure that it builds on the learning and expertise that will be developed during the Commonwealth Games planning and delivery phase.

We will build on the meaningful social impact that the Games will deliver for our communities and citizens to ensure we can continue to maximise the value and impact of hosting major sporting events in the future and use it as a springboard for our new Major Sporting Events Strategy.

We will ensure that we use the Commonwealth Games as a platform to promote the opportunities available for international federations, governing bodies, rights holders, event organisers, commercial sponsors and organisations in Birmingham.

Ultimately as our **Be Bold, Be Birmingham** hosting city mission states 'the Birmingham 2022 Commonwealth Games provides a catalyst to help achieve our aspiration of a fair and thriving city for all.'

You can find all the latest **Be Bold, Be Birmingham** information here www.bebirmingham.co.uk.

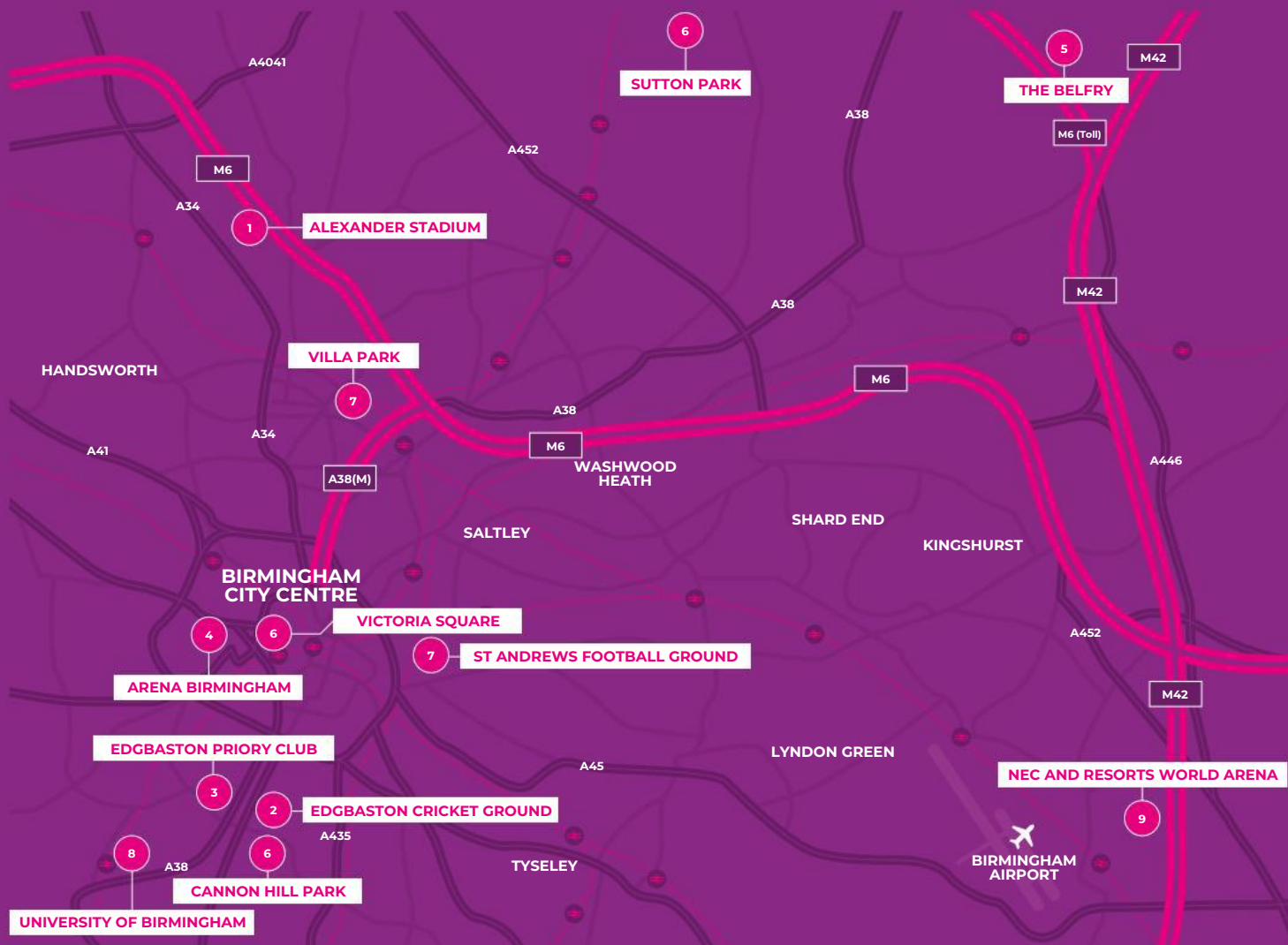


Our Assets and Facilities

Birmingham has some of the best city centre hosting venues anywhere in the UK, including Utilita Arena Birmingham, The International Convention Centre and Symphony Hall, Alexander Athletics Stadium, Edgbaston Cricket Ground, University of Birmingham Sports Campus and just beyond our border The National Exhibition Centre and Resorts World Arena as well as The Belfry Championship Golf Resort.

It also boasts iconic outdoor city centre event spaces including Victoria and Centenary Squares and over 8,000 acres of green space and 15 green flag parks including Cannon Hill Park, Sutton Park and Edgbaston Reservoir in which to host outdoor sports and mass participation events.





- 1 **Alexander Stadium**
Diamond League Athletics
Commonwealth Games 2022 athletics venue, and Opening & Closing Ceremonies
- 2 **Edgbaston Cricket Ground**
Most recently hosted 2019 World Cup Cricket, The Ashes Series and is the venue for Commonwealth Games cricket in 2022
- 3 **Edgbaston Priory Club**
Birmingham Classic WTA Tour Event
British Junior Open Squash Championships
- 4 **Arena Birmingham**
World Indoors and Grand Prix
Indoor Athletics
All England Badminton Championships since 1994
World and European Gymnastics
Davies Cup Tennis
Commonwealth Games 2022 venue
- 5 **The Belfry**
Hosted the Ryder Cup on 4 occasions
- 6 **Birmingham City Centre and Parks and Open Spaces**
Victoria Square - Home of Commonwealth Games 3 x 3 Basketball and Beach Volleyball
Cannon Hill Park and Sutton Park - Host of Commonwealth Games Triathlon
- 7 **Villa Park and St Andrew's Football Grounds**
Home of Premier League and Championship Clubs Aston Villa and Birmingham City
- 8 **University of Birmingham**
Home of brand new state of the art 50m swimming pool, all weather pitches and leisure centre - host of Commonwealth Games Squash and Hockey events
- 9 **NEC and Resorts World Arena**
National Exhibition Centre home of numerous sports industry and trade shows and host venue for Commonwealth Games Badminton, Boxing, Table Tennis and Netball Events

Stakeholder consultation

During our consultation we spoke to key identified stakeholders across Birmingham City Council departments and functional areas, partner organisations, West Midlands Growth Company, the Commonwealth Games delivery unit, UK Sport and Sport Birmingham. We also spoke to commercial and academic partners and economic and international development colleagues.

We consulted them specifically about their vision and ambition for major sporting events in Birmingham, what kind of partnership co-ordination and governance arrangements would need to be in place, what kind of events and properties we should consider and how best to maximise the value, impact and return on investment for the city.

Some common themes emerged during the consultation and there was unanimous support for the idea that through better planning, co-ordination and collaboration we could improve the way we approach the major sporting event offer.

As a result we aim to establish a cross sector Major Sporting Event Expert Advisory Group which bring together key sectors, organisations and individuals to help provide expertise and support for the delivery of our strategy.



This is what people told us during the course of the consultation:

Vision and Ambition

Our new ambition for major sporting events should reflect the innovation, youth, diversity and Inclusion that is the essence of Birmingham

- Innovation should be at the heart of the strategy - both in terms of exploring new event formats and emerging sports and also more innovative use of digital platforms, online viewing and fan engagement
- This Major Sporting Events strategy needs to connect with and compliment emerging regional and city wide plans and strategies – particularly in areas of sport, culture, tourism and Commonwealth Games Legacy Programmes

Leadership

- There is good level of ambition in Birmingham for major events but there needs to be a more proactive and strategic approach to drive that ambition forward

We need to be clearer about roles and responsibilities in Birmingham so that everyone can play to their strengths

Governance

- There is lots of major event experience and expertise in the City which we should utilise by bringing experts together to help advise and support the delivery of the strategy

Partnerships

- The cultural and creative industries are really strong in Birmingham and we should do more through the emerging Cultural Compact to connect with the cultural offer to enhance the visitor experience

There are lots of strong partnerships and relationships which already exist and we should capitalise on these to develop more structured partnership and governance arrangements around major events

- We need to develop more long term strategic partnerships with sports governing bodies, venue operators and rights holders and work closely with them to plan more strategically

Events Portfolio

There is an opportunity to reset and redefine what we mean by major sporting events and take a new perspective on definitions, formats and priorities - our starting point should be what does it do for Birmingham

- Some of the big international events have less impact than some of the lower profile events in terms of engagement or participation - we should look at 'National Championships' as an opportunity
- There is wide spread support and agreement for taking a more holistic and balanced approach to developing the portfolio of events
- There are new and emerging sports, events and formats like e-gaming or urban sports that Birmingham should capitalise on and use this strategy to explore investment in attracting new audiences

Evaluation and Impact

Social Impact is an emerging theme that resonates strongly with all stakeholders across Birmingham, particularly in using events to support inclusion, engagement and helping tackle inequalities

- Birmingham 2022 Commonwealth Games present a real opportunity to learn from successes and new opportunities that emerge from the community engagement programmes
- Use of insight and data is key to measuring impact and Birmingham has a real asset in the ticketing capability it has within the Arena venues and the provision of ticketing support for major event organisers and it should use this more

Birmingham should work proactively with government agencies like UK Sport and Sport England and with academic partners in Birmingham to support this strategic approach to measuring and evaluating social and community impact

Funding and resources

- We need to look at how Birmingham can build capacity and resources to develop this strategy further and seek to develop stronger partnerships to build help and support in delivering it
- There is a need to explore commercial and sponsorship opportunities in major sporting events and Birmingham has value in its assets and VIK offer

West Midlands Growth Company and Birmingham 2022

- The Games presents the single biggest opportunity in a generation to position Birmingham as a major sporting event city and more needs to be done to exploit and accelerate this

We need to develop a more joined up approach to cross regional partnerships and work closely with West Midlands Growth Company who can play a role in attracting major events and helping package a visitor offer

CASE STUDY

Business and Economy

2019 ICC Cricket World Cup

Edgbaston Cricket Ground in Birmingham hosted several group matches and the Semi Final of the ICC Cricket World Cup which attracted worldwide TV audiences and 350,000 match day visitors. 11 days of world class cricket generating an estimated £62.8 million for the local tourism, hospitality and food and drink sectors.



4. A Strategic Approach

A balanced portfolio of events

Birmingham will aim to deliver a more balanced portfolio of events which are complementary to each other and which deliver positive outcomes for Birmingham businesses, residents and visitors and ensure a consistently high quality major sporting events all year round.

A portfolio approach relies less on the impacts and outcomes of individual 'major' events but takes a more holistic view about the combined outcomes achieved by a rich calendar of events which take place throughout the year, attract different audiences, make use of multiple indoor and outdoor venues and provide a diverse and interesting offer.

Factors which will be considered when trying to achieve a more balanced portfolio of events may include for example;

Factor	Consideration
Seasonality	Achieving a year-round offer of major sporting events which take place across the seasons and provide opportunities to spectate and participate in both indoor and outdoor events and venues during the summer and winter months
Sports	Maintaining our strong historical links hosting major events in sports like athletics, badminton, gymnastics and cycling, as well as working with partners to identify new and emerging opportunities and areas of potential growth in new sports, events and formats which can compliment and enhance the sporting offer
Participation	Mass participation events will be an important part of the major event mix and we will continue to work with event organisers to explore opportunities for mass participation in running, cycling, swimming and other event formats which provide opportunities for residents and visitors to participate in large scale sporting events
Venues	Working with venues and event hosts to consider gaps in the major event calendar, targeting sports and events that can help increase utilisation and use of Birmingham's assets
Audiences	Events which achieve significant media and digital reach in the UK and globally and also seeking to grow the diversity of offer to appeal to new audiences which are traditionally under-represented
Size	Targeting events that vary in scale from smaller niche events which might attract a strong and loyal following to major events which include large numbers of spectators or participants
Frequency	Ensure that we have a good blend of recurring, annual or bi-annual events which become a firm fixture on the major event calendar in Birmingham, complemented by targeting those one-off mega event hosting opportunities which elevate Birmingham's status as an event city
Innovation	Target events and formats which are new, innovative and emerging sports or disciplines which target non-traditional audiences or appeal to the younger generation like e-gaming or 'extreme' sports

Birmingham Major Sporting Events Model



Birmingham Major Sporting Events Impact Framework



We will use a Birmingham Major Sporting Events Impact Framework to help evaluate the potential impact of major events in Birmingham and this will help guide our investment and decision making processes.

Major sporting event impact measures which are aligned to our corporate priorities will help us to

anticipate and measure the impact pre, during and post event and support an evidence based approach to decision making for future investment.

Any event that Birmingham supports either financially or with In Kind funding support like access to safety and event planning, services and facilities or marketing

and communications will be required to produce a Development Plan, Operational Report and Post Event Evaluation to ensure that the impact of the event is properly planned, co-ordinated, monitored and reviewed.

These plans are inter-related and inter-dependent and can be summarised as;

PRE-EVENT Development Plan

A pre-event planning document which details how the event aims to contribute to the key targets and indicators and what measures or interventions organisers will put in place to facilitate the achievement of those outcomes.

DURING Operational Report

A 'live' operational plan which tracks, monitors and reports progress against agreed outcomes in the lead up to, during and immediately post event. These typically would include things like media coverage, ticket sales and direct economic impact which can readily be quantified and reported on.

POST-EVENT Evaluation Report

A post-event report which provides a comprehensive summary of the main priorities, outcomes and achievements of the event including the results of any participant surveys or case studies which help to evaluate the relative success and positive impact of the event.



Impact Measures

In a portfolio approach (calendar of events), each event will contribute to our corporate priorities in different ways but nevertheless should have a clear line of sight to expected outcomes.

Each year an Annual Report will be produced which will review the impact of all major events enabling us to advocate and celebrate the benefits of major events, evaluate overall impact, return on investment and value for money for Birmingham.

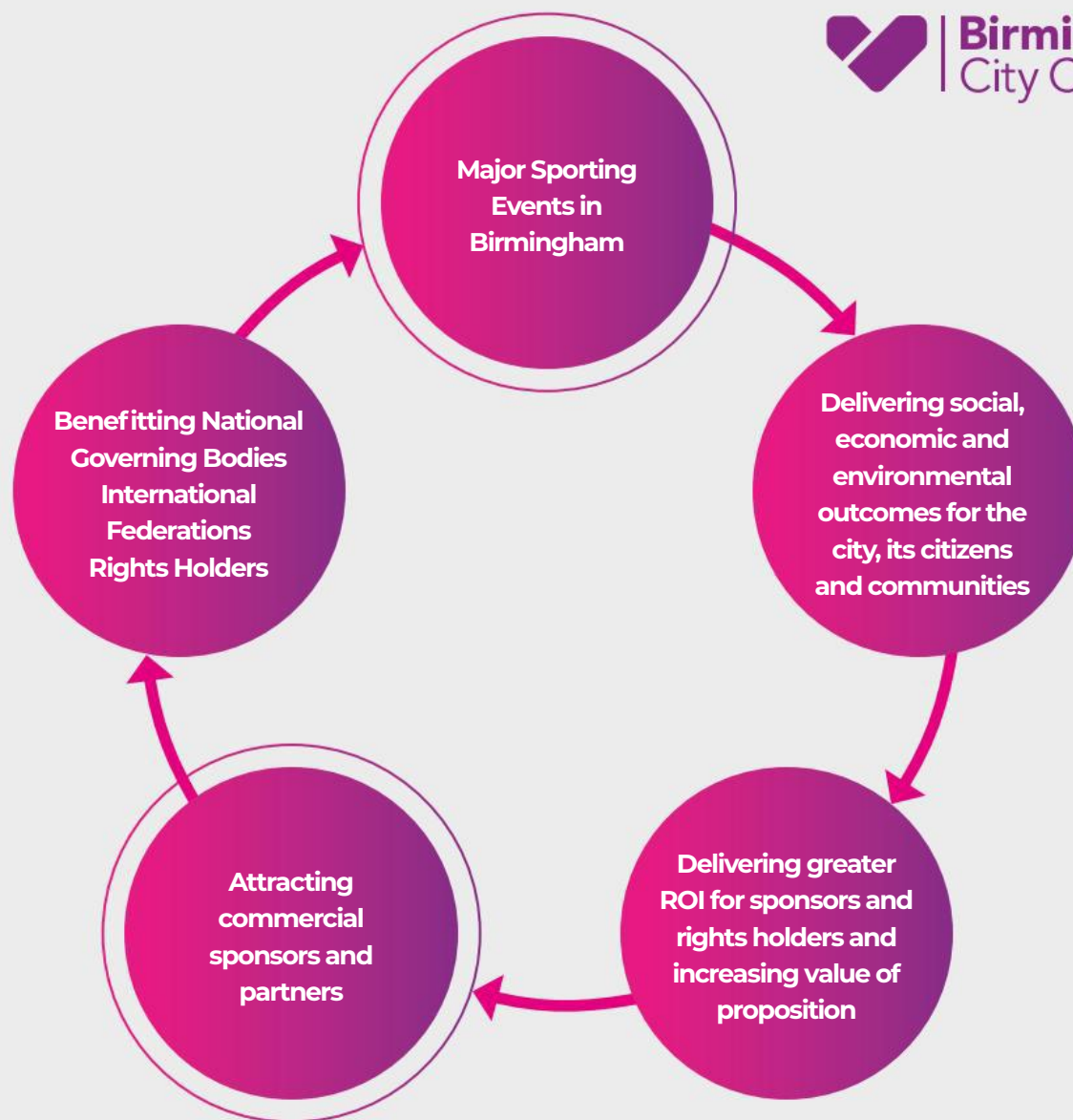
Priority	Impact	Measure	Collection
 Profile and Image	Media	TV, broadcast and social media coverage - total reach	Event Report (Operational review)
	Image	How overall media coverage positively contributed to Birmingham's Image	Event Report (Operational review)
 Business and Economy	Business	Number of Birmingham and West Midland businesses engaged	Pre-Event Report (Development Plan)
		Number and value of contracts awarded to Birmingham/West Midlands companies by event organisers	Event Report (Operational review)
	Economy	Net additional spend/economic value to host economy	Pre-Event Report (Development Plan)
 Participation and Engagement	Engagement	No. of attendees from Birmingham	Event Report (sample surveys/ticketing)
		Total volume of the audience stating the event has had a positive inspirational effect	Event Evaluation (survey)
	Participation	No. of attendees from target groups participating in event related programmes	Pre-Event Report (Development Plan)
 Environment and Infrastructure	Infrastructure	Investment in new or improved infrastructure as a result of hosting event	Pre-Event Report (Development Plan)
	Environment	Evaluation against British Standard BS8901 on sustainable event management	Pre-Event Report (pre-event requirement)
 Employment and Skills	Volunteering	No. of volunteers from the host city/area	Pre-Event Report (Development Plan)
	Skills	No. of Birmingham residents learning new skills or gaining qualifications	Pre-Event Report (Development Plan)
 Social Inclusion	Civic Pride	Proportion of the population who agree that the event contributed positively to Birmingham; wellbeing, skills, participation, community impact, social capital, capacity	Event Evaluation (survey)
	Inclusion	Equality impact assessment completed for event and effective measures put in place	Pre-Event Report (Development Plan)

Birmingham Commercial Model

The new commercial model requires purpose driven partnerships which are connected to and drive social outcomes for corporate sponsors, brands and investors.

Birmingham aims to create a new Major Sporting Events blueprint for attracting commercial sponsors and investors by utilising its assets and resources to deliver positive social, economic and environmental outcomes.

This approach creates a more attractive commercial proposition for event owners and rights holders who can deliver meaningful outcomes for brands and investors.



CASE STUDY

Participation and Engagement

Great Birmingham Run

The 10k and half marathon which make up the Birmingham Great Run series attracted over 17,000 participants and is now one of the biggest mass participation events in the UK.

Over 75% of the participants are residents of the West Midlands, were taking part for the first time and who enjoyed running in the iconic city centre for the day.



5. Delivering the Plan

Birmingham's Role

We recognise that as the 'host city' we have an important role to play in helping to facilitate and support event partners and organisers to maximise the impact of their events and therefore amplifying the impact for the city.

We need to be clear at the start of a relationship what the expectations, roles and responsibilities are and the Birmingham Major Events Team will continue to support and enhance the events landscape by:

Working in Partnership

Birmingham recognises that achieving our ambition for major sporting events relies heavily on the confidence, help and support of a broad range of West Midlands regional partners, government agencies, governing bodies of sport, venue and facility operators, and partner organisations who share our ambition to enhance Birmingham's reputation as a World Class Sporting City.

We will work with partners in a collaborative way and ensure that we communicate proactively and effectively to maximise opportunities and benefits for everybody and that we invest time, expertise and money in a way that will bring additional benefits to Birmingham residents and businesses.

Strategic Planning

Birmingham will play an active convening and co-ordinating role to ensure that the right partners within the city major sporting events ecosystem are engaged, informed and encouraged to work together in a planned and structured way to ensure that we are making well informed and strategic decisions about which event propositions can deliver the greatest impact.

We aim to facilitate a Birmingham Major Event Advisory Group made up of industry experts, key strategic stakeholders and partners from the public, private and voluntary community sectors who can provide expertise and add value to the major event proposition.

Targeting Investment

Birmingham will ensure that it continues to invest wisely in those event propositions and opportunities which deliver greatest value for money and return on investment and help to deliver wider social, economic and environmental impact for individuals, communities and our businesses. We will seek to invest in financially sustainable event propositions and focus our investment to stimulate innovation and growth.

We will ensure that we closely examine and scrutinise future event propositions to ensure that there are contracts and development plans in place that clearly articulate expectations and outcomes before investing in event propositions and work with event organisers to help leverage social, economic and environmental impact to increase the return and value for sponsors.

Measuring Impact

Birmingham will introduce a new standardised Birmingham Major Event Evaluation Framework and approach which aims to align event propositions to the City's corporate ambitions and priorities. This measurement framework will allow us to successfully evaluate the impact events have had individually and cumulatively across the year and ensure that we are making investment decisions which are evidence and insight led in the future.

We will introduce the Birmingham Major Event Evaluation Framework across our entire event portfolio and build up a picture of the value and impact of major events to Birmingham.

Our Strategic Priorities

	Strategic Priority	Action	Timeframe		
			Immediate 2021	Medium 2022	Long 2023 onwards
Vision and Ambition	Work proactively with partners across Birmingham to share our vision and ambition for hosting major sporting events and engage with agencies, rights holders, governing bodies and international federations to develop our strategy.	Identify Major Sporting Event hosting targets from 2023			
Leadership	Provide leadership and use our convening role to build a strong coalition of partners across Birmingham who share our ambition to host major sporting events.	Engage with strategic partners on the implementation of our strategy and agree new ways of working, roles and responsibilities			
Governance	Establish a Birmingham Expert Advisory Group to lead a long-term strategic approach to securing and successfully hosting major sporting events and maximise the social and economic impact.	Establish the Birmingham Major Event Advisory Group and agree priorities			
Partnerships	Work more closely with our Birmingham venues, both indoor and outdoor, to market and promote the wide range and quality of facilities and venues available for event organisers.	Engage with Birmingham Venues to quantify and articulate offer to event organisers			
	Establish stronger links with the wider cultural and creative industries through the Cultural Compact to enhance and enrich the visitor and fan experience.	Engage with Cultural Compact to establish closer working relationship with cultural and creative industries			
Events Portfolio	Explore opportunities for growth and innovation in our Major Sporting Event Portfolio, investing in new digital formats and emerging sports which appeal to a more culturally diverse audience and younger demographic	Carry out review of new and emerging major event opportunities which diversify the audience and promote inclusivity			
Evaluation and Impact	Establish a Birmingham Major Sporting Event Impact Framework which embeds social and economic outcomes within event contracts and consistently measures the value and impact of our events.	Agree the Birmingham Major Sporting Event Impact Framework and build into all event contracts			
	Work with our ticketing partners to use fan information, data and insight to help us grow and develop our event proposition.	Work with our ticketing partner to explore new opportunities to maximise the use of insight and data			
Funding and resources	Ensure that we target investment on those events and sports that give us the greatest return and focus specifically on areas on innovation and growth	Identify new opportunities for investment and growth building on the success of the Commonwealth Games			
	Ensure our event contracts and grant funding awards are conditional on achieving agreed results and outcomes	Agree priorities and targets with event organisers and implement event planning framework incorporating financial incentives			
	Explore the potential for developing a new Birmingham Commercial Sponsorship model which delivers greater return on investment for sponsors and partners through purpose driven partnerships	Work with National Governing Bodies and Rights Holders to build the value proposition for events in Birmingham and sponsorship ROI			
West Midlands Growth Company	Use the catalyst of the 2022 Birmingham Commonwealth Games to 'reset' our approach to hosting major sporting events and build on the knowledge and experience we have gained to achieve our vision and ambition.	Work closely with the Commonwealth Games Delivery unit and learn from interventions and case studies which have achieved greatest impact			
	Work in partnership with the West Midlands Growth Company on our Tourism and Major Sporting Events proposition and collaborate on new bidding and hosting opportunities	Work closely with WMGC to ensure that we are jointly planning and improving the Major Sporting Event proposition			



Acknowledgements

Birmingham City Council would like to thank the following organisations and individuals who have helped shape and inform this strategy;

Birmingham 2022 Commonwealth Games

Birmingham Chamber of Commerce

British Athletics

British Gymnastics

Badminton England

NEC Group

Sport Birmingham

University of Birmingham

West Midlands Growth Company

UK Sport



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**Birmingham City
Council Report to
Cabinet
27 JULY 2021**



Subject: Publicising Fly-tipping and Environmental Crime Cases – Proposed Policy

Report of: Rob James - Managing Director City Operations

Relevant Cabinet Member: Councillor John O'Shea - Street Scene & Parks

Relevant O & S Chair(s): Councillor Penny Holbrook – Housing and Neighbourhoods Overview and Scrutiny Committee

Report author: Martyn Smith
Tel: 0121 303 5542
Email: martyn.smith@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009083/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report sets out the key considerations and Council's proposed policy relating to the publication of information in support of tackling environmental crime and principally the offence of fly-tipping.
- 1.2 Offences linked to rubbish dumping are often referred to as environmental crime and this type of offending is underpinned by anti-social conduct but can also extend through to organised waste crime committed by individuals and criminal gangs where considerable financial gain may be involved.

- 1.3 Fly-tipping causes significant visual blight and the costs of clearance falls to both public and private landowners. The Council has a three pronged approach in tackling fly-tipping and this involves arrangements for: supporting 'clearance' of unwanted and dumped rubbish; 'engagement' with residents and businesses to provide education and advice to support proper disposal of waste; and 'enforcement' against offenders, where it is legally possible and considered proportionate.
- 1.4 This policy proposal sets out a framework for the publication of fly tipping incidents, including the images of those who commit fly-tipping and associated environmental crime. The framework proposes to use a council-controlled website platform for publication. The framework makes it clear how and why the Council will apply the use of CCTV observation to gather evidence and how the Council will determine when it is proportionate and necessary to use publication of imagery of suspects as a tool to assist with investigations and enforcement. The policy identifies the checks that will be undertaken to ensure that the vulnerabilities of victims of fly-tipping and the rights of alleged offenders are considered, and that the legally required steps relating to data protection and privacy are satisfied.

2 Recommendations

- 2.1 That Cabinet endorses the policy framework proposal for publicising details of fly-tipping incidents and suspected offenders relating to fly-tipping and environmental crime, and that public consultation be commenced on the policy.
- 2.2 That Cabinet agrees that if there are no material changes to the policy following the consultation, then the policy will be implemented by the Cabinet Member for Street Scene and Parks, without a further report back to Cabinet. If material changes are made, then a report will be brought to September's Cabinet meeting.

3 Background

- 3.1 Video and photographic imagery which shows offences taking place is sometimes used as part of criminal proceedings against fly-tippers. This type of evidence can often be critical in establishing the identity of an offender or where they live or work. In most situations' imagery will likely have come from council camera equipment or recording made by third party eyewitnesses.
- 3.2 If an image can be used to identify a living individual, that image is therefore likely to constitute personal data. This also covers situations where no names are used but other contextual information would enable individuals to be identified such as location and date provided in a caption under the image. The council cannot ordinarily publish the face of a suspect offender, for example on the council website or other media platform, if it intends to use it in evidence as part of prospective criminal proceedings. However, publication of imagery may

be permissible where it relates to the identification and tracing of a suspect for law enforcement purposes described in section 31 of the Data Protection Act (DPA) 2018 as: *'the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.'*

- 3.3 Any information that is being processed for law enforcement purposes must adhere to the governance requirements of Part 3 of the DPA 2018 that provides a bespoke regime, tailored to the needs of the police, prosecutors and other law enforcement agencies ('competent authorities'). In all cases the law enforcement purpose must be 'based on law' and the competent authority must either have the consent of the data subject or the processing must be necessary for the performance of that purpose by that competent authority. A range of privacy, data protection principles and human rights considerations apply to the use of imagery and to the gathering of imagery and an assessment of proportionality and necessity is required in each case where publication is considered. Imagery of offenders may be gathered as part of a planned activity, such as where CCTV is installed at a fly-tipping hotspot but may be done in response to an unfolding incident where an eyewitness uses their mobile phone to make a recording. Either scenario constitutes 'surveillance' and any decision to use any imagery must weigh-up the level of privacy intrusion caused [from use of the imagery], against the impact of the offending.
- 3.4 The policy framework set out in Appendix 1 describes the council's prospective arrangements for ensuring that any action taken to publish images and information relating to investigations and cases is done so lawfully and fairly and the process is transparent.
- 3.5 The overarching purpose of the policy is to reduce offending behaviour and to reduce the frequency of fly-tipping by using publicity in a manner which increases the likelihood of detection of offenders.

4. Legal considerations relating to the gathering and publication of imagery of offenders.

Lawfulness: -

- 4.1 Fly-tipping and associated environmental crime potentially falls within a range of criminal statutes, including the Environmental Protection Act 1990 and the Anti-Social Behaviour, Crime and Policing Act 2014. These are supported by provisions under the Crime and Disorder Act 1998 which allow law enforcement agencies to work together to tackle offending.
- 4.2 The Council has a law enforcement framework which covers environmental offences. This 'enforcement policy' framework is a legal requirement under the Legislative and Regulatory Reform Act 2006 and the Council's arrangement are published within its Enforcement Policy. In addition, the Licensing and Public Protection Committee publishes the outcomes of court hearings and trials relating to environmental offences, on a rolling basis. Any publication of video

imagery under this policy would be in support of legitimate core law enforcement purposes of the Enforcement Policy and principally the identification of suspects.

- 4.3 Processing CCTV imagery as part of follow-up enforcement enquiries, including attempts to trace a suspect is lawful as the processing would be for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, as these fall under the remit of the Law Enforcement Directive (LED (EU2016/680) which was brought into UK law by Part 3 of the Data Protection Act 2018. This complements the UK General Data Protection Regulation which sets out requirements for processing personal data relating to criminal convictions and offences.
- 4.4 If following consultation on the proposed policy the Council is minded to process personal data for the purposes of law enforcement as described, a new separate Law Enforcement (Data Protection) Policy will need to be developed. by the Council's Data Protection Officer.

Fairness: -

- 4.5 The Council uses imagery in court proceedings which it has gathered itself or that has been supplied from third parties. This 'evidence' is subject to legal challenge and cross-examination during the court process. This scrutiny is not available outside of a court process and therefore under this policy the Council cannot consider publicising imagery sourced from third parties and only imagery from public bodies/law enforcement partners would be considered for publication.
- 4.6 The City does not have an extensive network of public CCTV cameras located within the residential areas which are being affected by small-scale, but relatively frequent fly-tipping. This means that the Council would be reliant upon the wider-scale use of CCTV cameras in residential areas if it seeks to identify and locate suspect offenders. In order to achieve this the Council can only legally do so under the provisions of the Regulation of Investigatory Powers Act 2000 (RIPA) or alternatively the Surveillance Camera Code of Practice (SC-CoP), issued by the Secretary of State which is regulated by the Surveillance Camera Commissioner under the Protection of Freedoms Act 2012.
- 4.7 The Council's enforcement officers currently gather video evidence as part of targeted 'directed [covert] surveillance' operations against fly-tippers. Each operation must be authorised by a Magistrates' Court under RIPA. This type of covert surveillance cannot be used to routinely tackle small-scale fly-tipping which is affecting residential areas. Instead, video evidence for this spectrum of offending would have to be gathered using the non-covert observation approach set out in the SC-CoP. Unlike camera usage under RIPA, this overt route involves an internal council authorisation process and potentially a consultation stage with relevant stakeholders within the locality where surveillance is proposed. As part of this approach the Council is subject to review and scrutiny through the Surveillance Camera Commissioner.

Transparency: -

- 4.8 Establishing a policy to publicise cases and suspects of environmental crime provides the Council with enforcement options beyond core 'waste prevention' approaches. These prevention approaches include assessment and monitoring of levels of defacement from fly-tipping and litter using the Land Audit Management System (LAMS) and engagement with residents and businesses over household and commercial waste disposal.
- 4.9 Using cameras under the SC-CoP would likely detect fly-tipping and environmental crime offences and suspects. This 'detection' constitutes data processing, which includes collecting, obtaining, capturing, disclosing, or storing activities. These operations can be conducted for law enforcement purposes, but they must be a necessary and proportionate way of achieving the intended purpose. This lawful basis will not apply if the intended purpose can reasonably be achieved using some other less intrusive means. A key element supporting the policy is therefore to ensure that prospective arrangements for publicising fly-tipping and environmental crime offending has a clear, precise and foreseeable lawful justification, and that the necessity to use cameras is satisfied. This 'necessity' assessment forms part of the statutory requirements set out under the SC-CoP.
- 4.10 All three limbs of *lawfulness*, *fairness* and *transparency* must be in place. A scenario to highlight this would be where a fly-tipper is caught on council CCTV, but they cannot initially be identified or traced. Publicising the suspects details may be appropriate and may assist the investigation and lead to enforcement. However, although the suspected offender's personal data was lawfully processed, the risk factor is that the suspected offender may still seek to challenge [sue or Judicially review] the council under a claim that the processing was not fair or that the process was not transparent.

5 Options considered and drivers for the policy proposal

- 5.1 Options to enhance how environmental offences are tackled form part of the current review into 'reducing fly-tipping', being conducted through the Council's Housing and Neighbourhoods Overview & Scrutiny Committee (HNOSC). One factor identified is the difficulty of detecting and deterring offenders who contribute to low level, but persistent fly-tipping within residential streets.
- 5.2 The rationale for the potential wider use of CCTV and data protection/privacy risk factors associated with publication of imagery formed part of the HNOSC considerations, but these matters are not currently identified in any specific council policy or decision. The policy proposal seeks to address this and to assist with the overarching problem associated with dealing with suspected offenders which is the ability to secure evidence that is admissible in court and that supports the threshold of there being 'a realistic prospect of conviction' if the matter were prosecuted. [This same evidential threshold also applies where a fixed penalty notice would be appropriate, for example in respect of small-scale fly-tipping. The reason for this is that statutory guidance issued by

Government states that regulators should prosecute offences where an alleged offender fails to discharge their liability to prosecution by paying the fixed penalty amount]. Determination of a suspect's identity and being able to trace the person is crucial to effective investigation and potential enforcement. In the absence of an admission of guilt from a suspected offender the Council will invariably need verifiable video imagery or eye-witness testimony, backed up by a statement in order to commence enforcement. Unfortunately, most residential fly-tipping incidents are either unwitnessed or witnesses decline to give evidence against their neighbours and enforcement is not possible.

- 5.3 A wide range of factors influence and drive small-scale fly-tipping in residential streets. For reasons which are not fully understood, during the COVID pandemic many local authority areas have experienced increased levels of fly-tipping, but also increased reporting of offending behaviour by eyewitnesses who indicate their preparedness to make a statement and to support enforcement. This is also the experience in Birmingham; however, the widespread and often sporadic nature of fly-tipping means that this encouraging position 'and a heightened risk for offenders of being seen and reported' may not be enough to deter offenders. Similarly, many fly-tipping incidents involve household waste which invariably has no evidential traceability and therefore a proactive approach to increase the likelihood of observing and catching offenders in the act is considered the only viable option to increase enforcement. Although activities such as implementing 'street patrols' would potentially give a deterrent effect there is insufficient resource to deliver this at scale and it would have limited effectiveness in tackling some offenders, for example those who evade being seen. Therefore, the wider use of CCTV observation, underpinned by the policy proposal is consistent with the councils aims to reduce fly-tipping and to support cleaner streets.
- 5.4 Based on the most recent statistical release for England [Department for the Environment and Rural Affairs – 2019/20], fly-tipping continues to show an upward trend year-on-year for England. Analysis shows that 65% of incidents involved household waste and these increased 7% from 2018/19 and 43% of the dumps occurred on pavements and roads. For the same period in Birmingham 41% of incidents involved household waste and 72% of dumps were on the pavement or highway. Although the 2020/21 data set is not yet collated/published by DEFRA the provisional data locally indicates that the recordable incidents in Birmingham, for the first three quarters of 2020/21 exceed the incidents for 2019/20. Feedback from local authorities and private landowners who share information through the Government's National Fly-tipping Prevention Group echoes this worrying trend across the country.

6 Consultation

- 6.1 The Housing and Neighbourhoods Overview and Scrutiny Committee, through their review into 'Reducing Fly-tipping' has been consulted.
- 6.2 Relevant leads at the Birmingham Control Centre and Community Safety (Resilience, Services Partnership, Insight and Prevention) and Communications Team have been consulted.
- 6.3 The policy framework is underpinned by two linked processes which offer an ongoing ability for comments to be made and these are described at Part 4 to this report. The first is the strategic approach set out in the Enforcement Policy, which is subject to formal review and public consultation through the councils Licencing and Public Protection Committee. The second is the operational approach, controlled through the council's Data Protection Officer, which controls the application and approval in respect of the use of public space observation under the Surveillance Camera Commissioners Code of Practice.

7 Risk Management and Legal Implications

- 7.1 The Council's primary statutory duties are set out within the Data Protection Act 2018, the UK General Data Protection Regulation and the Human Rights Act 1998. Several statutory provisions provide legal frameworks for undertaking the processes set out in the policy and these include:
 - Crime and Disorder Act 1998 – Section 115 – provide statutory agencies, including the council, with the ability to disclose information in any case where the disclosure is necessary or expedient for the purposes of any provision of this Act.
 - Criminal Justice and Public Order Act 1994 Section 163 – enables a local authority to provide apparatus for recording visual images of events occurring on any land in their area to promote the prevention of crime or the welfare of the victims of crime.
 - Local Government Act 1972 – Section 111 - provides local authorities with the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.
- 7.2 As detailed in paragraph 4.4, if following consultation on the proposed policy the Council is minded to process personal data for the purposes of law enforcement as described, a new separate Law Enforcement (Data Protection) Policy will need to be developed by the Council's Data Protection Officer in conjunction with the relevant sections of the Council acting as the competent authority under Part 3 of the Data Protection Act 2018.
- 7.3 The Council's City Solicitor will continue to provide legal oversight and advice in respect of the proposed policy and prospective consultation feedback in relation to governance and compliance matters.

Linkage to Existing City Council Plans and Strategies

- 7.4 The proposals within the policy support the delivery of the Council Priority “Birmingham is a great city to live in” in terms of the Council’s commitment to work with residents and businesses to improve the cleanliness of the city, and as set out in the Birmingham City Council Plan 2018 – 2022. Additionally, the policy proposal supports the aims and objectives of the Housing and Neighbourhoods Overview and Scrutiny Committee review on ‘Reducing Fly-tipping’.
- 7.5 The policy proposal forms part of the suite of street scene improvements and initiatives that are in progress, including: working with Keep Britain Tidy on developing long term strategies to start the cultural change to reduce household waste dumping and to increase responsible behaviours; recruitment of additional fly-tipping crews and enforcement officers; and developing community engagement and civic pride through the Love Your Street programme.

8 Financial Implications

- 8.1 The costs associated with publicising details of fly-tipping incidents and suspected offenders is £0.180m and will be funded through the additional investment into cleaner greener streets of £7.2m.

9 Procurement Implications

- 9.1 None applicable.

10 Human Resource Implications

- 10.1 None applicable.

11 Public Sector Equality Duty

- 11.1 The purpose of this policy is to ensure that decisions are made transparently and to eliminate unfair or inequitable decisions. Section 42 of the DPA 2018 details the safeguards which the council, as a Competent Authority must apply when undertaking sensitive (racial or ethnic origin or health etc.,) data processing. The proposed policy contributes to the Council’s corporate priorities of *transparency* and *open data* and is supported through the general data processing principles and requirements set out within the council’s Data Protection Policy including the Law Enforcement ‘appropriate policy document’.

11.2 All wards of the city are affected by fly-tipping and environmental crime. The policy supports the Council's statutory law enforcement functions and is allied to the Enforcement Policy and these ensure consistency and fairness throughout all communities in Birmingham. By its nature the proposed policy should not have an adverse impact on anyone with protected characteristics and not differentially impact on particular communities or groups in respect of the application of the policy.

11.3 Subject to any response and comment from the public consultation proposed in this report a further equality analysis will be carried out prior to further consideration by Cabinet.

12 Appendices

Appendix 1. Publicising Fly-tipping and Environmental Crime Cases – Proposed Policy.

BIRMINGHAM CITY COUNCIL

Proposed Policy -

Publicising Fly-tipping and Environmental Crime Cases

2021

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1. Introduction

Birmingham City Council has set a priority of working with residents and businesses to improve the cleanliness of the City. Achieving this will require a collective effort from individuals, communities, businesses, landowners and those who deliver waste collection and clearance activities. The Council uses three approaches to help improve street cleanliness and these are: ensuring effective street *cleaning* and rubbish removal; *engaging* with residents and businesses to support proper waste disposal practices; and *enforcing* the law to deter and tackle environmental offences like fly-tipping.

Fly-tipping and associated environmental crime impacts on the quality of the environment. It causes blight in the communities where people live and work and dealing with the defacement is costly and time consuming. The Environmental Protection Act 1990 and The Anti-Social Behaviour, Crime and Policing Act 2014 are the main statutory provisions which allow local councils to take enforcement action against environmental offences. Taking enforcement action is intended to address offender behaviour, but also to deter others from committing environmental crime.

Enforcement is the process of ensuring compliance with laws, regulations, rules and standards and the policy describes how fairness, proportionality, transparency and consistency are to be achieved. The Council has an Enforcement Policy which governs how regulatory action, including 'enforcement' is carried out. The policy sets out how decisions are made and the approach to enforcement.

[https://www.birmingham.gov.uk/downloads/file/405/regulation_and_enforcement_-_enforcement_policy]

Taking enforcement action often requires support from third parties, for example evidence provided by eyewitnesses, and investigation assistance from other law enforcement partners. The ability to enforce the law requires suspect offenders' identity and whereabouts to be established.

Many instances of fly-tipping are unwitnessed. For those that are, witnesses may not want to make a statement. This is especially the case for fly-tipping in the street where the offender may be a neighbour of the eyewitness. This affects the council's ability to investigate crimes and to appropriately deal with offenders and this is vitally important in the councils' efforts to reduce fly-tipping and environmental crime.

This Policy is designed to assist with the identification of suspect offenders where investigatory lines of enquiry have been exhausted, through the publication of the details of incidents, cases and suspects, where it is legally appropriate.

2. Scope of Policy

This policy covers:-

- The publication of images or descriptions of individuals or groups of people who commit or who are suspected of committing fly-tipping and environmental crime where they cannot be identified through any other reasonable lines of enquiry. [It is not intended that images or descriptions of persons legally defined as 'juveniles' i.e. 17 years or younger will be published].
- The publication of images or descriptions of incidents where no individual or group is identifiable, for example images or description of a vehicle which is used to offend or where characteristic material is dumped.
- The publication of the details from enforcement outcomes concluded at court, including the name and/or images where it is deemed appropriate and proportionate. [The principle avenue for publication will continue to be via *court reporting* following the conclusion of court hearings and through the details already published on an ongoing basis as part of the Council's Licensing and Public Protection Committee report entitled Prosecution and Cautions].

This approach will enable the council and its partner law enforcement agencies to raise awareness over the action taken and to actively encourage local communities and businesses to take a stand against the inconsiderate behaviour of a minority of people, whose actions blight a local area.

This policy covers the publication of private information under defined criteria relating to the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties.

3. Aims of the Policy

The primary aim is to enable the publication of information related to fly-tipping and environmental crime in support of law enforcement enquiries. The secondary aim in publicising information from enforcement outcomes concluded at court is in assisting with the prevention of offending behaviour. The purpose of this policy is to assist the council in deciding whether publication is necessary and proportionate. The policy provides a framework for assessing fairness, lawfulness and transparency to:

- Provide clear and consistent guidance in establishing if it is necessary and proportionate to make a disclosure via publication.
- Ensure openness in the reporting of criminal investigations and proceedings.
- Ensure that the council acts in accordance with general public law principles, and with national guidance.
- Ensure that the council fully considers and is compliant with the relevant data protection, privacy and human rights requirements, (including certain limited individual's rights under Part 3 of the DPA).
- Ensure that the council acts in a way that achieves the purpose of the policy and to reduce fly-tipping.

4. General Principles of using publicity to assist law enforcement.

The ability for the council to publicise images and descriptions relating to fly-tipping and environmental crime is governed by several statutory provisions. Processing imagery is lawful where the purpose is for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, as these fall under the scope of the Law Enforcement Directive (LED (EU2016/680) which was brought into UK law by Part 3 of the Data Protection Act 2018. This complements the UK General Data Protection Regulation which sets out requirements for processing personal data relating to criminal convictions and offences.

Several associated statutory provisions provide legal frameworks for conducting law enforcement enquiries, discharging statutory functions of the council and sharing information between regulators and these include:

- Crime and Disorder Act 1998 – Section 115 provide statutory agencies, including the council, with the ability to disclose information in any case where the disclosure is necessary or expedient for the purposes of any provision of this Act.
- Criminal Justice and Public Order Act 1994, Section 163 enables a local authority to provide apparatus for recording visual images of events occurring on any land in their area to promote the prevention of crime or the welfare of the victims of crime.
- Local Government Act 1972 – Section 111 provides local authorities with the power to do any thing which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

There must be a balance between the rights of an individual [suspect] and those of the wider community. Any decision to publicise an image must be for a legitimate purpose, be necessary and proportionate.

Any decision to publicise an image must take into account the reasonably foreseeable impact on victims or witnesses. Safety and threat assessment consideration will take precedence over any publication proposal. Law enforcement and other partners should be consulted, where relevant, for example where policing, anti-social behaviour, child protection, or wider safeguarding aspects form part of an investigation. Publication considerations may include the following elements in support of decisions based on the Law Enforcement Directive (LED (EU2016/680) incorporated into Part 3 of the Data Protection Act 2018:

- Prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties
- Encouraging witnesses and/or victims to come forward
- Discouraging offenders
- Reassuring and informing the public
- Reinforcing confidence in the criminal justice system
- Identification of suspects and offenders
- Raising public awareness

The council recognises that poor quality static or video images increase the risks of misidentification and therefore this risk factor will form part of publication considerations.

For publication of an image to be *necessary* in pursuit of a legitimate purpose, all other reasonable lines of enquiry for identifying and/or tracing a suspect will have been exhausted or ruled out for legal reasons.

Collateral intrusion must be assessed and mitigated as part of all considerations and decisions to publicise imagery. [It is anticipated that only the minimum necessary details are released and personal data relating to a third party, unconnected with an investigation or person not considered to be a suspect is obscured from any publicised material].

All the circumstances of the case must be taken into account when considering whether it is proportionate to publicise images. The nature and circumstances of the offence is highly relevant, and the more serious the offence the easier it will be to justify the release as being proportionate. The baseline threshold for 'consideration of publication' where no other reasonable identification/tracing lines of enquiry exist is where it would be appropriate to issue a fixed penalty notice in respect of the offence. This includes the 'fly-tipping' fixed penalty under

Section 33 of the Environmental Protection Act 1990. [It is not envisaged that publication would be considered for civil offences relating to advancement of household waste under Section 46 of the Environmental Protection Act 1990 or littering from vehicles under The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018]. The following factors may also be considered:

- Nature of the offence
- Vulnerability of any potential victims
- Level of impact on the environment
- Level of impact on the public/community and/or individuals
- Prevalence of local crime
- Repeat offending
- Public interest

5. Procedure for publicising fly-tipping and environmental crime offences.

Prior to any publication the council will notify Community Safety Partnership leads to minimize the risk that publication might compromise unrelated anti-social behaviour or policing enquiries or investigations. In all cases involving attempts to identify or locate an unknown suspect, publication of personal information will only be done if it is considered to be in the public interest. The following criteria, which are not exhaustive, may be used as a basis for assessing public interest and appropriateness of publication:

- Publicising is in the public interest either due to the scale, location or impact of the offending behaviour.
- If a successful prosecution has been achieved at court and the other criteria have been considered, publicity may still be used. The criteria for publication would be based upon the following:
 - i. Release of information is being made in connection with a recently concluded court case and being done in conjunction with release of information through other channels, for example through press releases. Any publication would have due regard to relevant media law as well as journalistic and Ministry of Justice guidelines which govern the reporting on court cases.
 - ii. Release of information which references court outcomes and interventions against fly-tipping and environmental crime offending more generally, for example through the city's network of digital information screens. Publication will be limited to outline details for the

nature of the incident, its location and sanction imposed by the court. Information identifiable to an offending individual or business would not ordinarily form part of publication as to do so may breach legal duties and the purpose of this policy is not to 'name and shame' a person or company.

- No publication will be considered where a suspect in an investigation enquiry is known or believed to be under the age of 18 or to have a vulnerability that may put them [or their household or business] at risk.
- No publication will be considered where there is a foreseeable risk that release of information could adversely impact on community cohesion/tension.
- In circumstances where fly-tipping and environmental crime affects privately owned land, specific consideration will be given to the views of the landowner affected. This is to mitigate the risk from publication of imagery that identifies a victim as they may not wish to be identified.
- Where images are to be used such as CCTV images, these can only be published where they have been obtained through a public body, such as the council or Police and not a third party, such as a private individual or private business. Images must be clear and innocent parties are suitably obscured before images are disclosed to the media or published on the council's website or other approved media portal.
- Release of personal information will only be undertaken if it is in support of a lawful purpose or forms part of court reporting arrangements, and where publication has been authorised by the council's Legal Services.

The process for publicising fly-tipping and environmental crime will be the same, irrespective of whether the council is seeking to identify a suspect, or where a case has been successfully prosecuted.

Care will be taken when releasing images of unknown suspects to ensure that the wording accompanying the image is accurate in the context that a 'suspect' is a *person suspected of involvement with a crime but who has not been charged, summoned to court or convicted of the offence alleged*. Officers will take all necessary steps to ensure that they have a high degree of confidence that the person in the image is a clear suspect in the investigation.

Where the individual is known, it is unlikely to be appropriate to release the image, although there are always exceptions and the council will seek specific legal advice before images of known individuals are released. Other means of tracing the individuals will need to have been attempted.

Progression to publication involves four stages with the outcome of each stage recorded via a Publication Risk Matrix (PRM), shown in Appendix A:

Stage 1: - The Officer in Charge (OIC) of the investigation comments regarding operational factors, including whether any operational or investigatory risks to publication have been established; that all reasonable lines of enquiry have been examined, and that they are satisfied over the proportionality and necessity for publication. Any decision to forward to stage 2 will be managed within the councils Waste Enforcement Unit.

Stage 2: - The PRM is forwarded to the relevant Community Safety Partnership Lead to assess, with police colleagues if necessary, as to whether any cross investigatory issues are present.

Stage 3: - The PRM is forwarded to the councils Legal Services so that an assessment on data protection, privacy and public interest matters can be made. Progression to stage 4 cannot take place without Legal Services approval for publication.

Stage 4: - The PRM is forwarded to the council's Communications team who are responsible for imagery management and publication

(The PRM is retained as disclosable material under the Criminal Procedures and Investigations Act 1996).

6. Arrangements for the identification of suspects through publicising images or descriptions of persons or incident details.

The policy and arrangements for publication principally support criminal investigation enquiries. Dealings with suspects, including interviews and identification are governed by the Police and Criminal Evidence Act 1984 and the

Waste Enforcement Unit or relevant Officer in Charge of a specific fly-tipping/environmental crime investigation will be the point of contact for any information/leads resulting from publication of images.

Information supplied to the OIC/Waste Enforcement Unit will remain confidential to any investigation enquiries. If an individual featured in any published images comes forward and is subsequently eliminated from enquiries, the communications team will be informed immediately so that any necessary updates or redaction to published material can be made.

7. Working with Partners and Data Sharing

Fly-tipping and environmental crime offences and offenders are not confined to geographic borders. Where appropriate to the prevention, apprehension, or detection of crime, information proposed for publication and information received following publication will be shared with relevant law enforcement partners. [Information and intelligence sharing arrangements are permitted under a number of statutory provisions, including Section 115 of the Crime and Disorder 1998; Section 108 of the Environment Act 1995, Parts 2 and, or 3 of the Data Protection Act 2018].

8. Equal Opportunities and Diversity

The Council recognises the diversity of our community and enforcement activities will have due regard to the Equality Act 2010. The purpose of this policy is to ensure that decisions are made transparently and to eliminate unfair or inequitable decisions. Section 42 of the Data Protection Act 2018 details the safeguards which the council, as a Competent Authority must apply when undertaking sensitive (racial or ethnic origin or health etc.,) data processing.

9. Monitoring Arrangements and Review of Policy

The council will monitor the activities set out in his policy through established reporting and management processes.

We will review this policy and update it to reflect changes in its source documents and controlling bodies annually. We will also review its effectiveness in supporting the Council's and the community's priorities.

We will consult with stakeholders before and after making any changes to this policy.

Appendix A

Publication Risk Matrix (PRM)

PUBLICATION RISK MATRIX

There must be a balance between the rights of an individual suspect and those of the wider community. Any decision to release an image must be for a **legitimate purpose**, be **necessary** and **proportionate**.

This pro-forma must be completed and progressed through Stages 1 – 4. Publication of imagery cannot be undertaken unless all four stages are completed.

The Officer in Charge of the investigation (or Waste Enforcement Unit Manager) retains control of this matrix in terms of the Criminal Procedures and Investigations Act 1996.

The OIC/WEU retains legal responsibility for contact with/liaison with suspects or witnesses.

DRAFT

STAGE 1: - To be completed by the OIC / WEU

Option A: - Identifying or tracing suspects

1. Summary of the investigation (To provide sufficient context to officers completing Stage 2,3 and 4):
2. Summary of imagery proposed to be published:
3. Brief description of what reasonable lines of enquiry have been progressed to identify/trace suspect(s)
4. Have all reasonable lines of enquiry been exhausted to trace/identify the suspect? [YES / NO]
5. Is publication proportionate and necessary? [YES / NO]
6. Is the imagery of sufficient quality to mitigate misidentification risks and to offer a realist prospect of potential identification if published? [YES / NO]
7. Briefly describe any collateral intrusion or other concerns which need to be flagged to Stage 2,3 or 4 officers

The release of any publicity, including images must be necessary for a legitimate purpose. State which apply

Purpose	Yes/No	Comments
prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties.		
Identification and/or tracing of suspects		
Raising awareness - encouraging witnesses and/or victims to come forward		
Raising awareness - Deterring offenders		
Raising awareness - Reassuring and informing the public		

Option B if applicable: - Publication of details of successful court outcomes

8. In terms of a successful prosecution outcome, describe why further processing of the details of the case [beyond those details processed following the court hearing and publication in the Licensing and Public Protection Committee] would be in the public interest.

OIC (Name, signature, date): -

STAGE 2: - To be completed by the Community Safety Partnership Lead

9. Are there any reasons known to the CSP which suggest publicity could adversely affect the safety of an individual or business or council employee if the imagery described under Stage 1 were to be publicised? [YES / NO]
10. Are there any reasons known to the CSP (or reasons suggesting a necessity to check with police colleagues) which suggest publicity could adversely affect ongoing or prospective enquiries or enforcement in the area where the imagery relates to? [YES / NO]
11. Briefly describe any comments that you feel will be of assistance to Stage 1,3 or 4 officers.

CSP Lead (Name, signature, date): -

STAGE 3: - To be completed by the Legal Services Lead

12. From Stage 1 and 2 are you satisfied that:

Purpose	Yes/No	Comments
There is a <i>lawful purpose</i> to publicise?		
That there is a sufficient <i>proportionality</i> case?		
That there is a sufficient <i>necessity</i> case?		
That publication is in the <i>public interest</i> ?		
Are mitigations or further safeguards necessary, for example relating to collateral intrusion and obscuring identities etc.		

Option A: - Identifying or tracing suspects

13. Is publication approved? [YES / NO]

Describe any publication requirements/restrictions that Stage 4 officers need to be aware of or to follow.

Option B if applicable: - Publication of details of successful court outcomes

14. Is publication approved? [YES / NO]

Describe any publication requirements/restrictions that Stage 4 officers need to be aware of or to follow.

Legal Services Lead (Name, signature, date): -

STAGE 4: - To be completed by the Communications/Media Lead

15. Have Stages 1 to 3 been completed? [YES / NO]
16. Has publication been authorised by Legal Services? [YES / NO]
17. Have any publication requirements/restrictions been completed? [YES / NO]
18. Publication START date:
19. Publication END date:

Communications / Media Lead (Name, signature, date): -

Birmingham City Council

Report to Cabinet

27 July 2021



Subject: **Birmingham 2022 – Update on the Perry Barr Regeneration Scheme FBC**

Report of: Ian MacLeod Acting Director Inclusive Growth

Relevant Cabinet Member: Cllr Ian Ward, Leader
Cllr Tristan Chatfield, Finance and Resources.

Relevant O & S Chair(s): Cllr Mariam Khan, Learning, Culture and Physical Activity, Cllr Shabrana Hussain, Economy and Skills; Cllr Penny Holbrook, Housing and Neighbourhoods, Cllr Mohammed Aikhlaq, Resources.

Report author: Mumtaz Mohammed, Programme Manager
Email Address: mumtaz.mohammed@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Perry Barr, Aston, Birchfield		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008307/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report summarises the progress made on the delivery of the Perry Barr Regeneration Scheme (PBRS) since the approval by Cabinet, of the Revised Full Business Case (RFBC) on 17 March 2020 and seeks approval for the Updated RFBC (Appendix 1) including the Disposal Strategy.

- 1.2 The March 2020 RFBC was developed on the basis that the Commonwealth Games Federation was to accommodate most of its 6,500 athletes and officials at the Perry Barr Athletes' Village (now known as PBRs). Planning consent is in place for delivering a total of 1,414 homes across eleven development plots. Authority was granted to develop eight of these plots (Plots 1, 3, 4, 5, 6, 7, 8, and 9) within the consent, to provide 1,151 residential units, with Plots 2, 10 and 11 planned for development or disposal post-Games.
- 1.3 At the time of the March 2020 RFBC approval, the Council was in contract via a Construction Development Agreement (CDA) with Lendlease Construction Europe Ltd (Lendlease) for the development of the eight plots. Lendlease had awarded contracts to Tier 1 contractors for the development to Games-specification of Plots 6, 7, 8, and 9. The contract for the delivery of Plot 1 was in negotiation and the delivery approach for Plots 3, 4 and 5 was being reviewed.
- 1.4 In March 2020, the World Health Organisation declared COVID-19 as a global pandemic. In response to the emerging working environment the Council, in consultation with the Birmingham 2022 Commonwealth Games Organising Committee and Government undertook a review into the deliverability of the PBRs for Games-time from both a programme and value for money perspective.
- 1.5 An early outcome of this review was to cease design works (RIBA Stage 4 design partially complete) on Plot 1 and to omit it from the scope of the Games-time development. This decision was taken following a review into the commercial viability and affordability of Plot 1.
- 1.6 Following further review into the deliverability and affordability to the Council of the remaining plots under construction, and when considering the additional costs required to accelerate and de-risk the programme for Games-time, and in response to COVID-19, a decision was confirmed by the Commonwealth Games Federation (CGF) to omit the PBRs from Games-time usage in August 2020. This created an opportunity for the Council to deliver homes ready for occupation earlier than originally anticipated. The Council continues to consult with the Games Programme to coordinate any relevant interfaces around Games operations.
- 1.7 Since the March 2020 RFBC the delivery of Plots 3, 4 and 5 has been removed from the scope of the Lendlease CDA via change control following a review into the optimal delivery approach.
- 1.8 The March 2020 RFBC did not include the budget for the post-Games additional interior fitout works (predominantly floor finishes and kitchens) for any of the plots. This paper now seeks approval of the budget to undertake these additional fitout works to complete the 968-homes within Plots 6, 7, 8, and 9 in readiness for market disposal and occupation. These works are required to

enable the Council to gain maximum capital receipts from the disposal of the completed homes.

- 1.9 Progressing straight to the legacy development also improves the sustainability credentials of the project by eliminating sacrificial fixtures, fittings and building materials that would have been used only for Games-time.
- 1.10 To optimise the commercial benefits for the Council, a Disposal Strategy has been developed for the scheme. This recommends the phased delivery of the development plots in order to ensure a balanced supply of new housing to the market. The additional fitout works will be phased, and the sequence is informed by, and will coordinate with the Disposal Strategy.
- 1.11 The Wider Village sites (see Appendix 1) – which would have been used for Games-time operations – are at varying stages of remediation and demolition. The Updated RFBC that forms part of this report includes proposals to undertake additional demolition and remediation work required to make the sites suitable for market disposal and/or future development.

2 Recommendations

- 2.1 Approves the Updated Revised Full Business Case (URFBC) for the Perry Barr Regeneration Scheme as set out above and in Appendix 1 including the Disposal Strategy.
- 2.2 Notes the progress made on the delivery of the PBRs as set out in Section 3 of this report.
- 2.3 Delegates approval of the final disposal terms of the plots as per the Disposal Strategy (summarised in sections 4.9 to 4.13), to the Leader of the Council in consultation with the Assistant Director Property Services in consultation with the City Solicitor (or their delegates).
- 2.4 Delegates authority to approve the revised design, procurement and delivery strategy for Plots 3, 4 and 5 and to award contracts for the works to the Acting Director, Inclusive Growth in conjunction with Assistant Director, Development and Commercial and the Director of Council Management (Interim) and the City Solicitor (or their delegates).
- 2.5 Delegates authority to develop a strategy including the procurement route in consultation with the Cabinet Member for Finance and Resources and then to award contracts for the delivery of the additional fitout works to Plots 6, 7, 8 and 9 to the Acting Director, Inclusive Growth in conjunction with the Assistant Director, Development and Commercial, and the Director of Council Management (Interim) and the City Solicitor (or their delegates).
- 2.6 Delegates authority to develop a strategy including the procurement route in consultation with the Cabinet Member for Finance and Resources and then to award contracts for the delivery of the additional demolition and remediation

works to the sites adjacent to the Residential Scheme (Wider Village) to the Acting Director, Inclusive Growth in conjunction with Assistant Director, Development and Commercial and the Director of Council Management (Interim) and the City Solicitor (or their delegates).

- 2.7 Delegates authority to develop a strategy including the procurement route in consultation with the Cabinet Member for Finance and Resources and then to award contracts for the delivery of the works required to manage the PBRs estate during handover and post completion to the Acting Director, Inclusive Growth in conjunction with Assistant Director, Development and Commercial and the Director of Council Management (Interim) and the City Solicitor (or their delegates).
- 2.8 Delegates authority to develop a strategy including the procurement route in consultation with the Cabinet Member for Finance and Resources and then to award contracts for the delivery of the works required to discharge the planning conditions related to noise impacts from the Tufnols site (see Section 3.10) to the Acting Director, Inclusive Growth in conjunction with Assistant Director, Development and Commercial and the Director of Council Management (Interim) and the City Solicitor (or their delegates).
- 2.9 Delegates approval of the leasehold disposal (minimum five (5) years) of the Council owned land known as Plot 10 (Gailey Park) at the Perry Barr Residential Scheme at the highest recommendable offer as detailed in this report in paragraph 3.12.
- 2.10 Authorises the City Solicitor to execute and complete all necessary legal documents to give effect to the above recommendations.

3 Background

- 3.1 This report is an update to the RFBC approved on 17 March 2020 which updated the Economic, Financial and Commercial Cases of the June 2019 FBC. It also provides a progress update of the work undertaken since then.
- 3.2 In March 2020, the World Health Organisation declared COVID-19 as a global pandemic. In response, the Construction Leadership Council (CLC) published guidance by which construction sites should adhere, to continue with safe operations whilst maintaining social distancing. Lendlease took the decision to temporarily cease site operations to undertake an assessment of the working procedures and confirm compliance with CLC guidance. The site returned to operations shortly after, albeit with a reduced rate of productivity due to social distancing restrictions.
- 3.3 In response to the emerging working environment the Council, in consultation with the Birmingham 2022 Organising Committee and Government undertook a review into the deliverability of the scheme for Games-time.

- 3.4 In August 2020 the Commonwealth Games Federation (CGF) confirmed the decision to accommodate athletes and officials at alternative locations in the West Midlands, de-scoping the Perry Barr Athletes' Village from the Games-time use.
- 3.5 Following the CGF's decision in August 2020, BCC removed the PBRS from the Birmingham 2022 Programme and commenced a transition to the delivery of legacy plans. The main actions were:
- (a) Residential Scheme –
 - 1. Omission of Games-time requirements for bedroom door locks, floor finishing and temporary wall partitions.
 - 2. Accelerate delivery of the Disposal Strategy for Plots 1 to 11 (summarised in Appendix 1).
 - 3. Commercial review of the strategy and design for Plots 3, 4 and 5 in order to optimise commercial viability. A summary is set out in the Disposal Strategy.
 - 4. Acceleration of the additional fitout specification for Plots 6, 7, 8 and 9 that will ensure the homes are suitable for occupation.
 - 5. Accelerate the production of the Estates Management Strategy for Plots 1 to 11 including public realm.
 - (b) Wider Village –
 - 1. Sites will be demolished and prepared to a suitable specification for disposal and/or development.
 - (c) Wider Perry Barr regeneration –
 - 1. Sites will be demolished and prepared to a suitable specification for disposal and/or development.
- 3.6 Alongside the additional benefits outlined in the March 2020 RFBC, several additional benefits are generated by progressing the scheme to final fitout of Plots 6, 7, 8 and 9:
- Progressing straight to the legacy development improves the sustainability credentials of the project by eliminating sacrificial fixtures, fittings and building materials that would have been used only for Games-time.
 - Additional fitout works to Plots 6, 7, 8 and 9 will be undertaken earlier than originally planned to enable earlier occupation of the new homes.
- 3.7 The original scope of works for Games-time consisted of three major projects:
- (a) Residential Scheme – construction of residential units to house athletes and officials during Games-time and provide legacy benefits.

(b) Wider Village – delivery of sites to be temporarily developed by the OC for Games-time operations.

(c) Wider Regeneration – delivery of sites at Birchfield Gateway for legacy development.

- 3.8 The A34 Highways Scheme (Perry Barr Flyover) was included within the overall budget for the PBRS however the approval to deliver the scheme was granted via a separate Full Business Case, approved by Cabinet 15 October 2019. Any cost variations relating to the A34 highways scheme, including any use or release of approved capital contingency, remain within the overall funding approvals for the PBRS.
- 3.9 As part of the Disposal Strategy, a spatial and commercial review was undertaken of Plots 3, 4 and 5. This identified an opportunity to increase the quantum of homes, diversify the range of home types and sizes, and optimise commercial benefits for the Council.
- 3.10 Planning consent for the PBRS included several conditions to be satisfied by the Council and their contractors. Most of these conditions have now been addressed however there is an outstanding condition regarding the impact of the noise emanating from the Tufnols plant located south of the scheme, which is the responsibility of the Council (as the developer). The noise has an impact principally on the properties within Plots 5 and 6 and the Council is currently taking advice on how best to remediate the matter with the most suitable option to deal with the issue at source. Once a solution has been determined, a procurement exercise will be undertaken to award a contract to design and install the recommended solution.
- 3.11 The opportunity to use the Oscott Gardens buildings as temporary accommodation has been reviewed by the Housing department. Works will be required to remediate the internals of the buildings to a standard suitable for occupation as temporary accommodation subject to further approval.
- 3.12 Plot 10 is being utilised by the contractor for the A34 works as a compound until Q1 2022. Following that, there is an opportunity to utilise the plot as a commercial space to include a sales and marketing suite to promote the sale of PBRS homes and which would create further opportunity for small and local businesses to set up (food, beverage and retail) on a temporary basis prior to the commencement of development works on Plot 10. This opportunity is being developed to align with the Games timescales such that visitor footfall can be captured by the sales and marketing suite enabling the Council to optimise potential sales of new homes. This report seeks approval for a leasehold disposal of Plot 10 to a specialist operator for a minimum term of 5 years. The specialist operator will be responsible for the works to create the commercial units to facilitate small business operations (above).

4 Options Considered and Recommended Proposal

4.1 An options analysis was undertaken on each element of the PBRs.

4.2 **Plots 3, 4 and 5:** the March 2020 RFBC set out the intent to deliver 57 homes across Plots 3, 4 and 5 for appropriation to the Housing Revenue Account (HRA) following the Games. The Disposal Strategy (summarised in Appendix 1) recommends that the affordable housing required by the planning condition is delivered across Plots 7, 8 and 9. This strategy enables the Council to consider a redesign of Plots 3, 4 and 5 to increase the number of homes, refine the range of house types, size and tenures, and deliver optimised commercial returns as well as contributing more effectively to the regeneration of Perry Barr and improving the 'placemaking' opportunities. A proposal is being developed in consultation with the Planning department and this report seeks to delegate authority for approval of the developed design and instruction of the necessary works. An analysis was undertaken into two options:

- (i) **Option 1:** proceed in line with the intent set out in the RFBC and deliver 57 large family homes for appropriation to the HRA for social housing.
- (ii) **Option 2:** revise the design to optimise the use of available land within the plots and consider the potential incorporation of the Hare of the Dog public house (subject to planning approval) to deliver more units than originally planned. The net internal area of the homes will achieve National Space Standards and therefore deliver an increase in the overall square footage of residential space and a broader tenure mix and range of home sizes. The overall affordable housing provision has been reviewed, concluding that distribution between Plots 7, 8 and 9 will enable the Council to meet the planning condition requirements. This will allow Plots 3, 4 and 5 – and all other uncommitted development plots - to be optimised commercially.

4.3 When considering the benefits associated with a wider-range of affordable housing across Plots 3-9 and the ability to optimise the receipts generated by Plots 3, 4 and 5, the recommendation is to progress Option 2.

4.4 Plots 6, 7, 8 and 9: informed by the Disposal Strategy an assessment has been undertaken into the options for delivering the legacy fitout to Plots 6, 7, 8 and 9. A total of eight options were considered:

- (a) **Option 1:** Lendlease undertake the fit-out work to all plots and complete the public realm in line with the Stage 3+ design.
- (b) **Option 1A:** Lendlease undertake the fit-out work to Plots 7, 8 and 9 and complete the public realm in line with the Stage 3+ design. The fit-out of Plot 6 is delivered after a procurement process led by the Council.
- (c) **Option 2:** Lendlease complete the public realm in line with the Stage 3+ design. The Council tenders the fit-out work to all plots and award to a single contractor.

- (d) **Option 2A:** Lendlease complete the public realm in line with the Stage 3+ design. The Council the fit-out work to Plots 7, 8 and 9 awarded to a single contractor. The fit-out of Plot 6 is completed by the extra-care housing provider.
 - (e) **Option 3:** Lendlease complete the public realm in line with a reduced scope as proposed by Lendlease in December 2020. The Council tenders the fit-out work to all plots awarded to a single contractor. The Council also tenders the works required as a separate contract to replace and complete the public realm in line with the Stage 3+ design.
 - (f) **Option 4:** Lendlease undertakes the additional fitout work for Plot 7 and complete the public realm in line with the Stage 3+ design. The Council tenders the additional fitout work to Plots 8 and 9 awarded to new contractor(s). The additional fitout works for Plot 6 is completed either by the extra-care housing provider/purchaser or by the Council, whichever optimises cost efficiency.
 - (g) **Option 5:** Lendlease complete the construction of all plots (e.g. not fit-out) and vacates the site without undertaking any of the public realm works. The Council tenders for the fit-out of all plots and the public realm (in line with the Stage 3+ design) as two separate contracts (e.g. fitout as one contract and public realm as another).
 - (h) **Option 6:** Lendlease complete the construction of all plots (e.g. not fit-out) and complete the public realm in line with the Stage 3+ design however they do not allow access for any other contractors awarded by the Council until Lendlease works are complete.
- 4.5 An Options Assessment Panel was convened to review the analysis and evaluate the options using a pre-determined, objective set of criteria including cost, time, risk and quality.
- 4.6 The results of the evaluation demonstrated that **Option 4** will deliver best value for the Council and is therefore the recommended option: Lendlease undertakes the additional fitout work for Plot 7 utilising their existing supply chain (subject to demonstrating best value) and complete the public realm in line with the Stage 3+ design. The Council tenders the additional fitout work to Plots 8 and 9 awarded to a new contractor(s). If Lendlease cannot achieve best value in delivering the fitout for Plot 7, then the Council will tender the work. The additional fitout works for Plot 6 is completed either by the extra-care housing provider/purchaser or by the Council, whichever optimises cost efficiency. The justification for this recommendation is provided in Appendix 1.
- 4.7 The scope of the March 2020 RFBC for the Wider Village and Perry Barr Regeneration sites was focused on facilitating Games-time operations and set out the scope and budget for completing some demolition and remediation

works. Additional demolition and remediation works are required to optimise the sites for development/disposal. Two options have been considered:

- (a) **Do nothing:** no additional works over-and-above those agreed in the RFBC. Sites could be disposed of to the market, however due to the additional work required to make them ready for development, the sales value would be sub-optimal.
- (b) **Undertake additional demolition and remediation:** in line with the deliverables set out in Appendix 1, Section B2 bringing all of the sites to a standard that can be developed/disposed of for the next phase of housing.

4.8 The preferred option is to undertake additional demolition and remediation work in line with the deliverables set out in Appendix 1, Section B2.

4.9 Disposal Strategy – Summary

4.9.1 The disposal strategy has been developed to optimise the outcome for the Council by balancing these key factors:

- Market absorption rates - how quickly completed homes can be sold, rented or occupied;
- Sales receipts for each plot - whether capital value or investment value;
- That the property and tenure type is attractive to a broad range of occupier and customer demographics;
- The sequence of plot-by-plot construction completions and subsequent occupation of homes will kick-start and sustain a thriving new community;
- The planning condition requirement for delivery of Affordable Housing across the PBRs.

4.10 Further details of the Disposal Strategy developed by Avison Young, on behalf of the Council, are summarised in Appendix 1, Section C1.

4.11 The strategy identifies the plot-by-plot approach, and the plots as a combined, cohesive development. The summary is as follows:

Plot	Sale Strategy	Residential Tenure
6	Sale to single Extra Care operator	Extra Care
7	Sale and Leaseback with institutional investor	Built to Rent (BtR)
8	Direct sale to owner occupier market	Private sales
9	Informed by sales / rent market	Private sales / Build to Rent

4.12 The strategy for Plot 9 will respond to evidence of emerging market demand from Plot 7 and Plot 8. Discussions with Homes England are ongoing for the possible use of some apartments with Plots 8 and 9 as part of the Ministry of Housing Communities and Local Government (MHCLG) First Homes initiative, which would further diversify the market demographic.

4.13 The disposal strategy provides a balanced, risk-adjusted approach to disposal of the four plots under construction. In addition, it will enable the Council to optimise the commercial and placemaking approach to the uncommitted development plots within PBRs (e.g. Plots 1, 2, 10 and 11), including the potential inclusion of properties for appropriation into the HRA.

5 Consultation

5.1 There is ongoing dialogue with Ward Councillors for Perry Barr, Aston and Birchfield to keep them up to date on progress of the residential scheme, the associated transport and place making activity, and the regeneration of the wider area. All consultations to date have been well received.

6 Risk Management

6.1 A thorough review of the risks associated with delivering the remainder of the construction phase, and with the implementation of the proposed additional fitout works has been undertaken as part of the business-as-usual risk management process and to inform this business case. The key risks associated with the delivery of the scheme are:

6.1.1 COVID-19 may continue to impact productivity throughout and beyond 2021 – social distancing, self-isolation and absenteeism may persist and continue to reduce productivity from the supply chain. **Mitigation:** the project will operate within Government guidance and keep measures under continuous review to ensure that they fully comply with guidance.

6.1.2. Costs for additional fitout Plots 6, 7, 8 and 9 may exceed the estimates set out in this paper. **Mitigation:** benchmark data has been used to derive the cost estimates, inflation applied in line with the programme to undertake the works and a suitable contingency included to account for the risk of change in market conditions.

6.1.3 The market conditions may fluctuate due to the residual impact of COVID-19 and Brexit, reducing market appetite for new apartments in Perry Barr. **Mitigation:** specialist consultant procured to develop the Disposal Strategy which considers market risk and incorporates latest intelligence. Conditions to be continuously reviewed as the marketing approach is developed.

6.2 In support of the programme-wide risk review and to inform the evaluation of contingency, a Quantitative Risk Analysis (QRA) has been undertaken, using industry standard methodologies to establish a likely cost and schedule risk

exposure to the project. The outcome from this analysis has been utilised to inform the level of contingency required for the project.

- 6.3 The Council is working with partners and contractors to closely monitor and manage project risks and issues and has implemented an enhanced risk management regime in response to the challenges presented by COVID-19 and other external factors in the last twelve-months.

7 Compliance Issues

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The proposed development at Perry Barr is in line with the Council's plans for growth as set out in the Birmingham 2031 Development Plan. The PBRs forms the first phase of development for Perry Barr and provides the catalyst for future regeneration as part of the emerging 2040 Masterplan.

7.1.2 This proposal is also consistent with the Council's Vision and Forward Plan 2018 – 2022 (updated 2019) key priorities:

- **Birmingham is an aspirational city to grow up in:** the redevelopment of Perry Barr will lead to a step change in the local neighbourhood and ensure a safe, warm, sustainable and connected environment in which our children can thrive.
- **Birmingham is a great city to live in:** the Council is committed to the development of enough high-quality new homes to meet the needs of a growing city, and the proposals within this report seek to support housing growth in the city.
- **Birmingham is an entrepreneurial city to learn, work and invest in:** activity within the construction sector will create jobs and apprenticeships in the city, and activity in the supply chain industries, supporting the local economy through the Birmingham Business Charter for Social Responsibility.
- **Birmingham is a fulfilling city to age well in:** the links between health and housing are well recognised. The scheme will see the construction of new thermally efficient, economical to run new homes which are designed to high standards of quality and internal space standards, will be more affordable for residents and will offer a higher quality of life leading to better health outcomes.

7.1.3 The PBRs will deliver the following outcomes:

- Planning consent has been obtained to deliver 1,414 new homes across the eleven residential plots. The predicted timeline of completion of the first phase of residential units will be Plot 6 (268

units) to be delivered to an extra-care housing provider (Q2 2023), Plot 7 (270 units) to be delivered (Q4 2022), Plot 8 (217 units) to be delivered (Q2 2023) and Plot 9 (213 units) to be delivered (Q2 2023). This phased delivery programme reduces the negative impact of over-supply of new homes to the market.

- The Wider Village project will deliver an area of land situated in the heart of Perry Barr and suitable for development; an outline planning consent is in place for 500 residential properties.
- The Perry Barr Regeneration project will deliver an area of land situated in the heart of Perry Barr and suitable for development, in line with and subject to market demand.

7.1.4 Birmingham Business Charter for Social Responsibility (BBC4SR)

7.1.5 The BBC4SR will be a mandatory requirement that will form part of the conditions of each contract with the successful contractor. Tenderers will submit an action plan with commitments that will be managed and monitored during the contract period.

7.1.6 Specific social value outcomes relevant to each contract will be included in the tender strategy report when the procurement route is agreed and will include tenderers being made aware of local need and the social values outcomes being achieved for other PBRs projects to build upon and realise any synergies. The tenderers will be required to address the following:

Local Employment

- Employment and employability opportunities for the target groups particularly young people.
- A strong local employment offer, including full time equivalent jobs, apprenticeships, student placement and work experience, with the focus on the hardest to reach groups particularly focused on the Perry Barr ward and the surrounding area.

Buy Local

- Spend to be, as practically as possible, with local, small and medium enterprises as well as social enterprises within a 30 mile radius of the scheme.

Partners in Communities

- Bidders and their supply chain will need to utilise their community reach and focus their outcomes on community cohesion with sensitivity to local demographics.

- Working with schools to focus on increasing attainment and employment options for those students facing disadvantage and education on.
- Working with schools and community organisations to focus on sustainability in the construction environment
- A robust understanding and methodology for community engagement,

Good Employer

- Provide good employment practices to increase the staff employability and quality of employment.
- Demonstration of the provision of in-depth training for their employees in equality, diversity and inclusion.
- Good practices around areas including collective representation, zero-hour contracts, whistle blowing policies.
- The payment of the Real Living Wage down the supply chain is a mandatory requirement in accordance with the Council's policy.

Green and Sustainable

- Plans for a carbon natural position and what activities they are undertaking to achieve that additional to the specification including details relating to transport, recycling, materials used and offsetting.

Ethical Procurement

- The outcomes sought under this theme relate to the treatment of subcontractors in terms of payment and training.
- Evidence will be required as to how the bidder is ensuring that the materials used are sourced ethically

7.2 Legal Implications

7.2.1 The Localism Act 2011 aims to facilitate the devolution of decision-making powers from Central Government control to individuals and communities. Section 1 of the Act contains the City Council's general power of competence, which is circumscribed only to the extent of any pre-commencement, or any specific post-commencement limitations, of that power. Section 111 of the Local Government Act 1972 contains the Council's subsidiary powers to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions, whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights.

7.2.2 The power to acquire, appropriate and dispose of land is contained in Sections 120 to 123 of the Local Government Act 1972.

7.2.3 Under Section 13 of the Planning and Compulsory Purchase Act 2004 the City Council must keep under review the matters which may be expected to affect the development of their area or the planning of its development.

7.3 Financial Implications

7.3.1 The RFBC approved by Cabinet on 17 March 2020 set out a robust approach to the funding of the overall regeneration scheme that relied substantially on grant funding and disposal proceeds from the onward sale of land and dwellings after the Commonwealth Games in summer 2022, but that also required the utilisation of £35.7million of wider Council capital resources. The RFBC budget of £541.5million however excluded the costs associated with the post-Games fitout of the dwellings to allow onward disposal to individual occupiers.

7.3.2 This update to the FBC for the overall scheme shows total anticipated capital investment of £539.9million (a reduction of £1.6million compared to the March 2020 RFBC), resulting in an adverse impact on the overall net costs of the regeneration scheme, due largely to the exclusion of the construction of Plot 1, the impact of COVID-19 on productivity levels and the inclusion of the previously excluded fitout costs.

7.3.3 Prior to the adoption of further mitigation measures, the refreshed FBC shows an overall funding deficit of £45.795million, including £20million due to COVID-19 impacts and £19.313million due to the inclusion of additional fitout works.

7.3.4 A number of significant opportunities to offset this net funding deficit have been identified relating to the approach to be taken to the redevelopment of remaining elements of the overall PBRs that are not already under construction, with the potential to generate additional net income to the Council of up to £64.5million (net of financing costs). Whilst detailed proposals have not yet been finalised, before any contracts are let or phases/elements commenced, then the full funding envelope for that part will be known and affordable. These opportunities include:

Measure	Net Impact
Revise property mix and quantum on plots 3/4/5	£7.6million
Develop plots 1/2/10/11 prior to disposal	£14.6million
Develop Phase 2 sites prior to disposal	£35.3million
Develop Birchfield Gateway sites prior to disposal	£7.0million
Potential Net Benefit	£64.5million

7.3.5 In addition to the above potential mitigations, future impacts relating to COVID-19 continue to be actively managed, and in the event that restrictions continue to be relaxed it may be possible to identify further savings, given that the FBC is costed on the assumptions that existing restrictions continue for the remainder of 2021 as a minimum.

7.3.6 The revenue consequences of the investment within this FBC relate to any potential council tax liabilities that arise on individual properties prior to their disposal, together with certain fees and interest charges that cannot be capitalised relating to consultation, options appraisal and similar activities, in addition to costs incurred following completion of the investment. These costs amount to £9.8million over the full period covered by the FBC and are offset by interest adjustments between actual costs of borrowing and capitalised interest calculated at the Council's average cost of borrowing totalling £15.9million over the same period.

7.4 Procurement implications

7.4.1 The following works are required to be undertaken and the procurement implications are detailed below:

7.4.1.1 The additional fitout works for Plot 7 to be delivered through the Lendlease CDA and will be instructed via a variation to the existing contract in line with paragraph 2.5, subject to demonstrating best value via this procurement route. If best value is not demonstrated, then the works will be procured by the Council via an alternative route and completed once handover is complete.

7.4.1.2 A procurement strategy for the delivery of the additional fitout works for Plots 6, 8 and 9 will be developed and approved in line with paragraph 2.5 – it should be noted that the works are planned to commence after the buildings are handed over from Lendlease.

7.4.1.3 The additional demolition and remediation works required to the Wider Village sites (as set out in Appendix 1) will require a procurement exercise to be undertaken. As these works are not proposed to commence until Q1 2023 a procurement strategy will be developed and approved in accordance with paragraph 2.6 when the latest market conditions can be considered.

7.4.1.4 A procurement strategy to deliver the works required to discharge the planning condition associated with noise generated from the Tufnols site will be developed and approved in line with paragraph 2.8.

7.1.4.5 Procurement of any enabling works required to develop Plot 10 in preparation for the lease of the site.

7.5 Human Resources Implications (if required)

7.5.1 The Council is providing support, skills and expertise from within existing resources. Where there is a gap in these resourcing requirements, external resources and services have been engaged. These include:

- Programme/Project and Commercial Management skills
- Project Management Office skills
- Disposal Strategy and marketing consultancy services

7.5.2 There are no TUPE implications with this project.

7.6 Public Sector Equality Duty

7.6.1 The equalities implications for the development of the Commonwealth Games Village were set out in the report to Cabinet dated 14 November 2017, updated in June 2018 and then again in March 2019 and presented as part of the approval of the FBC jointly by Cabinet Member and Chief Officer, on 6 June 2019, and the same continues to apply. The report was further updated in March 2021 and no material considerations were identified and continue to apply to the report recommendations as they do not have any adverse impact on the protected characteristics and groups under the Equality Act 2010.

8 Appendices

8.1 List of Appendices accompanying this report:

Appendix	Title
Appendix 1	Update to the PBRs Full Business Case
Appendix 2	Equalities Impact Assessment

9 Background Documents

9.1 Joint Cabinet Member Chief Officer Report approved 6 June 2019 - Perry Barr Regeneration Scheme Full Business Case.

9.2 Report to Cabinet approved 11 February 2020 – Commonwealth Games – Athletes Village Update (Contracting of Plot 7)

9.3 Report to Cabinet approved 17 March 2020 – Birmingham 2022 – Revised Perry Barr Regeneration Scheme FBC (RFBC)

Updated Revised Full Business Case (URFBC)

A. GENERAL INFORMATION

A1. General

Project Title <i>(as per Voyager)</i>	Perry Barr Regeneration Scheme		
Voyager code	Various		
Portfolio /Committee	Leader's Portfolio	Directorate	Inclusive Growth
Approved by Project Sponsor	Ian MacLeod	Approved by Finance Business Partner	Guy Olivant

A2. Business Case approvals *(Date and approving body)*

This document is an update to the Birmingham 2022 Perry Barr Regeneration Scheme Revised Full Business Case. Approvals to date as follows:

- Outline Business Case (OBC) was approved by Cabinet on 26 June 2018.
- Full Business Case was approved through delegated authority by the Cabinet Member and Chief Officer on 6 June 2019.
- Revised Full Business Case was approved by Cabinet on 17 March 2020.

A3. Project Description

Introduction

The Perry Barr Regeneration Scheme (PBRS) consists of three sub-programmes which will deliver 1,414 new homes and unlock several development sites with the potential for a further 500 or more new homes. Some of the residential plots are currently under construction whilst plans are being put in place to prepare the remainder for development or disposal.

Purpose

This document updates the Revised Full Business Case (RFBC) for the PBRS which was approved by the City's Cabinet on 17 March 2020.

Since the RFBC was approved, two key events have initiated change in the PBRS:

- In March 2020 the World Health Organisation (WHO) declared COVID-19 as a global pandemic. In response the PBRS was reviewed in line with social distancing measures, safe-working guidance and the impact to the construction supply chain. The project implemented a series of mitigation measures to manage the impact and continue working safely, however progress was impacted.
- In August 2020 the Commonwealth Games Federation (CGF) confirmed the decision to accommodate athletes and officials at alternative locations around the city, omitting the Perry Barr Athletes' Village from Games-time usage.

Following the CGF's decision in August 2020, BCC initiated a transition programme to remove the PBRS from the Birmingham 2022 Programme and accelerate delivery of legacy plans. This paper sets out the case for delivering the additional fitout works to Plots 6, 7, 8 and 9, revised the delivery strategy for Plots 3, 4 and 5, and delivering additional demolition and remediation works to the Wider Village sites. It also provides details of the Disposal Strategy developed for the Council which provides details of which markets are best placed to purchase the homes being built in order to ensure the Council generates the maximum capital receipts from their sale.

In addition, and since the approval of the RFBC, the UK has completed its transition out of the EU. Despite the market uncertainty throughout 2020 caused by the potential for a no-trade-deal BREXIT, the PBRS has managed the risk without incurring any material adverse impact.

Project Overview

The PBRS is structured into three sub-programmes:

1. Residential: planning consent is in place for the construction of 1,414 residential units and 9 commercial units across eleven plots and a public realm on the Perry Barr site. A plan of the site is provided in G7. Delivery of the plots is phased:

- **Plots 1, 2, 10 and 11:** planning consent in place, plots to be developed at a later date.
- **Plots 3, 4 and 5:** planning consent in place, plots to be redesigned and developed at a later date.
- **Plots 6, 7, 8 and 9:** construction work underway, this paper seeks authority for additional fitout works.

Property mix – as approved via planning			
Plots	Property Type	Residential Units	Commercial Units
Plots 1, 2, 10 & 11	Apartments / Townhouses	389*	5
Plots 3, 4 & 5	Townhouses	57*	0
Plots, 6, 7, 8 & 9	Apartments	968	4
		1,414	9

*Number of units on Plots 3, 4 and 5 is subject to change following confirmation of the redesign and gaining planning consent. Any change to the number of units on Plots 3, 4 and 5 will impact upon the number of units within Plots 1, 2, 10 and 11 to ensure delivery within the overall consent of 1,414.

2. Wider Village: the acquisition, demolition and remediation of a number of sites which sit adjacent to the Residential site, including Holford Corner, Wellhead Lane Houses, The Coppice, National Express Bus Depot, Job Centre Plus, Oscott Gardens, Doug Ellis Sports Centre and the site which the Prince Albert Trust High School occupied before its demolition (construction of the new school at a new location is being delivered by another project and is outside of the scope of this business case).

3. Birchfield Gateway: the acquisition, demolition, and remediation of a number of sites which sit within proximity of the Residential site, including Perry Barr Shops and the African Village.

Updates since RFBC approval, 17 March 2020

Since March 2020, the Council has progressed in line with the intent set out in the March 2020 RFBC. Progress is summarised below:

- The construction of Plots 6-9 is well underway; construction of the vertical structure is now complete and window installation, cladding, brickwork and internal fitout are now progressing.
- Following a commercial viability and affordability assessment and considering the impact of COVID-19, the delivery of Plot 1 was omitted (via change control) from the scope of the project in June 2020.
- All site-wide infrastructure works are complete, final sign off and certification is being progressed.
- A landscape architect has been appointed by Lendlease to develop the design for the Public Realm.
- Planning approval for the redesigned Plots 3-5 was received 16 July 2020 with the reduction in homes within Plot 4 from 23 to 22 (revised Plots 3, 4 and 5 - total of 57 units). A review into the tenure of Plots 3, 4 and 5 has been undertaken and a revised proposal which optimises the disposal strategy is presented in this paper (subject to finalising the design and gaining planning consent)
- The compulsory acquisition of all existing buildings on the Wider Village sites is now complete and demolition works are underway.
- The disposal strategy for Plots 3-9 has been developed and is presented as part of this paper.
- The project has delivered in line with the planned social value commitments including upskilling local young people, providing job opportunities for local people, supporting local SMEs and Social Enterprises and committing volunteering hours to local charities.

COVID-19

In March 2020, the World Health Organisation declared COVID-19 as a global pandemic. In response, the Construction Leadership Council (CLC) published guidance by which construction sites should adhere to continue with safe operations whilst maintaining social distancing. Lendlease Construction (LLC) took the

decision to temporarily cease site operations (26 March 2020) to undertake an assessment of the working procedures and confirmed compliance with CLC guidance. The site returned to operations on 20 April 2020, albeit with a reduced rate of productivity due to social distancing requirements.

In response to the impact of COVID-19 the Council undertook an extensive risk and opportunity assessment against the delivery programme for the PBRs; to determine the deliverability for Games-time usage. This assessment considered a variety of delivery options which were presented to Government and the Birmingham 2022 Organising Committee for consideration.

An early outcome of this review was to cease design works (RIBA Stage 4 design partially complete) on Plot 1 and to omit it from the scope of the Games-time development. This decision was taken following a review into the commercial viability of Plot 1 and affordability to the Council. This decision was approved via change control as part of the programme's governance process.

Following further review into the deliverability and affordability to the Council of the remaining plots under construction, and when considering the additional costs required to accelerate the programme in response to COVID-19, a decision was taken to omit the PBRs from Games-time usage and bring forward the legacy development, creating an opportunity to complete the homes earlier than originally planned and dispose of them to the market, generating capital receipts. On 12 August 2020, the CGF confirmed the decision to omit the Perry Barr Athletes' Village from the scope of the Games.

Following the 12 August 2020 decision, the Council has continued to progress the construction work, whilst revising the requirements to bring forward the legacy development (authority sought in this paper), generating the following additional benefits:

- Progressing straight to the legacy development improves the sustainability credentials of the project by eliminating sacrificial fixtures, fitting and building materials that would have been used only for Games-time.
- Additional fitout works to Plots 6, 7, 8 and 9 will be undertaken earlier than originally planned to enable earlier occupation of the new homes.

Summary of updates to the RFBC

Following the decision to omit the PBRs from the Birmingham 2022 Commonwealth Games, the scope of the project has been reviewed to optimise the commercial viability of the scheme. This Business Case sets out the proposed solution for maximising the benefits to the Council and the local community, including the associated cost and estimated receipts from each of the assets.

The long-term benefits of the PBRs are unchanged (summarised in Section B3) from the RFBC and remain on track to be successfully delivered, albeit with revised timescales; due to the units being available earlier than originally planned.

Since the decision to remove the PBRs from the Birmingham 2022 Programme, the Council has reviewed the requirements and delivery plans for the scheme. This paper provides an overview of the options and assessed and details the preferred options for:

Constructing and disposing of Plots 3, 4 and 5: a strategic review has been undertaken as part of the disposal strategy. This paper recommends that the design is revised to optimise the use of available land within the plots and consider the potential incorporation of the Hare of the Dog public house (subject to planning approval) to deliver more units than originally planned. The net internal area of the homes will achieve National Space Standards and deliver an increase in the overall square footage of residential space and a broader tenure mix and range of home sizes. The overall affordable housing provision has been reviewed as part of the Disposal Strategy, concluding that distribution between Plots 7, 8 and 9 will enable the Council to meet the planning condition requirements. This will allow Plots 3, 4 and 5 – and all other uncommitted development plots - to be optimised commercially as well as contributing more effectively to the regeneration of Perry Barr and improving the 'placemaking' opportunities.

Fitting out and disposing of Plots 6, 7, 8 and 9: an options analysis was undertaken to determine the optimum delivery approach for fitting out Plots 6, 7, 8 and 9 (budget for post Games interior fitout works were excluded from the RFBC March 2020 and were planned to be delivered post Games and were subject to further approval and funding). This paper seeks authority for:

- Plot 6 to become extra-care housing and as such is disposed of to an extra-care housing provider. The additional fitout works to Plot 6 will be agreed with the chosen operator and either undertaken by the Council prior to the operator taking occupation or undertaken post occupation by the operator.
- Plot 7 to be disposed sold to an investor and leased back by the Council. The additional fitout works to Plot 7 to be undertaken by the existing plot contractor and negotiated and instructed via Lendlease's Construction Delivery Agreement (CDA) subject to demonstrating best value.
- Plot 8 to be disposed of via direct sales to the market. The additional fitout works to be tendered by the Council and delivered by the successful contractor.
- Plot 9 to be disposed of either on a sale and leaseback agreement with an investor or via direct sales to the market, subject on a review of the effectiveness of the disposal of Plots 7 and 8. The additional fitout works to be tendered for delivery by the Council (potential opportunity to gain economies of scale by tendering the additional fitout works to Plots 8 and 9 via a single contract - recommended).

Remediating the Wider Village sites: the scope of the Wider Village set out in the RFBC included some demolition and remediation works and was focused on delivering the sites ready for handover to the OC such that they could complete their temporary works required for Games. As the sites are no longer required for Games, this paper seeks authority for additional remediation works to prepare the sites to a state which is optimal for disposal / future development. This applies to Holford Corner, Oscott Gardens, The Coppice and Wellhead Lane.

This paper also includes funding for the demolition and remediation of the National Express (NX) Bus Depot in line with the existing outline planning consent. However, there may be an opportunity to utilise the existing building temporarily as a mixed-use facility (e.g. retail, commercial, food and beverage, sports, etc.), subject to a separate business case. The demolition of the NX Bus Depot would not commence until long-term use of the site has been determined via the masterplan for the future phases of work around Perry Barr.

Remediating the Birchfield Gateway sites: the scope of the Birchfield Gateway set out in the March 2020 RFBC was focused on the acquisition and demolition of the sites; African Village, High St Shops and the Station Shops. The African Village site is currently being utilised as a site compound for the Perry Barr Station redevelopment project. This paper seeks authority for undertaking additional remediation works to the African Village site, following completion of the Station works, in order to optimise the site for disposal.

Additional works

Planning consent for the PBRS included several conditions to be satisfied by the Council and the contractors. Most of these conditions have now been addressed however there is an outstanding condition regarding the impact of the noise emanating from the Tufnols plant located south of the scheme, which is the responsibility of the Council (as the developer). The noise has an impact principally on the properties within Plots 5 and 6 and the Council is currently taking advice on how best to remediate the matter with the most suitable option to deal with the issue at source. Once a solution has been determined, a procurement exercise will be undertaken to award a contract to design and install the recommended solution.

The opportunity to use the Oscott Gardens buildings as temporary accommodation has been reviewed. Works will be required to remediate the internals of the buildings to a standard suitable for occupation as temporary accommodation – the works will be procured in due course by the Council subject to further approval.

Plot 10 is being utilised by the A34 Highways team as a compound for their works until Q1 2022. Following that, there is an opportunity to utilise the plot as a sales and marketing suite for the PBRS which would create further opportunity for small and local businesses (food, beverage and retail) on a temporary basis prior to the commencement of development works on Plot 10. This opportunity is being developed to align with the Games timescales such that visitor footfall can be captured by the sales and marketing suite enabling the Council to optimise potential sales of new homes. This report seeks approval for a leasehold disposal of Plot 10 to a specialist operator for a minimum term of five years. The specialist operator will be responsible for procuring the

required works to create the sales and marketing suite and other units to facilitate small business operations (above).

A4. Scope

As outlined above.

A5. Scope exclusions

The following exclusions apply to this case:

- Development of Plots 1, 2, 10 and 11 is excluded from this Business Case.
- Development of the Wider Village and Birchfield Gateway sites (Phase 2) is excluded from this Business Case.
- All Games-time requirements have been de-scoped and are excluded from this case, including the provision for the Games Partners to utilise any of the PBRS sites for Games-time operations.
- The A34 Highways Scheme (Perry Barr Flyover) continues to progress under the authority set out in a separate Business Case – no changes are proposed by this case.
- The Perry Barr Rail Station and A34 Sprint projects are being delivered by Transport for West Midlands and are not part of this Business Case.
- Development and planning of the Perry Barr 2040 masterplan is excluded from the scope of this case.

B. STRATEGIC CASE

This sets out the case for change and the project's fit to the Council Plan objectives

B1. Project objectives and outcomes

The case for change including the contribution to Council Plan objectives and outcomes

The Council has utilised the opportunity presented by the removal of Games-time constraints to bring forward the delivery of the strategic outcomes of the PBRS:

Programme mandate: *Perry Barr will be an exemplar neighbourhood which offers a high quality, healthy living and working environment for all ages that is vibrant, well connected, and sustainable and encourages wellbeing.*

Programme objectives:

1. Creating an environment which provides sustainable housing through innovative and energised designs to contribute towards the targets set out in the Birmingham Development Plan 2031.
2. Improving connectivity between Perry Barr and the City centre with sustainable transport infrastructure improvements.
3. Improving employment opportunities in the wider Perry Barr area through construction, and the creation of new business space.
4. Providing new public spaces to improve the community's access to green spaces and sports facilities.
5. Providing a fit-for-purpose affordable housing solution to meet the City's demands.
6. Improving the quality of life for the citizens of Perry Barr by delivering a truly sustainable and environmentally friendly hub, where people can live, work, learn and visit.

Programme outcomes

1. The Residential project will eventually deliver 1,414 new homes when all 11 plots are complete, with a property mix consisting Affordable Housing, an Extra Care Facility and a portfolio of houses and apartments which will be a combination of private sales and rentals via an investor.
2. The Wider Village project will deliver an area of land situated in the heart of Perry Barr and suitable for disposal to a developer; an outline planning consent is in place for an additional 500 residential properties.
3. The Birchfield Gateway project will deliver an area of land situated in the heart of Perry Barr and suitable for disposal to a developer, in line with and subject to market demand conditions.

B2. Project Deliverables

These are the outputs from the project e.g. a new building with xm2 of internal space, xm of new road, etc

This report seeks approval to undertake demolition, remediation and/or final fitout works across the various sites – Section G6 sets out a summary of the deliverables and draws comparison against the RFBC which was approved by Cabinet in March 2020.

B3. Project Benefits

These are the social benefits and outcomes from the project, e.g. additional school places or economic benefits.

1. **Birmingham is an aspirational city to grow up in:** the redevelopment of Perry Barr will lead to a step change in the local neighbourhood and ensure a safe, warm, sustainable and connected environment in which our children can thrive.
2. **Birmingham is a great city to live in:** the Council is committed to the development of enough high quality new homes to meet the needs of a growing city, and the proposals within this report seek to support housing growth in the city.
3. **Birmingham is an entrepreneurial city to learn:** work and invest in activity within the construction sector will create jobs and apprenticeships in the city, and activity in the supply chain industries, supporting the local economy through the Birmingham Business Charter for Social Responsibility.
4. **Birmingham is a fulfilling city to age well in:** the links between health and housing are well recognised. The scheme will see the construction of new thermally efficient, economical to run new homes which are designed to high standards of quality and internal space standards, will be more affordable for residents and will offer a higher quality of life leading to better health outcomes.

Under the term of the main works contract, Lendlease has provided commitments as part of its certification to the Birmingham Business Charter for Social Responsibility. The commitments are being delivered by Lendlease and its supply chain. Delivery against each of the commitments is well-progressed, a summary of the commitments which will be delivered by April 2022 is set out below.

Commitment (to be delivered by April 2022)	KPI	Progress (End May 2021)
Employment opportunities created (including apprenticeships)	400	268
Young people engaged	10,000	4,290
Volunteering hours	1,000	1,507
People upskilled	1,000	1,091
Work placement hours	10,500	23,225
% of contract value spend with local businesses (within 30 miles of Perry Barr)	40%	>40%
% of local employment (within 30 miles of Perry Barr)	60%	73%
% of contract value spend with Voluntary Social Enterprises	1%	<1%

Social value outcomes required to be addressed from future procurement activity outside of the Lendlease contract is detailed in the FBC Cabinet report.

B4. Benefits Realisation Plan

Set out here how you will ensure the planned benefits will be delivered

The benefits realisation plan remains unchanged from the Full Business Case (6 June 2019) and the Revised Full Business Case (17 March 2020).

B5. Stakeholders

A detailed breakdown of the stakeholder map is set out in G4.

C. ECONOMIC CASE AND OPTIONS APPRAISAL

This sets out the options that have been considered to determine the best value for money in achieving the Council's priorities

C1. Summary of options reviewed

(including reasons for the preferred option which has been developed to FBC)

1. Residential

Plots 1, 2 and 11: no additional works sought via this Business Case.

Plot 10: Plot 10 is being utilised by the A34 Highways team as a compound for their works until Q1 2022. Following that, there is an opportunity to utilise the plot as a sales and marketing suite for the PBRs which would create further opportunity for small and local businesses (food, beverage and retail) on a temporary basis prior to the commencement of development works on Plot 10. This opportunity is being developed to align with the Games timescales such that visitor footfall can be captured by the sales and marketing suite enabling the Council to optimise potential sales of new homes. This report seeks approval for a leasehold disposal of Plot 10 to a specialist operator for a minimum term of five years. The specialist operator will be responsible for procuring the required works to create the sales and marketing suite and other units to facilitate small business operations (above).

Plots 3, 4 and 5: the March 2020 RFBC set out the intent to deliver 57 homes across Plots 3, 4 and 5 for appropriation to the Housing Revenue Account following the Games. The Disposal Strategy (summarised in Appendix 1) recommends that the affordable housing required by the planning condition is delivered across Plots 7, 8 and 9. This strategy enables the Council to consider a redesign of Plots 3, 4 and 5 to increase the number of homes, refine the range of house types, size and tenures, and deliver optimised commercial returns as well as contributing more effectively to the regeneration of Perry Barr and improving the 'placemaking' opportunities. A proposal is being developed in consultation with the Planning department and this report seeks to delegate authority for approval of the developed design and instruction of the necessary works. An analysis was undertaken into two options:

- **Option 1:** proceed in line with the intent set out in the RFBC and deliver 57 homes for disposal to BMHT.
- **Option 2:** revise the design to optimise the use of available land within the plots and consider the potential incorporation of the Hare of the Dog public house (subject to planning approval) to deliver more units than originally planned. The net internal area of the homes will achieve National Space Standards and therefore deliver an increase in the overall square footage of residential space and a broader tenure mix and range of home sizes. The overall affordable housing provision has been reviewed, concluding that distribution between Plots 7, 8 and 9 will enable the Council to meet the planning condition requirements. This will allow Plots 3, 4 and 5 – and all other uncommitted development plots - to be optimised commercially.

When considering the benefits associated with a wider range of affordable housing across Plots 3-9 and the ability to optimise the receipts generated by Plots 3, 4 and 5, this paper seeks authority to progress **Option 2**.

Plots 6, 7, 8 and 9: informed by the Disposal Strategy an assessment has been undertaken into the options for delivering the legacy fitout to Plots 6, 7, 8 and 9. A total of eight options were considered:

- **Option 1:** Lendlease undertake the fit-out work to all plots and complete the public realm in line with the Stage 3+ design.
- **Option 1A:** Lendlease undertake the fit-out work to Plots 7, 8 and 9 and complete the public realm in line with the Stage 3+ design. The fit-out of Plot 6 is delivered via a contracted awarded by the Council.
- **Option 2:** Lendlease complete the public realm in line with the Stage 3+ design. The Council tenders the fit-out work to all plots awarded to a single contractor.
- **Option 2A:** Lendlease complete the public realm in line with the Stage 3+ design. The Council tenders the fit-out work to Plots 7, 8 and 9 awarded to a single contractor. The fit-out of Plot 6 is completed by the extra-care housing provider.
- **Option 3:** Lendlease complete the public realm in line with a reduced scope as proposed by Lendlease in December 2020. The Council tenders the fit-out work to all plots awarded to a single contractor. The Council also tenders the works required as a separate contract to replace and complete the public realm in line with the Stage 3+ design.
- **Option 4:** Lendlease undertakes the additional fitout work for Plot 7 and complete the public realm in line with the Stage 3+ design. The Council tenders the additional fitout work to Plots 8 and 9 awarded

to new contractor(s). The additional fitout works for Plot 6 is completed either by the extra-care housing provider/purchaser or by the Council, whichever optimises cost efficiency.

- **Option 5:** Lendlease complete the construction of all plots (e.g. not fit-out) and vacates the site without undertaking any of the public realm works. The Council tenders for the fit-out of all plots and the public realm (in line with the Stage 3+ design) as two separate contracts (e.g. fitout as one contract and public realm as another).
- **Option 6:** Lendlease complete the construction of all plots (e.g. not fit-out) and complete the public realm in line with the Stage 3+ design however they do not allow access for any other contractors awarded by the Council until Lendlease works are complete.

An Options Assessment Panel was convened to review the analysis and evaluate the options using a pre-determined, objective set of criteria. The evaluation considered the following priorities – scoring was weighted according to the order of precedence set out below:

- **Cost efficiency:** the option minimises cost to the Council whilst delivering the total scope of the works to the specified quality.
- **Scope / Quality:** the option delivers the total scope of the project in line with quality requirements, as per the needs of the sales / disposal strategy.
- **Risk/Complexity:** the option can be procured via established arrangements (e.g. existing contract or framework agreement) and does not introduce unreasonable delivery or commercial liabilities / responsibilities for BCC.
- **Schedule:** the option delivers the total scope of work, whereby fitout to all plots is completed before the end of 2023. The delivery schedule contains efficient logic which minimises excessive prelims and care-taking periods for the Council (where Facility Management/Estates Management costs may be incurred).

From the evaluation Option 4 will deliver best value for the Council: Lendlease undertakes the additional fitout work for Plot 7 (subject to demonstrating best value) and complete the public realm in line with the Stage 3+ design. The Council tenders the additional fitout work to Plots 8 and 9 awarded to a new contractor(s). If Lendlease cannot achieve best value in delivering the fitout for Plot 7, then the Council will tender the work. The additional fitout works for Plot 6 is completed either by the extra-care housing provider/purchaser or by the Council, whichever optimises cost efficiency. The outcome from the panels scoring is set out below:

- **Cost Efficiency** | in terms of cost, Option 4 represents a mid-range solution when compared with the other options. The panel concluded that the cost associated with Option 4 provides sufficient benefit - earlier delivery of Plot 7 and subsequent receipts – to justify the relatively higher cost (when compared with Options 2A, 5 and 6).
- **Scope/Quality** | Option 4 gained the highest score for Scope/Quality as the panel determined that it best meets the need of the disposal strategy; Plot 6 is completed by either the operator or the Council, Plot 7 is brought to market as early as possible and Plots 8 and 9 are delivered later, such that the market is not overloaded with new properties. The public realm is completed in line with the Stage 3+ design, providing the Council with a completed development. The panel considered the impact of ongoing public realm works whilst Plot 7 disposal is underway and concluded that this did not pose any material impact to the city's ability to dispose of the properties.
- **Risk/Complexity** | When compared with the other options, Option 4 represents low risk to the Council as Lendlease will continue to deliver the public realm in line with the Stage 3+ design (therefore no requirement for negotiation). Lendlease will also deliver the fit-out of Plot 7, enabling an earlier completion and earlier disposal. Plot 7 is located in the South-Western corner of the development; earlier completion of this plot has logistical benefits as opposed to a later completion of Plot 7. By procuring Lendlease to undertake the fit-out of Plot 7 there is a perceived benefit in that Lendlease will have an incentive to cooperate with the Council in providing access to another contractor to fit-out Plots 6, 8 and 9.
- **Schedule** | Whilst the completion date for Option 4 (Q2 2023) is comparatively later than some of the other options it meets the overall criteria of completion within 2023 and also provides an earlier completion of Plot 7 (Q4 2022), enabling the Council to dispose and gain earlier receipts.

2. Wider Village & Birchfield Gateway

The scope of the March 2020 RFBC for the Wider Village and Birchfield Gateway sites was focused on facilitating Games-time operations and set out the scope and budget for completing some demolition and remediation works. Additional demolition and remediation works are required to optimise the sites for development/disposal. Two options have been considered:

- **Do nothing:** no additional works over-and-above those agreed in the March 2020 RFBC. Sites could be disposed of to the market, however due to the additional work required to make them ready for development, the sales value would be sub-optimal.
- **Undertake additional demolition and remediation:** in line with the deliverables set out in Section B2, bringing all of the sites to a standard that can be developed/disposed of for the next phase of housing.

The preferred option is to undertake additional demolition and remediation work in line with the deliverables set out in Section B2. This will then ensure that the sites are well placed for subsequent development, which will be the subject of subsequent reports.

Disposal Strategy

Avison Young was appointed in 2020 to devise and implement a disposal strategy which will inform the approach to sales and marketing of the PBRs project. The scope for the appointment covers PBRs Phase 1 - consent for 1,414-homes (312 Affordable) across 11 development plots; PBRs Phase 2 - outline consent for 500-homes; Birchfield Gateway

The immediate priority is a holistic, comprehensive disposal strategy for Phase 1, with particular focus on the four development plots which are under construction presently - Plots 6, 7, 8, and 9 – which will deliver 968 homes (418 1-bedroom, and 550 2-bedroom apartments) to the market.

The disposal strategy has been developed to optimise the outcome for the Council by balancing these key factors: Market absorption rates - how quickly completed homes can be sold, rented or occupied;

- Sales receipts for each plot - whether capital value or investment value;
- That the property and tenure type is attractive to a broad range of occupier and customer demographics;
- The sequence of plot-by-plot construction completions and subsequent occupation of homes will kick-start and sustain a thriving new community;
- The planning condition requirement for delivery of Affordable Housing across Phase 1;
- The strategic approach to the seven uncommitted development plots within Phase 1 (Plots 1, 2, 3, 4, 5, 10, and 11).

The strategy identifies the plot-by-plot approach, and the plots as a combined, cohesive development. The summary is as follows:

PLOT	Sale Strategy	Residential Tenure
6	Sale to single extra-care housing provider	Extra-care housing
7	Sale and Leaseback with institutional investor	Built to Rent (BtR)
8	Direct sale to owner occupier market	Private sales
9	Informed by sales / rent market	Private sales / Build to Rent

The strategy for Plot 9 will respond to evidence of emerging market demand from Plot 7 and Plot 8. Discussions with Homes England are ongoing for the possible use of Plot 9 as part of the Ministry for Housing, Communities and Local Government (MHCLG) First Homes initiative, which would further diversify the market demographic.

The approach to discharging the Affordable Housing planning condition for 312 homes is then overlaid over the plot-by-plot strategy

PLOT	Open Market Tenure Homes	Affordable Tenure Homes	TOTAL HOMES	Affordable Homes Provision / %
7	149 (55%)	121 (45%)	270	39%
8	120 (55%)	97 (45%)	217	31%
9	119 (56%)	94 (44%)	213	30%
Total	388 (55%)	312 (45%)	700	100%

The strategy to deliver the entirety of the planning condition target of 312 homes within Plots 7, 8, and 9 should enable the Council to achieve an optimal sale receipt for Plot 6 as other public sector funding sources could be available to the purchaser e.g. grant funding in relation to the Plot 6 housing provision.

Key features of the strategy are:

- a balanced approach to proportion of homes for sale and homes for rent;
- a balanced approach to disposal to institutional investors with owner occupiers;
- a balanced approach to immediate sales receipt with long-term on-going letting-risk;
- a plan to discharge fully the planning condition affordable housing target;
- delivering Affordable Housing within the earliest completion

The disposal strategy identifies the optimal sequence for construction completions as 1st: Plot 7; 2nd: Plot 6; 3rd: Plot 8; 4th: Plot 9

As an extra-care residential building, the market for purchasers of Plot 6 is narrowly defined and impacted less by concerns over market absorption rate for new-build apartments in the Perry Barr location. Therefore, the completion of the construction, while important, is less of a concern in terms of securing optimised value.

Plot 7 will act as the "gateway" to the scheme and is both the largest and most prominent of the four Plots and features the tallest building within the scheme. As a rental scheme, the block will be attractive to a broad and varied range of tenants who are seeking the flexibility that renting provides. Proximity to efficient and frequent public transport enhances the appeal of the Plot. With Plot 7 completing before Plot 8 or 9, there will be useful period for the building to become occupied and establish PBRS as a vibrant new place. This should also enhance the attractiveness to potential buyers for Plot 8.

Uncommitted development plots will be paused and reconsidered once sufficiently robust market demand evidence has been collected.

Plot 10 features consent for 209 apartments and is being used presently for the A34 highway works. The disposal strategy recommends that development of this plot commences once the market has absorbed the apartments under construction. Given its prominent location on the A34, and its proximity to Plot 7, the disposal strategy recommends a short-term, "meanwhile" use such as a shipping container village in readiness for the Games-time period. This will provide vibrancy, broaden the offering to potential residents of the PBRS, and provide an ideal location for the sales and marketing suite for the scheme.

Commercially, the decision to de-scope and re-time the delivery of the uncommitted development plots is positive. The incremental delivery of future plots and phases brings forward the need for the Estates Management Strategy which is coordinated with the disposal strategy and ensures the placemaking qualities are delivered throughout.

In conclusion, the Disposal Strategy:

- is coordinated with the optimal sequence of plot-by-plot and public realm construction completions.

- is devised to appeal to a broad cross-section of purchasers and occupiers to mitigate the impact of the narrow product offering.
- identifies a balanced approach to managing absorption rates.
- diversifies the target disposal groups from institutional funds through to individual owner-occupiers.
- balances capital value receipt from sales with investment value receipts from sale-and-leaseback.
- addresses the planning condition requirement for delivery of Affordable Housing across Phase 1.

The strategy provides a balanced, risk-adjusted approach to disposal of the four plots under construction. In addition, it will enable BCC to take a more commercially balanced approach to the uncommitted development plots within Phase 1.

Decisions to proceed with future development will be underpinned by robust market evidence for demand from the four completed plots, and, without the deadline-driven target of the Commonwealth Games, procurement of new buildings can be more cost-effective.

The development opportunities presented by Phase 2 and Birchfield Gateway can build on the foundation created by Phase 1. Phase 2 offers opportunities to intensify land-use, increase density and deliver against BCC's medium-term housing delivery and placemaking targets.

There is an opportunity to deliver more than 500-homes on the Phase 2 land, leading to improved commercial returns if costs are managed, as set out in Section E1. While smaller in scale than Phase 1 or Phase 2, the development opportunity provided by Birchfield Gateway will enhance the 'placemaking' ambitions of the regeneration programme.

Market predictions are challenging at the best of times, however, the quantum of homes and the scale of the plots under construction are sufficiently big for PBRs to be catalytic for Perry Barr and to kick-start a new neighbourhood for Birmingham. Approval of the disposal strategy is the next step towards realising the long-term ambitions for Perry Barr.

C2. Evaluation of key risks and issues

The full risks and issues register is included at the end of this FBC

A thorough review of the risks associated with delivering the remainder of the construction phase and with the implementation of the proposed fitout option has been undertaken as part of the business-as-usual risk management process and to inform this business case. The key risks associated with the delivery of the scheme are:

- COVID-19 may continue to impact productivity throughout and beyond 2021 – social distancing, self-isolation and absenteeism may persist and continue to reduce productivity from the supply chain. **Mitigation:** the project will operate within Government guidance and keep measures under continuous review to ensure that they fully comply with guidance. BCC has worked with the supply chain to mitigate the impact to productivity moving forwards.
- Costs for additional fitout Plots 6, 7, 8 and 9 may exceed the estimates set out in this paper. **Mitigation:** benchmark data has been used to derive the cost estimates, inflation applied in line with the programme to undertake the works and a suitable contingency included to account for the risk of change in market conditions.
- The market conditions may fluctuate due to the residual impact of COVID-19 and Brexit, reducing market appetite for new apartments in Perry Barr. **Mitigation:** specialist consultant procured to develop the Disposal Strategy which considers market risk and incorporates latest intelligence. Conditions to be continuously reviewed as the marketing approach is developed.

A risk register is included at Section G3.

C3. Other impacts of the preferred option

Describe other significant impacts, both positive and negative

Positive impacts:

1. Aligns to the emerging Perry Barr 2040 Masterplan and complements the vision for Perry Barr.

2. Unlocks development potential and on-going regeneration of the area, including new commercial and residential development within the centre.
3. Provides capital receipts from sale of accommodation and land.
4. Following occupation, income from Council Tax and Business Rates will commence.

Negative impact:

1. Additional cost to the Council for completing the additional fitout works exceeds the budget included in the FBC (approved June 2019) – albeit these costs were listed as a specific exclusion.

D. COMMERCIAL CASE

This considers whether realistic and commercial arrangements for the project can be made

D1. Partnership, Joint venture and accountable body working

Describe how the project will be controlled, managed and delivered if using these arrangements

Not applicable.

D2. Procurement implications and Contract Strategy:

What is the proposed procurement contract strategy and route? Which Framework, or OJEU? This should generally discharge the requirement to approve a Contract Strategy (with a recommendation in the report).

The following procurement considerations apply:

- The additional fitout works for Plot 7 to be delivered through the Lendlease CDA and will be instructed via a variation to the existing contract in line with paragraph 2.5, subject to demonstrating best value via this procurement route. If best value is not demonstrated, then the works will be procured by the Council via an alternative route and completed once the buildings are handed over from Lendlease.
- A procurement strategy for the delivery of the additional fitout works for Plots 6, 8 and 9 will be developed and approved – it should be noted that the works are planned to commence after the buildings are handed over from Lendlease.
- The additional demolition and remediation works required to the Wider Village sites (as set out in Appendix 1) will require a procurement exercise to be undertaken. As these works are not proposed to commence until late 2022/2023 a procurement strategy will be developed and approved when the latest market conditions can be considered and to align with the delivery programme.
- A procurement strategy to deliver the works required to discharge the planning condition associated with noise generated from the Tufnols site will be developed and approved.
- Procurement of enabling works required to develop Plot 10 (Gailey Park) as a sales and marketing suite: the site will be leased to a specialist operator who will take full responsibility for procuring the required enabling works including the fitout of the sales and marketing suite, subject to demonstrating reasonable value.

D3. Staffing and TUPE implications:

Staffing

The Council is providing support, skill and expertise from within existing resources. Where there is a gap in these resourcing requirements, external resource and services have been engaged.

The Council has entered into a number of contracts to support the delivery of the scheme as detailed in the table below:

Service	Provider
Employers Agent, Quantity Surveying, NEC Project Management and Supervision of the Residential Scheme including legacy fitout. Project Management and Quantity Surveying of the Wider Village.	Arcadis LLP
Demolition and remediation services (various sites)	DSM Demolition Ltd
Professional advice on acquisitions/disposals.	Avison Young Ltd and Ove Arup & Partners Ltd

Design Assurance and quality inspections	Acivico
Programme Management, Controls and Governance	Turner & Townsend Project Management Ltd
Site investigations and geotechnical services	Tetra Tech Ltd
Planning services	Arcadis LLP

TUPE

There are no TUPE implications with this project.

E. FINANCIAL CASE

This sets out the cost and affordability of the project

E1. Financial implications and funding

The table below sets out a summary of the capital investment and associated funding position resulting from enacting the proposed option (Column C) compared with the position approved at RFBC (Column B).

Column A	Column B	Column C	Column D
Cost component	RFBC March 20 (£m)	Updated RFBC July 21 (£m)	Delta Column B-C (£m)
Land Acquisitions	54.9	54.1	(0.8)
Housing Construction	296.8	285.2	(11.6)
Retrofitting	-	19.3	19.3
Site Infrastructure	32.4	35.0	2.6
Additional costs post-CDA	12.1	6.4	(5.7)
Highways	27.1	27.1	-
School Relocation	5.6	5.6	-
Demolition Costs	8.9	14.5	5.6
Fees	30.6	33.0	2.4
Bus Depot	28.8	27.8	(1.0)
Capitalised Interest	29.3	20.5	(8.8)
Contingency	15.0	11.4	(3.6)
Gross Capital Expenditure	541.5	539.9	(1.6)
Sale Proceeds	(317.1)	(279.3)	37.8
Grants	(171.1)	(168.5)	2.6
Capital Receipts	(20.0)	(20.0)	-
Capital Contingency	(15.7)	(15.7)	-
Revenue Contributions	(17.6)	(10.6)	7.3
Gross Income / Funding	(541.5)	(494.1)	47.7
Net Cost	Nil	45.8	45.8

Whilst full delivery details have not yet been finalised, the redevelopment proposals as set out in the revised FBC present a number of substantial opportunities for future phases of regeneration in and around Perry Barr, that as well as continuing the transformation of the area will deliver substantial financial returns to the Council that are anticipated to fully offset the net costs identified in the above table. The key opportunities include:

Measure	Net Impact
Revise property mix and quantum on plots 3/4/5	£7.6million
Develop plots 1/2/10/11 prior to disposal	£14.6million
Develop Phase 2 sites prior to disposal	£35.3million
Develop Birchfield Gateway sites prior to disposal	£7.0million
Potential Net Benefit	£64.5million

The year-by-year cost and income plan is provided in section G1.

The revenue costs and income associated with the delivery of the scheme are set out in the following table:

	Prior Years £'m	2021/22 £'m	2022/23 £'m	2023/24 £'m	Later Years £'m	Total £'m
Void Council Tax	-	-	0.9	0.8	0.4	2.1
Fees	2.7	1.1	1.1	0.2	-	5.1
Interest Costs	-	-	-	1.2	1.4	2.6
Revenue costs	2.7	1.1	2.0	2.2	1.8	9.8
Direct Revenue Funding of Capital Expenditure	0.6	5.2	4.8	-	-	10.6
Gross Costs	3.3	6.3	6.8	2.2	1.8	20.4
Funding from policy / CWG	(0.5)	-	-	-	-	(0.5)
Capitalised Interest Adjustment	(2.8)	(6.3)	(6.8)	-	-	(15.9)
Net revenue Impact	-	-	-	2.2	1.8	4.0

It is anticipated that the net revenue costs identified for future years can be fully mitigated through the capitalisation of interest arising through the implementation of future phases of development as set out above.

E2. Evaluation and comment on financial implications:

The core elements of the PBRS that are the subject of the revised FBC include substantial investment in land assembly and remediation for future phases of the wider regeneration of Perry Barr, creating a substantial opportunity for later phases of the overall programme to achieve the twin objectives of placemaking and helping to ensure the creation of vibrant and sustainable new developments, together with the delivery of significant financial returns on the Council's initial investment.

The design and delivery of plots 6 to 9 of the scheme have been undertaken under the constraints firstly of needing to be completed in an unusually short timescale to allow for usage for the Commonwealth Games, with the further constraints of the key construction phase then coinciding with the unprecedented COVID-19 pandemic. Whilst every effort has been made to contain the adverse impacts of these constraints, a funding deficit from the early phases of the overall scheme became unavoidable, but the beneficial impact on the area of the successful delivery of this phase has allowed the identification of compensating financial benefits from later phases of development that have the potential to extinguish this funding deficit.

E3. Approach to optimism bias and provision of contingency

The financial plan for the delivery of the scheme as set out above includes total contingencies amounting to £11.4million (approximately 5% of remaining anticipated expenditure). Whilst this is a relatively modest sum given the complexity of the overall regeneration scheme, much of the future expenditure is already largely certain with contract already in place, and a substantial proportion of any future financial risk is borne by the contractors.

The calculation of the appropriate level of contingency required for the PBRS has been informed by a robust Quantified Risk Assessment (undertaken utilising a "Monte Carlo" simulation), which has identified an overall contingency requirement to cover known risks with 90% certainty of £8.4million. A further allowance of £3million has also been included to allow for any emerging unknown risks.

Given the level of project maturity and the approach taken to the inclusion of a risk-based level of contingency in the overall financial plan, it is not considered that any further adjustment to take account of optimism bias is necessary.

The identified future opportunities for later phases of development have not been developed to a sufficient stage to allow for a similar level of assurance in terms of risk or contingency requirement at this stage. The likely financial impacts of the identified opportunities have however been estimated based on existing industry benchmarks for development schemes of the scale and housing mix envisaged, with estimates taking a prudent view of both potential build costs and disposal proceeds. The identified surplus contribution of £64.5million from these opportunities is therefore subject to some likely variation as details of individual phases of development are progressed but remains very likely to offset all deficits from the elements of the longer-term scheme that are the subject of this report.

E4. Taxation

Describe any tax implications and how they will be managed, including VAT

Land acquisition costs included within the FBC include SDLT to the extent that they are payable by the Council, together with any irrecoverable VAT incurred by owners or occupiers of land being acquired whether under CPO powers or voluntarily.

Given the nature of the expenditure it is considered that all VAT directly incurred by the Council in relation to the PBRS will be fully recoverable.

F. PROJECT MANAGEMENT CASE	
<i>This considers how project delivery plans are robust and realistic</i>	
F1. Key Project Milestones	Planned Delivery Dates
<i>The summary Project Plan and milestones is attached at G1 below</i>	
Plots 3, 4 and 5 construction and fitout complete	TBC Note 1
Plot 6 construction complete	Q2 2022
Plot 6 additional fitout works complete	Q2 2023
Plot 6 disposal	Q2 2023
Plot 7 construction complete	Q2 2022
Plot 7 additional fitout works complete	Q4 2022
Plot 7 disposal commencement	Q1 2023
Plot 8 construction complete	Q3 2022
Plot 8 additional fitout works complete	Q1 2023
Plot 8 disposal to private residential market commencement	Q2 2023
Plot 9 construction complete	Q3 2022
Plot 9 additional fitout works complete	Q1 2023
Plot 9 disposal commencement	Q2 2023
PBRS Public Realm complete	Q4 2022
Holford Corner additional remediation works complete	Q4 2023
Wellhead Lane additional remediation works complete	Q4 2023
National Express Bus Depot demolition and remediation works complete	TBC Note 2
Oscott Gardens demolition and remediation works complete	TBC Note 3
The Coppice additional remediation works complete	Q3 2024
African Village additional remediation works complete	Q2 2024

Delivery programme for all elements of work is being finalised – dates above subject to confirmation.

- **Note 1:** delivery programme for Plots 3, 4 and 5 is subject to finalising the design and gaining planning consent.
- **Note 2:** demolition programme for the National Express bus depot is subject to confirmation of temporary usage as an indoor food and beverage, retail, culture and leisure facility.
- **Note 3:** demolition programme for Oscott Gardens is subject to confirmation of temporary usage by the Council's Temporary Accommodation team.
- **Note 4:** Holford Corner and the Coppice are currently in use as temporary car parking for the Residential Scheme – programme for additional remediation works is subject to continued need for temporary car parking.

F2. Achievability
<i>Describe how the project can be delivered given the organisational skills and capacity available</i>
In addition to the skills and resources provided by Birmingham City Council, specific expertise has been procured to support the Council in the successful delivery of the scheme, specifically: <ul style="list-style-type: none"> • Arcadis LLP: Project Management and Commercial Management of the Residential and Wider Village projects. • Turner & Townsend: Programme Management and Controls support to the Perry Barr Regeneration Scheme. • Avison Young: development of disposal strategy for each element of the Programme. Acivico: Project Management, Quantity Surveying (Wider Village), Quality inspections, and design expertise.
F3. Dependencies on other projects or activities
Several schemes are being delivered in the adjacent areas to the Perry Barr Regeneration Scheme, the interface with each of these projects, including logistics coordination, is actively managed by the project team via a range of working groups and forums. Interfacing projects include:

- Alexander Stadium Redevelopment.
- A34 Highways Scheme (Perry Barr Flyover).
- Perry Barr Rail Station Refurbishment.
- A34 Sprint.

F4. Officer support

Project Sponsor: Ian Macleod

Email: Ian.Macleod@birmingham.gov.uk

Programme Director: Scott Muir

Email: Scott.Muir@birmingham.gov.uk

Project Accountant: Guy Olivant

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Programme Manager: Mumtaz Mohammed

Email: Mumtaz.Mohammed@birmingham.gov.uk

F5. Project Management

Describe how the project will be managed, including the responsible Project Board and who its members are

The Project Execution Plan sets out the specific programme management and controls which are in place to ensure that the PBRs is delivered with a structured and governed approach.

The principal governance meeting is the PBRs Programme Board which takes place monthly and is convened to review and scrutinise progress, manage interfaces, engage senior stakeholders and make decisions within its delegation of authority. The PBRs Programme Board is coordinated with other interfacing Boards to ensure that accurate information is available and swift decision making enabled. The diagram below shows the linkage between key meetings.

Governance & interfaces

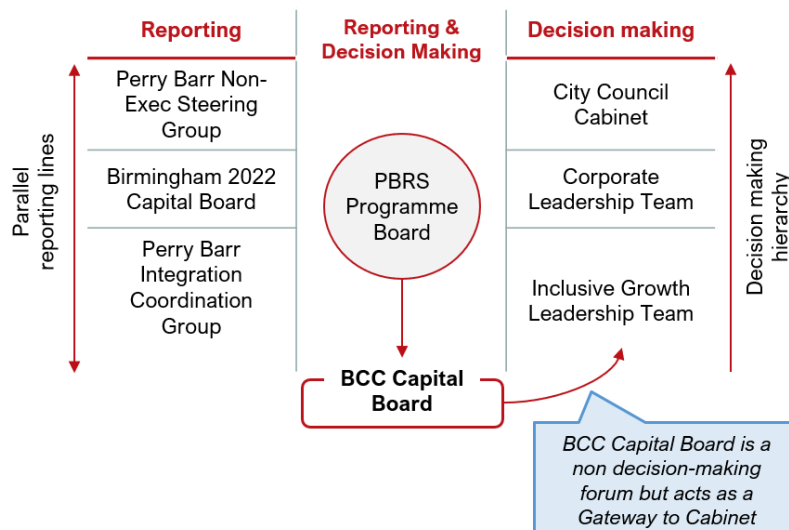
Governance for the programme is focused around the **PBRs Programme Board**, which has a dual function to present and report information and make decisions within the delegations of authority.

The PBRs Programme Board is held monthly and is chaired by the Director of Inclusive Growth.

There are three key interfacing meetings which must be reported to, from the PBRs Programme Board.

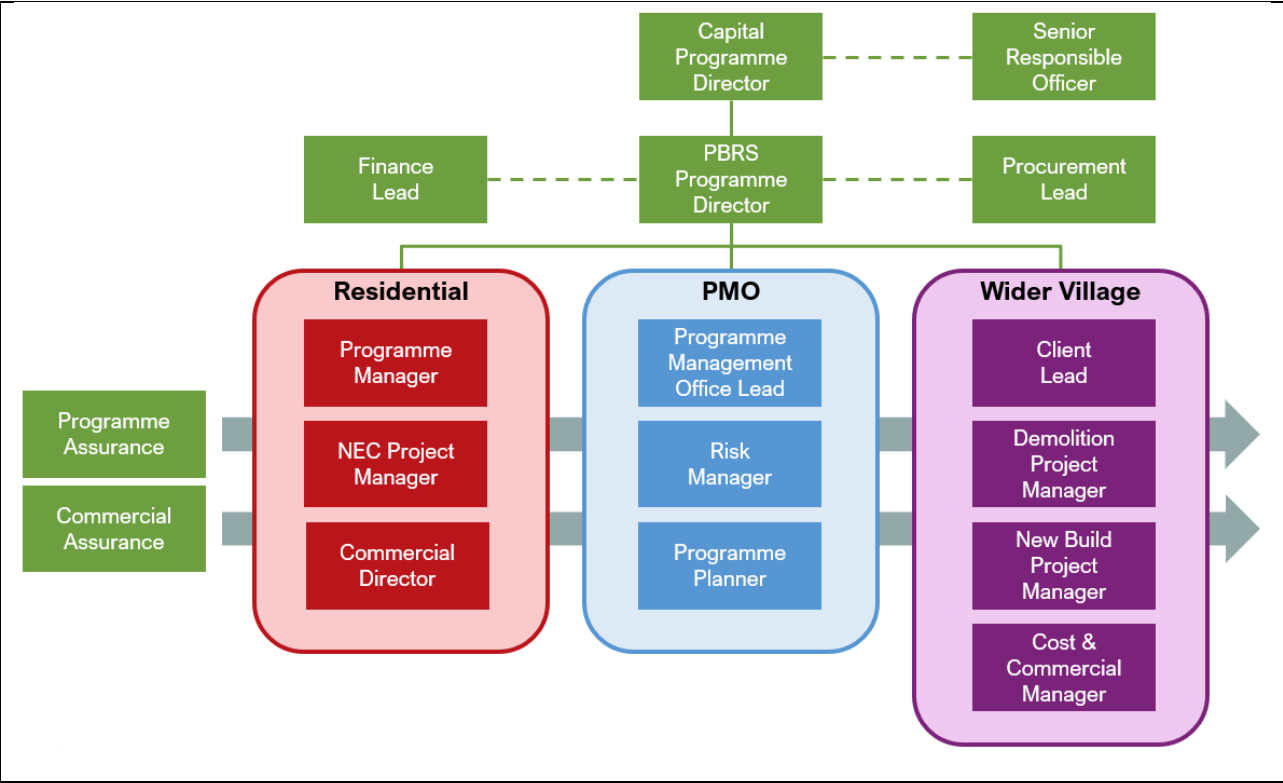
Decisions which are escalated from the PBRs Programme Board should be done so via the Council's scheme of delegations through to Cabinet.

PBRs Programme Board reports to the BCC Capital Board and acts as a gateway for key decisions which are escalated to Cabinet, albeit it does not hold delegated authority.



An updated scheme of delegations has been developed to enable timely and robust decisions to be made, mitigating delivery risk and driving programme performance.

The Council's delivery team has been augmented with specialist expertise to provide specific Programme Management and Controls functions. Organogram below.



G. SUPPORTING INFORMATION

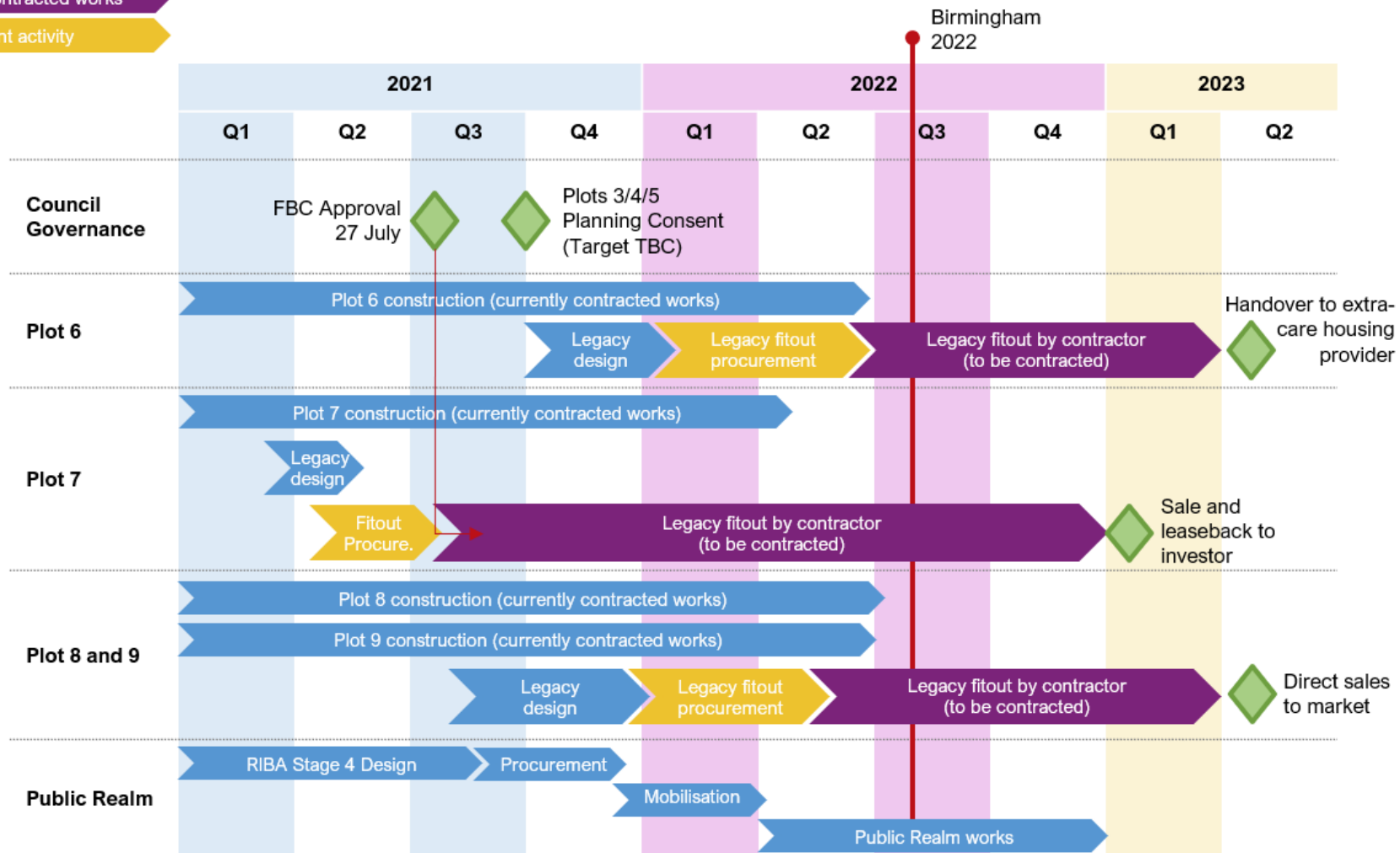
G1. Year by Year Capital Expenditure Plan

		Prior Years Actual	2019/20 Actual	2020/21 Actual	2021/22 Budget	2022/23 Budget	2023/24 Budget	2024/25 Budget	Total
		£'m	£'m	£'m	£'m	£'m	£'m	£'m	£'m
Land Acquisition		10.481	32.890	10.159	0.600	-	-	-	54.130
Housing Construction		2.710	35.133	103.558	116.167	22.365	2.873	2.360	285.166
Retrofitting		-	-	-	-	12.088	6.732	0.493	19.313
Site Infrastructure & Services		0.263	13.162	4.879	2.249	14.495	-	-	35.048
Post CDA Costs				0.561	3.299	2.500	-	-	6.360
Highways		0.126	2.536	9.264	14.256	0.921	-	-	27.103
EFA Relocation		-	5.112	-	0.500	-	-	-	5.612
Demolition inc Abnormals		1.238	3.372	1.339	3.804	1.250	3.370	0.150	14.253
Fees		5.090	7.889	8.164	6.727	3.855	0.500	-	32.225
Bus Depot		5.975	5.080	1.939	15.268	0.233	-	-	28.495
Capitalised Interest		0.140	0.714	2.883	8.039	8.657	-	-	20.433
Contingency		-	-	-	11.444	-	-	-	11.444
Total		26.023	105.887	142.747	182.353	66.364	13.475	3.003	539.852

G. SUPPORTING INFORMATION

G2. Project Plan

PBRS Level 1 Strategic Programme



G. SUPPORTING INFORMATION

G3. Summary of Key Risks

Top 5 programme risks

Risk Event 'There is a Risk that	Risk Cause 'The Risk is caused due to.....'	Risk Impact 'The impact of the Risk is	Pre Mitigation Impact	Mitigation measures	Post Mitigation Impact
Instruction of Plot 7 fitout works may be delayed until post Public Realm completion.	Impact of Plot 7 fitout on the Public Realm (PR) programme results in significant shift to PR completion date.	Delay to the disposal of Plot 7 and inability to take advantage of efficiencies gained by instructing during Vinci's works.	H	Impact to PR programme is being assessed and the proposal for legacy fitout works has taken account of the impact.	H-M
Legacy fitout costs may exceed estimates specified in Updated RFBC	The Council may not be able to conclude negotiations for fixed price lump sum for legacy fitout works within budget.	RFBC budget maybe insufficient for fitout of some plots, additional funding / value engineering required.	H	Inflation applied to estimated costs. QRA undertaken to model cost risk exposure and contingency allocated accordingly. Benchmark pricing prior to negotiation and award of contracts. Agreement of contract access dates as part of the Deed of Variation. Undertake alternative procurement.	M
BCC's ability to commence fitout works and maintain progress on all plots may be impacted.	Logistical constraints associated with on-going public realm construction works may impact on legacy fitout works and vice versa.	Delay to the disposal of all plots which may delay capital receipts from plot disposal.	H	Access to be agreed via the Deed of Variation to the CDA. Preparation of an alternative procurement route.	M
BCC may be liable to NX for costs under the agreement for which NX has raised heads of claim	Legal agreement with NX excluded certain costs which can be claimed for, subject to substantiation and agreement.	Cost impact to BCC if the claims cannot be successfully negotiated away.	H	Weekly working group established with legal colleagues to respond to and rebut claims by NX.	M
Reduced productivity may persist through 2021.	Ongoing impact of the COVID-19 pandemic	Reduced productivity as a result of social distancing requirements and sickness/ill-health of the workforce.	M	COVID-19 claims up to end June now agreed for Plots 7-9. Confirmed no further impact to Plot 8&9. Continue to review the impact of measures in line with SOPs.	M-L

G. SUPPORTING INFORMATION

G4. Stakeholder Matrix

Name	Role	Organisation	Category
Cllr Ian Ward	Leader of Council	Birmingham City Council	Consult
Cllr Morriam Jan	Cllr for Perry Barr	Birmingham City Council	Consult
Cllr Jon Hunt	Cllr for Perry Barr	Birmingham City Council	Consult
Cllr Khalid Mahmood	Member of Parliament for Perry Barr	Birmingham City Council	Consult
Cllr Sharon Thompson	Cabinet Member for Homes and Neighborhoods	Birmingham City Council	Consult
Cllr Tristan Chatfield	Cabinet Member for Finance and Resources	Birmingham City Council	Consult
Deborah Cadman	Interim Chief Executive Officer	Birmingham City Council	Consult
Ian MacLeod	Interim Director Inclusive Growth	Birmingham City Council	Consult
Kathryn James	Assistant Director Property	Birmingham City Council	Consult
Kris Kowaleski	Press Officer	Birmingham City Council	Inform
Ben Woods	Head of Capital Projects, Birmingham 2022	Dept. Digital, Culture, Media & Sport	Inform
Andy Middleton	Transport Programme Manager, Birmingham 2022	Birmingham City Council	Consult
Andy Everest	A34 Highways Project Manager	Birmingham City Council	Consult
Dave Wagg	Client Lead, Alexander Stadium	Birmingham City Council	Inform
Craig Cooper	Programme Director, Birmingham 2022	Birmingham City Council	Inform
James Hamilton	Capital Programme Director, Birmingham 2022	Birmingham City Council	Inform

G. SUPPORTING INFORMATION

G5. Delegations of Authority

Section F5 sets out a summary of the PBRs' governance framework. Efficient and effective decision making on the programme is underpinned by delegations of authority to key people and Boards – summarise below. Delegations of authority were endorsed by the Perry Barr 2040 Steering Group and SRO.

Level of Authority	Financial Impact	Schedule Impact	Scope Impact
6. City Council Cabinet	Decisions which require additional funding, value >£1,000,000, subject to funding source being confirmed.	Impact to Completion or Sectional Completion, > 1-month delay.	Impact of decision contained within the remit of the City Council.
5. Cabinet Member	Decisions which require contingency drawdown, value >£2,500,000. Decisions which require additional funding, value £200,000 - £1,000,000, subject to funding source being confirmed.		Impact of decision contained within the remit of the Cabinet Member Portfolio.
4. Director of Inclusive Growth	Decisions which require contingency drawdown, value £1,000,000 - £2,500,000. Decisions which require additional funding, value ≤ £200,000, subject to funding source being confirmed.		Impact of decision contained within scope of the wider regeneration of Perry Barr, e.g. Transport projects and Alexander Stadium.
3. PBRs Programme Board	Decisions which require contingency drawdown, value £200,000 - £1,000,000.	Impact to Completion or Sectional Completion, < 1-month delay.	Impact of decision contained within scope of the Perry Barr Regeneration Scheme – see WBS.
2. PBRs Programme Director & Finance Lead	Decisions within the approved budget, not requiring contingency drawdown, value > £200,000. Decisions which require contingency drawdown, value ≤ £200,000.	No impact to Completion or Sectional Completion.	
1. PBRs Programme Manager	Decisions within the approved budget, not requiring contingency drawdown, value ≤ £200,000.		

G. SUPPORTING INFORMATION

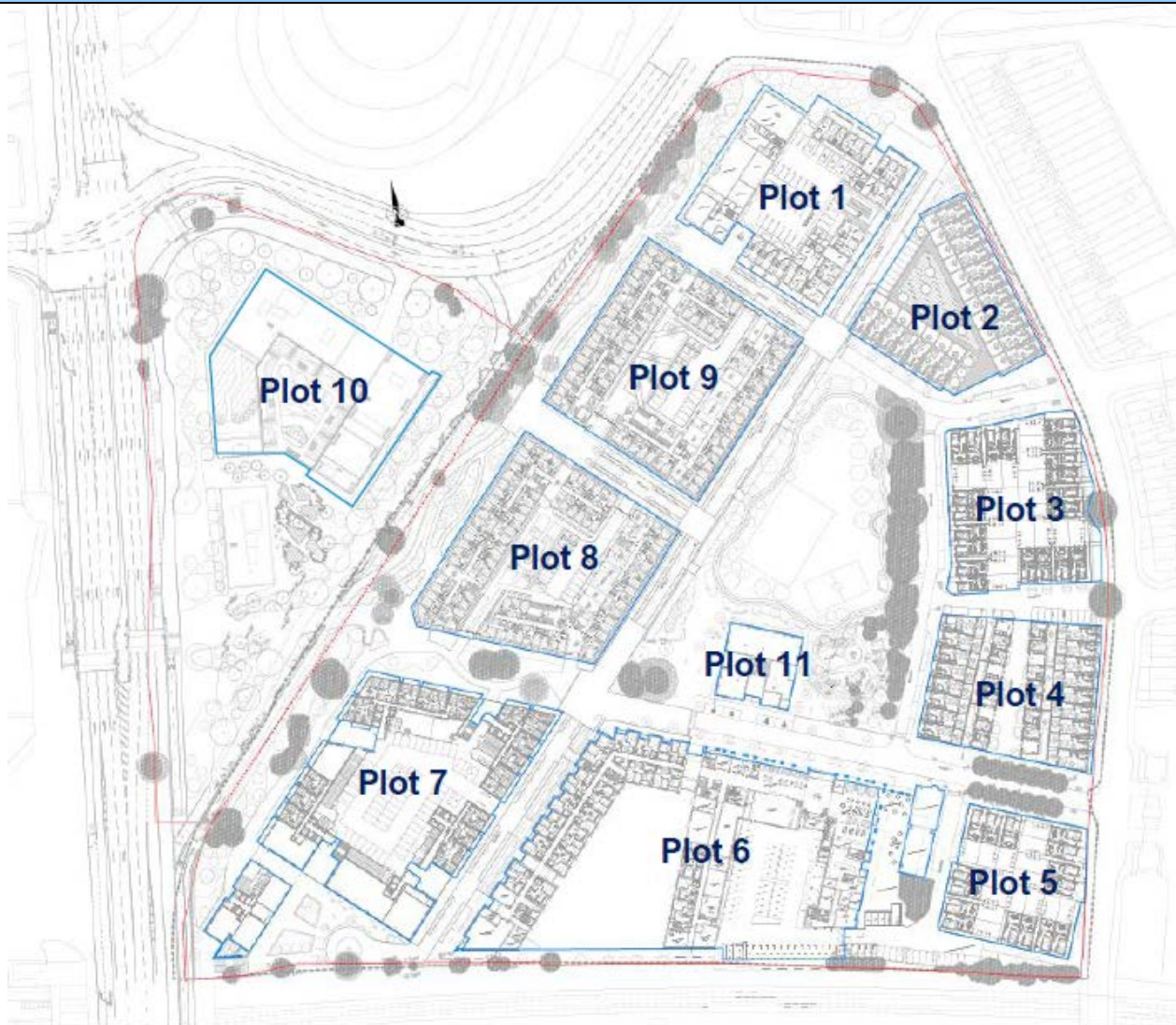
G6. Project Deliverables

The table below sets out a summary of the deliverables associated with each element of the project.

Plot	RFBC (approved March 2020)				Additional approvals updated RFBC (June 2021)				
	Demolition	Remediation	Development	Final fitout	Demolition	Remediation	Development	Final fitout	Comments
Plot 1	✓	✓	✓						Plot 1 development omitted via change control (June 2020)
Plot 2, 10 and 11	✓	✓							No change since March 2020 RFBC approval
Plot 3, 4 and 5	✓	✓	✓				✓	✓	Subejct to revised design
Plot 6	✓	✓	✓					✓	Additional fitout works to final specification
Plot 7	✓	✓	✓					✓	Additional fitout works to final specification
Plot 8	✓	✓	✓					✓	Additional fitout works to final specification
Plot 9	✓	✓	✓					✓	Additional fitout works to final specification
Holford Corner	✓	Partial		NA		✓			Remediation to a level suitable for development/disposal
Wellhead Lane	✓	Partial		NA		✓			Remediation to a level suitable for development/disposal
The Coppice	✓	Partial		NA		✓			Remediation to a level suitable for development/disposal
Oscott Gardens				NA	✓	✓			Demolition and remediation to a level suitable for development/disposal
New Job Centre Plus	NA	NA	✓	NA					No change since March 2020 RFBC approval
National Express Bus Depot				NA	✓	✓			Demolition subject to confirmation via masterplan
New National Express Bus Depot	✓	✓	✓	NA					No change since March 2020 RFBC approval
African Village	✓	Partial		NA		✓			Remediation to a level suitable for development/disposal
High St Shops	✓	Partial		NA					No change since March 2020 RFBC approval
Station Shops	✓	Partial		NA					No change since March 2020 RFBC approval

G. SUPPORTING INFORMATION

G7. Plot Site Plan



Appendix 2

Equalities Appraisal: Perry Barr Regeneration Scheme (PBRs) formerly known as the Commonwealth Games Athletes' Village

Update 2

March 2021

1. Introduction

- 1.1. An Equality Analysis (EA) report (Reference Number: EA002780) was produced as part of the Commonwealth Games Village and wider Perry Barr regeneration programme Outline Business Case Cabinet Report ("the OBC") (26th June 2018), in line with the City Council's duties under the Equalities Act 2010. The EA report identified; "that there is some potential for the programme to have differential impacts on protected characteristics but that mechanisms are in place to mitigate this."
- 1.2. A review of the EA was undertaken with an update paper (Update 1) provided as part of the Full Business case (FBC) presented to Cabinet in June 2019. This update concluded that, "no additional equalities issues have been identified... and the Council will continue to monitor this".
- 1.3. A separate analysis was produced to support the compulsory purchase process and is available at [https://www.birmingham.gov.uk/downloads/file/12237/bcc41 - _equalities appraisal update](https://www.birmingham.gov.uk/downloads/file/12237/bcc41_-_equalities_appraisal_update). However, this paper provides an update on the equalities position since 2019 including the outcome of the Compulsory Purchase Order ("the CPO") and the progress on the development of the Perry Barr residential scheme and wider Perry Barr regeneration Updated Revised Full Business Case report ("the Updated RFBC").
- 1.4. This paper does not address in any detail the highway scheme or public transport improvements currently being delivered adjacent to the residential scheme.

Equalities duties

- 1.5. The City Council has a duty under the Equalities Act 2010 ("the Act") to consider the needs of diverse groups when designing and delivering services, so that people can get fairer opportunities and equal services, to consider all the protected characteristics, and to tackle socio-economic inequalities.
- 1.6. The Act protects you from discrimination by; employers, businesses and organisations which provide goods or services, health and care providers, someone who you rent or buy a property from, school, colleges and other education providers, transport services and public bodies like government departments and local authorities. The Act contains nine protected characteristics which are age, disability, gender reassignment, marriage or civil partnership (in employment only), pregnancy and maternity, race, religion or belief, sex and sexual orientation.

2. Background

Perry Barr Residential Scheme

- 2.1 The scheme for the regeneration of Perry Barr, as set out in the Updated RFBC includes the delivery of the Perry Barr Residential Scheme (formerly known as the Commonwealth Games Athletes' Village), the wider demolition works, highways and public transport works, and site assembly.

The Residential Scheme is on target to delivery its planning condition requirement of providing 312 affordable homes for the scheme on plots 6, 7, 8 and 9. The discharge of this condition provides the Council the opportunity to consider if the existing plans for plots 1, 2, 10 and 11 are still the most appropriate design for the scheme.

The discharge of the affordable homes condition has provided the opportunity to reconsider the scheme being delivered for Plots 3, 4 and 5 and these have been redesigned to provide an increased number of homes that will be available for sale. This increase in houses, increases the mix of house types available within the scheme and introduces more family size homes then originally envisaged.

The delivery of the residential scheme has provided opportunity to tackle some of the local inequalities in the area. A Construction Skills Hub has been established on site and thus far has been used to upskill over 1000 workers. A target of 400 jobs was established for the scheme and to date 214 new jobs have been created of which 6 are ex-offenders and 20 are women. The scheme has also provided 27 apprenticeships and 4 summer placements and continues to work with partners to improve on these figures.

Language classes are due to commence at the Training Hub very soon. This will provide English language lessons with an emphasis on teaching terms used within the construction industry and the expectation is the lessons will also be made available to the local community.

Highway Works

- 2.2 The highway works which include the demolition of the flyover and changes to the highway network, improvements to the Birchall Roundabout and introduction of a dedicated cycle lane and Sprint bus lane are no longer part of this project and subject to separate business cases and assessments.

The Compulsory Purchase Order (CPO)

- 2.2 In September 2019 the Secretary of State confirmed the CPO. The Council managed to successfully acquire around 90% of the land required through negotiation with the remaining 10% or so vested.
- 2.3 Where residents have been affected, BCC have offered support and assistance for relocation, as well as compensation in line with the compensation code.

- 2.4 The Local businesses affected have been supported with finding alternative accommodation and some temporary units have been made available locally for those interested in staying within the local area.

3. Conclusions

- 6.1 The Council has worked hard to ensure the construction work on the scheme provides opportunity to create employment, provide skills and training for both the workforce and local community and tackle socio-economic inequalities.

It has also worked to minimise the impact of the CPO both in a residential and commercial property capacity. Throughout the process measures were taken to ensure that those affected by the CPO were given the opportunity to engage with the Council and benefit from appropriate support.

- 6.4 No additional equalities issues have been identified as a result of this paper. The Council will continue to monitor this.

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: Property Strategy: Asset Review - Birmingham City Propco Limited (Propco)

Report of: Ian MacLeod Acting Director, Inclusive Growth

Relevant Cabinet Member: Councillor Ian Ward – Leader
Councillor Tristan Chatfield – Finance and Resources

Relevant O & S Chair: Councillor Mohammed Aikhlaq, Resources

Report authors: Ian MacLeod, Acting Director, Inclusive Growth
Email Ian.MacLeod@birmingham.gov.uk
Julia Martin, Project Delivery Manager, Inclusive Growth
Email Julia.c.martin@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008632/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Executive Summary

- 1.1 This report presents the details of a proposal to utilise the Council's existing wholly owned company, Birmingham City Propco Limited (Propco), to support the Council's Property Strategy 2018/19-23. The project is in response to the Council's broader Asset Review project that seeks to develop a range of solutions for the retention/disposal of Council assets; that balances short term returns and long-term benefits and is in line with the original Cabinet recommendations of 2017.

- 1.2 The report seeks approval to the strategy of investment in Propco through a combination of equity and loans over a five-year period to enable the company to acquire, enhance and dispose of land and property and to enter into agreements as required, to strengthen the company's existing governance and operation.
- 1.3 Expanding the operation of the existing wholly owned company provides the opportunity to support the Council's capital receipts programme. To invest in, hold, and develop assets for future disposal, and finally to gain best value from selected assets by their disposal to Propco as an alternative to selling them on the open market, thereby enabling value to be added to the assets pending their ultimate disposal.
- 1.4 Investment in the company may also generate long term dividends to the Council as the sole, shareholder.

2 Recommendations:

- 2.1 Approves the strategy for the development of Birmingham City Propco Ltd (Propco) through increasing the capacity of the company's operations, and its governance as set out in this report.
- 2.2 Approves a motion to Full Council to amend the General Delegations Part E3.2 of the Constitution to include a new delegation for the approval of disposals from, the Council Property portfolio into Birmingham City Propco Limited to the Leader and Cabinet Member for Finance and Resources, jointly with the Director - Inclusive Growth, Interim Director of Council Management and the City Solicitor (or their delegates) up to a limit of £25m in any one transaction. This delegation will enable the specified Member and Officers to approve Property transactions that exceed the generally 'property' delegation financial thresholds currently stated in the General Delegations Part E3.2 (xi).
- 2.3 Delegates to the Interim Director of Council Management, in consultation with the Leader of the Council, the authority to buy shares in and approve loans to, Propco up to an aggregate limit of £100m, on commercial terms and in compliance with HMRC rules on 'thin capitalisation', subject to a full business case for each investment being approved.
- 2.4 Approves a capital injection of up to £0.500m into Propco to provide a short-term working capital facility. This advance will be made on commercial terms, by the Council in its role as sole shareholder and will be used to facilitate a programme of acquisitions from the Council; to strengthen the governance of the company, and to develop a robust business plan.
- 2.5 Delegates the approval of the terms and details of the revised restructure of Propco governance to the designated shareholder representatives, these being the Chief Executive and Section 151 officer; in consultation with the Council's shareholder representative Group Company Governance Committee.

- 2.6 Authorises the City Solicitor to negotiate, execute and complete all necessary documentation to give effect to the above recommendations.

3 Background

- 3.1 On 24th June 2017 Cabinet approved the Full Business Case (FBC) for the establishment of a company wholly owned by the Council that was to be utilised to provide a vehicle for commercial investment. Birmingham City Propco Ltd (Propco) was incorporated on 2nd October 2017. The Council is the sole shareholder, and the two directors are senior post holders within the Council.
- 3.2 Following a share issue, Propco entered into a loan agreement with the Council to enable the company to purchase the leasehold interests in two hotels that were previously held by the Council, as part of its commercial portfolio. This represented a total investment of circa £29m into the company. A service contract exists between the Council and Propco to ensure the prudent running of the company.
- 3.3 The establishment of Propco was the first phase of the development of a vehicle to enable the Council to operate successfully in commercial and investment property, and in doing so provide a sustainable net revenue return to the Council, as well as future dividends. These key aims also included the objective of the generation of capital receipt whilst retaining strategic land holdings to lever future growth benefits due to the development of HS2 and airport proximity etc. This first phase was set up to ensure the most appropriate investment vehicle, and terms of operation, that delivers the most advantageous financial terms to the Council, whilst also ensuring that Propco remains a viable business.
- 3.4 Whilst these aims remain the same, it was envisaged that phase 2 of this project would include the establishment of a full investment property strategy and plan that would include an agreed investment criterion, and capital financing arrangements for Propco, as well as establishing financial targets; delegations and performance management approach, and to formalise the relationship between the wholly owned company and the Council and purposes for appropriate usage.
- 3.5 The Council's Property Strategy was approved by Cabinet in November 2018, providing a long-term strategic approach to the management of the Council's real estate portfolio. The strategy also aims to maximise commercial and social returns by re-aligning the property assets, ensuring they act as a catalyst for development and inclusive economic growth. The strategy is the core real estate planning and performance document for the Council. The application of the Propco model is recommended for Council wide property activity and this approach is what is considered within this report.
- 3.6 The existing utilisation of Propco aligns with the Property Strategy and Capital Strategy contained within the Council's Financial Plan 2021-25; in that it aims to drive greater returns to the Council in the long term.

- 3.7 However, guidance issued by the HM Treasury in November 2020 prohibits local authorities from undertaking new investments for the primary purpose of attracting yield (while still making use of Public Works Loans Board (PWLB) financing) which, as noted in paragraph 3.3 above, was a key principle underpinning the original establishment of Propco.
- 3.8 The financial relationship between the Council and Propco must also be guided by HMRC rules on ‘thin capitalisation’. These rules were established to prevent inter alia, contrived lending arrangements between organisations within the same company group structure being used to create unfavourable borrowing conditions that reduce corporation tax liability.
- 3.9 It is essential to ensure that the amended and standing financial guidance outlined above is taken full account of when considering how best to structure the development of Propco to utilise the Council’s assets to unlock development and provide a catalyst for growth.
- 3.10 It would therefore be prudent for the Council to seek independent, expert advice on thin capitalisation thresholds to the extent that they would be applicable should Propco take advantage of the opportunities touched on in this report.
- 3.11 Following the report to Cabinet in November 2020 which set out the Council’s Delivery Plan up to May 2022, and subsequent report in January that considered ‘What Birmingham needs to do next’, a refresh of the Property Strategy has been undertaken and has further considered the objective to increase the pace and scale and growth within the city. Propco has been identified to support these objectives. Coupled with this is the requirement to achieve additional capital receipts up to a value of £65m, to meet an anticipated shortfall in the Council’s Medium-Term Financial Plan (MTFP) and generate the funds required to meet its transformation agenda.
- 3.12 The interim findings of the property asset review have identified a number of assets that could be recommended for disposal to Propco, whereby funding via the council loan facility could be used to enhance asset values to facilitate growth and development. For example, where a wider site assembly is required to deliver strategic regeneration proposals, or for investment purposes where the asset is required to deliver a financial income either through letting or disposal.
- 3.13 Once this review has concluded, these potential disposals will be subject to individual option appraisals to determine if disposal to Propco is the best course of action both strategically and commercially. Should disposal to Propco be the recommended course of action, property valuations for disposal and detailed loan and investment terms by the Council will be the subject of individual business cases and subsequent reports, in line with recommendations 2.2 and 2.3 of this report.
- 3.14 In order to expand the Propco portfolio and the operations of the company, it is vital that Propco develops a long-term business plan, which will need to be underpinned by amended articles of the company. This business plan will be

modelled on a proposed five-year investment period determined by the final recommended list of assets proposed by the Council for disposal to Propco.

- 3.15 The scale of the proposed investment and potential income that may be generated for the Council as funder and shareholder over the next 5 years will result in additional resourcing requirements to service the company both in terms of servicing contracts; leadership and direction; and governance.
- 3.16 There are currently two board members, who are also the directors of the company. Both members/directors must be present for the Propco board to be quorate. The current governance arrangements are not sufficiently robust for the scale of investment proposed in the company, and additional resources are required to both ensure there are no conflicts of interests that prohibit the successful operation of the company and bring additional commercial expertise to guide the development and implementation of the company's business plan.
- 3.17 It is recommended that an independent chair and up to two further board members are recruited externally to enhance the governance structure of Propco. These costs will be met from within the Propco operational budget. The final proposed board structure and governance arrangements will be subject to further approvals as outlined in the recommendations of this report.
- 3.18 The existing service level agreement between the Council and Propco also requires amendment to reflect the increased level of resources required to support the company's operations. Any increase in the level of services provided by the Council to Propco will be reflected in an increased service charge payable by the company, and this will be reflected in individual business cases for disposals to Propco. Generic services provided by the Council such as the company secretary role will be charged by the Council at a commercial rate.

4 Options considered and Recommended Proposal

- 4.1 This report deals with the implementation of phase two of the recommendations contained with the 2017 Cabinet report of 2017 to establish Propco and as such the merits of working through a wholly owned company have already been established.
- 4.2 Options for the expansion of the company to support the Councils target capital receipts programme have been considered, and an evaluation matrix is being developed to support recommendations for the disposal of council assets into the company. The Council is in the process of carrying out an options appraisal in relation to proposed asset sales. The outcome of this work will inform the business cases of assets recommended for disposal to Propco.
- 4.3 The strategy to expand Propco to support the wider regeneration objectives of the Council's Delivery Plan has considered the following options:
- 4.4 **Business as Usual** – Propco maintains its current portfolio of leasehold interests, and the further acquisition and investment programme is not implemented. This

approach would not support the realisation of the capital receipts that could be generated within the 2021/22 financial year, and programme of change that is dependent on the financing of the capital strategy.

4.5 Undertake disposal programme to Propco

- 4.5.1 Propco has the ability to take ownership of assets which (whilst requiring a loan and hence, income to service the loan) enables the Council to take a capital receipt in the 2021/22 financial year. When used as an alternative to selling assets directly into the open market, this allows the Council as a shareholder to be in full control of the timing of the receipt.
- 4.5.2 The transfer of an asset into Propco will be at a value which will discharge the Council's duty to achieve best consideration under Section 123 of the Local Government Act 1972. Hence, Propco can continue to own the asset and maximise its value potential and most effective disposal strategy.
- 4.5.3 Secondly the disposal of assets into Propco provides the opportunity to capture the enhanced value of assets, where they can be utilised to unlock wider development opportunities over the longer term.

4.6 Disposal into an alternate wholly owned company

- 4.6.1 The Council is the sole shareholder of a number of wholly owned companies. InReach (Birmingham) Limited (InReach) is a similar company in structure to Propco and disposal of Council assets to InReach could be considered. However, InReach is currently set up solely to develop market rent housing and does not currently align with the objectives of Propco.
- 4.6.2 InReach may be considered where the proposed end use for a Council asset is market rent housing. As Propcos assets are intended to be used to support wider regeneration and development objectives, as well as to generate a sustainable commercial income to ensure the viability of Propco. Propco is viewed as the more appropriate vehicle to support the Council's property strategy at present.

5 Consultation

- 5.1 No external consultation is required in respect of this report
- 5.2 Relevant Member consultation has been undertaken in respect of the proposals to develop PropCo, and will continue as part of the development of the full business cases for the proposed disposal of assets.

6 Risk Management

- 6.1 The Project is managed through the Propco Development Project Board chaired by the Assistant Director for Property. A project assurance role is undertaken by the Inclusive Growth Delivery Board
- 6.2 The following are identified as the key project risks:

- i. Propco ability to service debt will impact on the extent of lending by the Council, and associated ability to dispose of assets to Propco and meet capital receipts targets. Mitigated by a blend of equity and debt to be considered as part of individual business cases for each disposal /acquisition.
- ii. The Council may not approve disposal into Propco due to adverse impact on revenue loss. Mitigated by financial modelling to consider revenue impacts prior to disposal.
- iii. Propco may choose not to buy Council property based on its own due diligence advice.
- iv. Property market conditions may impact the level of capital receipts that are generated. This will be mitigated by Propco releasing assets at the optimum phase in the property cycle.
- v. HM Treasury have committed to continually review the November 2020 update on accessing PWLB and so further restrictions on the acquisition of property by the Council or its subsidiaries cannot be ruled out.

6.3 A Risk Management schedule will support each full business case.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The proposals contained within the report are consistent with the priorities, plans and strategies in the City Council's Plan 2018-2022 (2019 update) to achieve existing six outcomes for Birmingham to be:

- An entrepreneurial city to learn, work and invest in
- An aspirational city to grow up in
- A fulfilling city to age well in
- A great city to live in
- A city whose residents gain the most from hosting the 2022 Commonwealth Games
- A city that takes a leading role in tackling climate change, as follows:

7.1.2 Council Property Strategy. The utilisation of Propco supports the Council's property strategy intaking a medium to long term strategic approach to the Council's unique asset base and ensuring a balanced delivery of maximised commercial and social returns. Delivery of the Property Strategy objectives will include reference to other Council policies in line with the Policy Framework – including financial, planning, infrastructure, housing, jobs and skills, sports, culture, social cohesion and neighbourhoods.

- 7.1.3 Council Financial Plan 2021-25. The utilisation of Propco and support for the achievement of the capital receipts target is a key plank in the capital strategy within the Council's financial plan. This plan also sets out how Council will leverage its real estate assets to generate social benefits and financial returns through disposal, development and investment.
- 7.1.4 The long-term aim will be to generate returns for the Council that can be used to support front line services alongside achieving improvements in skills, jobs and other social objectives. The implementation of the proposal outlined in this report will also support the commercialism approach that seeks to improve the financial return of assets that the Council holds, including seeking to generate new revenue for the Council.

7.2 Legal Implications

- 7.2.1 The power to acquire, dispose of and manage assets in land and property is principally contained in Sections 120 and 123 of the Local Government Act 1972.
- 7.2.2 Under Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report, which are within the remit and limits of the general power of competence and Sections 2 and 4 of the Localism Act 2011.
- 7.2.3 The Council's interest in companies is regulated by Part V of the Local Government and Housing Act 1989.
- 7.2.4 Sections 93 and 95 of the Local Government Act 2003 and the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 empowers the Council to trade commercially through a Council owned trading company but before deciding whether to trade commercially the Council must be satisfied that it has the statutory power to engage in the particular activity. Further, the power to trade is subject to a number of requirements which the Council must consider including the development of a full business case and risk assessment prior to trading.
- 7.2.5 The Councils power to dispose of land held for housing purposes traditionally known as HRA or Part 2 land is contained with Sections 32-34 Housing Act 1985 and power to dispose of land held in the General Fund and public open space is contained in Section 123 Local Government Act 1972.
- 7.2.6 Using its investment powers at section 12 Local Government Act 2003, loan funding may be provided to Propco This must be on commercial terms to ensure compliance with public subsidy rules. Trading between the Council and Propco is permissible, and in compliance with Section 95 of the Local Government Act 2003. Section 95 requires a company to be created in order to trade.

- 7.2.7 The Council has already entered into a service contract with Propco to provide asset management, and legal services. The additional costs of facilitating the future acquisitions, investments and management will be charged to Propco and the contract will be varied by agreement with Propco to reflect these increased costs. The details of each of the project costs will be recovered through each development and included in its FBC.
- 7.2.8 In view of the Council as the sole shareholder of Propco, full transparency is required in respect of the determination of best consideration being achieved for future land disposals into Propco to demonstrate probity, independent joint valuations are to be commissioned by the Council and Propco.

7.3 Financial Implications

- 7.3.1 The business case for the establishment of Propco established the precedent for utilising the company to support the achievement of capital receipts required to meet the Councils financial plan.
- 7.3.2 As with all property disposals the net proceeds from the future disposal of the assets are subject to market forces. Propco will seek to maximise values to contribute to the generation of capital receipts to support the delivery of the Council's Financial Plan 2021-2025. This report is not asking for approval to transfer any specific assets into Propco at this time, but to put in place the structure to enable the disposal of assets at a future date.
- 7.3.3 The Council will continue to maintain a commercial relationship with Propco. The commercial relationship will include the disposal of assets at market rate and the provision of a loan secured against property and assets, under commercial terms. In addition, services provided by the Council to Propco will be charged on a full cost recovery basis. Propco will make payments to the Council, comprising both payments in relation to loan finance and services provided and as a further distribution of net operating surpluses generated. The financial implications of any changes to the service contract between the Council and Propco will be addressed within the Propco business plan and will generate a future increased revenue stream to the Council.
- 7.3.4 This report seeks approval to the principle of a loan and equity facility to Propco up to £100m. This figure is based on estimated values of a number of Council assets that are to be considered for disposal by the Council as part of its Property Strategy. The details of the actual loan and equity requirements will be subject to individual full business cases in accordance with recommendation 2.3 of this report.
- 7.3.5 In addition to property acquisitions, PropCo will also use the £100m facility to finance activities necessary to maximise sales receipts generated when

PropCo disposes of properties. Such activities could include for example, site remediation/clearance or obtaining planning permission.

- 7.3.6 Any loan facility from the Council to Propco will be secured on the property and assets of Propco, with interest calculated at a commercial rate to be determined at the point of the investment and subject to final negotiation between the Council and Propco. Interest and principal repayments will commence from the date the assets are acquired by the company, although the final terms will be agreed as part of the full business cases.
- 7.3.7 The future investments made by the Council of either debt or equity, will be met from prudential borrowing. New guidance from the Government states that local authorities cannot access public works loan board (PWLb) resources while making capital investments principally for yield (whether funded directly from borrowing or other sources). Due regard will be given to this guidance (noting risks in paragraph 6.2 above) with justification in the annual Treasury strategy of how the Council continues to comply with HM Treasury regulations.
- 7.3.8 The details of the indicative acquisition programme and value of the loans and how they will impact on existing debt profile of Propco will be considered in the full business cases for investment.
- 7.3.9 As sole shareholder the Council wishes to provide investment to Propco to develop its business plan and for Propco to restructure its governance and operational structure to support the acquisition and potential development of future investments. These costs are estimated to be up to £0.500m
- 7.3.10 This investment will be made by a capital injection to the company of £0.500m, to provide a short-term working capital facility, and the terms of the investment will be subject to approval by the Propco board. This advance will be made on commercial terms, by the Council in its role as sole shareholder.

7.4 Procurement Implications (if required)

- 7.4.1 There are no procurement implications with the recommendations of this report

7.5 Human Resources Implications (if required)

- 7.5.1 The project is resourced by existing employees, supported by existing commissioned services.

7.6 Public Sector Equality Duty

- 7.6.1 An Equalities Assessment was undertaken in 2017 ref number EA001951 in respect of the establishment of Propco, which concluded that the assessment at this stage is that there was no need to proceed to a full equality analysis. This decision was reviewed as part of the establishment

and approval of the Full Investment Property Strategy and Plan. Within the scope of the project there is no potential to adversely affect any protected group and by generating additional levels of income to subsidise Council services the project will contribute to equality of opportunity.

- 7.6.2 Decisions on how best to use any income generated will be made as part of the normal Council budgeting process, which will be subject to its own equality analysis.

8 Appendices

- 8.1 Appendix 1 Equalities Analysis EA001951

9 Background Documents

- 9.1 Cabinet Report 27th June 2017: Development of an investment vehicle for commercial property and the disposal of surplus properties to the vehicle – Full Business Case
- 9.2 Property Strategy Report to Cabinet November 2018



Equality Analysis

Birmingham City Council Analysis Report

EA Name	Development Of An Investment Vehicle For Commercial Property
Directorate	Economy
Service Area	Economy - P&R Planning And Development
Type	New/Proposed Policy
EA Summary	To assess the equality implication of establishing a Council wholly owned company (WOC) for the purpose of delivering a commercial investment strategy, which will acquire, lease and dispose of properties to generate a financial return.
Reference Number	EA001951
Task Group Manager	richard.woodland@birmingham.gov.uk
Task Group Member	
Date Approved	2017-06-12 00:00:00 +0100
Senior Officer	waheed.nazir@birmingham.gov.uk
Quality Control Officer	waheed.nazir@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

Establishment of a Council Wholly Owned Company (WOC) for the purpose of delivering a commercial property investment strategy, which will acquire, lease and dispose of properties to generate a financial return.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	No
Health: Helping People Become More Physically Active And Well	No
Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	No
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

Establishment of a WOC will support the Council in achieving its aims for a commercial and investment property approach, which has the following objectives:

- . Acquisition and management of Real Estate to enable a sustainable net income stream for the Council
- . The building of a diverse, balanced investment property portfolio (in both type and location) that balances risk and financial opportunity
- . On-going increase in capital value of the commercial estate

Investment decisions and associated performance criteria for the WOC will largely focus on financial return and financial risk exposure. The conclusion at this stage is that working within such operational parameters will not create the potential to disproportionately affect any protected group.

Furthermore any contributions to equality objectives will be at best indirect in that the WOC will primarily aim to generate additional levels of income that can in turn be used to support City Council services. Subsequent decisions on how best to use any income generated will be made as part of the normal City Council budgeting process, which will be subject to its own process of equality analysis and consultation.

The assessment at this stage is that there is no need to proceed to a full equality analysis. This decision will be reviewed as part of the establishment and approval of the Full Investment Property Strategy and Plan.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

As per initial assessment the conclusion at this stage is that there is no need to proceed to a full equality analysis - essentially this is because any contributions to equality objectives will be at best indirect in that the WOC will primarily aim to generate additional levels of income that can in turn be used to support City Council services. Subsequent decisions on how best to use any income generated will be made as part of the normal City Council budgeting process, which will be subject to its own process of equality analysis and consultation.

The decision will be reviewed as part of the establishment and approval of the Full Investment Property Strategy and Plan.

4 Review Date

01/12/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: East Birmingham Inclusive Growth Programme – Programme Business Case

Report of: Ian MacLeod, Acting Director - Inclusive Growth

Relevant Cabinet Member: Councillor Ian Ward, Leader of the Council

Relevant O &S Chair(s): Councillor Shabrana Hussain, Economy and Skills
Councillor Liz Clements, Transport and Environment

Report author: Mark Gamble, Development Manager,
Telephone No: 0121 303 3988
Email Address: mark.gamble@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Alum Rock, Bordesley Green, Bordesley & Highgate, Bromford & Hodge Hill, Castle Vale, Garretts Green, Gravelly Hill, Glebe Farm & Tile Cross, Heartlands, Nechells, Pype Hayes, Shard End, Sheldon, Small Heath, South Yardley, Sparkbrook & Balsall Heath East, Tyseley & Hay Mills, Ward End, Yardley East, Yardley West & Stechford.		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008289/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Executive Summary

- 1.1 This report seeks approval for the East Birmingham Inclusive Growth Programme Business Case, attached as Appendix 1.

- 1.2 The East Birmingham Inclusive Growth Programme (the Programme) will implement the vision set out in the East Birmingham Inclusive Growth Strategy which was approved by Cabinet in February 2021.
- 1.3 The Programme will cover the period 2021-2041. This Business Case concerns the first phase of the programme which will cover the period 2021-25.
- 1.4 This initial phase of activity will establish a programme team with budgets to bring forward a comprehensive package of projects for the delivery of the Strategy, to secure external resources and funding for the delivery of the Programme, and to identify and address opportunities to scale up the Programme and make it sustainable in the longer term.

2 Recommendations

- 2.1 Approves the East Birmingham Inclusive Growth Programme Business Case, attached as Appendix 1 at a total cost of £3.627m funded from the Delivery Plan Capacity Build Transformation Budget.
- 2.2 Agrees the mobilisation of the East Birmingham Inclusive Growth Programme including the recruitment of additional staff and allocation of budgets as per the Programme Business Case.
- 2.3 Notes that yearly reports will be provided to Cabinet on the delivery of the Programme.
- 2.4 Authorises the City Solicitor to prepare, negotiate, execute, and complete all relevant legal documentation to give effect to the above.

3 Background

- 3.1 East Birmingham is home to more than 240,000 people and forms a crucial part of the city and regional economy. However, along with neighbouring North Solihull, it is an area of entrenched deprivation and inequality where residents have historically fared poorly in terms of health, employment and educational attainment. In addition, the area suffers from some of the worst traffic, congestion and air quality issues in the city. Many aspects of this deprivation have been significantly exacerbated by the COVID-19 pandemic.
- 3.2 The coming of HS2 and associated major development activity has created a once in a lifetime opportunity for the City Council to deliver lasting transformational change in East Birmingham by maximising growth and ensuring that its benefits are shared fairly with local communities. However, the Council and its partners have recognised that development and infrastructure will be insufficient in isolation, and a new joined-up approach is required including interventions which will enable local people to benefit from the jobs and opportunities which are created.

3.3 In response to this challenge, the City Council has published the city's first growth strategy built around Inclusive Growth principles: The East Birmingham Inclusive Growth Strategy (the Strategy). The Strategy was prepared in partnership with a wide range of stakeholders and subject to intensive public engagement activities during February–October 2020. The Strategy was amended in light of the responses received and the additional challenges created by the COVID-19 pandemic and was approved by Cabinet in February 2021.

3.4 The Strategy sets out a vision for the regeneration of East Birmingham over the next 20 years:

“The Council and its partners will make use of the unique opportunities and potential of East Birmingham to create a clean, safe, prosperous and well-connected place where citizens from all backgrounds have access to excellent housing, education, healthcare, green spaces and employment opportunities. Local communities will work together as part of the team to achieve their aspirations and will share a strong sense of ownership and pride in their area. The main role of East Birmingham within the wider city region will be as a desirable yet affordable residential area with excellent amenities which is particularly suitable for families with children, and as a centre for low carbon and sustainable industries.”

3.5 Initial work to deliver the Strategy has been progressed within existing Inclusive Growth Directorate resources. To date this has included:

- Generating bids and supporting partnership bids for external funding which have so far secured more than £1m for projects in the area.
- Community engagement and capacity building including support for community funding applications with a value in excess of £0.5m
- The establishment of the governance including:
 - The East Birmingham Board which was established in late 2020 to take forward the delivery of the Strategy. The Board is chaired by the Member of Parliament for Birmingham Hodge Hill and the membership includes: the Leader of the Council, Cabinet Members and ward members; Senior Officers from the City Council including the Chief Executive and relevant Directors; Representatives of Solihull Metropolitan Borough Council; Representatives of key partners including the West Midlands Combined Authority, Greater Birmingham and Solihull Local Enterprise Partnership, HS2, Birmingham Children's Trust, Transport for West Midlands and the Birmingham and Solihull Sustainability and Transformation Partnership; Representatives of local businesses, Trades Union, educational institutions and the voluntary, community and social enterprise sector.

- The East Birmingham Ward Members' Forum which includes the 26 Councillors from 20 Wards whose Wards are directly affected by the Programme.
- The East Birmingham Rapid Policy Unit (RPU) which is an informal team including City Council Officers and external partners who collaborate to support the Programme. The Rapid Policy Unit facilitates cross-directorate and multi-agency partnership working and is intended to expand to include additional partners as the Programme proceeds.
- The mobilisation of an initial tranche of projects. These include:
 - USE-IT Transfer Network
 - Ward End/Cole Valley Skills Hub
 - Meadway Local Centre
 - Tyseley Clean Energy Masterplan for Growth
 - Community Engagement Pilot
 - East Birmingham/North Solihull corridor transport study
 - Bordesley Green Spatial Pilot
 - Community Economic Development Planning Policy Lab

Further information regarding each of these projects is provided in part G of the Enhanced Business Case attached as Appendix 1.

- 3.6 The work to date has been progressed with very limited resources and additional investment is now required to scale up and accelerate these activities in order to fully address the vision and objectives of the East Birmingham Inclusive Growth Strategy. The Enhanced Business Case attached to this report as Appendix 1 proposes the mobilisation of the East Birmingham Inclusive Growth Programme to address this need
- 3.7 The Programme will form part of the Inclusive Growth Portfolio (the Portfolio) which will contribute to the delivery of the Council's strategic plans for its future organisation and ways of working as set out in the 'Investing in our Future' report to Cabinet of 19 January 2021. The Portfolio includes a package of projects and programmes which will together deliver the City's growth requirements in an inclusive and sustainable manner, with decarbonisation placed at the centre of the economy. The Portfolio will also address the organisational and structural issues required to invest in the future in alignment with the Prevention and Early Intervention agenda.
- 3.8 The purpose of the East Birmingham Programme is to deliver the vision of the Strategy. The Programme Objectives for the period 2021-41 are as follows:

- Improve performance across a range of key socio-economic indicators including the seven objectives set out in the East Birmingham Inclusive Growth Strategy to at least the national average.
- Deliver 5,000 homes within the area, of which a minimum of 35% will be at least affordable.
- Create at least 10,000 jobs within the area which will pay the Real Living Wage
- Support the Council's aspiration to be net carbon neutral by 2030, or as soon after as a just transition permits.

3.9 The focus for East Birmingham will be on holistic regeneration: the delivery of physical development and infrastructure, systems change/organisational transformation, and inclusive economic growth that will benefit the target population. The key principles will be:

- Taking a comprehensive multi-agency approach that links the macro (major projects and large institutions) and the micro (local people and organisations).
- Maximising the value of development, infrastructure, and real estate as catalysts for inclusive growth through the delivery of social value, community wealth building and the just transition to zero carbon.
- Maximising opportunities to improve service effectiveness and efficiency across the Council's remit and in close collaboration with public sector partners.
- Establishing and maintaining strong and productive relationships with local communities and organisations. Supporting the Localism agenda and empowering the community to play a key role in the programme.
- Supporting the development of community assets, community enterprises, community leadership and economic resilience.
- Investing in the future through prevention and early intervention.

3.10 The Enhanced Business Case is for an initial phase of work covering the period 2021/22 - 2024/25. At the end of this funding period there will be a review of the programme and a further business case will be prepared for the next phase.

3.11 Annual Reports on the progress of the Programme will be provided to Cabinet. Oversight and monitoring of the programme will also be provided by the East Birmingham Board and the Inclusive Growth Portfolio Board.

4 Options Considered and Recommended Proposal

Option 1 – Do Nothing

4.1 This option assumes that the East Birmingham Programme is not progressed and that existing staff contracts are not renewed.

Option 2 – Do Minimum

- 4.2 This option would involve the continuation of the existing small team within the Inclusive Growth Directorate which would seek to address the investment objectives by influencing and providing support to existing business-as-usual activities. No budgets are in place to support the existing team, and funding for existing staffing is in place only until the end of Quarter 1 2022/23.

Option 3 – Establishment of a Multi-disciplinary Team with Budget(s) to Deliver the Programme

- 4.3 This option is based on concepts developed by the East Birmingham Board and in discussion with senior management and Cabinet. It involves the establishment of a core Programme team within the Inclusive Growth Directorate. The Programme team will significantly increase the capacity of the Rapid Policy Unit (RPU).
- 4.4 The expanded RPU will work at scale with public, private and third sector partners to bring forward a comprehensive set of projects. This will include preparing business cases, bidding into external funding and the co-ordination of project delivery. The projects generated in this way will incrementally contribute towards the achievement of the investment objectives.
- 4.5 The RPU will also work to position East Birmingham at the forefront of the City's inclusive growth agenda, providing a centre of excellence for policy, research, innovation, and collaborative working which empowers local communities to shape the delivery of the Programme.
- 4.6 The overall approach will combine the co-ordination of place-based development and infrastructure delivery, which has been successfully employed for major development sites such as Smithfield and Curzon, with a comprehensive approach to systems change taking in both the Council's services and those of partner organisations such as the NHS and WMCA. This will build on the highly successful approach pioneered in North-West Birmingham as part of the USE-IT project, and the Anchor Institutions Network. The effect would be to continually expand the capacity of the Council, its partners, and local organisations to collaborate to deliver inclusive growth and to improve service efficiency and effectiveness.

Option 3a – As Option 3 but with Addition of a Property Development Workstream

- 4.7 This option would involve the incorporation within the programme of a proactive investment and development workstream which would seek to utilise both existing City Council property assets and potentially further land acquisitions/investments as a mechanism for stimulating growth and development through Council-led redevelopment of key opportunity sites. Any revenue streams or land value appreciation arising from improvements would be captured to support the long-term

financial sustainability of the Programme. Based on the evidence assembled this is the recommended option.

- 4.8 Further details of the proposal are contained in Appendix 1 (Enhanced Business Case) and Appendix 2 (programme summary covering note).

5 Consultation

- 5.1 The Programme has been developed in consultation with:

- the East Birmingham Board, which has membership as set out in paragraph 3.8 of this report.
- the East Birmingham Ward Members' Forum which is chaired by the Leader of the Council and includes the 26 ward members for the 20 wards affected by the Programme.
- The community and stakeholders engaged with through consultation on the East Birmingham Inclusive Growth Strategy as reported to Cabinet on 9th February 2021.
- The East Birmingham Rapid Policy Unit which incorporates representatives of the West Midlands Combined Authority and the Centre for Local Economic Strategies alongside Officers from the Inclusive Growth, Neighbourhoods, Education and Skills, and Public Health directorates.

6 Risk Management

- 6.1 The principal risks to the Council are:

- The need to meet the stakeholder expectations which have been created by the publication of the East Birmingham Inclusive Growth Strategy. Failure to begin the delivery of the Strategy would create significant risk of reputational damage and loss of goodwill.
- The need to put in place arrangements for the continuity of existing working beyond the end of the current funding arrangements in order to avoid a precipitous end to the positive progress made to date.
- The necessity to take robust action to address the deprivation in East Birmingham which has been significantly exacerbated by the COVID-19 pandemic. Without investment it is likely that the socio-economic conditions will further deteriorate.

- 6.2 The management and delivery of the programme and the projects within it will include a variety of risks which will be managed on an ongoing basis in line with the City Council's risk management methodology. Further details of the Programme Risk Management arrangements are set out in the Enhanced Business Case attached as Appendix 1.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The Programme will follow the principles set out in the East Birmingham Inclusive Growth Strategy which is consistent with the Council Plan 2018-2022 (2019 Update). The principles and objectives of the Strategy are aligned with the six Council Plan Outcomes: Birmingham is an entrepreneurial city to learn, work and invest in, Birmingham is an aspirational city to grow up in, Birmingham is a fulfilling city to age well in, Birmingham is a great city to live in, Birmingham residents gain the maximum benefit from hosting the Commonwealth Games, and Birmingham is a city that takes a leading role in tackling climate change. These outcomes will be supported by the East Birmingham Programme's delivery of holistic regeneration and service improvements.

7.2 Legal Implications

7.2.1 The Council has general power of Competence under Section 1 of the Localism Act 2011, which is circumscribed only to the extent of any existing pre-enactment restrictions, or specific post-enactment restrictions on that power imposed by subsequent legislation, and it is using this to establish the programme. The East Birmingham Inclusive Growth Strategy was prepared in alignment with the Birmingham Development Plan 2031 and with the benefit of public consultation which followed the principles set out in the Birmingham Statement of Community Involvement (2020). Any legal implications of projects brought forward within the programme will be addressed through individual project business cases and reported to Cabinet as required.

7.2.2 Section 111 of the Local Government Act contains the Council's subsidiary powers to do anything (whether or not involving the expenditure, borrowing, or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of the Council's functions.

7.2.3 Section 112 of the Local Government Act 1972 requires the Council to appoint such officers as they think necessary for the proper discharge of such of the functions as fall to be discharged by the Council.

7.2.4 Under Section 13 of the Planning and Compulsory Purchase Act 2004 the Council must keep under review the matters which may be expected to affect the development of their area or the planning of its development. Such matters include the principal economic, social and environmental characteristics of their area, the communications, transport system and traffic of the area, the principal purposes for which land is used in the area and any other considerations which may be expected to affect those matters. The matters

also include any changes which the Council think may occur in relation to any other matter and the effect which such changes are likely to have on the development of the Council's area or on the planning of such development. The Council may also keep under review and examine such matters in relation to any neighbouring area to the extent that those matters may be expected to affect the area of the Council and in exercising this function the Council must consult with the local planning authority for the area in question.

7.3 Financial Implications

7.3.1 The estimated cost and funding sources for Phase 1 of the Programme is shown in the table below:

	2021/22	2022/23	2023/24	2024/25	Total
	£m	£m	£m	£m	£m
Revenue Expenditure	0.726	0.967	0.967	0.967	3.627
Total Expenditure	0.726	0.967	0.967	0.967	3.627
Funded by					
Existing (Enterprise Zone)	0.082	0.039	0.000	0.000	0.121
Additional (Delivery Plan Capacity Build)	0.644	0.928	0.967	0.967	3.506
Total Funding	0.726	0.967	0.967	0.967	3.627

7.3.2 The Programme is to be funded by the Inclusive Growth Delivery Plan Capacity Build (Transformation) Budget for which a £15m capital allocation was approved in the Council's 2021-2025 Medium Term Financial Plan.

7.3.3 The Financial Plan also approved the flexible use of capital receipts to support the transformation programme in 2021/22. This flexible use of capital receipts to fund transformation in future years is subject to government approval.

7.3.4 The Programme qualifies for transformational funding because its outcomes include financial savings and reductions in the need for front line services, that will result from reshaped and/or newly established prevention and early intervention opportunities.

7.3.5 Central government partners will share in programme benefits, seeing for example, increased tax receipts from the gradual increase to 10,000 new jobs that are expected in the medium to long term, and the pursuant reduction in a variety of social support payments.

7.3.6 In the more immediate term (and driving the need for funding request of this report) the programme work will pinpoint the opportunities for savings, efficiencies and income generation and specifically, how these will mesh with the outputs of other Inclusive Growth programmes to maximise the citywide

benefit. Further information is provided in section 5.3 of the Enhanced Business Case attached as Appendix 1.

7.3.7 It is expected that external funding will be secured from multiple sources to support the Programme activities and for the delivery of projects. Any external funding secured will reduce the City Council's net funding requirement.

7.3.8 Individual projects within the Programme will be subject to approval through the Council's Gateway and related Financial Approval Framework, which will include the identification of financial implications (both capital and revenue) and associated resources.

7.3.9 The attached business case is for the period 2021/22-2024/25. A further business case will be brought to Cabinet to cover future phases of the Programme.

7.4 Procurement Implications

7.4.1 The development of project business cases will require the commissioning of external services such as design, technical and feasibility reports. These will be procured via the Inclusive Growth Professional Services Framework Contract 2019 or commissioned via Acivico and/or Landscape Practice Group.

7.4.2 The procurement strategy for the delivery of individual projects/work packages will be developed on a scheme-by scheme basis and addressed through the individual project business cases.

7.5 Human Resources Implications

7.5.1 Additional personnel resources for the programme team will be recruited via standard City Council procedures and/or contracted providers. The programme funding is available for a limited period and new posts will therefore be offered on a Fixed-Term Contract basis, ending March 2025.

7.5.2 The East Birmingham Development Manager is currently funded under the Enterprise Zone programme until June 2022. The funding for this post will be extended until March 2025.

7.5.3 Additional project management support will be provided for individual projects by Project Delivery, European Affairs, and Infrastructure Projects teams on an internal recharge basis. Any additional supporting capacity will be procured through the Inclusive Growth Professional Services Framework Contract 2019.

7.6 Public Sector Equality Duty

7.6.1 The East Birmingham Inclusive Growth Strategy is being prepared in line with Section 149 of the Equality Act 2010 in ensuring that public bodies in the exercise of their functions have due regard to and consider the needs of all individuals in shaping policy. An Equality Impact Analysis has been undertaken and is attached at Appendix 3. This builds on the previous analyses carried

out in support of the development of the East Birmingham Inclusive Growth Strategy as previously reported to Cabinet.

8 Appendices

- 8.1 Appendix 1: East Birmingham Inclusive Growth Programme Enhanced Business Case
- 8.2 Appendix 2: Covering note: East Birmingham Programme Summary
- 8.3 Appendix 3: Equality Impact Analysis

9 Background Documents

- 9.1 Report to Cabinet 9th February 2021, *Adoption of East Birmingham Inclusive Growth Strategy*.
- 9.2 Equalities assessment EQUA619, appended to report to Cabinet 9th February 2021, *Adoption of East Birmingham Inclusive Growth Strategy*.

Appendix 1: East Birmingham Inclusive Growth Programme Enhanced Business Case

INCLUSIVE GROWTH PORTFOLIO



Document Control

Document title	Enhanced Business Case – <i>Name of Programme / Project</i>		
Voyager Code	N/A		
Programme Sponsor	Ian MacLeod		
Programme Manager	Mark Gamble		
Finance Business Partner	Simon Ansell		
Version number	1.0	Document owner	Mark Gamble
Date approved	-	Document status	Final for Cabinet
Effective date	-	Approved by (name and role)	-

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1 Section A – General Information

1.1 A1 - Programme Summary

The East Birmingham area covers around a quarter of Birmingham and with a population of approximately 240,000 people, by itself it is larger than many British towns and cities. It forms a crucial part of the city and region's economy. It is a young place where a third of residents are under 16 years old - one of the highest proportions of children in the country. However, it is also an area of entrenched deprivation and inequality where residents fare poorly in terms of health, employment and educational attainment. Approximately a quarter of all job claimants across the West Midlands Combined Authority area are from East Birmingham. The area also suffers from some of the worst traffic, congestion and air quality issues in the city.

In 2017 a baseline study was undertaken to explore the best way forward for East Birmingham, to tackle the long-standing problems facing the area and make the most of the social, environmental and economic opportunities provided by the coming of HS2, the Metro East Birmingham to Solihull extension and the jobs growth that is expected at key employment sites like Birmingham Wheels.

The study concluded that development and infrastructure investments will be insufficient in isolation that a new approach is required that brings together a focus on places (including improving transport connections, stimulating local growth and involving local people and businesses in shaping this growth), with a focus on people including partnership working to improve the way that the public sector works, both for local people and with local people.

The Council's East Birmingham Inclusive Growth Strategy (EBIGS) sets out this holistic approach and articulates a clear vision for the regeneration of East Birmingham as part of the wider East Birmingham/North Solihull Inclusive Growth Corridor. EBIGS was developed in partnership with the key stakeholders who will need to collaborate to achieve the vision, and with the benefit of extensive community engagement.

Work is underway to deliver the vision of EBIGS and progress to date includes the establishment of governance and stakeholder interfaces including the East Birmingham Board, which brings together the Council with key partners including the West Midlands Combined Authority, National Health Service, Greater Birmingham and Solihull Local Enterprise Partnership, HS2 Ltd, West Midlands Police and Birmingham Children's Trust, and the East Birmingham Rapid Policy Unit (RPU) which is an informal team including City Council Officers and external partners who collaborate to support the Programme.

In addition, a package of initial projects and activities are in development as set out in Part G of this business case. However, these activities are being undertaken with very limited staffing and budgets and it will not be possible to fully deliver the EBIGS under current arrangements. Consequently, there is now a need for the Council to allocate

resources to establish a programme for the delivery of inclusive growth in East Birmingham.

This Enhanced Business Case responds to this requirement with a proposal for a first phase of activity to take forward the delivery of EBIGS. This will take in the delivery of physical development and infrastructure, systems change/organisational transformation, and inclusive economic growth that will benefit the target population. Many elements of this work will take considerable time to progress, and some of the benefits may take some years to fully realise. As such the full programme will cover the period 2021-2041.

The initial priority will be to develop a package of activities which will comprehensively address the objectives of the Strategy, in co-ordination with other key corporate programmes including the COVID-19 recovery and Route to Zero. This phase of work will seek both to secure immediate “quick wins”, and to begin the process of unlocking the longer-term and more extensive benefits. This will involve building the Council’s capacity and the capacity of the community and other stakeholders to collaborate in the delivery of inclusive growth.

For the initial phase of work, comprising the period 2021/22 and 2024/25, £3.5m funding is sought. At the end of this initial funding period there will be a review of the programme and a further business case will be prepared for the next phase.

In summary the Phase 1 activity will establish a comprehensive regeneration programme for East Birmingham to deliver the EBIGS vision, including:

- A core programme team and supporting specialists to enable joined up working across directorates and service areas and with stakeholders. The core team and specialists will ensure that momentum is created and maintained.
- Development funding to enable the team to develop business cases, and associated bids for external funding, for an array of projects which will address all of the objective themes identified in the East Birmingham Inclusive Growth Strategy.
- A budget for programme management, research and policy innovation, community development and small-scale “quick win” interventions. This will facilitate positive engagement, stakeholder support, partnership capacity building and the delivery of early benefits.

The benefits to the City Council will include enhanced effectiveness of service delivery and the accelerated implementation of corporate priorities leading to improved stakeholder satisfaction. There will also be interventions which deliver cashable and non-cashable financial benefits, including in the medium-long term those realised through prevention and early intervention.

The detailed quantification of these benefits will be progressed through the individual project business cases which will be generated by the programme team. However, the indicative additional value of the economic growth, cost savings and wider

benefits that could be expected to derive from this investment is estimated to be in excess of £1Bn over the next 20 years.

1.2 A2 – Programme Scope

The core Business Scope is the delivery of regeneration in East Birmingham, as set out below. Some of the activities identified as in scope will not be the sole responsibility of the Programme, but rather the Programme will support, expand and enhance the ability of the Council's business-as-usual resources. There will also be interfaces with other Programmes such as the COVID-19 Community Recovery and those within the Inclusive Growth Portfolio, particularly Development Delivery, Route to Zero and Our Future City Plan and in these cases some elements of scope will be shared. The geographic scope of the programme is the boundary set out in the EBIGS; however, the Programme will be expected to work across boundaries, both within the City and with neighbouring authorities.

In Scope
Spatial and socio-economic policy development and the related research and monitoring activities.
Proactive development in line with the Birmingham Development Plan, including the delivery of new homes, and ensuring that homes are affordable, and the improvement of key socio-economic assets including local centres and green and blue infrastructure.
The delivery of key transport infrastructure, in particular the Midland Metro East Birmingham to Solihull extension, and improvements to transport and connectivity in support of the delivery of the Birmingham Transport Plan.
Cross-directorate systems change and transformation projects to improve service effectiveness and efficiency and to increase the capacity of the Council, its partner organisations, and the community to work in partnership to deliver inclusive growth. This will include harnessing the benefits of procurement and recruitment activity.
Community wealth building, job creation and local economic development to increase the economic output of SMEs, social enterprises, local co-operatives, and community businesses.
Community development and empowerment including collaboration and co-design and the implementation of the Localism agenda.
Stakeholder engagement and communications.
Leveraging the council's assets to facilitate the above activities, including the rationalisation and improvement of service provision, and potentially land assembly and acquisition

Financial and other arrangements designed to retain in the city as much value from growth and development as possible
Initiatives designed to reduce carbon emissions and to develop the low-carbon sector
Securing financing/funding for the implementation of projects and identifying opportunities to create funding streams to deliver income to the Council to offset the cost of the programme itself.
Identification and exploitation of commercial opportunities presented by development from which BCC can gain a benefit

2 Section B – Strategic Case

This sets out the case for change and the project's fit to the Council Plan objectives

2.1 B1 - Programme Investment Objectives and Outcomes

EBIGS Objective Themes
Equality
Education and Learning
Health and Wellbeing
Affordable, Safe and Connected
Economy
Power, Influence and Participation
The Environment

The investment objectives are derived from the East Birmingham Inclusive Growth Strategy (EBIGS) which in turn addresses the delivery of the *Council Plan 2018-22* and *2019 update*, the *Birmingham Development Plan 2031* and the *Birmingham Transport Plan 2031*. In addition to reflecting the strategic priorities of the City Council the EBIGS objectives were also informed by the West Midlands Combined Authority's *Inclusive Growth Framework* which addresses inclusive growth in the context of the need to balance the needs of the population against impacts on the environment.

The investment objectives and outcomes for this programme are as follows:

Objectives	Outcomes
<ul style="list-style-type: none"> Improve performance across a range of key socio-economic indicators including the seven objectives set out in the East Birmingham Inclusive Growth Strategy to at least the national average. 	<ol style="list-style-type: none"> Improved socio-economic performance <ol style="list-style-type: none"> Improved skills and educational attainment Improved health and wellbeing Reduced crime Improved access to housing and services Improved power, influence, and participation

	<ul style="list-style-type: none"> f) Improved equality 2. Improved effectiveness and efficiency of BCC service delivery 3. Optimisation the Council's property portfolio within the area 4. Increased capture of public sector spending within local economy
<ul style="list-style-type: none"> • Deliver 5,000 homes within the area, of which a minimum of 35% will be at least affordable 	<ul style="list-style-type: none"> 5. Economic outputs of housing growth 6. Reduced requirement for temporary accommodation
<ul style="list-style-type: none"> • Create at least 10,000 jobs within the area which will pay the Real Living Wage 	<ul style="list-style-type: none"> 7. Economic outputs of employment growth 8. Increased capture of public sector recruitment in local jobs market
<ul style="list-style-type: none"> • To support the Council's aspiration to be net carbon neutral by 2030, or as soon after as a just transition permits. 	<ul style="list-style-type: none"> 9. Accelerated housing retrofit 10. Reduced CO2 emissions

2.2 B2 - Programme Deliverables

Deliverable	Expected Timeline
1. Establishment of programme team	Q3 2021/22
2. Project business cases and funding bids	Ongoing from Q2 2021/22
3. Community development and capacity building	Ongoing from Q2 2021/22
4. Policy development	Ongoing from Q2 2021/22
5. Initial delivery of project outputs	Ongoing from Q2 2021/22
6. Annual report to Cabinet	Q1 2022/23 and annually thereafter
7. Programme Implementation Plan	Updated quarterly from Q3 2021/22

2.3 B3 - Programme Benefits

The information below provides an indication of the benefits to be realised by the programme and the measures which will be used to quantify the programme impact and outcomes. During the initial phase of the programme this framework will be developed into a full Benefit Realisation Plan which will form part of the first Programme Report to Cabinet. Please see section F5 for further information.

Outcome	Benefit	Measure
<ul style="list-style-type: none"> 1. Improved socio-economic performance a) Improved skills and educational attainment 	<ul style="list-style-type: none"> • Local economic productivity protected and strengthened • Greater social mobility • Increased social capital 	<ul style="list-style-type: none"> • IMD Education, Skills and Training Deprivation • IMD Health Deprivation and Disability

<ul style="list-style-type: none"> b) Improved health and wellbeing c) Reduced crime d) Improved access to housing and services e) Improved power, influence and participation f) Improved equality 	<ul style="list-style-type: none"> • Improved health and wellbeing (prevalence of diabetes as proxy) • Reduced poverty • Increased social and public sector innovation • Further specific fiscal and economic and public benefits (in addition to those under Outcomes 2-7) to be identified on a project-by-project basis. 	<ul style="list-style-type: none"> • IMD Crime • IMD Barriers to Housing and Services • IMD Living Environment Deprivation • IMD Employment Deprivation • IMD Income Deprivation • Funding secured by local organisations • Community researchers engaged
2. Improved effectiveness and efficiency of BCC services.	<ul style="list-style-type: none"> • Specific cashable and non-cashable benefits to BCC to be identified on a project-by-project basis 	<ul style="list-style-type: none"> • to be identified on a project-by-project basis
3. Optimisation of the Council's property portfolio within the area	<ul style="list-style-type: none"> • Operational and community estate review: estimated £0.15m p/a saving to BCC from 2024. • Potential for capital receipts and support for housing delivery. 	<ul style="list-style-type: none"> • Cashable savings
4. Increased capture of public sector spending within local economy	<ul style="list-style-type: none"> • £4.7m p/a economic value 	<ul style="list-style-type: none"> • % of Anchor Institution procurement locally
5. Economic outputs of housing growth <i>(Outcome shared with Development Delivery project)</i>	<ul style="list-style-type: none"> • £380m economic value by 2041 	<ul style="list-style-type: none"> • Housing completions
6. Reduced requirement for temporary accommodation <i>(Outcome shared with other portfolio project/s)</i>	<ul style="list-style-type: none"> • £24m p/a savings to BCC • Fully realised by 2041 	<ul style="list-style-type: none"> • Families in temporary accommodation
7. Economic outputs of employment growth	<ul style="list-style-type: none"> • £900m economic value by 2041 	<ul style="list-style-type: none"> • Claimant count unemployment
8. Increased capture of public sector recruitment in local jobs market	<ul style="list-style-type: none"> • 5,000 public sector vacancies filled • £12m p/a economic value 	<ul style="list-style-type: none"> • Number of additional Anchor Institution vacancies filled locally

9. Accelerated housing retrofit (<i>outcome shared with Route to Zero</i>)	<ul style="list-style-type: none"> Greater leverage of external funding for BCC retrofit Reduced fuel poverty 	<ul style="list-style-type: none"> Units retrofitted Families in fuel poverty
10. Reducing CO2 emissions (<i>outcome shared with Route to Zero</i>)	<ul style="list-style-type: none"> TBC 	<ul style="list-style-type: none"> Carbon Emissions

2.4 B4 - Stakeholders

The programme stakeholders comprise:

- the residents, businesses, visitors, and other users of the East Birmingham and its adjacent areas
- the organisations involved in research, policy development and service delivery in the area

The programme will require extensive stakeholder interface and engagement activities. This is described in section F1 below.

3 Section C - Economic Case and Options Appraisal

This section sets out the options that have been considered to determine the best value for money in achieving the Council's priorities

3.1 C1 - Summary of options reviewed at OBC stage

The programme Outline Business Case reviewed the following options:

3.1.1 Option 1 – Do Nothing

This option assumes that the East Birmingham Programme is not progressed, and that existing staff contracts are not renewed.

3.1.2 Option 2 – Do Minimum

This option would involve the continuation of the existing small team within the Inclusive Growth Directorate which has the following main functions:

- Facilitating meetings of the East Birmingham Board
- Co-ordinating City Council and partner projects and activities and encouraging best practice
- Seeking opportunities for external funding for project development and delivery
- Enhancing community engagement and collaboration and the role of Ward Forums

In summary, the Programme Team would seek to address the Investment Objectives by influencing and providing support to existing business-as-usual activities.

3.1.3 Option 3 – Establishment of a Multi-disciplinary Team with Budget(s) to Deliver the Programme

This option is based on concepts developed by the East Birmingham Board and in discussion with senior management and political leadership. It involves the establishment of a core Programme team within the Inclusive Growth Directorate. The Programme team will significantly increase the capacity of the Rapid Policy Unit (RPU).

In addition to the scope of Option 2, the expanded RPU will work at scale with public, private and third sector partners to bring forward a comprehensive set of projects. This will include preparing business cases, bidding into external funding and the co-ordination of project delivery. The projects generated in this way will incrementally contribute towards the achievement of the investment objectives.

The RPU will also work to position East Birmingham at the forefront of the City's inclusive growth agenda, providing a centre of excellence for policy, research, innovation, and collaborative working which empowers local communities to shape the delivery of the Programme.

The overall approach would combine elements of the co-ordinated approach to place-based development and infrastructure delivery, which has been successfully employed for major development sites such as Smithfield and Curzon, with a comprehensive approach to systems change taking in both the Council's services and those of partner organisations such as the NHS and WMCA. This would build on the highly successful approach pioneered in North-West Birmingham as part of the USE-IT project, and via the Anchor Institutions Network. The effect would be to continually expand the capacity of the Council, its partners and local organisations to collaborate to deliver inclusive growth and to improve service efficiency and effectiveness.

3.1.4 Option 3a – As Option 3 with the Addition of a Property Development Workstream

This option would involve the incorporation within the programme of a proactive investment and development workstream which would work closely with corporate property and asset programmes to seek to utilise both existing City Council property assets and potentially further land acquisitions/investments as a mechanism for stimulating growth and development through Council-led redevelopment of key opportunity sites. Any revenue streams or land value appreciation arising from improvements would be captured to support the long-term financial sustainability of the Programme.

3.2 C2 – Critical Success Factors (CSFs)

The CSFs have been used alongside the investment objectives for the project to evaluate the long list of possible options.

The Critical Success Factors (CSFs) for this programme are as follows:

Desired outcome	Critical Success Factors
CSF1 Meeting the identified Business Needs in alignment with the Business Strategy	<ul style="list-style-type: none">• Utilise robust approach to multi-agency collaboration and co-ordination• Apply systems change methodology to service improvement• Take a holistic approach to planned interventions to maximise social value• Develop community to improve resilience and capability• Accelerate the delivery of the Birmingham Transport Plan and major infrastructure as a catalyst to support regeneration.• Implement the rationalisation and optimisation of public estate• Accelerate, evolve and intensify Birmingham Municipal Housing Trust programme• Develop new approaches to securing social housing• Accelerate implementation of the Urban Centres Framework• Co-ordinate business development with skills and training• Maximise value of anchor employer recruitment and development initiatives• Accelerated development of low-carbon sector, maximising the potential of local assets such as Tyseley Energy Park• Pilot approaches to housing retrofit
CSF2 Creating wealth and ensuring it is captured for the benefit of the citizens of Birmingham	<ul style="list-style-type: none">• Directly deliver more development and infrastructure projects and stimulate private development• Creating conditions conducive to increased economic output through socio-economic interventions• Optimising the return on investment from assets for the council over short, medium and long-term• Capture the uplift in land value deriving from regeneration• Coordinate capital/infrastructure investment with development and regeneration activities

Desired outcome	Critical Success Factors
	<ul style="list-style-type: none"> • Build relationships with the partners and the private sector to work up joint solutions that maximise the benefits to all parties
CSF3 All activity secures true inclusive growth, including good jobs, skills/education, happier/healthier communities	<ul style="list-style-type: none"> • Make and/or coordinate strategic investments in enabling infrastructure, including transport, schools, medical facilities, community hubs etc • Invest in and/or leverage opportunities to develop local skills, including apprenticeships • Expand social value procurement both for the Council and its partners including optimised use of local labour, supply chains etc. • Enhance local Voluntary, Community and Social Enterprise capacity to secure external funding streams • Foster and develop community capacity including influence over public sector decision making.
CSF4 Accelerated progress on the route to zero carbon for the city	<ul style="list-style-type: none"> • Work with partners to expand the low-carbon sector • Develop community-led approaches to local initiatives • Pioneer/promote low-carbon construction • Pioneer/promote zero-carbon buildings • Build in carbon-efficient infrastructure (for example ground source heat pumps) in BCC developments • Building zero carbon into supply chains and 3rd party relationships • Whole lifecycle sustainability from zero carbon perspective • Provision of green space • Contribution to investment propositions – get ahead of the market

3.2.1 Key findings

The long-listed options were assessed against the CSFs and the outcome is set out in the table below. The nature of the programme proposal means that detailed economic appraisal of the options is not feasible. However, this assessment takes account of the extent to which the investment objectives can be reasonably expected to be delivered in each case.

CSFs	Option 1	Option 2	Option 3	Option 3a
CSF1 Meeting the identified Business Needs in alignment with the Business Strategy	L	M	M	H
CSF2 Creating wealth and ensuring it is captured for the benefit of the citizens of Birmingham	L	L	H	H
CSF3 All activity secures true inclusive growth, including good jobs, skills/education, happier/healthier communities	L	L	H	H
CSF4 Accelerated progress on the route to zero carbon for the city	L	L	M	M
Overall	Status Quo	Ruled Out	Preferred	Preferred

Option appraisal conclusions

- Option 1: this option ranks 4
- Option 2: this option ranks 3
- Option 3: this option ranks 2
- Option 3a: this option ranks 1

3.2.2 Overall findings: The preferred option

The initial analysis concluded that Options 3 and 3a were preferred, the main advantages being that the approach:

- addresses all Investment Objectives and CSFs
- is consistent with the Council's published intentions and in line with stakeholder expectations

- represents an expansion/elaboration of the existing approach and therefore can be mobilised relatively quickly
- is likely to be affordable in the short term, and financially sustainable in the long term through increasing the Council's ability to secure external funding and supporting the delivery of efficiencies, savings and income and (under Option 3a) includes a mechanism for generating income in the medium-long term.

Disadvantages

The main disadvantages are that:

- (Option 3) The option has less capacity to generate savings/revenue to work towards becoming partly or fully self-funding.
- The programme would be dependent upon existing governance channels for business case approval – i.e. the East Birmingham Board will be purely advisory and will therefore be an additional layer of governance on top of the usual approval routes.

The preferred options identified above were carried forward into the short list for further appraisal and evaluation. All the options that were discounted as impracticable were excluded.

Subsequently the preferred options have been further developed with the benefit of new information and analysis and portfolio-level co-ordination with other emerging programmes. This has allowed a single preferred option to be developed for this business case based on Option 3a.

Preferred option

The preferred and agreed option at OBC stage was Option 3a: establishment of multi-disciplinary team (the Rapid Policy Unit) with budget(s) to deliver the programme, with addition of a property investment and development workstream that can accelerate delivery and contribute towards the development of an internal funding and delivery mechanism.

This option has been developed during the period 2018-2021 in parallel with the preparation of the EBIGS and with the input of key internal and external stakeholders. The core concept draws upon the Council's policies and strategies, and the objectives of the wider Inclusive Growth portfolio, and is informed by the Inclusive Growth Directorate's extensive experience of large-scale regeneration initiatives including recent projects which have focussed on securing the value of major development for the benefit of local communities.

Under this option the RPU would:

- Develop local policy approaches, in collaboration with key stakeholders and the community, and informed by an ongoing research, engagement and impact evaluation workstream.

- Deliver accelerated project inception, development and delivery aligned with internal and external funding opportunities
- Incorporate the Programme Management and Programme Office functions
- Have a dedicated Project Development Budget for project business case development and a Rapid Policy Unit budget for ongoing programme development including:
 - Research, monitoring and insight
 - Community development and inclusive Growth capacity building
 - Comms and engagement
- Draw in external personnel as associates to the RPU, supplementing Council capabilities in areas including policy formulation, analysis and delivery and forming a centre of excellence for Inclusive Growth policy development, delivery and research.
- Have dedicated BCC officers funded through the programme to provide specialist input and drive forward partnership projects focussed on education, skills, employability, transportation, health, and social care.
- Incorporate a dedicated property resource to undertake the local property investment and development workstream in collaboration with wider corporate and portfolio activities, inform development proposals, and support community asset development,
- Facilitate meetings of the East Birmingham Board, East Birmingham Delivery Board, Ward Members' Forum and other associated activities to guide the programme.
- Facilitate community development, engagement and empowerment and expand the role of Ward Forums in line with the Localism agenda
- Enhance, accelerate and co-ordinate City Council and partner projects and activities within workstreams including but not limited to the following list, promoting best practice and innovation, improving outcomes and maximising the overall delivery of social value:
 - Housing delivery (in co-ordination with the Housing Delivery Review project).
 - Convergence (in co-ordination with the Early Interventions project).
 - Bordesley Area Action Plan implementation.
 - Local centres regeneration including implementation of the Urban Centres Framework.
 - Property/estate rationalisation in co-ordination with the City Council's Hubs and Asset Review projects and NHS One Public Estate programme.
 - Green space improvement strategy and delivery plan.
 - Transport Plan delivery, including 15-minute and low traffic neighbourhoods.
 - Infrastructure delivery including the East Birmingham to Solihull Midland Metro and improvements to the heavy rail network.

- Social Care and Health, including collaboration with the Integrated Care System regarding the development and reconfiguration of local health care services.
 - Education, including working with local schools, colleges and Universities to improve outcomes and increase access to training.
 - Business support and enterprise and the COVID-19 recovery
 - Skills and training provision in collaboration with the West Midlands Combined Authority, Greater Birmingham and Solihull Local Enterprise Partnership, and Department for Work and Pensions, and East Birmingham Employment and Skills Board.
- Continue the delivery of the initial tranche of projects which are already underway (further details are set out in Section G.)

3.3 C3 - Risks and Issues

Top risks and issues for the implementation of the preferred option:

No.	Description	Impact	Mitigation
1	Failure to meet stakeholder expectations leading to political and reputational damage	Loss of partnership support and capability. Decreased ability to secure political support for funding asks.	Communications strategy to set out how programme scope and timescales will be clearly communicated. Ongoing engagement as a programme workstream.
2	Impacts of macro-economic conditions including worsening of deprivation and reduced development viability.	Deprivation worsens increasing need for programme intervention	Tight coupling of the programme with economic recovery planning. “Over-programme” and plan to exceed targets.
3	Limited availability of funding leads to reduced ability to deliver programme	Failure to achieve objectives, or delayed achievement of objectives	Flexibility will be incorporated into the programme to allow incremental delivery/reduced pace of delivery if required

4 Section D – Commercial Case

This considers whether realistic and commercial arrangements for the project can be made

4.1 D1 - Partnership, Joint venture and accountable body working

The Programme itself will be delivered by the City Council and there will be no requirement for partnership, joint venture or partnership arrangements. Where these issues are relevant to the projects which make up the programme, they will be addressed through the individual project business cases and reported to Cabinet as required.

4.2 D2 - Procurement implications and Contract Strategy

The development of project business cases will require the commissioning of external services such as design, technical and feasibility reports. These will be procured following standard Council procedures via approved channels including the Inclusive Growth Professional Services Framework Contract 2019 and/or commissioned via Acivico and/or Landscape Practice Group.

The procurement strategy for the delivery of individual projects/work packages will be developed on a scheme-by scheme basis and addressed through the individual project business cases.

4.3 D3 - Staffing and TUPE implications

Additional personnel resources for the programme team will be recruited via standard City Council procedures and/or contracted providers. The programme funding is available for a limited period and new posts will therefore be offered on a Fixed-Term Contract basis, ending March 2025.

The East Birmingham Development Manager is currently funded under the Enterprise Zone programme until June 2022. The funding for this post will be extended until March 2025.

Project management support will normally be provided for individual projects by Project Delivery, European Affairs, and Infrastructure Projects teams on an internal recharge basis.

Any additional supporting capacity will be procured through the Inclusive Growth Professional Services Framework Contract 2019.

There are no TUPE implications.

5 Section E – Financial Case

This section sets out the cost and affordability of the programme

5.1 E1 Financial Implications and Funding

The costs of phase 1 of the Programme and the relevant funding sources are shown below. The proposed additional expenditure comprises £3.506m revenue over the period 2021/22 to 2024/25 funded from Delivery Plan Capacity Build Transformation Budget. At the end of this period the Programme funding arrangements will be reviewed.

	2021/22	2022/23	2023/24	2024/25	Total
	£m	£m	£m	£m	£m
Head of East Birmingham Development (GR7)	0.077	0.103	0.103	0.103	0.386
Development Manager (GR6)	0.058	0.078	0.078	0.078	0.292
Programme Manager (GR6)	0.024	0.031	0.031	0.031	0.117
2x Senior Programme Officer (GR5)	0.090	0.120	0.120	0.120	0.450
2x Programme Support Officer (GR4)	0.072	0.095	0.095	0.095	0.357
Transport Specialist (GR5)	0.045	0.060	0.060	0.060	0.225
Skills & Education Specialist (GR5)	0.045	0.060	0.060	0.060	0.225
Health & SC Specialist (GR5)	0.045	0.060	0.060	0.060	0.225
RPU budget	0.075	0.100	0.100	0.100	0.375
Project Development Budget	0.195	0.260	0.260	0.260	0.975
TOTAL EXPENDITURE	0.726	0.967	0.967	0.967	3.627
Funded by:					
Existing (Enterprise Zone)	0.082	0.039	0.000	0.000	0.121
Additional (Transformation)	0.644	0.928	0.967	0.967	3.506
TOTAL FUNDING	0.726	0.967	0.967	0.967	3.627

5.2 E3 - Overall affordability

Through the activities set out in section 3.2.2 the programme as a whole is expected to deliver savings and income which will offset this cost. These will be quantified as part of individual project business cases within the programme; however, the majority of savings and income are expected to be accrued during future phases of activity, beyond the initial 2021/22 - 2024/25 phase. The Programme will also draw in external funding and resources to amplify the impact of the City Council's financial commitment.

The programme is to be funded from the Delivery Plan Capacity Build Transformation Budget. The programme is classified as transformational because it will deliver long-term savings and/or reduce the cost of service delivery. In the short term (under the phase 1 period funded in accordance with this report) the programme will identify savings, efficiencies and opportunities for additional income streams through project activity including but not limited to:

- Making better use of the Council's land and property assets, for example bringing vacant property back into use, reducing maintenance and potential liability costs,

developing business cases for public service hubs in conjunction with the New Ways of Working programme, potentially generating savings through the reduction of running costs for Council floorspace and enabling more efficient delivery of services in conjunction with public sector partners, and supporting the delivery of housing or repurposing of assets in order to reduce of the requirement for temporary accommodation which reduces both the demand for this service and its considerable net cost when compared with the provision of more secure housing products.

- Working with partners to transform public sector recruitment and procurement activity. Prior experience through the USE-IT! Projects demonstrates that this activity can boost participation in recruitment leading to better outcomes and more efficient use of recruitment spend. Through capturing procurement spend in the local economy the Council will benefit through economic effects including the appreciation of business rates and reduction in service need due to higher rates of employment.
- Progressing pilot and pathfinder projects to take forward the efficient delivery of services through digital channels. This will pave the way for the borough-wide roll out of digital service delivery, providing faster and more accurate services to local residents and businesses, reducing the need to maintain paper-based systems and the infrastructure that supports them.
- Change projects focussed on improving the efficiency and effectiveness of services including skills, education, social care and health. Reducing the extent to which Birmingham residents rely on local and central government services and improving employment prospects. This will result in an increase in tax contributions and disposable income levels linked to the opportunity to contribute to the local and wider economy.
- Community development and capacity building to support activities such as Social Prescribing, which reduces the demand for social care and health services, and also as part of economic development which contributes towards a reduction in overall service need.
- Supporting the COVID-19 recovery programme by helping to ensure that the short-term response to the pandemic creates sustainable economic benefits. For example, by enabling local businesses to achieve pre-COVID trading levels sooner than would otherwise be achieved, thereby improving short-term business rate income and also reducing both the possibility of sites within the Council's commercial portfolio becoming vacant and local businesses reliance on government support.

In the long term (the period to 2041) the programme is expected to make a very significant contribution towards reducing the cost of service delivery through prevention and early intervention. For example, by delivering at least 10,000 new jobs the programme is expected to create £900m economic value, with a corresponding increase in local business rates and reduction in service needs.

5.3 E4 – Approach to Optimism Bias and Provision of Contingency

Due to the nature of the programme, and the difficulty of directly connecting investment to outputs in the context of long-term holistic regeneration, the financial value of benefits set

out in section B3 is provided on an indicative basis only and does not include optimism bias. It is expected that there are also substantial additional benefits which will be identified through the programme activities. The detailed quantification of benefits and the specific arrangements for optimism bias will therefore be addressed via individual project business cases and through the development of the benefit realisation plan as per section F5

The nature of the programme activities and the risk profile does not necessitate a contingency budget at programme level.

5.4 E5 – Taxation

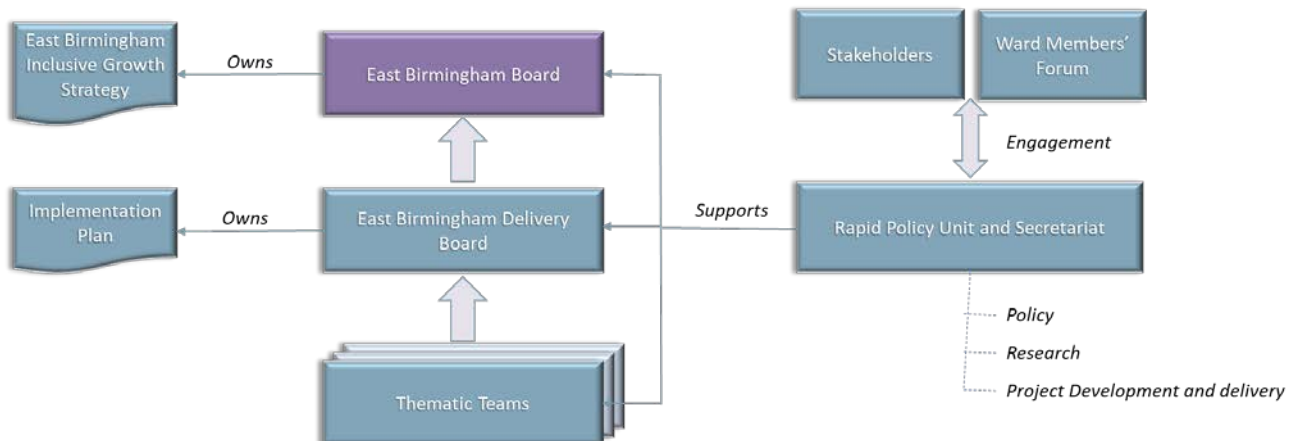
There are no tax implications at this stage. Any taxation issues arising from project activities (for example Value Added Tax or Stamp Duty Land Tax) will be handled at the level of individual project business cases.

6 Section F – Management Case

This section considers how robust your programme delivery plans and arrangements are

6.1 F1 - Programme management arrangements

The programme would function in the context of the following structures (illustrated below)



East Birmingham Board (EBB): The EBB will be accountable for the delivery of the Strategy and providing the Programme with political direction and support. It is chaired by the Member of Parliament for Birmingham Hodge Hill and the membership will include:

- Local political representation including the Leader of the Council, Cabinet Members and Ward Members
- Senior Officers from the City Council including the Chief Executive and relevant Directors
- Representatives of Solihull Metropolitan Borough Council
- Representatives of key partners including the West Midlands Combined Authority, Birmingham Children's Trust, Transport for West Midlands and the Birmingham and Solihull Integrated Care System, HS2, Greater Birmingham and Solihull Local Enterprise Partnership
- Representatives of local businesses, educational institutions and the voluntary, community and social enterprise sector

East Birmingham Delivery Board (EBDB): the internal Programme Board with responsibility for drawing in resources and for the prioritisation and co-ordination of delivery. The EBDB will be chaired by the Head of East Birmingham Delivery.

East Birmingham Thematic Teams: convened as required where it is necessary to assemble subject matter experts within a particular domain of activity.

Ward Members' Forum (WMF): bringing together the 26 Ward Members whose Wards are affected by the programme, the WMF is chaired by the Leader of the Council and meets quarterly.

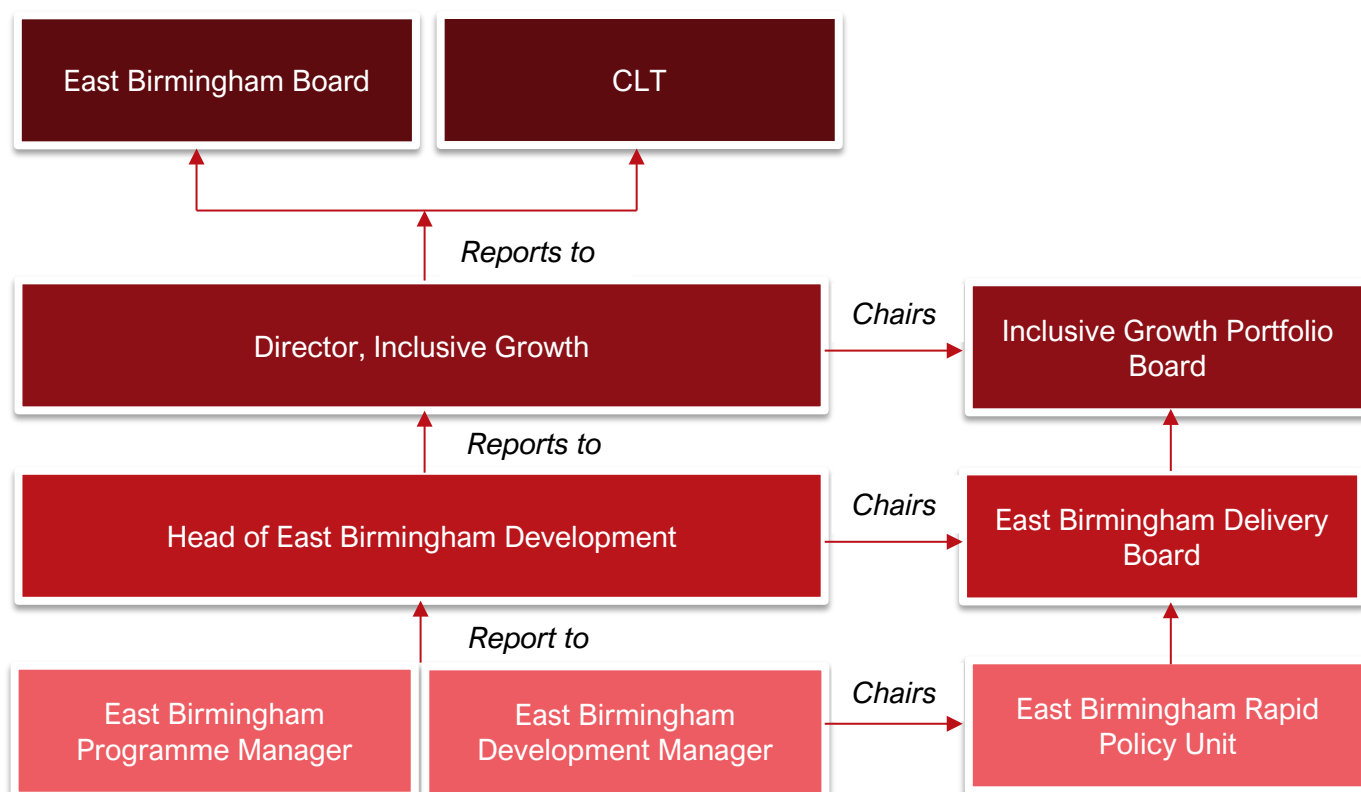
The Programme Management and Programme Office functions would fall within the **East Birmingham Rapid Policy Unit and Secretariat (RPU)**. Formed of the programme team with associated personnel from key partner organisations, the RPU is the team which will support and connect the two Boards and any Thematic Teams and be responsible for day-to-day delivery – ensuring that meetings run as they should, capturing actions and synergies, bringing new partnerships, projects and policies together, and ensuring that the voices of citizens and places are heard throughout.

6.2 F2 - Programme management arrangements

The project will be managed in accordance with BCC corporate projects and programmes methodology, as agreed with the Inclusive Growth Portfolio and corporate PMO. Oversight of projects will be provided by the East Birmingham Delivery Board which will meet monthly and address projects by exception, or otherwise at the discretion of the Chair.

6.2.1 Programme reporting structure

The reporting organisation and the reporting structure for the project are as follows:



The RPU core team (within BCC) would comprise:

1x Head of East Birmingham Delivery

1x Programme Manager

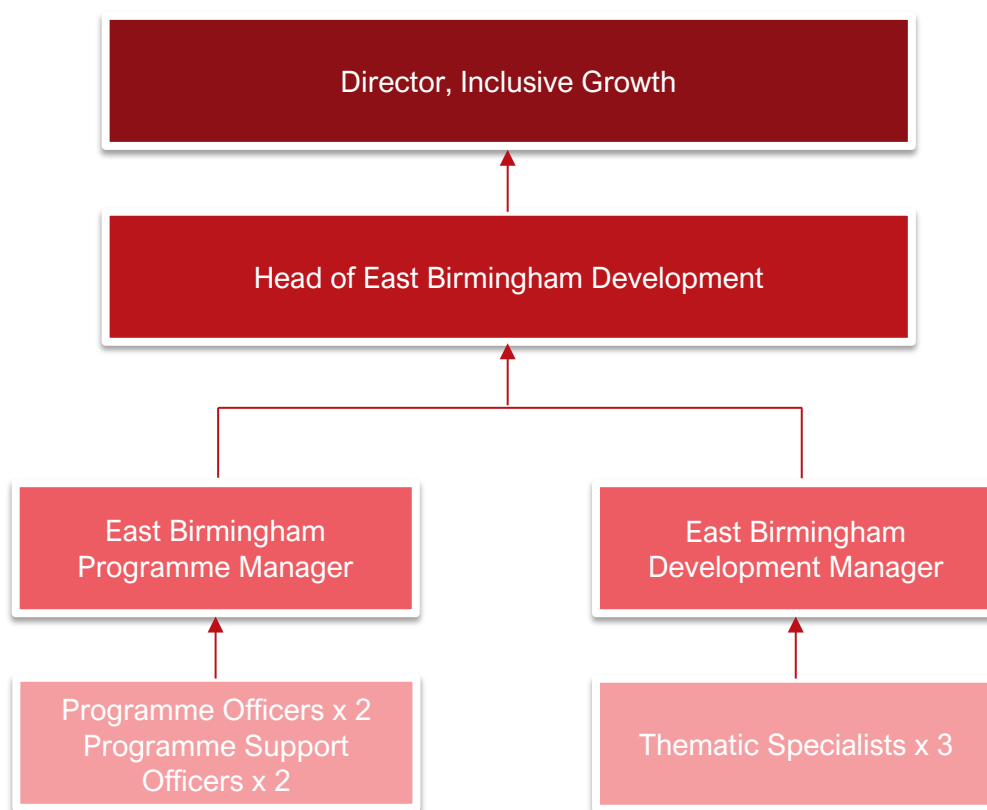
1x Development Manager

2x Programme Officer

2x Programme Support Officer

3x Thematic specialists

The line management structure will be as follows:



6.2.2 Programme roles and responsibilities

These are as follows:

Deliverable or Task	Status	ROLES		East Birmingham Programme Manager	East Birmingham Development Manager	Programme Officers x4	Thematic Specialists x3	Project Delivery Teams*	External Rapid Policy Unit Membership	
		Director, Inclusive Growth	Head of East Birmingham Development							
		Sponsor		ProgrammeTeam				Other Resources		
Programme Mobilisation										
Recruitment of programme team		I	A	R	C					
Establishment of programme governance		I	A	R	C					
Programme Management										
Monitoring, governance and reporting			A	R	S	S	S	S	I	
Programme administration and finance			A	R	S	S				
Programme Development										
Research and policy development			A	R	R	S	S		S	
Project Development and funding applications			A	R	R	R	R		S	
Stakeholder capacity development			A	R	R	S	S		S	
Project Delivery										
Project Management		I		A	C	S	S	R	I	
Project Administration and finance		I		A	C	S	S	R	I	
Governance and Engagement										
Facilitation of Boards and other meetings				A		R	S			
Stakeholder engagement				A	S	R	S		C	

#		
R	Responsible	Assigned to complete the task or deliverable.
A	Accountable	Has final decision-making authority and accountability for completion. Only 1 per task.
S	Support	Provides support during implementation.
C	Consulted	An adviser, stakeholder, or subject matter expert who is consulted before a decision or action.
I	Informed	Must be informed after a decision or action.

6.2.3 Programme plan

The nature of the programme means that the programme plan is open ended and there are a limited number of fixed milestones. It is expected that projects will enter development and delivery on an iterative and incremental basis. Project milestones will be set out in a programme implementation plan which will be regularly reported to the programme boards.

Milestone Activity	Date
Tranche 1 projects	Underway
Establishment of programme team	Q3 2021/22
Tranche 2 business cases and funding bids	Ongoing from Q3 2021/22
First Annual Report to Cabinet	Q1 2022/23

6.3 F3 - Use of special advisers

Special advisers were used as follows:

Specialist Area	Adviser
Economics	Tomas Gonzales, Inner Circle Consulting
Inclusive Growth & Social Procurement	Matthew Baqueriza-Jackson (independent policy adviser)

	Conrad Parke, Centre for Local Economic Studies
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6.4 F4 - Arrangements for change management

The change management strategy will be in accordance with BCC corporate projects and programmes methodology, as agreed with the Inclusive Growth Portfolio and corporate PMO. Changes will be agreed at the East Birmingham Delivery Board where appropriate or otherwise in accordance with the Council's Constitution, financial regulations and standing orders.

6.5 F5 - Arrangements for benefits realisation

Benefit realisation for the programme will be overseen at the portfolio level by the Inclusive Growth Delivery Board. At the programme level the programme manager will be responsible for the day-to-day implementation of the benefit realisation plan.

The high-level objectives and benefits will be as set out in this business case, however due to the nature of the programme the detailed benefit realisation plan will need to be developed and updated in parallel with the projects which will deliver the programme.

The initial benefit realisation plan for Phase 1 of the programme, including arrangements for impact evaluation and monitoring, will be developed during 2021-22 as a workstream within the programme and reported to Cabinet as part of the first annual programme update.

6.6 F6 - Arrangements for risk management

Risks will be managed at the programme level by the programme manager in consultation with the programme sponsor. Risks will be managed at the project level by the respective project manager and reported to the East Birmingham Delivery Board. Risk management methodology will follow the City Council's standard approach as agreed with the Inclusive Growth Portfolio and corporate PMO.

A copy of the Programme risk register is to be found in Section G - Supporting Documents. This sets out who is responsible for the management of risks and the mitigations which are in place.

6.7 F7 – Arrangements for dependency management

Dependencies will be managed at a portfolio level by the Inclusive Growth Delivery Board. At the programme level the programme manager will be responsible for the day-to-day tracking and management of dependencies.

6.8 F8 – Arrangements for Impact assessments

Equalities Impact Assessment has been carried out at a programme level and attached to the Cabinet Report that accompanies this business case. Impact assessments will be carried out on a project-by-project basis.

6.9 F9 - Arrangements for contract management

There will be limited programme-level contract management activities. These are expected to be limited to contracts issued under the Transportation and Development Professional Services Framework Contract (2020) and will follow standard contract management methodology. Contract management arrangements for projects will be addressed at the level of individual project business cases and will be the responsibility of the relevant Project Manager.

6.10 F10 - Arrangements for programme evaluation

Programme update reports will be prepared as follows:

- Cabinet (annual)
- Economy and Skills Overview and Scrutiny Committee (biannual)
- East Birmingham Board (Quarterly)

The long duration of the programme requires that evaluation be ongoing and continuous rather than retrospective. This Business Case sets out an indicative approach to indicators and measures based on the high-level programme objectives. This approach will be refined by the Rapid Policy Unit during the initial phases of activity, and a detailed monitoring framework will be developed for the agreement of the East Birmingham Board and reported to Cabinet as part of the annual programme report.

Impact assessment and monitoring will be one of the roles of the Rapid Policy Unit which will produce regular reports and analysis for the East Birmingham Board and Delivery Board. Individual projects will be subject to post implementation review (PIR) by the Rapid Policy Unit, and this will be reported to the East Birmingham Delivery Board.

7 Section G – Supporting Information

7.1.1 Appendix 1: In-Flight Projects

The following table provides a high-level summary of the projects and activities which are in progress including their alignment with the East Birmingham Inclusive Growth Strategy in terms of objectives themes (EBIGS page 26, summarised in Table 3)

These are the first phase of projects and activities which have come forward in advance of the mobilisation of the core programme team. Consequently, there are a limited number of projects, and most are at an early stage of development. It is anticipated that this list will expand significantly over the next twelve months and in due course will include projects which comprehensively address the programme objectives and the delivery of the EBIGS vision.

General project progression is illustrated with reference to four generic project stages as set out in Table 2. The term *Project Development* is used to indicate progressing projects through Concept and Definition stages, and *Project Delivery* is used to indicate the management of the Delivery and Closure phases. Depending on the scale of the project, the funding source and governance route there may be sub-stages or variations to this lifecycle.

Table 1: EBIGS Objective Themes

Theme	Reference
Equality	EQ
Education and Learning	EL
Health and Wellbeing	HWB
Affordable, Safe and Connected	ASC
Economy	ECO
Power, Influence and Participation	PIP
The Environment	ENV

Table 2: Project Stages






Stage	Key activities and outputs
Concept	Inception, feasibility, and initial options appraisal. Production of Outline Business Case (if required)
Definition	Development of preferred option. Production of Full Business Case and project management plan.
Delivery	Implementation of project. Delivery of project product/outputs.
Closure	Handover of project outputs and evaluation

Project Reference and Title	Summary	Stage Outputs	Funding Source(s)	Stage	Update and Next Milestone	Objective Ref
EB001: USE-IT Transfer Network	Successor to the successful USE-IT (Unlocking Social and Economic Innovation) project in North-West Birmingham this project seeks to transfer the USE-IT methodology to other parts of Birmingham and also to other cities in Europe. This project is a first phase of activity in the workstream that will shape and inform the overall Programme approach to the delivery of inclusive growth	<ul style="list-style-type: none"> • Creation of East Birmingham USE-IT network • Springboard report • International learning • Capacity building • Local interface with Anchor Network 	URBACT (ERDF)	Delivery	Funding offer in place and project is mobilising. BCC Cabinet Member approval will be required to release funding, and this is anticipated for July 2021.	PIP, ECO
EB002: Ward End/Cole Valley Skills Hub	The project concept is to deliver green recovery by creating a skills and digital training hub at Ward End Park, supporting local SMEs and social enterprises. Further employment and skills opportunities will be created through a linked programme of connectivity and green infrastructure projects focussed on the strategic Cole Valley green corridor.	<ul style="list-style-type: none"> • Designs and costs in support of future Outline Business Case 	BCC	Concept	Stakeholder engagement currently underway. Design and options appraisal studies were commissioned Q1 2021. Next milestone will be completion of initial studies during Q2 2021.	ECO, EL
EB003: Meadway Local Centre	Redevelopment of vacant site for a new local centre. This project will test key concepts which can be iterated upon across the wider area. The new local centre is expected to include affordable housing, retail and community uses and potentially BCC & partner services.	<ul style="list-style-type: none"> • Feasibility study to inform future business case 	BCC	Concept	Feasibility work and options appraisal to be commissioned Q2 2021	ASC
EB004: Tyseley Clean Energy Masterplan for Growth	Development of a masterplan for the area around Tyseley Energy Park. Combining spatial planning with strategies for power heating, transport and waste processing in a way that addresses key societal challenges as part of the transition to a zero-carbon energy future. Will include a road map for energy technologies and solutions	<ul style="list-style-type: none"> • Masterplan study to inform preparation of BCC Masterplan 	BCC/University of Birmingham	Definition	Study to be commissioned Q2 2021	ECO, ENV

Appendix 1 Programme Business Case

Project Reference and Title	Summary	Stage Outputs	Funding Source(s)	Stage	Update and Next Milestone	Objective Ref
EB005: Community Engagement Pilot	The City Council and Birmingham City University have agreed to work together on a programme of innovative community engagement in East Birmingham including an “Ideas Factory” will engage and train community researchers to build local capacity to engage with the Programme.	<ul style="list-style-type: none"> • Ward Planning support • Engagement Toolkit • Pathway into BCU • Train community researchers • Capacity building 	BCC/Birmingham City University	Delivery	Local engagement underway.	PIP
EB006: EBNS Transport Study	Transport for West Midlands (TfWM), in partnership with Birmingham City Council (BCC), and Solihull Metropolitan Borough Council (SoMBC), has commissioned a study to assess all short to medium-term options for transport enhancements in the East Birmingham to Solihull (EBNS) Corridor. Options will answer the special needs of the corridor over the next ten years, in advance of, and complementary to, a longer-term Metro solution.	<ul style="list-style-type: none"> • Corridor transport study to inform future transport projects including Metro 	BCC/TfWM/SoMBC	Delivery	In progress. Initial Evidence Report delivered. Next milestone will be options development workshops during Q2 2021.	ASC
EB007: Spatial Pilot	This is a place-based to study which seeks to establish a framework for assessing the quality of local places in terms of utility and amenity in line with the theory of the “15-minute city”.	<ul style="list-style-type: none"> • Pilot study to inform future transport and development activities in East Birmingham. 	BCC/Future Parks Accelerator	Concept	Initial project concept has been agreed with stakeholders. The next milestone will be wider stakeholder engagement, expected to commence Q2 2021.	ASC, HWB
EB008: Community Economic Development Planning Policy Lab	This policy lab will explore how can councils effectively utilise Community Economic Development Planning. Community economic development planning or CEDP is a process of economic development within a specific geographic area, to make the economy in that area work well for that community. The process is led by people living, working, and running businesses in that area.	<ul style="list-style-type: none"> • Policy Lab report informing future best practice. • Increased Community capacity 	Cooperative Councils Innovation Network	Delivery	In progress. Next milestone will be delivery of Policy Lab report and Framework in Q4 2021	PIP

7.1.2 Appendix 2: Programme Risk Register

Programme Risks: Mobilisation and Phase 1			
Risk	Description	RAG	Mitigation
Risk 1	Funding: Programme mobilisation and initial delivery hindered by limited staff resource and lack of budget prior to EBC.		An initial allocation of £200k was agreed for pre-EBC costs including the that were needed to progress project development and initial delivery activities.
Risk 2	Failure to maintain political and key stakeholder support.		Engagement with decision-makers will continue beyond Cabinet process to ensure support is in place. Key resources are the East Birmingham Board and Ward Members Forum.
Risk 3	Funding: failure to secure approval for finance and to maintain resources to facilitate programme delivery		The Enhanced Business Case addresses a first phase of work, thus reducing the initial financial ask to the costs required for the programme to mobilise. During the subsequent stages of activity work will be undertaken to maximise the opportunities to draw in external resources. And explore finance/funding opportunities to support further phases of the programme.
Risk 4	Delays to programme mobilisation caused by recruitment processes		Recruitment will follow standard City Council procedures. Where necessary, consideration will be given to use of temporary capacity supplied by contracted providers and/or the Inclusive Growth Professional Services Framework Contract 2019
Risk 5	Creation of unrealistic public and stakeholder expectations leading to loss of constructive engagement.		Throughout consultation to date the Council has been clear around the existing resource position, however there is an expectation that delivery will begin imminently. Continual engagement will help to maintain support, but programme mobilisation and delivery also needs to begin ASAP.

East Birmingham Rapid Policy unit

Appendix 2: East Birmingham Programme Summary



Introduction

This note summarises the scope, nature and methodology of the East Birmingham Inclusive Growth Programme as set out in the East Birmingham Enhanced Business Case (July 2021). It is intended to form an executive summary and companion document to the Business Case.

Background – Inclusive Growth in Birmingham

Over the course of the last 30 years, Birmingham City Council and many partners have delivered extensive physical and economic regeneration in the city and wider West Midlands Combined Authority area. We have seen a significant change in our physical landscape, growth in our economic output, an enhanced local business base, and the growing success of the city as a location for both national and international investment.

However, this physical and economic regeneration has not always been matched with a reduction in the gap in inequality between some of our more and less prosperous areas, nor has it always brought social, community and environmental benefits. In recent months, these inequalities have been significantly worsened by the COVID-19 pandemic which has severely impacted the most vulnerable in society, both in terms of health and employment security.

Evidence and experience show that better and more sustainable outcomes can be realised if physical and economic regeneration is effectively used as a catalyst for, and inherently linked to, community, social and environmental benefits. This is why Birmingham City Council has embarked in recent years upon delivering an approach to regeneration framed by the term Inclusive Growth. Fundamentally this is about delivering growth in such a way that the benefits are shared more fairly, thus reducing inequality. This requires a holistic, partnership approach and the interweaving of capital investment, socio-economic interventions and systems change and transformation.

The Council's approach to inclusive growth has been informed by wider policy agendas such as localism, community cohesion and equality. It also incorporates learning from the West Midlands Combined Authority's Inclusive Growth Framework, national examples of best practice and innovation, and also local projects and activities, most prominently the USE-IT! (Unlocking Social and Economic Innovation Together) project which ran in North-West Birmingham from 2016 to 2019 and which sought to connect the local community with the benefits of the major growth and development occurring around the Icknield Port Loop area. A key element of this work was linking local residents and social enterprises to opportunities emerging from the new Midlands Metropolitan hospital

The East Birmingham programme represents an opportunity to build upon and mainstream this approach to inclusive growth to ensure that capital investment brings real benefits for the economy, for people, and for the environment.

The East Birmingham Programme

The inclusive growth agenda in East Birmingham responds to the unique opportunity afforded by the investments associated with HS2, including the proposed East Birmingham to Solihull Midland Metro extension and the major development around the new Curzon and Interchange HS2 stations which will bracket the area with new growth. The challenge is to maximise the benefits of this activity to tackle the entrenched deprivation in the East Birmingham area which have been exacerbated by the impacts of the COVID-19 pandemic.

The programme proposal has been developed to deliver the vision of the East Birmingham Inclusive Growth Strategy (EBIGS) which was prepared by the Council in partnership with stakeholders and the

wider community and adopted in February 2021. The Strategy has some elements in common with the Council’s previous successful growth strategies, in that it sets out a vision for the East Birmingham area over the next 20 years, the key interventions (or Big Moves) required to achieve the vision, and the principles of the approach which is required. It differs from previous strategies in that it has a much broader scope, directly addressing socio-economic factors including skills, health, education, and community development. As such it reflects the first major expression of the Council’s approach to place-based inclusive growth.

East Birmingham Inclusive Growth Strategy Vision

The Council and its partners will make use of the unique opportunities and potential of East Birmingham to create a clean, safe, prosperous, and well-connected place where citizens from all backgrounds have access to excellent housing, education, healthcare, green spaces, and employment opportunities. Local communities will work together as part of the team to achieve their aspirations and will share a strong sense of ownership and pride in their area. The main role of East Birmingham within the wider city region will be as a desirable yet affordable residential area with excellent amenities which is particularly suitable for families with children, and as a centre for low carbon and sustainable industries.

To date, work on the East Birmingham agenda has been progressed with very limited resources, nevertheless the Strategy has been delivered, key working and governance structures have been established, including the East Birmingham Board and Rapid Policy unit, some initial priority projects have been mobilised, and funding has been secured for the area totalling in excess of £1.5m. The programme will build on these foundations.

The Strategy sets out a holistic set of objective themes (as per Table 1 below), from which the programme investment objectives are derived. The overall objective of the programme is not just to mitigate or reduce deprivation in East Birmingham; it is to bring it up to at least the national average by 2041. This bold objective would have a transformational effect on the lives of the 240,000 people who live in the area, with commensurate benefits for the city’s economy and that of the region.

To achieve this, the business case proposes to:

- Use the Council’s initial financial commitment as the basis for securing much larger public and private investment.
- Identify and exploit opportunities to scale up and to make the programme financially sustainable beyond the initial phase of activity.
- Take a holistic approach, progressing a diverse range of interventions in parallel. This will include both place-based regeneration, and also systems change and transformation projects to boost the effectiveness and efficiency of services.
- Bring forward interventions at a range of scales including local, area-wide, and regional.
- Create sustainable outcomes which are not dependent on short-term funding.
- Invest in the capacity of the Council and its partners and the community to deliver inclusive growth.
- Prioritise East Birmingham as the place to develop and implement new approaches through pilot projects which will also address the area’s urgent need for investment.
- Invest in the future in line with principles of early intervention and prevention.

Table 1: EBIGS Objective Themes

Equality
Education and Learning
Health and Wellbeing
Affordable, Safe and Connected
Economy
Power, Influence and Participation
The Environment

- Support the development of community assets, community enterprises, community leadership and promote the growth of local economic resilience.

The core of the business case proposal is for the Council to put in place a programme team with the budgets it will require to develop and deliver a comprehensive package of projects that will address the full scope of the Strategy vision. This will include the development of business cases, funding bids and the commissioning of delivery through appropriate routes. There will be continuous engagement with stakeholders, ensuring that the community play a key part in shaping the programme and the projects within it. Part of this work will focus on close working with the Ward Members who represent the 20 Wards directly affected by the programme.

The programme team will also work with and through the East Birmingham Rapid Policy Unit (RPU) – a multi-agency virtual team which has been set up to embed multi-disciplinary working within the programme and to drive forward policy development which will both shape the programme and inform the Council’s wider inclusive growth agenda. The RPU cuts across silos and organisational barriers and is expected to attract additional membership and input from a range of partners as the programme grows.

The programme will overlap with many areas of Council activity, and that of its public sector partners. As such many of the projects within the programme will represent accelerated and/or amplified aspects of existing corporate commitments including elements within the Inclusive Growth Portfolio, such as the Birmingham Development Plan, Our Future City Plan and the Birmingham Transport Plan and wider priorities such as the Route to Zero and developments in skills, education, social care and health. The intent will be that the programme will support, co-ordinate and maximise the benefits of all Council activity affecting East Birmingham.

During the initial phase of activity funded with the investment sought by the business case the programme team will work with the East Birmingham Board partners to identify and address options to expand the scale of the programme and to make future phases financially self-sustaining. This will include consideration of large-scale finance and delivery vehicles on the scale of the Birmingham Enterprise Zone. At the end of the first phase a further business case will be prepared which will set out the case for any further City Council financial commitment required for the next stages of activity.

It is difficult to quantify the outcomes and benefits that will ultimately be delivered by the programme, due to the complex and extensive nature of the challenge, and also because it is through the development of the project business cases that the outputs will be determined. This is why the business case identifies indicative benefits which will be subject to further development and refinement through project business cases and an ongoing benefit realisation workstream within the programme. With this said, it is expected that this approach will bring significant wider benefits, both in the short term (next three years) and into the longer term (next twenty years). Some of these benefits will arise directly, for example through the creation of homes, jobs and physical improvements to Council and community assets. Others will be realised indirectly through the interaction of various factors which improve outcomes including health, education, and employment. In the long term it is these indirect benefits which are likely to have the greatest impact.

In conclusion, by investing £3.6 Million in the future of East Birmingham and its people during the period 2021/22-2024/25 we estimate that significant progress can be made towards the delivery of the East Birmingham Inclusive Growth Strategy. This activity will also establish a strong foundation for the next steps in the delivery of sustainable inclusive growth, which is ultimately expected to have a combined value, in economic terms, significantly more than £1 Billion, and a profound impact on the health, wealth and life prospects of people in and around the East Birmingham area.

Title of proposed EIA	East Birmingham Inclusive Growth Programme – Programme Business Case
Reference No	EQUA713
EA is in support of	New Function
Review Frequency	Annually
Date of first review	01/08/2022
Directorate	Inclusive Growth
Division	Curzon and Enterprise Zone Delivery
Service Area	East Birmingham
Responsible Officer(s)	<input type="checkbox"/> Mark Gamble
Quality Control Officer(s)	<input type="checkbox"/> Richard Woodland
Accountable Officer(s)	<input type="checkbox"/> Ian MacLeod
Purpose of proposal	The East Birmingham Inclusive Growth Programme will implement the vision set out in the East Birmingham Inclusive Growth Strategy which was adopted by the Council in February 2021.
Data sources	Survey(s); Consultation Results; Interviews; relevant reports/strategies
Please include any other sources of data	
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	None Identified at this stage
Protected characteristic: Disability	Not Applicable
Disability details:	None Identified at this stage
Protected characteristic: Sex	Not Applicable
Gender details:	None Identified at this stage
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	None Identified at this stage
Protected characteristics: Marriage and Civil Partnership	Not Applicable
Marriage and civil partnership details:	None Identified at this stage
Protected characteristics: Pregnancy and Maternity	Not Applicable
Pregnancy and maternity details:	None Identified at this stage

Protected characteristics: Race	Not Applicable
Race details:	None Identified at this stage
Protected characteristics: Religion or Beliefs	Not Applicable
Religion or beliefs details:	None Identified at this stage
Protected characteristics: Sexual Orientation	Not Applicable
Sexual orientation details:	None Identified at this stage
Socio-economic impacts	None Identified at this stage
Please indicate any actions arising from completing this screening exercise.	N/A
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	See below
Consultation analysis	Please see previous assessment EQUA619 which reported on the extensive consultation work undertaken with partners and the local community.
Adverse impact on any people with protected characteristics.	Not Applicable
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	Not Applicable
How will the effect(s) of this policy/proposal on equality be monitored?	There will be a monitoring workstream within the East Birmingham Inclusive Growth Programme which will capture and analyse equalities data alongside other programme metrics.
What data is required in the future?	This will be explored in detail during the configuration of the programme monitoring workstream
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	

Inclusive Growth Programme is being established to deliver the vision of the East Birmingham Inclusive Growth Strategy which has been subject to two previous Equalities Assessments (EQUA619 in January 2021 and EQUA400 in late 2019) which concluded that the strategy will have an overall positive impact across the whole community and across all ten protected characteristics. This outcome has since been positively tested through an extensive consultation with partners and community members.

At this stage of work the proposal to Cabinet is for the establishment of the programme team and the approval of budgets to develop a package of projects and activities. The establishment of the programme team itself does not have any equalities impacts other than those relating to the recruitment of staff which will follow the Council's normal procedures.

The development of projects and activities to be undertaken by the programme team will be shaped by the East Birmingham Inclusive Growth Strategy and will take account of the previous equalities assessments and extensive consultation carried out during the preparation and adoption of the Strategy, as will the programme's engagement workstream and monitoring activities.

Any specific equalities impacts arising from projects and

activities within the programme will be assessed and reported on as part of individual project business cases.

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

No

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

29/06/2021

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

Julie Bach

Person or Group

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Birmingham City Council

Report to Cabinet

27th July 2021



Subject: PROPOSED IN-YEAR VARIATION TO ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS AND TO THE CO-ORDINATED SCHEME 2021/22 AND 2022/2023 AND APPROACH TO THE FAIR ACCESS PROTOCOL

Report of: Kevin Crompton
Interim Director of Education and Skills

Relevant Cabinet Member(s): Cllr Jayne Francis - Education, Skills and Culture
Cllr Kate Booth - Children's Wellbeing

Relevant O&S Chair(s): Cllr Narinder Kaur Kooner - Education and Children's Social Care

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009043/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 The new 2021 School Admissions Code (the Code) includes several changes focused on in-year admission processes, including the Fair Access process.
- 1.2 A significant change as regards formal admission arrangements requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted, to be given equal first priority in admission arrangements alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC).
- 1.3 The new code also has implications for Birmingham's Fair Access Protocol and Co-ordinated Scheme. Without the variation to the, admission arrangements that have already been determined they will no longer comply with the Code from 1st September.
- 1.4 It is thus expected that admission authorities hold a meeting before 31 August 2021 to determine the necessary variations to admission arrangements for 2021/2022 and 2022/2023. Variations should come into effect on 1 September 2021.
- 1.5 The changes to the Code in respect of IAPLAC also impact on Birmingham's Co-ordinated Scheme which it is proposed to vary to mirror the changes in the admission arrangements.
- 1.6 The purpose of the report is to agree a variation to the admission arrangements for community and voluntary controlled schools for the academic year 2021/2022 and 2022/2023 (**Appendices 1A and 1B**) respectively, to agree the same variation to the Co-ordinated Scheme for the academic year 2021/2022 and 2022/2023 (**Appendices 2A and 2B**) and to note the approach proposed as regards the Fair Access Protocol.

2 Recommendations

- 2.1 That Cabinet approves:
 - 2.1.1 The varied admission arrangements for community and voluntary controlled schools for the academic year 2021/2022 and 2022/2023, as set out in **Appendix 1A and 1B**.
 - 2.1.2 The varied Co-ordinated Scheme for the academic year 2021/2022 and 2022/2023, as set out in **Appendix 2A and 2B**.
- 2.2 That Cabinet notes:
 - 2.2.1 The changes made to Birmingham's Fair Access Protocol by way of an addendum, identifying the legal requirements of the new Code as they pertain to Fair Access and set out in **Appendix 3** and the intention to consult on these and further changes with schools.

2.3 That Cabinet approves:

- 2.3.1 The delegation of authority to the Cabinet Member for Education Skills and Culture to develop in consultation with the Director of Education and Skills a new draft Fair Access Protocol following consultation with schools and prior to seeking formal sign off from schools.

3 Background

- 3.1 Birmingham City Council as required has agreed ('determined') admission arrangements annually by 28 February, including the arrangements for 2021/22 and 2022/23. These arrangements so determined apply to the next-but-one academic year (i.e. arrangements determined on 28 February 2021 will apply to the academic year 2022/23). The local authority has also as required determined on an annual basis a co-ordinated admissions scheme which also applies to the next-but-one academic year.
- 3.2 The consultation on the revised School Admissions Code closed in October 2020 resulting in a proposed new School Admissions Code having been laid before parliament in May 2021 and approved by Parliament in July 2021. The admission arrangements for the area had to be determined before the final draft of the new Code was available, and these proposed changes could not therefore have been included at an earlier stage.
- 3.3 The draft Code and associated regulations were laid before Parliament on 13 May 2021. The Code was laid in Parliament for a 40-day period during which both the House of Commons and the House of Lords had the opportunity to review the Code and any Member can pass a motion to not approve it. This 40-day period has expired and the new Code will come into force on 1 September 2021.
- 3.4 The 2021 Code requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). The Code refers to these children as internationally adopted previously looked after children – "IAPLAC".
- 3.5 Paragraph 1.7 of the new Code will require that highest priority is given to "looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted".
- 3.6 The DfE guidance "Admission priority for children adopted from state care outside of England- what it means for admission authorities' (May 2021) **Appendix 4** explains how this new provision necessitates variations to determined admission arrangements to take effect from 1 September 2021. Admission authorities are required to vary their admission arrangements for 2021/22 (which would have been determined by 28 February 2020) and their admission arrangements for 2022/23 (which would have been determined by 28 February 2021). Without these variations, admission arrangements that have already been determined will no longer comply with the Code from 1 September 2021.

- 3.7 It is thus expected that admission authorities hold a meeting before 31 August 2021 to determine the necessary variations to admission arrangements for 2021/2022 and 2022/2023. All such variations should come into effect on 1 September 2021.
- 3.8 As these variations will be necessary to comply with a mandatory requirement of the Code, it will not be necessary to refer a variation request to the Schools Adjudicator (in respect of maintained schools).
- 3.9 The proposed changes to the Code in respect of IAPLAC also impact on references to 'Looked after and Previously looked after children' in Birmingham's Co-ordinated Scheme, therefore a variation is required to mirror the changes in the admission arrangements. The new Code (2021) and related DfE guidance are silent on the impact on co-ordinated schemes and the approach to take to vary co-ordinated schemes in respect of the IAPLAC changes. If the variation is not made, the Co-ordinated Scheme will risk not being compliant with the new Code.
- 3.10 All applications received before 1 September 2021 will have been processed in accordance with the existing (2014) Code and offers made and places allocated will be unchanged.
- 3.11 Any applications received on or after 1 September 2021 will need to be processed in accordance with the new Code. By way of example, when dealing with in-year applications for the 2021/2022 academic year, children who are determined as being IAPLAC must be given equal highest priority with LAC and PLAC.
- 3.12 Any child who is on a waiting list for a school before 1 September 2021 and meets the definition of an IAPLAC must be ranked again on 1 September 2021 following the new Code coming into force so that the child is given equal highest priority with LAC and PLAC.
- 3.13 Responsibility for determining whether a child is eligible for IAPLAC priority rests with the admission authority. The DfE plans to publish non-statutory guidance on the admission of IAPLAC in time for the new Code coming into force. This guidance will aim to assist and support admission authorities in assessing evidence provided by parents who want their child to be considered under the IAPLAC criterion.
- 3.14 The guidance will recommend that admission authorities should request advice from their Virtual School Head (VSH), if they are in any doubt about the acceptability of evidence provided by the parent of an IAPLAC.
- 3.15 All references to previously looked after children in the Code mean children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after as well as those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

- 3.16 This means that the other provisions in the Code which apply to PLAC (for example, in relation to the admission arrangements of schools with a religious character, selective arrangements, and boarding priority) apply to IAPLAC in the same way as they do to PLAC.
- 3.17 No changes will be required in relation to applications submitted before 1 September 2021, because these will have been processed in accordance with the 2014 Code. Applications received on or after 1 September will need to be processed in accordance with the new Code and waiting lists maintained from 1st September will need to be maintained as per the new Code.
- 3.18 An in-year variation was made to the 2021/22 admission arrangements for Christ Church CE Primary School, St James CE Primary School, St Matthews CE Primary School and St Saviours CE Primary School to reflect church closures during the Covid 19 pandemic. The variation to insert the following paragraph was approved by the Office of the Schools Adjudicator on 23 November 2020 and has already been included in the determined arrangements for 2022/23:
- 3.19 *In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship.*
- 3.20 Alongside the significant change as regards IAPLAC, the government has proposed some changes to the Code which aim to improve support for the in-year admission of vulnerable children and help reduce to a minimum any gaps in their education. These changes are in response to the recommendations made in the Children in Need Review and the Domestic Abuse White Paper and include changes to fair access protocols.
- 3.21 Key changes as regards the fair access protocol:
- 3.21.1 A prescriptive list of children who can be placed under a fair access protocol that includes children who have been out of education for 4 or more weeks. This is a much shorter timescale than the current Code which includes children out of school for 2 months or longer.
- 3.21.2 When it has been agreed that a child will be referred for placement under the fair access protocol, a place must be allocated within 20 school days.
- 3.21.3 If most schools in the area no longer support the principles of the Fair Access Protocol, they can initiate a review with the local authority. The fair access protocol must explain the process for initiating a review.
- 3.22 Other In-Year admissions changes:
- 3.22.1 Admission authorities should aim to notify parents of the outcome of an in-year admission application in writing within 10 school days (unless the admission arrangements involve selection by aptitude or ability) and must

notify them within 15 school days. The current Code does not prescribe a specific timescale for responding to In-Year admission applications.

3.22.2 Admission authorities must notify the local authority of in-year applications promptly and should aim to do so within two school days.

3.22.3 Admission authorities will be required to keep a clear record of any decisions on applications, including in-year applications.

3.22.4 Changes to requirements on information relating to admissions which must be published by the local authority, including:

- *updating the composite prospectus with information about any new schools which open during the offer year;*
- *requirement to publish information to explain how in-year applications will be made and processed by 31 October 2021, and by 31 August in subsequent years;*

3.23 To meet the requirements of the new Code the School Admissions and Fair Access service is proposing to add an addendum to the existing Fair Access Protocol which sets out the mandatory changes that will apply to Fair Access referrals from 1st September 2021. A formal consultation on wider changes, which will include full incorporation of these mandatory changes, is also underway but it will not be concluded before 1st September 2021. Without this addendum the existing Fair Access Protocol would not comply with the Code from 1st September 2021.

3.24 An addendum will be added to the existing FAP outlining the key changes of the Code to support compliance from 1st September 2021.

3.25 Related communications as regards the changes to the Code (Education update, direct school email and Webinar delivered- 30th June) have been provided to schools and all related information for parents including on the School Admissions and Fair Access website will be updated prior to 1st September 2021.

4 Options considered and recommended proposal

4.1 It is not a viable option for the council not to agree the proposed variations to school admission arrangements and the Co-ordinated Scheme or not to respond to the requirements in the Code for changes required for Fair Access Protocols and related processes because failing to make these changes would result in parts of these arrangements and the Protocol becoming unlawful from 1 September 2021.

4.2 To comply with the local authority's duties to determine compliant admission arrangements for 2021/2022 and 2022/23 it is proposed that Cabinet approves the variations to admission arrangements for community and voluntary controlled schools for the academic year 2021/22 (from September 2021) and 2022/2023 (September 2022 entry), as set out in Appendix 1A and 1B respectively and to

agree the same variation to the Co-ordinated Scheme for the academic year 2021/2022 and 2022/2023 Appendix 2A and 2B.

- 4.3 As identified above to meet the requirements of the new Code the School Admissions and Fair Access service is proposing to add an addendum to the existing Code which sets out the mandatory changes that will apply to Fair Access referrals from 1st September 2021. A formal consultation on wider changes, which will include full incorporation of these mandatory changes, is also underway but it will not be concluded before 1st September 2021. Without this addendum the existing Fair Access Protocol would not comply with the Code from 1st September 2021.
- 4.4 The approval of those arrangements will continue to ensure support for the Corporate Plan and particularly outcome 2 'Birmingham is an aspirational city to grow up in' and the related priorities;
- 'We will improve protection of vulnerable children and young people'
 - 'We will work with Early Years and schools to improve educational attainment and standards'
 - 'We will inspire our children and young people to be ambitious and achieve their full potential'

5 Consultation

- 5.1 Consultation with external partners and stakeholders has not been undertaken as the variations included in the admission arrangements are required by central government and the new proposed Code and the same approach has been taken as regards the variation to the Co-ordinated Scheme.
- 5.2 Related communication in respect of the new Code has been placed in the Education update (25th June 2021) and the same communication emailed to all own admission authority schools.
- 5.3 Senior council officers from Special Educational Needs Assessment and Review (SENAR), School Organisation, Early Years, Alternative Provision, SENDIASS, Access 2 Education, Birmingham Virtual School have also been briefed on the changes in the proposed new Code, as have senior officers from Birmingham Children's Trust (25th June 2021).

6 Risk Management

- 6.1 The council is legally required to determine admission arrangements for community and voluntary controlled schools and have a Co-ordinated Scheme which is compliant with the Code. The council is also legally required to agree a Fair Access Protocol that is compliant with the Code, which includes having been consulted upon with schools and formally agreed by at least half of the schools in the City.
- 6.2 The approach outlined in this report is designed to ensure that the council meets its related statutory requirements.

7 Compliance Issues

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The determination of the varied admission arrangements and the Co-ordinated Scheme for 2021/22 and 2022/2023 will support the Council Plan 2019 – 2023 and particularly outcome 2 'Birmingham is an aspirational city to grow up in' and the related priorities ('We will improve protection of vulnerable children and young people', 'We will work with Early Years and schools to improve educational attainment and standards' and 'We will inspire our children and young people to be ambitious and achieve their full potential').

7.2 Legal Implications

- 7.2.1 The council has duties under Part 3 of the School Standards and Framework Act 1998, in particular sections 88C and 88M, the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 and the statutory School Admissions Code, December 2014 (or May 2021 if approved by Parliament) and statutory School Admissions Appeals Code, February 2012, to determine the admission arrangements for maintained schools, for which the authority is the admission authority, and to formulate a qualifying scheme for co-ordinating the arrangements for the admission of pupils to maintained schools and academies in the authority's area.
- 7.2.2 This legislation also requires the local authority to adopt a 'Fair Access Protocol' to ensure that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible.

8 Financial Implications

- 8.1 The direct costs associated with managing the admission arrangements and Co-ordinated Scheme are funded from the School Admissions and Fair Access Service budget, Directorate for Education and Skills. Revenue costs associated with pupil places in schools are funded directly from the Dedicated Schools Grant.
- 8.2 There are potential resource implications for both the School Admissions service and the Virtual School related to implementing the verification of IAPLAC status. The detail will become clearer once the promised and related DfE non-statutory guidance is published and demand has been monitored and assessed. The impact is likely to fall to the Dedicated Schools Block (DSG), rather than to the General Fund.
- 8.3 There are resource implications as regards implementing the in-year changes to the Code and a separate report was submitted to the Schools Forum meeting on 24th June 2021, with additional funding of £161k (pro rata for the 2021/22 financial year) agreed to be allocated from contingency within the Central Services DSG block.

9 Procurement Implications (if required)

9.1 There are no direct procurement issues

10. Human Resources Implications (if required)

10.1 To meet the new in-year requirements of the Code it is intended to recruit to four new posts. The three Grade 3 School Advisor posts and one Grade 4 School Adviser manager post will be recruited as per required policy and funded as described above in the financial implications section of the report.

11 Public Sector Equality Duty

11.1 The admission arrangements for community and voluntary controlled schools and Co-ordinated Scheme aim to provide for equality of access by parents and their children. The authority's admission criteria do not disadvantage particular social groups or those with special educational needs.

11.2 An Equality Impact Assessment (**Appendix 5**) was initially completed on 27th January 2020, reviewed and updated 17th December 2020 and further reviewed in respect of changes to the admission arrangements and Co-ordinated Scheme on 14th June (EQUA462), and the need for a full assessment was not indicated.

11.3 There is no anticipated adverse impact on those individuals with protected characteristics in relation to the required variations. The admissions arrangements and co-ordinated scheme are designed to ensure a fair and transparent system for school admissions and consider the particular needs of vulnerable groups including children with Education, Health and Care Plans and Looked After and previously Looked After Children and children as internationally adopted previously looked after children – "IAPLAC".

11.4 The Equality Impact Assessment will ensure the service monitors actions including: managers monitoring the use of the comments, compliments and complaints process taking particular account of equality and diversity; managers to monitor the number of preferences not received and the number of unrealistic preferences submitted.

12 Appendices

1A Proposed Admission Arrangements for community and Voluntary Controlled schools September 2021-22

1B Proposed Admission Arrangements for Community and Voluntary Controlled schools September 2022-23.

2A Proposed Co-ordinated Scheme September 2021-22

2B Proposed Co-ordinated Scheme September 2022-23

3 Fair Access protocol addendum

- 4 'Admission priority for children adopted from state care outside of England- what it means for admission authorities' (May 2021)
- 5 Equality Impact Assessment (EQUA462) – 14th June 2021
- 6 Environmental and sustainability Assessment

13 Background Documents

- School Standards and Framework Act 1998
- School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
- School Admissions Code statutory guidance issued by DfE - December 2014
- School Admission Appeals Code statutory guidance issued by the DfE – February 2012
- School Admission Code (2021)
- Cabinet 11th February 2020 (Forward Plan Ref. No. 007290/2020) 'Admission Arrangements for Published Admission Numbers for Community and Voluntary Controlled Schools and the Local Authority Co-ordinated Scheme 2021/2022'
- Cabinet 9th February 2021 (Forward Plan Ref. No. 008400/2021) Proposed Admission Arrangements and Published Admission Numbers for Community and Voluntary Controlled Schools and the Local Authority Co-ordinated Scheme 2022/2023

Appendix 1A

ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR 2021 / 2022 ACADEMIC YEAR FOR THE YEAR OF ENTRY AND IN-YEAR ADMISSIONS

DETERMINED ADMISSIONS ARRANGEMENTS

1. Birmingham Local Authority (community and voluntary controlled infant, primary and secondary schools) over-subscription criteria

- 1.1. Any child with an Education, Health and Care Plan is required to be admitted to the school that is named in the plan. This gives such children overall priority for admission to the named school. This is not an oversubscription criterion.

The local authority is the admission authority for community and voluntary controlled schools. Children are admitted to schools in accordance with parental preference as far as possible. However, where there are more applications than there are places available, places at community and voluntary controlled schools will be offered based on the following order of priority except those schools set out in paragraphs 2, 3, 4 and 5 below.

1.2. Looked after children or children who were previously looked after (including internationally adopted previously looked after children).

- 1.3. Children with a brother or sister already at the school who will still be in attendance at the time the child enters the school, excluding those children attending nursery, in year 6 or attending a sixth form.

- 1.4. In the case of Voluntary Controlled Church of England primary schools, children whose parents have made applications on denominational grounds. This will be confirmed by a letter from the Vicar / Minister of the relevant Church. Details of schools that use denominational criteria can be viewed at section 6.

- 1.5. Children who live nearest the school.

- 1.6. Within each of the categories above, priority is given to those who live nearest to the school, measured in a straight line from the child's home address to a designated point on the school premises (see 10.1).

- 1.7. Admission to a nursery school or nursery class does not give the child any priority

or an extra right to transfer to the Reception year of the primary or infant school to which the nursery is linked or attached. A separate application must be made

2. Over-subscription criteria for Year 2 to Year 3 Transfers

2.1. Looked after or previously looked after children (including internationally adopted previously looked after children).

2.2. Linked Schools: Children who will be attending the linked Infant School at the time of application and will still be in attendance at the end of Year 2. (A list of linked infant and junior schools is available in the primary prospectus on the School Admissions website).

2.3. Children with a sibling already at the Infant or Junior School and who will still be in attendance at the time the child enters the school.

2.4. Children who live nearest the school.

2.5. Within each of the categories above, priority is given to those who live nearest to the school, measured in a straight line from the child's home address to a designated point on the school premises.

3. Chilcote Primary, Hall Green Infant and Hall Green Junior schools

3.1. Chilcote Primary, Hall Green Infant and Hall Green Junior schools each have catchment areas. At these schools, the order of priority for admission is as follows:

3.1.1. Looked after or previously looked after children (including internationally adopted previously looked after children).

3.1.2. Children living within the catchment area of the school who will have a sibling in attendance at the school at the time of admission.

3.1.3. Children living within the catchment area of the school who live nearest the school.

3.1.4. Children living outside the catchment area of the school who will have a sibling in attendance at the school at the time of admission.

3.1.5. Children living outside the catchment area who live nearest the school.

3.2. Within each of the categories above, priority is given to those who live nearest to the school.

4. Over-subscription criteria for Year 2 to Year 3 Transfer - Hall Green Junior

4.1. Looked after or previously looked after children (including internationally adopted previously looked after children).

4.2. Children attending Hall Green Infant School.

4.3. Children who will be attending the School at the time of the application and will still

be in attendance at the end of Year 2.

- 4.4. Children living within the catchment area of the school who will have a sibling in attendance at the Infant or Junior school at the time of admission.
- 4.5. Children living within the catchment area of the school who live nearest the school.
- 4.6. Children living outside the catchment area of the school who will have a sibling in attendance at the Infant or Junior school at the time of admission.
- 4.7. Children living outside the catchment area who live nearest the school.
- 4.8. Within each of the categories above, priority is given to those who live nearest to the school.

5. **Sixth Form entry requirements for Community Schools**

- 5.1. Mainstream sixth form places/year 12 and above are not coordinated by the Local Authority and applications should be made directly to the school(s) concerned. Children with an Education, Health and Care Plan will have a SENAR Post 16 preference form sent to their current school for them to complete.
- 5.2. Each school which admits pupils into Year 12 is required to publish in the school prospectus the minimum academic entry criteria for entry in the sixth form. This is the same for both external and internal places. Details of the academic requirements for each course can be obtained by contacting the school.
- 5.3. Children and their parents applying for sixth form places may use the Local Authority Preference Form although if they are already on the roll they are not required to do so in order to transfer into year 12. Internal applicants who meet the minimum academic entrance requirements will be offered a place automatically.
- 5.4. The following oversubscription criteria will be used for external applicants who meet the minimum academic entry criteria when there are more applications than places available:
 - a) Looked after or previously looked after child (including internationally adopted previously looked after children).
 - b) Proximity of the child's home to school with those living nearer accorded the higher priority.
- 5.5. Applicants refused a place in Year 12 are entitled to appeal to an independent appeal panel.
- 5.6. The secondary community schools listed below will admit the following number of children externally into Year 12.
 - Bordesley Green Girls' School - 10
 - Holte Visual and Performing Arts College –20
 - Swanshurst School – 20

6. Voluntary controlled Church of England denominational criteria

6.1 Cabinet are requested to note that an in-year variation was sought to the 2021/22 admission arrangements for Christ Church CE Primary School, St James CE Primary School, St Matthews CE Primary School and St Saviours CE Primary School to reflect church closures during the Covid 19 pandemic. The variation was approved by the Office of the Schools Adjudicator, and was reflected in the admission arrangements for 2022/23 which include the following paragraph:

In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship

7. Waiting lists

7.1. Parents whose children have not been offered a place at one or more of their preferred schools will be informed of their right of appeal and will be added to their preferred schools' waiting lists. Parents will be advised that inclusion on a school's waiting list does not mean a place will eventually become available there.

7.2. Waiting lists will be created following the acceptance of places and are subject to change. Any new applicants to whom it is not possible to offer a place will be added to each school's waiting list in accordance with the relevant oversubscription criteria. This means that a child's waiting list position during the year could go up or down. Places will not normally be allocated from waiting lists until after the time for acceptance of offers has expired and the number of places offered and accepted have been confirmed. This process will normally approximately take 3 weeks.

7.3. School Admissions and Fair Access Service, on behalf of the Local Authority, will maintain waiting lists for community and voluntary controlled schools for the summer term of the academic year.

7.4. At the start of the autumn term each year, School Admissions and Fair Access Service will pass Community and Voluntary Controlled schools their waiting lists to maintain following the end of the normal round of admissions. Waiting lists following transfer to secondary school must be maintained by schools up to the 31 December of that Year and waiting lists following the Reception class intake and Year 2-3 transfers must be maintained until 31 January of the following Year. Schools should write out to parents/carers to establish if they wish for their child to remain on their waiting list following the dates above or at the end of the Academic Year. Schools must make it clear those parent/carers that do not respond will be removed from the waiting list.

7.5. Waiting lists for voluntary aided and foundation schools, Academies and free schools in Birmingham will be maintained by the schools and Academies on behalf of their Governing Bodies. The Local Authority may require sight of the waiting lists at these schools, in order to determine that the co-ordinated scheme is operating effectively.

8. Appeals

- 8.1. Where parents are refused a place at a school that they have expressed a preference for, arrangements exist for appeals to be heard by an Appeals Panel, which is independent of the admission authority for the school.
- 8.2. Parents can only appeal for schools for which they have expressed a preference and where their application has been refused.
- 8.3. In the case of appeals for Reception, Year 1 and Year 2, because infant classes have a legal limit of 30, Appeals Panels are limited in the matters they can take into account. In this type of appeal, an Appeal Panel can only uphold an appeal if it is satisfied that:
- the admission of additional children would not breach the infant class size limit; or
 - the child would have been offered a place if the arrangements had been correctly and impartially applied; or
 - the child would have been offered a place if the arrangements had not been contrary to the School Admissions Code and legislation; or the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.
- 8.4. Appeals in respect of community, voluntary controlled schools and those academies who have delegated responsibility for the administration of appeals to Birmingham Local Authority, should be sent to Birmingham's School Admissions and Fair Access Service. Appeals in respect of voluntary aided and foundation schools, the King Edward VI schools, Ninesiles and Holyhead School should be sent to the Governing Body of the school(s) concerned. A comprehensive list of which schools administer their own appeals is available in the parents' information booklet and the School Admissions website.

9. Definitions

9.1. Looked After and previously looked after children

Children who are looked after or immediately after being looked after became subject to an adoption, child arrangement order or special guardianship order. This includes any child / young person who is subject to a Full Care Order, an interim Care Order, accommodated under Section 22(1) of the Children Act 1989, is remanded or detained into Local Authority accommodation under Criminal Law or who has been placed for adoption. Birmingham Local Authority's School Admissions and Fair Access Service will obtain names of all children who are looked after or will verify details for those applicants who indicate that their child was previously looked after, within the appropriate age range). Places for these children will be considered in accordance with each school's admission criteria. However, evidence may be requested from carer's whose children are looked after or were previously looked after by another Local Authority.

Children adopted from state care outside of England

Children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted will be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). These children are referred to as internationally adopted previously looked after children – "IAPLAC".

Evidence will be required from the carer confirming that their child meets the above criteria in accordance with the DfE's non-statutory guidance on the admission of IAPLAC. The School Admissions and Fair Access Team may be required to check with colleagues from the Birmingham Virtual School about the acceptability of any evidence provided by the carer of an IAPLAC before considering their child's application under this criterion.

9.2. Siblings

Siblings (brothers or sisters) are considered to be those children who live at the same address and either:

- i. have one or both natural parents in common;
- or ii. are related by a parent's marriage;
- or iii. are adopted or fostered by a common parent.

Unrelated children living at the same address, whose parents are living as partners, are also considered to be siblings.

Children not adopted or fostered or related by a parents' marriage or with one natural parent in common, who are brought together as a family by a same sex civil partnership and who are living at the same address, are also considered to be siblings.

Children who attend either a linked infant or junior school and will still be in attendance at the time of admission are considered as sibling claims.

Separate boys' and girls' schools are not considered to be linked for the purposes of sibling claims. All siblings must still be attending the preferred school at the time that admission is sought. For example for the September 2021 intake the sibling must still be attending in September 2021. **Therefore; for entry into Reception Class children attending nursery class or attending Year 6 are not classed as meeting the sibling criteria. For Secondary Transfers children in Year 11 and Sixth Form are not classed as meeting the sibling criteria.**

9.3. Distance measurements to schools

Distances are calculated on the basis of a straight-line measurement between the applicant's home address and a point decided by the school (usually the front gates). The Local Authority uses a computerised system, which measures all distances in metres. Ordnance Survey supplies the co-ordinates that are used to plot an applicant's home address and the address of the school. The measuring point for each school is specified below in section 10.1.

9.4. Tie-Breaker

In a very small number of cases where a school is oversubscribed, it may not be possible to decide between the applications of those pupils who are the final qualifiers for a place, when applying the published admission criteria.

For example, this may occur when children in the same year group live at the same address, or if the distance between the home and school is exactly the same, for example, blocks of flats. If there is no other way of separating the application according to the admissions criteria and to admit both or all of the children would cause the Published Admission Number for the child's year group to be exceeded, the Local

Authority will use a computerised system to randomly select the child to be offered the final place.

9.5. Home Address

A pupil's home address is considered to be a residential property that is the child's only or main residence and is either;

- Owned by the child's parent(s), or the person with parental responsibility for the child;
- Leased to or rented by the child's parent(s), or the person with parental responsibility under lease or written rental agreement of not less than twelve months duration.

Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.

Parents who are unable to provide proof of permanent residence should contact a member of School Admissions and Fair Access Service to discuss providing other acceptable proof of address.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to satisfy the authority that the child lives at the address put forward by the parents. If a school is offered on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place will be withdrawn.

10. Deferred Entry

By law, parents must ensure that their children are receiving suitable full-time education at the beginning of the term after their 5th birthday. However, in Birmingham, children are admitted to Reception Class in the September at the start of the academic year in which they reach five years of age.

Parents may, however, defer their child's admission to primary or infant school until later in the school year, but not beyond the beginning of the first academic term after the child's fifth birthday (the time when the child reaches compulsory school age) and not beyond the beginning of the final term of the school year of which the offer was made. Alternatively, a parent has the right for their child to be admitted on a part-time basis during the Reception Class year but not beyond the point that they reach compulsory school age. In both cases above a school place is held for the child until they take it up.

A child who reaches the age of five during the 2021/2022 summer term would reach compulsory school age in September 2022. However, it is not possible to accept a place in the Reception Class for September 2021 but defer the child's admission until the beginning of the 2022/2023 academic year, and if a child did not take up their place in a Reception Class in 2021/2022 a separate in-year application would need to be made for the child to enter the school in Year 1.

Parents of children who reach the age of five during the summer term of the 2021/2022 academic year who are considering deferring their child's admission to primary or infant

school until the beginning of the 2022/2023 academic year should note that, as the overwhelming majority of children in Birmingham start school at the start of the academic year in which they reach the age of five, it is likely that some or all of the parents' preferred schools will not have vacancies in their child's year group if they apply for a place in Year 1 (these places having been allocated to children who started school the previous year).

For children born in the summer, parents/carers may believe it to be in their child's best interests to be admitted to Reception Class rather than Year 1, outside their child's normal age group. These requests will be considered by the admission authority of the school(s) and a decision made on the basis of the circumstances of each case and also in the best interests of the child concerned. **Parents do not have the right to insist that their child is admitted to a particular age group including reception.**

Where a parent wishes to request admission out of the normal age group for their child, they should still make an application for their child's normal age group at the usual time. At the same time, the parent should submit their request for their child to be admitted out of their normal age group to the relevant admission authority, (this is BCC for all community and voluntary controlled schools), together with supporting evidence.

Admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking into account the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. The admission authority must ensure that the parent receives the response to their request before primary national offer day.

If the request is agreed, the application for the normal age group may be withdrawn and the parent must make a new application for a place in Reception Class as part of the main admissions round the following year. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to Year 1 for the September following the child's fifth birthday.

One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.

Parents have the right to appeal against the refusal of a place at a school for which they have applied but cannot appeal if they are offered a place but not in their preferred age group.

Implications of deferred entry to school

Placement outside a child's chronological year group must be considered to be in the best interests of the child. The decision could potentially have long-term effects and it is therefore important to establish the reasons for the request to delay starting school. It is

also important to anticipate what will happen when your child would be old enough to transfer to secondary school, to leave statutory education and the timing of any consequent examinations. Some points to consider:

- Your preferred school may not have space in the following year to accommodate your child.
- As your child matures they may realise that the rest of their class are of a different age, causing adverse emotional impact.
- Admission authorities (e.g. academies) will be the decision makers and as they are independent of the local authority may choose to decline a deferral request.
- As the law currently stands, a child who starts Reception a year behind cohort will need to request a formal deferral to progress through each phase of education with their adopted cohort (for example to apply for a deferral to secondary phase when a child is in year 5.)
- A child applying for a selective school (e.g. grammar school) may be subject to a weighting in their selective test due to being older than other children in their cohort.
- If your child reaches school-leaving age before they have completed their Key Stage 4 curriculum, they may decide to leave school without completing formal examinations.

10.1 Measuring Points

Establishment Name	Measuring point
Adderley Primary School	Main entrance on Arden Road
Allens Croft Primary School	Main entrance to the school building
Anderton Park Primary School	Main entrance to the school building
Anglesey Primary School	Main entrance to the school building
Arden Primary School	Main entrance to the school building
Balaam Wood School	Centre of the school building
Banners Gate Primary School	Centre point of the school building
Barford Primary School	Centre point of the school building
Beeches Infant School	Main gate of the Perry Beeches site
Beeches Junior School	Main gate of the Perry Beeches site
Bellfield Infant School (NC)	Main entrance to the school building
Bellfield Junior School	Main entrance to the school building
Bells Farm Primary School	Main entrance to the school building
Benson Community School	Main entrance to the school building
Birches Green Infant School	Main entrance to the infant school building
Birches Green Infant School	
Birches Green Junior School	School gate off Birches Green Road
Blakesley Hall Primary School	Main entrance to the school building
Boldmere Infant School and Nursery	School gate on Cofield Road
Boldmere Junior School	School gate on Cofield Road
Bordesley Green Girls' School & Sixth Form	School gate on Bordesley Green Road
Bordesley Green Primary School	School gate on Drummond Road
Broadmeadow Infant School	Main entrance to the school building
Broadmeadow Junior School	Main entrance to the school building
Calshot Primary School	Main entrance to the school building

Chad Vale Primary School
 Cherry Orchard Primary School
 Chilcote Primary School
 Christ Church CofE Controlled Primary School and Nursery
 Clifton Primary School
 Colebourne Primary School
 Colmore Infant and Nursery School
 Colmore Junior School
 Cotteridge Primary School
 Court Farm Primary School
 Deykin Avenue Junior and Infant School
 Elms Farm Community Primary School
 Featherstone Primary School
 Forestdale Primary School
 George Dixon Primary School
 Gilbertstone Primary School
 Glenmead Primary School
 Grendon Junior and Infant School (NC)
 Grove School
 Gunter Primary School
 Hall Green Infant School
 Hall Green Junior School
 Harborne Primary School

Hawthorn Primary School
 Heath Mount Primary School
 Highters Heath Community School
 Hodge Hill College
 Hodge Hill Girls' School
 Holland House Infant School and Nursery
 Hollywood Primary School
 Holte School
 James Watt Primary School
 Kings Heath Boys
 Kings Heath Primary School
 Kings Norton Junior and Infant School
 Kingsland Primary School (NC)
 Kingsthorpe Primary School
 Kitwell Primary School and Nursery Class
 Ladypool Primary School
 Lakey Lane Junior and Infant School
 Lozells Junior and Infant School and Nursery
 Lyndon Green Infant School
 Lyndon Green Junior School
 Maney Hill Primary School
 Mapledene Primary School
 Marsh Hill Primary School
 Minworth Junior and Infant School
 Nelson Junior and Infant School

Main entrance to the school building
 Main entrance to the school building
 Centre point of the school site
 School gate on Claremont Road
 Main entrance to the school building
 School gate on Stechford Road
 Entrance to the school building
 Entrance to the main school building
 School gate on Breedon Road
 Entrance to the school building
 Entrance to the school building
 Entrance to the school building
 School gate on Glenville Drive
 Entrance to the school building
 Entrance to the school building
 Main entrance to the school building
 Entrance to the school building
 Entrance to the school building
 Centre of the school building
 School gate
 Centre of the building
 Main school gate
 Main entrance to the school building
 on Station Road
 Main entrance to the school building
 Centre point of the school building
 Centre point of the school building
 A point within the main school building
 Entrance to the school building
 Main entrance to the school building
 Main school gate
 Centre of the school grounds
 Main entrance to the school building
 School building
 Main entrance to the school building
 Main school gate
 Centre of the school building
 Main entrance to the school building
 Centre of the school building
 Main entrance to the school building
 Main gate of the school
 Main entrance of the school
 Main entrance of the school building
 Main entrance to the school building
 Main school gate
 Main gate of the school
 Main gate to the school
 Main entrance to the school
 Main entrance to the school

Nelson Mandela School	Main entrance to the school
New Hall Primary School	Centre of the school building
New Oscott Primary School	School gate
Osborne Primary School	School gate
Paganel Primary School	Main entrance to the school
Paget Primary School	Centre of the school building
Park Hill Primary School	Main school gate
Penns Primary School	Main entrance to the school
Raddlebarn Primary School	Main school gate
Redhill Junior and Infant School	Main entrance of the school
Rednal Hill Infant School	Main entrance of the school
Rednal Hill Junior School	Main entrance to the school
Regents Park Community Primary School	Main entrance to the school
Selly Park Girls' School	Centre of the main school building
Severne Junior Infant and Nursery School	Main entrance to the school building
Shaw Hill Primary School	Main school gate
Sladefield Infant School	Main entrance of the school
Somerville Primary (NC) School	Centre point of the school
St Benedict's Primary School	Main entrance of the school
St James Church of England Primary School, Handsworth	Main entrance of the school
St Mary's Church of England Primary School	Centre of the school
St Matthew's CofE Primary School	Centre point of the school
St Saviour's C of E Primary School	Main gate of the school
Stanville Primary School	Main entrance of the school
Starbank School	Centre of the school site on Hob Moor Road
Stechford Primary School	Main entrance of the school
Story Wood School	Centre point of the school
Summerfield Junior and Infant School	Centre of the school
Sundridge Primary School	Main entrance to the school
Swanshurst School	School gate on Brook Lane
The Meadows Primary School	Main entrance to the school building
The Oaks Primary School	Main entrance to the school
Thornton Primary School	Centre of the school
Turves Green Boys' School	The main school building
Ward End Primary School	School gate
Water Mill Primary School	Main entrance to the school
Wattville Primary School	Main entrance of the school
Welford Primary School	Main school gate
Welsh House Farm Community School	Main school gate
West Heath Primary School	Main entrance of the school
Wheeler's Lane Primary School	Centre of the school site
Wheeler's Lane Technology College	Centre of the school
William Murdoch Primary School	Centre point of the school
Woodcock Hill Primary School	Main entrance of the school
Woodgate Primary School	Main entrance of the school
Woodthorpe Junior and Infant School	Main entrance of the school
World's End Infant and Nursery School	Main school gate
World's End Junior School	Main entrance of the school

Wylde Green Primary School	Main school gate
Yardley Primary School	Main entrance to the school
Yardley Wood Community Primary School	Centre point of the school
Yenton Primary School	Main school gate
Yorkmead Junior and Infant School	Main school gate

Note: Distances are calculated on the basis of a straight line measurement (as the crow flies) between the applicant's home address (coordinates provided by ordinance survey data) and to the measuring point stated above.

Appendix 1B

DETERMINED ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR 2022 / 2023 ACADEMIC YEAR FOR THE YEAR OF ENTRY AND IN-YEAR ADMISSIONS

1. Birmingham Local Authority (community and voluntary controlled infant, primary and secondary schools) over-subscription criteria

- 1.1. Any child with an Education, Health and Care Plan is required to be admitted to the school that is named in the plan. This gives such children overall priority for admission to the named school. This is not an oversubscription criterion.

The local authority is the admission authority for community and voluntary controlled schools. Children are admitted to schools in accordance with parental preference as far as possible. However, where there are more applications than there are places available, places at community and voluntary controlled schools will be offered based on the following order of priority except those schools set out in paragraphs 2, 3, 4 and 5 below.

1.2. Looked after children or children who were previously looked after (including internationally adopted previously looked after children).

- 1.3. Children with a brother or sister already at the school who will still be in attendance at the time the child enters the school, excluding those children attending nursery, in year 6 or attending a sixth form.

- 1.4. In the case of Voluntary Controlled Church of England primary schools, children whose parents have made applications on denominational grounds. This will be confirmed by a letter from the Vicar / Minister of the relevant Church. Details of schools that use denominational criteria can be viewed at section 6.

- 1.5. Children who live nearest the school.

- 1.6. Within each of the categories above, priority is given to those who live nearest to the school, measured in a straight line from the child's home address to a designated point on the school premises (see 10.1).

- 1.7. Admission to a nursery school or nursery class does not give the child any priority or an extra right to transfer to the Reception year of the primary or infant

school to which the nursery is linked or attached. A separate application must be made

2. Over-subscription criteria for Year 2 to Year 3 Transfers

- 2.1. Looked after or previously looked after children (including internationally adopted previously looked after children).
- 2.2. Linked Schools: Children who will be attending the linked Infant School at the time of application and will still be in attendance at the end of Year 2. (A list of linked infant and junior schools is available in the primary prospectus on the School Admissions website).
- 2.3. Children with a sibling already at the Infant or Junior School and who will still be in attendance at the time the child enters the school.
- 2.4. Children who live nearest the school.
- 2.5. Within each of the categories above, priority is given to those who live nearest to the school, measured in a straight line from the child's home address to a designated point on the school premises.

3. Chilcote Primary, Hall Green Infant and Hall Green Junior schools

- 3.1. Chilcote Primary, Hall Green Infant and Hall Green Junior schools each have catchment areas. At these schools, the order of priority for admission is as follows:
 - 3.1.1. Looked after or previously looked after children (including internationally adopted previously looked after children).
 - 3.1.2. Children living within the catchment area of the school who will have a sibling in attendance at the school at the time of admission.
 - 3.1.3. Children living within the catchment area of the school who live nearest the school.
 - 3.1.4. Children living outside the catchment area of the school who will have a sibling in attendance at the school at the time of admission.
 - 3.1.5. Children living outside the catchment area who live nearest the school.
- 3.2. Within each of the categories above, priority is given to those who live nearest to the school.

4. Over-subscription criteria for Year 2 to Year 3 Transfer - Hall Green Junior

- 4.1. Looked after or previously looked after children (including internationally adopted previously looked after children).
- 4.2. Children attending Hall Green Infant School.

- 4.3. Children who will be attending the School at the time of the application and will still be in attendance at the end of Year 2.
- 4.4. Children living within the catchment area of the school who will have a sibling in attendance at the Infant or Junior school at the time of admission.
- 4.5. Children living within the catchment area of the school who live nearest the school.
- 4.6. Children living outside the catchment area of the school who will have a sibling in attendance at the Infant or Junior school at the time of admission.
- 4.7. Children living outside the catchment area who live nearest the school.
- 4.8. Within each of the categories above, priority is given to those who live nearest to the school.

5. Sixth Form entry requirements for Community Schools

- 5.1. Mainstream sixth form places/year 12 and above are not coordinated by the Local Authority and applications should be made directly to the school(s) concerned. Children with an Education, Health and Care Plan will have a SENAR Post 16 preference form sent to their current school for them to complete.
- 5.2. Each school which admits pupils into Year 12 is required to publish in the school prospectus the minimum academic entry criteria for entry in the sixth form. This is the same for both external and internal places. Details of the academic requirements for each course can be obtained by contacting the school.
- 5.3. Children and their parents applying for sixth form places may use the Local Authority Preference Form although if they are already on the roll they are not required to do so in order to transfer into year 12. Internal applicants who meet the minimum academic entrance requirements will be offered a place automatically.
- 5.4. The following oversubscription criteria will be used for external applicants who meet the minimum academic entry criteria when there are more applications than places available:
 - a) Looked after or previously looked after child (including internationally adopted previously looked after children).
 - b) Proximity of the child's home to school with those living nearer accorded the higher priority.
- 5.5. Applicants refused a place in Year 12 are entitled to appeal to an independent appeal panel.
- 5.6. The secondary community schools listed below will admit the following number of children externally into Year 12.
 - Bordesley Green Girls' School - 10
 - Holte Visual and Performing Arts College –20
 - Swanshurst School – 20

6. Voluntary controlled Church of England denominational criteria

6.1. Christ Church CE Primary School

Anybody whose parent/guardian regularly attends the local Church of England Parish Church (Christ Church, Farm Road (B11)). We define regular as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by a letter from the local minister.

In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship.

No supplementary information form is used at Christ Church CE Primary School.

6.2. St James CE Primary School

Anybody whose parent/guardian regularly attends St James Church, Handsworth. Regular is defined as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by Fr. Paul Capeman, our parish priest.

In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship.

A supplementary Information Form is used at St James CE Primary School – – please see below.

ADMISSIONS

DENOMINATIONAL CLAIM

If you wish to apply to St James CE Primary School on denominational grounds, you will need to complete this form and return it to the school together with a letter from Fr. Paul Capeman, Parish Priest at St James Church.

Child's Forename: _____ Child's Surname: _____

Date of Birth: _____

Address:

Name of Church:

Address:

Parent/Carer Name: _____

Parent/Carer Sign: _____

Date: _____

6.3. St Matthew's CE Primary School

- a) Anybody whose parent/guardian regularly attends any Church of England Church. We define regular as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by a letter from the local minister.
- b) Anybody whose parent/guardian regularly attends any other Christian denomination (defined as a Church who are members of Churches together in England or the Evangelical Alliance). We define regular as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by a letter from the local minister.

In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship.

No supplementary information form is used at St Matthew's CE Primary School.

6.4. St Saviour's CE Primary School

- a) Anybody whose parent/guardian regularly attends the local Church of England Parish Church (St Saviour's, St Saviour's Road). We define regular as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by a letter from the local minister.
- b) Anybody whose parent/guardian regularly attends any other Church of England Church. We define regular as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by a letter from the local minister.
- c) Anybody whose parent/guardian regularly attends any other Christian denomination

(defined as a Church who are members of Churches together in England or the Evangelical Alliance). We define regular as meaning once a month for a twelve month period twelve months prior to the date of the application and this will be confirmed by a letter from the local minister.

In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship.

No supplementary information form is used at St Saviour's CE Primary School.

7. Waiting lists

7.1. Parents whose children have not been offered a place at one or more of their preferred schools will be informed of their right of appeal and will be added to their preferred schools' waiting lists. Parents will be advised that inclusion on a school's waiting list does not mean a place will eventually become available there.

7.2. Waiting lists will be created following the acceptance of places and are subject to change. Any new applicants to whom it is not possible to offer a place will be added to each school's waiting list in accordance with the relevant oversubscription criteria. This means that a child's waiting list position during the year could go up or down. Places will not normally be allocated from waiting lists until after the time for acceptance of offers has expired and the number of places offered and accepted have been confirmed. This process will normally approximately take 3 weeks.

7.3. School Admissions and Fair Access Service, on behalf of the Local Authority, will maintain waiting lists for community and voluntary controlled schools for the summer term of the academic year.

7.4. At the start of the autumn term each year, School Admissions and Fair Access Service will pass Community and Voluntary Controlled schools their waiting lists to maintain following the end of the normal round of admissions. Waiting lists following transfer to secondary school must be maintained by schools up to the 31 December of that Year and waiting lists following the Reception class intake and Year 2-3 transfers must be maintained until 31 January of the following Year. Schools should write out to parents/carers to establish if they wish for their child to remain on their waiting list following the dates above or at the end of the Academic Year. Schools must make it clear those parent/carers that do not respond will be removed from the waiting list.

7.5. Waiting lists for voluntary aided and foundation schools, Academies and free schools in Birmingham will be maintained by the schools and Academies on behalf of their Governing Bodies. The Local Authority may require sight of the waiting lists at these schools, in order to determine that the co-ordinated scheme is operating effectively.

8. Appeals

8.1. Where parents are refused a place at a school that they have expressed a preference for, arrangements exist for appeals to be heard by an Appeals Panel, which is independent of the admission authority for the school.

- 8.2. Parents can only appeal for schools for which they have expressed a preference and where their application has been refused.
- 8.3. In the case of appeals for Reception, Year 1 and Year 2, because infant classes have a legal limit of 30, Appeals Panels are limited in the matters they can take into account. In this type of appeal, an Appeal Panel can only uphold an appeal if it is satisfied that:
- the admission of additional children would not breach the infant class size limit; or
 - the child would have been offered a place if the arrangements had been correctly and impartially applied; or
 - the child would have been offered a place if the arrangements had not been contrary to the School Admissions Code and legislation; or the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.
- 8.4. Appeals in respect of community, voluntary controlled schools and those academies who have delegated responsibility for the administration of appeals to Birmingham Local Authority, should be sent to Birmingham's School Admissions and Fair Access Service. Appeals in respect of voluntary aided and foundation schools, the King Edward VI schools, Ninestiles and Holyhead School should be sent to the Governing Body of the school(s) concerned. A comprehensive list of which schools administer their own appeals is available in the parents' information booklet and the School Admissions website.

9. Definitions

9.1. Looked After and previously looked after children

Children who are looked after or immediately after being looked after became subject to an adoption, child arrangement order or special guardianship order. This includes any child / young person who is subject to a Full Care Order, an interim Care Order, accommodated under Section 22(1) of the Children Act 1989, is remanded or detained into Local Authority accommodation under Criminal Law or who has been placed for adoption. Birmingham Local Authority's School Admissions and Fair Access Service will obtain names of all children who are looked after or will verify details for those applicants who indicate that their child was previously looked after, within the appropriate age range). Places for these children will be considered in accordance with each school's admission criteria. **However, evidence may be requested from carer's whose children are looked after or were previously looked after by another Local Authority.**

Children adopted from state care outside of England

Children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted will be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). These children are referred to as internationally adopted previously looked after children – "IAPLAC".

Evidence will be required from the carer confirming that their child meets the above criteria

in accordance with the DfE's non-statutory guidance on the admission of IAPLAC. The School Admissions and Fair Access Team may be required to check with colleagues from the Birmingham Virtual School about the acceptability of any evidence provided by the carer of an IAPLAC before considering their child's application under this criterion.

9.2. Siblings

Siblings (brothers or sisters) are considered to be those children who live at the same address and either:

- i have one or both natural parents in common;
- or ii are related by a parents marriage;
- or iii are adopted or fostered by a common parent

Unrelated children living at the same address, whose parents are living as partners, are also considered to be siblings.

Children not adopted or fostered or related by a parents' marriage or with one natural parent in common, who are brought together as a family by a same sex civil partnership and who are living at the same address, are also considered to be siblings.

Children who attend either a linked infant or junior school and will still be in attendance at the time of admission are considered as sibling claims.

Separate boys' and girls' schools are not considered to be linked for the purposes of sibling claims. All siblings must still be attending the preferred school at the time that admission is sought. For example for the September 2022 intake the sibling must still be attending in September 2022. **Therefore; for entry into Reception Class children attending nursery class or attending Year 6 are not classed as meeting the sibling criteria. For Secondary Transfers children in Year 11 and Sixth Form are not classed as meeting the sibling criteria.**

9.3. Distance measurements to schools

Distances are calculated on the basis of a straight-line measurement between the applicant's home address and a point decided by the school (usually the front gates). The Local Authority uses a computerised system, which measures all distances in metres. Ordnance Survey supplies the co-ordinates that are used to plot an applicant's home address and the address of the school. The measuring point for each school is specified below in section 10.1.

9.4. Tie-Breaker

In a very small number of cases where a school is oversubscribed, it may not be possible to decide between the applications of those pupils who are the final qualifiers for a place, when applying the published admission criteria.

For example, this may occur when children in the same year group live at the same address, or if the distance between the home and school is exactly the same, for example, blocks of flats. If there is no other way of separating the application according to the admissions criteria and to admit both or all of the children would cause the Published Admission Number for the child's year group to be exceeded, the Local Authority will use a computerised system to randomly select the child to be offered the final place.

9.5. Home Address

A pupil's home address is considered to be a residential property that is the child's only or main residence and is either;

- Owned by the child's parent(s), or the person with parental responsibility for the child;
- Leased to or rented by the child's parent(s), or the person with parental responsibility under lease or written rental agreement of not less than twelve months duration.

Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.

Parents who are unable to provide proof of permanent residence should contact a member of School Admissions and Fair Access Service to discuss providing other acceptable proof of address.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to satisfy the authority that the child lives at the address put forward by the parents. If a school is offered on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place will be withdrawn.

10. Deferred Entry

By law, parents must ensure that their children are receiving suitable full-time education at the beginning of the term after their 5th birthday. However, in Birmingham, children are admitted to Reception Class in the September at the start of the academic year in which they reach five years of age.

Parents may, however, defer their child's admission to primary or infant school until later in the school year, but not beyond the beginning of the first academic term after the child's fifth birthday (the time when the child reaches compulsory school age) and not beyond the beginning of the final term of the school year of which the offer was made. Alternatively, a parent has the right for their child to be admitted on a part-time basis during the Reception Class year but not beyond the point that they reach compulsory school age. In both cases above a school place is held for the child until they take it up.

A child who reaches the age of five during the 2022/2023 summer term would reach compulsory school age in September 2023. However, it is not possible to accept a place in the Reception Class for September 2022 but defer the child's admission until the beginning of the 2023/2024 academic year, and if a child did not take up their place in a Reception Class in 2022/2023 a separate in-year application would need to be made for the child to enter the school in Year 1.

Parents of children who reach the age of five during the summer term of the 2022/2023 academic year who are considering deferring their child's admission to primary or infant school until the beginning of the 2023/2024 academic year should note that, as the overwhelming majority of children in Birmingham start school at the start of the

academic year in which they reach the age of five, it is likely that some or all of the parents' preferred schools will not have vacancies in their child's year group if they apply for a place in Year 1 (these places having been allocated to children who started school the previous year).

For children born in the summer, parents/carers may believe it to be in their child's best interests to be admitted to Reception Class rather than Year 1, outside their child's normal age group. These requests will be considered by the admission authority of the school(s) and a decision made on the basis of the circumstances of each case and also in the best interests of the child concerned. **Parents do not have the right to insist that their child is admitted to a particular age group including reception.**

Where a parent wishes to request admission out of the normal age group for their child, they should still make an application for their child's normal age group at the usual time. At the same time, the parent should submit their request for their child to be admitted out of their normal age group to the relevant admission authority, (this is BCC for all community and voluntary controlled schools), together with supporting evidence.

Admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking into account the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. The admission authority must ensure that the parent receives the response to their request before primary national offer day.

If the request is agreed, the application for the normal age group may be withdrawn and the parent must make a new application for a place in Reception Class as part of the main admissions round the following year. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to Year 1 for the September following the child's fifth birthday.

One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.

Parents have the right to appeal against the refusal of a place at a school for which they have applied but cannot appeal if they are offered a place but not in their preferred age group.

Deferred entry Year 7

The below process only applies for children that had deferred entry agreed at the point their child were due to start Reception Class in September 2015 and was agreed for them to start Reception Class in September 2016 instead.

Parent/carers whose children are due to transfer to Secondary School in September 2022

as they were born between 01/09/2010-31/08/2011 but wish to defer entry until September 2023 are required to make an application for their child transfer to Secondary School in September 2022 by 31 October 2021.

Parent/carers must contact the relevant admission authority directly to request deferment, for schools where Birmingham Local Authority is not the admission authority (non-Community/Voluntary Controlled Schools). Parents will be required to provide evidence that they have requested and had deferment approved by the admission authority for that school. Parents do not have the right to insist that their child is admitted to a particular age group including Year 7.

If the admission authority refuses to agree for deferment until September 2023, then the parent/carer will need to make an in-year application for a place in September 2023 for a place in Year 8 and then request via the school for their child to be taught outside their normal chronological year group.

Implications of deferred entry to school

Placement outside a child's chronological year group must be considered to be in the best interests of the child. The decision could potentially have long-term effects and it is therefore important to establish the reasons for the request to delay starting school. It is also important to anticipate what will happen when your child would be old enough to transfer to secondary school, to leave statutory education and the timing of any consequent examinations. Some points to consider:

- Your preferred school may not have space in the following year to accommodate your child.
- As your child matures they may realise that the rest of their class are of a different age, causing adverse emotional impact.
- Admission authorities (e.g. academies) will be the decision makers and as they are independent of the local authority may choose to decline a deferral request.
- As the law currently stands, a child who starts Reception a year behind cohort will need to request a formal deferral to progress through each phase of education with their adopted cohort (for example to apply for a deferral to secondary phase when a child is in year 5.)
- A child applying for a selective school (e.g. grammar school) may be subject to a weighting in their selective test due to being older than other children in their cohort.
- If your child reaches school-leaving age before they have completed their Key Stage 4 curriculum, they may decide to leave school without completing formal examinations.

11. Measuring Points

Establishment Name	Measuring point
Adderley Primary School	Main entrance on Arden Road
Allens Croft Primary School	Main entrance to the school building
Anderton Park Primary School	Main entrance to the school building
Anglesey Primary School	Main entrance to the school building
Arden Primary School	Main entrance to the school building
Banners Gate Primary School	Centre point of the school building
Barford Primary School	Centre point of the school building

Establishment Name	Measuring point
Beeches Infant School	Main gate of the Perry Beeches site
Beeches Junior School	Main gate of the Perry Beeches site
Bellfield Infant School (NC)	Main entrance to the school building
Bellfield Junior School	Main entrance to the school building
Bells Farm Primary School	Main entrance to the school building
Benson Community School	Main entrance to the school building
Birches Green Infant School	Main entrance to the infant school building
Birches Green Junior School	School gate off Birches Green Road
Blakesley Hall Primary School	Main entrance to the school building
Boldmere Infant School and Nursery	School gate on Cofield Road
Boldmere Junior School	School gate on Cofield Road
Bordesley Green Girls' School & Sixth Form	School gate on Bordesley Green Road
Bordesley Green Primary School	School gate on Drummond Road
Broadmeadow Infant School	Main entrance to the school building
Broadmeadow Junior School	Main entrance to the school building
Calshot Primary School	Main entrance to the school building
Chad Vale Primary School	Main entrance to the school building
Cherry Orchard Primary School	Main entrance to the school building
Chilcote Primary School	Centre point of the school site
Christ Church CofE Controlled Primary School and Nursery	School gate on Claremont Road
Clifton Primary School	Main entrance to the school building
Colebourne Primary School	School gate on Stechford Road
Colmore Infant and Nursery School	Entrance to the school building
Colmore Junior School	Entrance to the main school building
Cotteridge Primary School	School gate on Breedon Road
Court Farm Primary School	Entrance to the school building
Deykin Avenue Junior and Infant School	Entrance to the school building
Elms Farm Community Primary School	Entrance to the school building
Featherstone Primary School	School gate on Glenville Drive
Forestdale Primary School	Entrance to the school building
George Dixon Primary School	Entrance to the school building
Gilbertstone Primary School	Main entrance to the school building
Glenmead Primary School	Entrance to the school building
Grendon Junior and Infant School (NC)	Entrance to the school building
Grove School	Centre of the school building
Gunter Primary School	School gate
Hall Green Infant School	Centre of the building
Hall Green Junior School	Main school gate
Harborne Primary School	Main entrance to the school building on Station Road
Hawthorn Primary School	Main entrance to the school building
Heath Mount Primary School	Centre point of the school building
Highters Heath Community School	Centre point of the school building
Hodge Hill College	A point within the main school building

Establishment Name	Measuring point
Hodge Hill Girls' School	Entrance to the school building
Holland House Infant School and Nursery	Main entrance to the school building
Hollywood Primary School	Main school gate
Holte School	Centre of the school grounds
James Watt Primary School	Main entrance to the school building
Kings Heath Boys	School building
Kings Heath Primary School	Main entrance to the school building
Kings Norton Junior and Infant School	Main school gate
Kingsland Primary School (NC)	Centre of the school building
Kingsthorpe Primary School	Main entrance to the school building
Kitwell Primary School and Nursery Class	Centre of the school building
Ladypool Primary School	Main entrance to the school building
Lakey Lane Junior and Infant School	Main gate of the school
Lozells Junior and Infant School and Nursery	Main entrance of the school
Lyndon Green Infant School	Main entrance of the school building
Lyndon Green Junior School	Main entrance to the school building
Maney Hill Primary School	Main school gate
Mapledene Primary School	Main gate of the school
Marsh Hill Primary School	Main gate to the school
Minworth Junior and Infant School	Main entrance to the school
Nelson Junior and Infant School	Main entrance to the school
Nelson Mandela School	Main entrance to the school
New Hall Primary School	Centre of the school building
New Oscott Primary School	School gate
Osborne Primary School	School gate
Paganel Primary School	Main entrance to the school
Paget Primary School	Centre of the school building
Park Hill Primary School	Main school gate
Penns Primary School	Main entrance to the school
Raddlebarn Primary School	Main school gate
Redhill Junior and Infant School	Main entrance of the school
Rednal Hill Infant School	Main entrance of the school
Rednal Hill Junior School	Main entrance to the school
Regents Park Community Primary School	Main entrance to the school
Selly Park Girls' School	Centre of the main school building
Severne Junior Infant and Nursery School	Main entrance to the school building
Shaw Hill Primary School	Main school gate
Sladefield Infant School	Main entrance of the school
Somerville Primary (NC) School	Centre point of the school
St Benedict's Primary School	Main entrance of the school
St James Church of England Primary School, Handsworth	Main entrance of the school
St Mary's Church of England Primary School	Centre of the school
St Matthew's CofE Primary School	Centre point of the school
St Saviour's C of E Primary School	Main gate of the school
Stanville Primary School	Main entrance of the school
Stechford Primary School	Main entrance of the school

Establishment Name	Measuring point
Story Wood School	Centre point of the school
Summerfield Junior and Infant School	Centre of the school
Sundridge Primary School	Main entrance to the school
Swanshurst School	School gate on Brook Lane
The Meadows Primary School	Main entrance to the school building
The Oaks Primary School	Main entrance to the school
Thornton Primary School	Centre of the school
Turves Green Boys' School	The main school building
Ward End Primary School	School gate
Water Mill Primary School	Main entrance to the school
Wattville Primary School	Main entrance of the school
Welford Primary School	Main school gate
Welsh House Farm Community School	Main school gate
West Heath Primary School	Main entrance of the school
Wheeler Lane Primary School	Centre of the school site
Wheeler Lane Technology College	Centre of the school
William Murdoch Primary School	Centre point of the school
Woodcock Hill Primary School	Main entrance of the school
Woodgate Primary School	Main entrance of the school
Woodthorpe Junior and Infant School	Main entrance of the school
World's End Infant and Nursery School	Main school gate
World's End Junior School	Main entrance of the school
Wylde Green Primary School	Main school gate
Yardley Primary School	Main entrance to the school
Yardley Wood Community Primary School	Centre point of the school
Yenton Primary School	Main school gate
Yorkmead Junior and Infant School	Main school gate

Note: Distances are calculated on the basis of a straight line measurement (as the crow flies) between the applicant's home address (coordinates provided by ordinance survey data) and to the measuring point stated above.

Appendix 2A

DETERMINED SCHEME FOR THE CO-ORDINATED ADMISSIONS TO SCHOOLS AND ACADEMIES – SEPTEMBER 2021/2022

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1. Relevant area

- 1.1 In accordance with The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999, Birmingham Local Authority has determined its relevant area as that contained within the administrative area of the City of Birmingham. It is proposed that this arrangement will continue for 2021/2022.

2. Background

- 2.1 This scheme applies to all primary and secondary maintained schools, academies, free schools, university technical colleges, foundation, voluntary aided (excluding special schools) in Birmingham for the academic year 2021 / 2022 and is made under the provisions of the School Standards and Framework Act 1998, as amended by the Education Act 2002, and The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2012.
- 2.2 The School Admissions and Fair Access Service, on behalf of the Local Authority and other admission authorities in Birmingham, will co-ordinate applications made during the normal admissions round (i.e. applications for Reception Year, Year 3 at a Junior School, Year 7 and, in the case of selected 14-19 Academies, Year 10). Parents/carers resident in Birmingham who are applying for a place for their child in September 2021 will make a single application to the Local Authority (School Admissions and Fair Access Service) for any Birmingham maintained school, academy or free school or any such school or academy in a neighbouring authority.
- 2.3 For the academic year 2021 / 2022 and subsequent years, subject to any review, applications made outside the normal admissions round (i.e. in-year applications) will be made directly to individual schools.
- 2.4 Birmingham City Council is the relevant admission authority for all community and voluntary controlled schools within the City.
- 2.5 For academies and free schools (including Trust schools), their Trust or board of directors is the admissions authority. For Voluntary aided and foundation schools, governing bodies of such schools are the admissions authority.
- 2.6 Co-ordination schemes do not affect the rights and duties of the governing bodies of academies, free schools, university technical colleges, foundation, voluntary aided to set and apply their own admission arrangements and oversubscription criteria, but they must ensure that their own arrangements are compatible with the Local Authority's admission arrangements and co-ordinated scheme.

3. Admission Authority for each type of school in Birmingham

There are a number of different school types in Birmingham:

Type of School	Who is the admission authority?
Academies (inc. Free Schools)	Academy Trust
Community Schools	Local Authority
Foundation Schools	Governing Body
Voluntary Aided Schools	Governing Body
Voluntary Controlled Schools	Local Authority

4. Parents' right to apply for a school

- 4.2 Birmingham City Council, as a Local Authority, must enable parents and carers to say where they would prefer their child to go to school. The law does not give parents a right to “choose” which school their child will attend.
- 4.3 Subject to certain exceptions an admission authority must comply with any preference expressed by a parent/carers as to the school at which their child should be educated.

Exceptions

- 4.4 The law recognises that it may not always be possible to carry out parents' wishes, for a number of reasons:
- because this would “prejudice the provision of efficient education or the efficient use of resources”, e.g. because a particular school may be full (i.e., it has already admitted pupils up to the Published Admission Number for the child's year group);
 - because it is a selective (grammar) school and the child has not reached the required academic standard for entry to a selective school;
 - because the child has been permanently excluded from two or more schools and the most recent of the exclusions took place within the last two years;
 - because the school's statutory infant class size limit of 30 has been reached.

5. The application process for primary and secondary normal admission rounds

All rounds

- 5.1 Applications made on behalf of children with an Education Health and Care Plan will be considered by the Special Educational Needs

Assessment and Review Service (SENAR), in accordance with parental preference and each child's individual needs, taking account of Birmingham City Council's inclusion policy and any consultation required with school governing bodies.

- 5.2 Birmingham Local Authority's School Admissions and Fair Access Service will obtain names of children who are looked after by Birmingham and will verify details for those applicants who indicate that their child was previously looked after but ceased to be so because they were adopted (or became subject to a child arrangement or special guardianship order) within the appropriate age range). Places for these children will be considered in accordance with each school's admission criteria. **Evidence may be requested from carer's whose children are looked after or were previously looked after by another Local Authority.**

Children adopted from state care outside of England

Children who appear (to the admission authority for the school) to have been in state care outside of England and ceased to be in state care as a result of being adopted will be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). These children are referred to as internationally adopted previously looked after children – "IAPLAC".

Evidence will be required from the carer confirming that their child meets the above criteria in accordance with the DfE's non-statutory guidance on the admission of IAPLAC. The admission authority for the school may be required to check with colleagues from the Birmingham Virtual School about the acceptability of any evidence provided by the carer of an IAPLAC before considering their child's application under this criterion.

Starting Reception Class

- 5.3 If a child attends a nursery class, this does not mean that he or she will automatically get a place in the primary or infant school to which the nursery is linked or attached. Parents with children in a nursery class must apply for a Reception Class place at the school in the same way as other parents
- 5.4 By law, parents must ensure that their children are receiving suitable full-time education at the beginning of the term after their 5th birthday. However, in Birmingham, children are admitted to Reception Class in the September at the start of the academic year in which they reach five years of age.
- 5.5 Parents may, however, defer their child's admission to primary or infant school until later in the school year, but not beyond the beginning of the first academic term after the child's fifth birthday (the time when the child reaches compulsory school age) and not beyond the beginning of the final term of the school year of which the offer was made. Alternatively, a parent has the right for their child to be admitted on a part-time basis

during the Reception Class year but not beyond the point that they reach compulsory school age. In both cases above a school place is held for the child until they take it up.

- 5.6 A child who reaches the age of five during the 2021/2022 summer term would reach compulsory school age in September 2022. However, it is not possible to accept a place in the Reception Class for September 2021 but defer the child's admission until the beginning of the 2022/2023 academic year, and if a child did not take up their place in a Reception Class in 2021/2022 a separate in-year application would need to be made for the child to enter the school in Year 1.
- 5.7 Parents of children who reach the age of five during the summer term of the 2021/2022 academic year who are considering deferring their child's admission to primary or infant school until the beginning of the 2022/2023 academic year should note that, as the overwhelming majority of children in Birmingham start school at the start of the academic year in which they reach the age of five, it is likely that some or all of the parents' preferred schools will not have vacancies in their child's year group if they apply for a place in Year 1 (these places having been allocated to children who started school the previous year).
- 5.8 For children born in the summer, parents/carers may believe it to be in their child's best interests to be admitted to Reception Class rather than Year 1, outside their child's normal age group. These requests will be considered by the admission authority of the school(s) and a decision made on the basis of the circumstances of each case and also in the best interests of the child concerned. **Parent/carers must contact the relevant admission authority directly to request deferment, for schools where Birmingham Local Authority is not the admission authority (non-Community/Voluntary Controlled Schools). Parents will be required to provide evidence that they have requested and had deferment approved by the admission authority for that school. Parents do not have the right to insist that their child is admitted to a particular age group including reception.**

5.9 Implications of deferred entry to school

Placement outside a child's chronological year group must be considered to be in the best interests of the child. The decision could potentially have long-term effects and it is therefore important to establish the reasons for the request to delay starting school. It is also important to anticipate what will happen when your child would be old enough to transfer to secondary school, to leave statutory education and the timing of any consequent examinations. Some points to consider:

- Your preferred school may not have space in the following year to accommodate your child.
- As your child matures they may realise that the rest of their class are of a different age, causing adverse emotional impact.

- Admission authorities (e.g. academies) will be the decision makers and as they are independent of the local authority may choose to decline a deferral request.
- As the law currently stands, a child who starts Reception a year behind cohort will need to request a formal deferral to progress through each phase of education with their adopted cohort (for example to apply for a deferral to secondary phase when a child is in year 5.)
- A child applying for a selective school (e.g. grammar school) may be subject to a weighting in their selective test due to being older than other children in their cohort.
- If your child reaches school-leaving age before they have completed their Key Stage 4 curriculum, they may decide to leave school without completing formal examinations.

5.10 Where a parent wishes to request admission out of the normal age group for their child, they should still make an application for their child's normal age group at the usual time. At the same time, the parent should submit their request for their child to be admitted out of their normal age group to the relevant admission authority, (this is BCC for all community and voluntary controlled schools), together with supporting evidence.

5.11 Admission authorities **(the school in question, not the Local Authority)** must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking into account the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. The admission authority must ensure that the parent receives the response to their request before primary national offer day.

5.12 If the request is agreed, the application for the normal age group may be withdrawn and the parent must make a new application for a place in Reception Class as part of the main admissions round the following year. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to Year 1 for the September following the child's fifth birthday.

5.13 One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.

- 5.14 Parents have the right to appeal against the refusal of a place at a school for which they have applied but cannot appeal if they are offered a place but not in their preferred age group.
- 5.15 In October 2020, the local authority will write or make arrangements to inform parents/carers of children who are on roll at a community or private nursery, via the nursery advising them of how to apply for a Reception Class place online and of where to view the primary prospectus.
- 5.16 The statutory closing date is 15 January 2021. Applications received after this date will be treated in accordance with the procedure for late applications. Proof of address may be required to be provided to the School Admissions and Fair Access Service.
- 5.17 Parents will be allowed to express up to three preferences for their child to be admitted to any maintained primary or infant school or academy or free school inside or outside the Birmingham Local Authority area.
- 5.18 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address is provided.
- 5.19 Data will be exchanged with other admission authorities and other local authorities as detailed in Section 7.
- 5.20 The School Admissions and Fair Access Service will send details of any siblings included in a parent's application to schools and academies for verification.
- 5.21 The School Admissions and Fair Access Service will compare ranked parental preferences for each school. All ranked preferences will be given equal consideration against schools' admission criteria. If the child ranks sufficiently highly within the admission criteria for two or more schools and could therefore potentially be offered a place at either school, the school the parent ranked highest as a preference will be offered.
- 5.22 Children who live in Birmingham that have not been offered one of their parents' three preferences, following consultation with another admission authority if appropriate, will be offered a place at one of their closest Birmingham all state funded primary or infant schools with a vacancy.
- 5.23 Primary / infant schools will verify the child's date of birth at either the time of acceptance of the offer or at the school's induction day. Offers will be conditional on providing valid proof of date of birth.

Transfer from Infant School to Junior School (Year 2 to Year 3)

- 5.24 if a child attends an infant school, it is necessary for the child to transfer to a different school for his/her junior education.

- 5.25 In October 2020, parents/carers with a child in Year 2 at an infant school will be sent a letter via the school advising them how to apply online for a Year 3 place at a junior school or any other junior school. The same timetable and process as Reception Class admissions above will be used. Parent/carers can express up to three preferences in total, however they must consider that applying for a junior school other than the school that is linked to their child's current infant school, means that their child is less likely to be offered a place at that school, as children that already attend the linked infant school get higher priority for a place at that Junior School.
- 5.26 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address is provided.
- 5.27 If a child attends a primary school (rather than an infant school) it is **not** necessary to apply for him / her to transfer at the end of Year 2.

Transfer from Year 6 to Secondary School

- 5.28 At the end of the Summer Term 2020, Birmingham Local Authority will invite parents of children who will transfer to secondary education in September 2020 to complete an online application form. The online system will be available from September 2020.
- 5.29 All parents will be required to make an application to the Local Authority in which they live. By the second week in July 2020, all maintained primary and junior schools, academies and free schools and, where possible, the majority of independent primary schools in Birmingham, will be forwarded a letter for them to distribute to their Year 5 children living in Birmingham, inviting their parents/carers to make their application for a secondary school place online. Birmingham Local Authority's prospectus will be available to view on the Birmingham City Council's website.
- 5.30 Parents of children who live in Birmingham but whose children attend a primary school outside Birmingham will be advised to make their application online by 31 October 2020.
- 5.31 Online applications will be accepted up until 31 October 2020, which is the statutory deadline for the submission of applications. Applications received after this date will be treated in accordance with the procedures for late applications as detailed in Section 8.
- 5.32 Applications to sit any selective or assessment tests are to be made via separate forms, to be returned by dates specified by the admission authority for the school concerned (i.e., the governing body of a foundation or voluntary aided school or Academy Trust for academies and free schools). No other separate application form will be required by admission authorities in Birmingham; however, some voluntary controlled schools (particularly those with a religious character) have a Supplementary Information Form, which needs to be completed to

determine which category a child should be placed in. These schools will be listed in Birmingham Local Authority's prospectus on the School Admissions website.

- 5.33 Parents may express up to six preferences for their child to be admitted to any maintained school, Academy or Free School inside or outside Birmingham Local Authority.
- 5.34 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address provided.
- 5.35 Data will be exchanged with other admission authorities and other local authorities as detailed in Section 7.
- 5.36 The School Admissions and Fair Access Service will compare ranked parental preferences for each school. All ranked preferences will be given equal consideration against schools' admission criteria. If the child meets the admission criteria for two or more schools and could therefore potentially be offered a place at either school, the school the parent ranked highest as a preference will be offered.
- 5.37 Children who live in Birmingham who have not been offered one of their parents' six preferences, following consultation with another admission authority if appropriate, will be offered a place at one of their closest Birmingham Local Authority maintained secondary schools or academies or free schools with a vacancy.

Year 10 (in the case of 14-19 academies)

- 5.38 At the start of the Autumn Term 2020, parents who wish to make an application for their child to transfer to Year 10 at selected 14 -19 Academies in September 2021 will be able to make their application online. The online system will be available from September 2019.
- 5.39 Some 14-19 Academies in Birmingham will not be part of the co-ordinated scheme, details will be published in Birmingham's composite prospectus of which academies this affects. For these academies parent/carers will need to apply directly to them.
- 5.40 Applications to sit any selective or aptitude tests are to be made via separate forms, to be returned by dates specified by the Academy concerned.
- 5.41 Parents may express up to three preferences for their child to be admitted to any 14 - 19 Academy inside or outside of the Birmingham Local Authority area.
- 5.42 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address provided.
- 5.43 Data will be exchanged with other admission authorities and other local authorities as detailed in Section 7.

- 5.44 The School Admissions and Fair Access Service will compare ranked parental preferences for each Academy. All ranked preferences will be given equal consideration against Academies' admission criteria. If the child meets the admission criteria for two or more 14 - 19 Academies and could therefore potentially be offered a place at either Academy, the Academy the parent ranked highest will be offered.
- 5.45 Children who live in Birmingham who have not been offered one of their parents' three preferences will continue to have a place at their current school and they will be added to the Academies' waiting lists and their parents/carers informed of their right of appeal.

6. Determining the offer of school places

- 6.1 In determining applications for school places admission authorities must usually comply with parental preference.
- 6.2 in accordance with Section 86 of the School Standards and Framework Act 1998, with the exception of designated grammar schools, all maintained schools and Academies that have enough places available must offer a place to every child that has applied for one, without condition or the use of any criteria.

Children with challenging behaviour and those who have been excluded twice

- 6.3 Admission authorities must not refuse to admit children in the normal admissions round on the basis of their poor behaviour elsewhere. Where a child has been permanently excluded from two or more schools there is no need for an admission authority to comply with parental preference for a period of two years from the last exclusion. The twice excluded rule does not apply to children who were below compulsory school age at the time of the exclusion, children who have been re-instated following a permanent exclusion (or would have been had it been practicable to do so), and EHC plans.

7. Timetable for primary and secondary normal admissions rounds for 2021/2022

Timetable for primary and secondary normal admissions rounds for 2021/2022				
	Reception	Junior (Yr 2- 3)	Secondary (Yr 6 –7)	Year 10 (14-19 academies)
Birth range	01/09/16-31/08/17	01/09/13-31/08/14	01/09/09-31/08/10	01/09/06-31/08/07
Rounds open	1 October 2020	1 October 2020	1 September 2020	1 September 2020
Final closing date for receipt of applications	15 January 2021	15 January 2021	31 October 2020	31 October 2020
Rounds Close (Applications will need to be made via the in-year process after this date)	31 July 2021	31 July 2021	31 July 2021	31 July 2021
Data exchange with other Local Authorities	28 January 2021	28 January 2021	12 November 2020	12 November 2020
Unranked preferences forwarded to Birmingham Admission Authorities	14 February 2021	14 February 2021	25 November 2020	25 November 2020
Sibling reports sent to schools and academies	10 February 2021	10 February 2021	25 November 2020	25 November 2020
Ranked preferences from Birmingham Admission Authorities and sibling reports from community schools/academies to be returned to Birmingham LA	28 February 2021	28 February 2021	16 December 2020	16 December 2020
Offer exchange with other Local Authorities	11 March 2021 25 March 2021 31 March 2021	11 March 2021 25 March 2021 31 March 2021	14 January 2021 28 January 2021 4 February 2021 18 February 2021	18 February 2021
Offer day – Notifications sent	16 April 2021	16 April 2021	1 March 2021	1 March 2021
Acceptance of any offer should be made by this date	30 April 2021	30 April 2021	15 March 2021	15 March 2021
Any appeal should be received by this date. (20 school days following notification that application was unsuccessful)	17 May 2021	17 May 2021	29 March 2021	29 March 2021
Appeals received on-time should be considered by this date (40 school days)	19 July 2021	19 July 2021	17 June 2021	17 June 2021

8. Late applications

- 8.1 Applications received after the statutory closing dates (31 October 2020 for Secondary and 14-19 Transfers and 15 January 2021 for Reception and Year 2-3 Transfers will only be considered after applications received on time.
- 8.2 Birmingham City Council is unable to consider any late applications with exceptional circumstances as on time after the 9 November 2020 for Secondary and 14-19 Transfers and after 25 January 2021 for Reception and Year 2-3 Transfers, as the council will be exchanging data with other admission authorities, including neighbouring councils, as part of the coordinated admissions scheme. Birmingham City Council will only consider applications received after the closing date as on time if there were exceptional reasons which prevented the parent/carers from applying by the closing date:
- A child and the person with parental responsibility have moved home.
 - Where the local authority has contacted that parent/carers regarding the information contained within their application, for example, an incomplete application or potentially misleading information requiring further investigation
- 8.3 If you feel you meet the exceptional circumstances as above, you must submit your late application together with evidence/documentation supporting your exceptional circumstances to Birmingham Local Authority for Secondary and 14-19 Transfers between 2 November 2020 and 9 November 2020 and for Reception and Year 2-3 Transfers between 18 January 2021 and 25 January 2021.

Important:

- 8.4 Your evidence must be marked **Exceptional Circumstances** along with your online application reference number e.g. **330-2021-09-E-897451** and you **must** explain your exceptional reasons and attach any relevant documents/evidence, if applicable. **We can only consider applications submitted as late but with exceptional circumstances if the above process is fully adhered to. Evidence/documentation will not be requested by Birmingham Local Authority to support late applications (further to the above). Evidence/documentation must be sent in with the email as stated above by the parent/carers.**
- 8.5 Parent/carers that fully adhere to 8.3 and 8.4 above will have their late applications considered by Birmingham Local Authority on a case by case basis. Those that we do consider as having exceptional circumstances preventing them applying on time will be processed as on time applications, those that are not considered exceptional will be treated as late applications. Parent/carers will be informed by email of our decision and that decision is final.

- 8.6 If parents/carers submit subsequent application(s) after their original application and after the final closing dates (see 8.3 above), they will be restricted to a maximum of six live preferences for secondary and a maximum of three live preferences for reception at any one time. This does not impact parents/carers' right to express changes in preference for other schools, however if they do wish to do so, they must carefully consider which preferences they wish to keep and which they wish to remove. Families must also be mindful that if they remove a preference for a school where their child has been offered a place, Birmingham Local Authority will not automatically make a further offer at another school. Parents/carers must also consider the impact on any offer of a school place, place on a waiting list or the appeal process the schools they remove as preferences. The maximum of six preferences for secondary schools also includes grammar schools. When places are offered in March (secondary) and April (reception), Birmingham City Council will make one offer of a school place for each child. If parents/carers then make changes to their live preferences and these changes overwrite the school place offered, this offer will be withdrawn and no further offer will be made at an alternative school unless a place can subsequently be offered at one of their preferred schools due to waiting list movement. However, inclusion on a school's waiting list is not a guarantee of a place becoming available. Any changes made to live preferences that overwrite the schools a child is currently on the waiting list for will cause the child to be removed from that waiting list. Changes to live preferences that overwrite schools that parents/carers have previously submitted an appeal for will cause the appeal to be withdrawn.
- 8.7 Following the offer of places if parent/carers submit a change of order for preferences for all schools they have already applied for, that these changes in order will be disregarded. All preferences are treated as equal first preferences and their order is only important prior to the offer of places in March (Secondary) April (Reception). If a child does not get offered one of the preferences a parent/carer has ranked higher in their order of preferences following the offer of places, they will be added to those waiting lists when waiting lists are create (The only exception is grammar schools that have a final qualifying score that a child must achieve to be included on those waiting lists).
- 8.8 All applications made on or after 31 July 2021 will need to be submitted to their preferred school as in year applications.

9. Foundation, trust and voluntary aided schools

- 9.1 For each voluntary aided and foundation school (including Trust schools), the Governing Body is the admission authority and decides its own published oversubscription admission criteria.

10. Academies and Free Schools

- 10.1 Admission arrangements for academies and free schools are approved by the Secretary of State for the Department for Education as part of an

Academy's Funding Agreement, which requires compliance with admissions legislation and relevant Codes.

11. Selective schools

11.1 The selection of children for admission to grammar schools in Birmingham is by reference to ability and for this purpose there are tests held in the Autumn Term of the 2020/21 academic year for admission to these selective secondary schools in September 2021.

11.2 Arrangements relating to selective testing for admission to Bishop Vesey's Grammar School and Sutton Coldfield Grammar School for Girls are made jointly with The Schools of King Edward the Sixth in Birmingham. This will be known as "The Grammar Schools in Birmingham"

11.3 The Grammar Schools in Birmingham shall consist of the following schools:

Bishop Vesey's Grammar School
King Edward VI Aston School
King Edward VI Camp Hill School for Boys
King Edward VI Camp Hill School for Girls
King Edward VI Five Ways School
King Edward VI Handsworth Boy's School
King Edward VI Handsworth Girl's School
Sutton Coldfield Grammar School for Girls

11.4 Parents will be required to complete a test registration form to sit the selective test for a school that forms part of The Grammar Schools in Birmingham.

11.5 Pupils will only be required to sit one test to be considered for a place at a school that forms part of The Grammar Schools in Birmingham. Parents must also name any school(s) in The Grammar Schools in Birmingham on their Local Authority Preference Form to be considered for a place there.

11.6 Details and application dates will usually be publicised widely within the City from May each year. The closing date for applications to sit the test is 28 June 2020. No late applications to sit the test will be accepted. The test will take place in early September 2020.

11.7 Admission authorities for grammar schools must inform parents of the outcome of selection tests prior to the final closing date for applications each year, so that parents can make an informed decision as to whether they should name a selective school as one of their preferences.

12. The application process for in-year admissions

12.1 In-Year applications may arise for a number of reasons, for example,

where a family has moved to Birmingham or if a parent/carers wishes to move their child from one school to another at a time outside the normal admissions round.

- 12.2 The local authority and all schools will work together to coordinate in-year applications.
- 12.3 The local authority will enable parents to complete an application for a school place and will provide details of schools with places available.
- 12.4 In the first instance, parents will be requested to make applications directly to the school(s) concerned. Outside the normal admissions round, parents/carers can apply for a place for their child at any time and to any school.
- 12.5 Parent/carers who live in Birmingham who have not been offered their preferred school will be advised of their right of appeal and be added to the schools waiting list. In-Year waiting lists for community, voluntary controlled, voluntary aided, foundation schools, academies and free schools in Birmingham will be maintained by the schools. The Local Authority may require sight of the waiting lists at these schools, in order to determine that the co-ordinated scheme is operating effectively.
- 12.6 Children who are not offered a place at any of their preferred schools, will be offered a place at a Birmingham Local Authority maintained school, academy or free school near to the child's home address, that has a vacancy.
- 12.7 The Local Authority will be informed by schools and academies of any child who has not taken up a school place so that appropriate action can be taken.
- 12.8 Children who live in Birmingham whose parents have refused the school place offered may be issued with a formal notice advising of their legal requirement to ensure that their child is in receipt of a suitable education whether in school or otherwise.
- 12.9 Where a child is not receiving suitable education, further action may be taken against a parent under Birmingham Local Authority's School Attendance process.

13. Fair Access Protocol

- 13.1 The operation of the Fair Access Protocol is outside the arrangements of co-ordination and is triggered when a parent of an eligible child has not secured a school place under the in-year admission arrangements.
- 13.2 Fair Access Protocols exist to ensure that unplaced children outside the normal admissions round, especially the most vulnerable, are offered a suitable school as quickly as possible and to ensure that all schools in an area admit their fair share of children with challenging behaviour.

- 13.3 In the event of a governing body refusing to admit a pupil with

challenging behaviour outside the normal admissions round, even though places are available, a referral will be made to the Local Authority for action under the Fair Access Protocol.

- 13.4 This provision will not apply to a looked after child or EHC plan naming the school in question, as these children must be admitted.
- 13.5 All admission authorities must participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.

Appendix 2B
DETERMINED SCHEME FOR THE CO-ORDINATED ADMISSIONS TO SCHOOLS
AND ACADEMIES – SEPTEMBER 2022/2023

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9. Foundation, trust and voluntary aided schools
10. Academies and free schools
11. Selective schools
12. The application process for in-year admission
13. Fair Access Protocol

1. Relevant area

- 1.1 In accordance with The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999, Birmingham Local Authority has determined its relevant area as that contained within the administrative area of the City of Birmingham. It is proposed that this arrangement will continue for 2022/2023 academic year.

2. Background

- 2.1 This scheme applies to all primary and secondary maintained schools, academies, free schools, university technical colleges, foundation, voluntary aided (excluding special schools) in Birmingham for the academic year 2022 / 2023 and is made under the provisions of the School Standards and Framework Act 1998, as amended by the Education Act 2002, and The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2012.
- 2.2 The School Admissions and Fair Access Service, on behalf of the Local Authority and other admission authorities in Birmingham, will co-ordinate applications made during the normal admissions round (i.e. applications for Reception Year, Year 3 at a Junior School, Year 7 and, in the case of selected 14-19 Academies, Year 10). Parents/carers resident in Birmingham who are applying for a place for their child in September 2021 will make a single application to the Local Authority (School Admissions and Fair Access Service) for any Birmingham maintained school, academy or free school or any such school or academy in a neighbouring authority.
- 2.3 For the academic year 2022 / 2023 and subsequent years, subject to any review, applications made outside the normal admissions round (i.e. in-year applications) will be made directly to individual schools.
- 2.4 Birmingham City Council is the relevant admission authority for all community and voluntary controlled schools within the City.
- 2.5 For academies and free schools (including Trust schools), their Trust or board of directors is the admissions authority. For Voluntary aided and foundation schools, governing bodies of such schools are the admissions authority.
- 2.6 Co-ordination schemes do not affect the rights and duties of the governing bodies of academies, free schools, university technical colleges, foundation, voluntary aided to set and apply their own admission arrangements and oversubscription criteria, but they must ensure that their own arrangements are compatible with the Local Authority's admission arrangements and co-ordinated scheme.

3. Admission Authority for each type of school in Birmingham

There are a number of different school types in Birmingham:

Type of School	Who is the admission authority?
Academies (inc. Free Schools)	Academy Trust
Community Schools	Local Authority
Foundation Schools	Governing Body
Voluntary Aided Schools	Governing Body
Voluntary Controlled Schools	Local Authority

4. Parents' right to apply for a school

- 4.2 Birmingham City Council, as a Local Authority, must enable parents and carers to say where they would prefer their child to go to school. The law does not give parents a right to “choose” which school their child will attend.
- 4.3 Subject to certain exceptions an admission authority must comply with any preference expressed by a parent/carers as to the school at which their child should be educated.

Exceptions

- 4.4 The law recognises that it may not always be possible to carry out parents' wishes, for a number of reasons:
- because this would “prejudice the provision of efficient education or the efficient use of resources”, e.g. because a particular school may be full (i.e., it has already admitted pupils up to the Published Admission Number for the child's year group);
 - because it is a selective (grammar) school and the child has not reached the required academic standard for entry to a selective school;
 - because the child has been permanently excluded from two or more schools and the most recent of the exclusions took place within the last two years;
 - because the school's statutory infant class size limit of 30 has been reached.

5. The application process for primary and secondary normal admission rounds

All rounds

- 5.1 Applications made on behalf of children with an Education Health and Care Plan will be considered by the Special Educational Needs Assessment and Review Service (SENAR), in accordance with parental preference and each child's individual needs, taking account of Birmingham City Council's inclusion policy and any consultation required with school governing bodies.
- 5.2 Birmingham Local Authority's School Admissions and Fair Access Service will obtain names of children who are looked after by Birmingham and will verify details for those applicants who indicate that their child was previously looked after but has not subsequently been adopted.(or

became subject to a child arrangements or special guardianship order) within the appropriate age range). Places for these children will be considered in accordance with each school's admission criteria. **Evidence will be required from carers whose children were previously adopted. We may require evidence from carers whose child was looked after or was previously looked after by another Local Authority.**

Children adopted from state care outside of England

Children who appear (to the admission authority for the school) to have been in state care outside of England and ceased to be in state care as a result of being adopted will be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). These children are referred to as internationally adopted previously looked after children – "IAPLAC".

Evidence will be required from the carer confirming that their child meets the above criteria in accordance with the DfE's non-statutory guidance on the admission of IAPLAC. The admission authority for the school may be required to check with colleagues from the Birmingham Virtual School about the acceptability of any evidence provided by the carer of an IAPLAC before considering their child's application under this criterion.

Starting Reception Class

- 5.3 If a child attends a nursery class, this does not mean that he or she will automatically get a place in the primary or infant school to which the nursery is linked or attached. Parents with children in a nursery class must apply for a Reception Class place at the school in the same way as other parents
- 5.4 By law, parents must ensure that their children are receiving suitable full-time education at the beginning of the term after their 5th birthday. However, in Birmingham, children are admitted to Reception Class in the September at the start of the academic year in which they reach five years of age.
- 5.5 Parents may, however, defer their child's admission to primary or infant school until later in the school year, but not beyond the beginning of the first academic term after the child's fifth birthday (the time when the child reaches compulsory school age) and not beyond the beginning of the final term of the school year of which the offer was made. Alternatively, a parent has the right for their child to be admitted on a part-time basis during the Reception Class year but not beyond the point that they reach compulsory school age. In both cases above a school place is held for the child until they take it up.
- 5.6 A child who reaches the age of five during the 2022/2023 summer term would reach compulsory school age in September 2023. However, it is not possible to accept a place in the Reception Class for September 2022 but defer the child's admission until the beginning of the 2023/2024 academic year, and if a child did not take up their place in a Reception Class in 2022/2023 a separate in-year application would need to be made for the child to enter the school in Year 1.
- 5.7 Parents of children who reach the age of five during the summer term of the 2022/2023 academic year who are considering deferring their child's admission to primary or infant school until the beginning of the 2023/2024 academic year should note that, as the overwhelming majority of children in Birmingham start school at the start of the academic year in which they reach the age of five, it is likely that some or all of the parents' preferred schools will not have vacancies in their child's year group if they apply for a place

in Year 1 (these places having been allocated to children who started school the previous year).

- 5.8 For children born in the summer, parents/carers may believe it to be in their child's best interests to be admitted to Reception Class rather than Year 1, outside their child's normal age group. These requests will be considered by the admission authority of the school(s) and a decision made on the basis of the circumstances of each case and also in the best interests of the child concerned. **Parent/carers must contact the relevant admission authority directly to request deferment, for schools where Birmingham Local Authority is not the admission authority (non-Community/Voluntary Controlled Schools). Parents will be required to provide evidence that they have requested and had deferment approved by the admission authority for that school. Parents do not have the right to insist that their child is admitted to a particular age group including reception.**

5.9 Deferred entry Year 7

The below process outlined below only applies to children that had deferred entry agreed at the point their child was due to start Reception Class in September 2015 and was agreed for them to start Reception Class in September 2016 instead.

Parent/carers whose children are due to transfer to Secondary School in September 2022 as they were born between 01/09/2010-31/08/2011 but wish to defer entry until September 2023 are required to make an application for their child transfer to Secondary School in September 2022 by 31 October 2021.

- 5.10 Parent/carers must contact the relevant admission authority directly to request deferment, for schools where Birmingham Local Authority is not the admission authority (non-Community/Voluntary Controlled Schools). Parents will be required to provide evidence that they have requested and had deferment approved by the admission authority for that school. Parents do not have the right to insist that their child is admitted to a particular age group including Year 7.
- 5.11 If the admission authority refuses to agree for deferment until September 2023, then the parent/carer will need to make an in-year application for a place in September 2023 for a place in Year 8 and then request via the school for their child to be taught outside their normal chronological year group.

5.12 Implications of deferred entry to school

Placement outside a child's chronological year group must be considered to be in the best interests of the child. The decision could potentially have long-term effects and it is therefore important to establish the reasons for the request to delay starting school. It is also important to anticipate what will happen when your child would be old enough to transfer to secondary school, to leave statutory education and the timing of any consequent examinations. Some points to consider:

- Your preferred school may not have space in the following year to accommodate your child.
- As your child matures they may realise that the rest of their class are of a different age, causing adverse emotional impact.
- Admission authorities (e.g. academies) will be the decision makers and as they are independent of the local authority may choose to decline a deferral request.
- As the law currently stands, a child who starts Reception a year behind cohort will need to request a formal deferral to progress through each phase of education with their adopted cohort (for example to apply for a deferral to secondary phase when a child is in year 5.)

- A child applying for a selective school (e.g. grammar school) may be subject to a weighting in their selective test due to being older than other children in their cohort.
 - If your child reaches school-leaving age before they have completed their Key Stage 4 curriculum, they may decide to leave school without completing formal examinations.
- 5.13 Where a parent wishes to request admission out of the normal age group for their child, they should still make an application for their child's normal age group at the usual time. At the same time, the parent should submit their request for their child to be admitted out of their normal age group to the relevant admission authority, (this is BCC for all community and voluntary controlled schools), together with supporting evidence.
- 5.14 Admission authorities **(the school in question, not the Local Authority)** must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking into account the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. The admission authority must ensure that the parent receives the response to their request before primary national offer day.
- 5.15 If the request is agreed, the application for the normal age group may be withdrawn and the parent must make a new application for a place in Reception Class as part of the main admissions round the following year. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to Year 1 for the September following the child's fifth birthday.
- 5.16 One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.
- 5.17 Parents have the right to appeal against the refusal of a place at a school for which they have applied but cannot appeal if they are offered a place but not in their preferred age group.
- 5.18 In October 2021, the local authority will write or make arrangements to inform parents/carers of children who are on roll at a community or private nursery, via the nursery advising them of how to apply for a Reception Class place online and of where to view the primary prospectus.
- 5.19 The statutory closing date is 15 January 2022. Applications received after this date will be treated in accordance with the procedure for late applications. Proof of address may be required to be provided to the School Admissions and Fair Access Service.
- 5.20 Parents will be allowed to express up to three preferences for their child to be admitted to any maintained primary or infant school or academy or free school inside or outside the Birmingham Local Authority area.

- 5.21 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address is provided.
- 5.22 Data will be exchanged with other admission authorities and other local authorities as detailed in Section 7.
- 5.23 The School Admissions and Fair Access Service will send details of any siblings included in a parent's application to schools and academies for verification.
- 5.24 The School Admissions and Fair Access Service will compare ranked parental preferences for each school. All ranked preferences will be given equal consideration against schools' admission criteria. If the child ranks sufficiently highly within the admission criteria for two or more schools and could therefore potentially be offered a place at either school, the school the parent ranked highest as a preference will be offered.
- 5.25 Children who live in Birmingham that have not been offered one of their parents' three preferences, following consultation with another admission authority if appropriate, will be offered a place at one of their closest Birmingham all state funded primary or infant schools with a vacancy.
- 5.26 Primary / infant schools will verify the child's date of birth at either the time of acceptance of the offer or at the school's induction day. Offers will be conditional on providing valid proof of date of birth.

Transfer from Infant School to Junior School (Year 2 to Year 3)

- 5.27 if a child attends an infant school, it is necessary for the child to transfer to a different school for his/her junior education.
- 5.28 In October 2021, parents/carers with a child in Year 2 at an infant school will be sent a letter via the school advising them how to apply online for a Year 3 place at a junior school or any other junior school. The same timetable and process as Reception Class admissions above will be used. Parent/carers can express up to three preferences in total, however they must consider that applying for a junior school other than the school that is linked to their child's current infant school, means that their child is less likely to be offered a place at that school, as children that already attend the linked infant school get higher priority for a place at that Junior School.
- 5.29 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address is provided.
- 5.30 If a child attends a primary school (rather than an infant school) it is **not** necessary to apply for him / her to transfer at the end of Year 2. Transfer from Year 6

to Secondary School

- 5.31 At the end of the Summer Term 2021, Birmingham Local Authority will invite parents of children who will transfer to secondary education in September 2022 to complete an online application form. The online system will be available from September 2021.
- 5.32 All parents will be required to make an application to the Local Authority in which they live. By the second week in July 2021, all maintained primary and junior schools, academies

and free schools and, where possible, the majority of independent primary schools in Birmingham, will be forwarded a letter for them to distribute to their Year 5 children living in Birmingham, inviting their parents/carers to make their application for a secondary school place online. Birmingham Local Authority's prospectus will be available to view on the Birmingham City Council's website.

- 5.33 Parents of children who live in Birmingham but whose children attend a primary school outside Birmingham will be advised to make their application online by 31 October 2021.
- 5.34 Online applications will be accepted up until 31 October 2021, which is the statutory deadline for the submission of applications. Applications received after this date will be treated in accordance with the procedures for late applications as detailed in Section 8.
- 5.35 Applications to sit any selective or assessment tests are to be made via separate forms, to be returned by dates specified by the admission authority for the school concerned (i.e., the governing body of a foundation or voluntary aided school or Academy Trust for academies and free schools). No other separate application form will be required by admission authorities in Birmingham; however, some voluntary controlled schools (particularly those with a religious character) have a Supplementary Information Form, which needs to be completed to determine which category a child should be placed in. These schools will be listed in Birmingham Local Authority's prospectus on the School Admissions website.
- 5.36 Parents may express up to six preferences for their child to be admitted to any maintained school, Academy or Free School inside or outside Birmingham Local Authority.
- 5.37 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address provided.
- 5.38 Data will be exchanged with other admission authorities and other local authorities as detailed in Section 7.
- 5.39 The School Admissions and Fair Access Service will compare ranked parental preferences for each school. All ranked preferences will be given equal consideration against schools' admission criteria. If the child meets the admission criteria for two or more schools and could therefore potentially be offered a place at either school, the school the parent ranked highest as a preference will be offered.
- 5.40 Children who live in Birmingham who have not been offered one of their parents' six preferences, following consultation with another admission authority if appropriate, will be offered a place at one of their closest Birmingham Local Authority maintained secondary schools or academies or free schools with a vacancy.

Year 10 (in the case of 14-19 academies)

- 5.41 At the start of the Autumn Term 2021, parents who wish to make an application for their child to transfer to Year 10 at selected 14 -19 Academies in September 2022 will be able to make their application online. The online system will be available from September 2021.
- 5.42 Some 14-19 Academies in Birmingham will not be part of the co-ordinated scheme, details will be published in Birmingham's composite prospectus of which academies this affects. For these academies parent/carers will need to apply directly to them.

- 5.43 Applications to sit any selective or aptitude tests are to be made via separate forms, to be returned by dates specified by the Academy concerned.
- 5.44 Parents may express up to three preferences for their child to be admitted to any 14 - 19 Academy inside or outside of the Birmingham Local Authority area.
- 5.45 Applications made online will receive an immediate email confirmation when the application is submitted as long as an email address provided.
- 5.46 Data will be exchanged with other admission authorities and other local authorities as detailed in Section 7.
- 5.47 The School Admissions and Fair Access Service will compare ranked parental preferences for each Academy. All ranked preferences will be given equal consideration against Academies' admission criteria. If the child meets the admission criteria for two or more 14 - 19 Academies and could therefore potentially be offered a place at either Academy, the Academy the parent ranked highest will be offered.
- 5.48 Children who live in Birmingham who have not been offered one of their parents' three preferences will continue to have a place at their current school and they will be added to the Academies' waiting lists and their parents/carers informed of their right of appeal.

6. Determining the offer of school places

- 6.1 In determining applications for school places admission authorities must usually comply with parental preference.
- 6.2 in accordance with Section 86 of the School Standards and Framework Act 1998, with the exception of designated grammar schools, all maintained schools and Academies that have enough places available must offer a place to every child that has applied for one, without condition or the use of any criteria.

Children with challenging behaviour and those who have been excluded twice

- 6.3 Admission authorities must not refuse to admit children in the normal admissions round on the basis of their poor behaviour elsewhere. Where a child has been permanently excluded from two or more schools there is no need for an admission authority to comply with parental preference for a period of two years from the last exclusion. The twice excluded rule does not apply to children who were below compulsory school age at the time of the exclusion, children who have been re-instated following a permanent exclusion (or would have been had it been practicable to do so), and EHC plans.

7. Timetable for primary and secondary normal admissions rounds for 2022/2023

Timetable for primary and secondary normal admissions rounds for 2022/2023				
Admissions Round	Reception	Junior (Yr 2- 3)	Secondary (Yr 6 –7)	Year 10 (14-19 academies)
Birth range	01/09/17-31/08/18	01/09/14-31/08/15	01/09/10-31/08/11	01/09/07-31/08/08
Rounds open	1 October 2021	1 October 2021	1 September 2021	1 September 2021
Final closing date for receipt of applications	15 January 2022	15 January 2022	31 October 2021	31 October 2021
Rounds Close (Applications will need to be made via the in-year process after this date)	31 July 2022	31 July 2022	31 July 2022	31 July 2022
Data exchange with other Local Authorities	28 January 2022	28 January 2022	12 November 2021	12 November 2021
Unranked preferences forwarded to Birmingham Admission Authorities	14 February 2022	14 February 2022	25 November 2021	25 November 2021
Sibling reports sent to schools and academies	10 February 2022	10 February 2022	25 November 2021	25 November 2021
Ranked preferences from Birmingham Admission Authorities and sibling reports from community schools/academies to be returned to Birmingham LA	28 February 2022	28 February 2022	16 December 2021	16 December 2021
Offer exchange with other Local Authorities	11 March 2022 25 March 2022 31 March 2022	11 March 2022 25 March 2022 31 March 2022	14 January 2022 28 January 2022 4 February 2022 18 February 2022	18 February 2022
Offer day – Notifications sent	19 April 2022	19 April 2022	1 March 2022	1 March 2022
Refusal of any offer should be made by this date	3 May 2022	3 May 2022	15 March 2022	15 March 2022
Any appeal should be received by this date. (20 school days following notification that application was unsuccessful)	18 May 2022	18 May 2022	29 March 2022	29 March 2022

Timetable for primary and secondary normal admissions rounds for 2022/2023				
Appeals received on-time should be considered by this date (40 school days)	20 July 2022	20 July 2022	15 June 2022	15 June 2022

8. Late applications

- 8.1 Applications received after the statutory closing dates (31 October 2021 for Secondary and 14-19 Transfers and 15 January 2022 for Reception and Year 2-3 Transfers will only be considered after applications received on time.
- 8.2 Birmingham City Council is unable to consider any late applications with exceptional circumstances as on time after the 9 November 2021 for Secondary and 14-19 Transfers and after 24 January 2022 for Reception and Year 2-3 Transfers, as the council will be exchanging data with other admission authorities, including neighbouring councils, as part of the coordinated admissions scheme. Birmingham City Council will only consider applications received after the closing date as on time if there were exceptional reasons which prevented the parent/carers from applying by the closing date:
- A child and the person with parental responsibility have moved home.
 - Where the local authority has contacted that parent/carers regarding the information contained within their application, for example, an incomplete application or potentially misleading information requiring further investigation
- 8.3 If you feel you meet the exceptional circumstances as above, you must submit your late application together with evidence/documentation supporting your exceptional circumstances to Birmingham Local Authority for Secondary and 14-19 Transfers between 1 November 2021 and 9 November 2021 and for Reception and Year 2-3 Transfers between 16 January 2022 and 24 January 2022.
- 8.4 **Important** your evidence must be marked **Exceptional Circumstances** along with your online application reference number e.g. **330-2022-09-E-985451** and you **must** explain your exceptional reasons and attach any relevant documents/evidence, if applicable. **We can only consider applications submitted as late but with exceptional circumstances if the above process is fully adhered to. Evidence/documentation will not be requested by Birmingham Local Authority to support late applications (further to the above). Evidence/documentation must be sent in with the email as stated above by the parent/carers.**
- 8.5 Parent/carers that fully adhere to 8.3 and 8.4 above will have their late applications considered by Birmingham Local Authority on a case by case basis. Those that we do consider as having exceptional circumstances preventing them applying on time will be processed as on time applications, those that are not considered exceptional will be treated as late applications. Parent/carers will be informed by email of our decision and that decision is final.
- 8.6 If parents/carers submit subsequent application(s) after their original

application and after the final closing dates (see 8.3 above), they will be restricted to a maximum of six **live** preferences for secondary and a maximum of three **live** preferences for reception at any one time. This does not impact parents/carers' right to express changes in preference for other schools, however if they do wish to do so, they must carefully consider which preferences they wish to keep and which they wish to remove. Parent/carers must be aware that if they remove a preference for a school where their child has been offered a place they will not have their offer at this school withdrawn. Parents/carers must also consider the impact on waiting lists and appeals for any schools that they remove as preferences, as they will also be removed from those schools' waiting lists and the appeals will be withdrawn. The maximum of six preferences for secondary schools also includes grammar schools. When places are offered in March (secondary) and April (reception), Birmingham City Council will make one offer of a school place for each child. If parents/carers then make changes to their **live** preferences and these changes overwrite the school place offered, this offer will be withdrawn and no further offer will be made at an alternative school unless a place can subsequently be offered at one of their preferred schools due to waiting list movement. However, inclusion on a school's waiting list is not a guarantee of a place becoming available. Any changes made to **live** preferences that overwrite the schools a child is currently on the waiting list for will cause the child to be removed from that waiting list. Changes to **live** preferences that overwrite schools that parents/carers have previously submitted an appeal for will cause the appeal to be withdrawn.

- 8.7 Following the offer of places if parent/carers submit a change of order for preferences for all schools they have already applied for, that these changes in order will be disregarded. All preferences are treated as equal first preferences and their order is only important prior to the offer of places in March (Secondary) April (Reception). If a child does not get offered one of the preferences a parent/carer has ranked higher in their order of preferences following the offer of places, they will be added to those waiting lists when waiting lists are created (The only exception is grammar schools that have a final qualifying score that a child must achieve to be included on those waiting lists).
- 8.8 All applications made on or after 31 July 2022 will need to be submitted to their preferred school as in year applications.

9. Foundation, trust and voluntary aided schools

- 9.1 For each voluntary aided and foundation school (including Trust schools), the Governing Body is the admission authority and decides its own published oversubscription admission criteria.

10. Academies and Free Schools

- 10.1 Admission arrangements for academies and free schools are approved by the Secretary of State for the Department for Education as part of an Academy's Funding Agreement, which requires compliance with admissions legislation and relevant Codes.

11. Selective schools

- 11.1 The selection of children for admission to grammar schools in Birmingham is by reference to ability and for this purpose there are tests held in the Autumn Term of the 2021/22 academic year for admission to these selective secondary schools in September 2022.
- 11.2 Arrangements relating to selective testing for admission to Bishop Vesey's Grammar School and Sutton Coldfield Grammar School for Girls are made jointly with The Schools of King Edward the Sixth in Birmingham. This will be known as "The Grammar Schools in Birmingham"
- 11.3 The Grammar Schools in Birmingham shall consist of the following schools:
- Bishop Vesey's Grammar School
 - King Edward VI Aston School
 - King Edward VI Camp Hill School for Boys
 - King Edward VI Camp Hill School for Girls
 - King Edward VI Five Ways School
 - King Edward VI Handsworth Boy's School
 - King Edward VI Handsworth Girl's School
 - Sutton Coldfield Grammar School for Girls
- 11.4 Parents will be required to complete a test registration form to sit the selective test for a school that forms part of The Grammar Schools in Birmingham.
- 11.5 Pupils will only be required to sit one test to be considered for a place at a school that forms part of The Grammar Schools in Birmingham. Parents must also name any school(s) in The Grammar Schools in Birmingham on their Local Authority Preference Form to be considered for a place there.
- 11.6 Details and application dates will usually be publicised widely within the City from May each year. The closing date for applications to sit the test is 30 June 2021 at 16:00. No late applications to sit the test will be accepted. The test will take place in early September 2021.
- 11.7 Admission authorities for grammar schools must inform parents of the outcome of selection tests prior to the final closing date for applications each year, so that parents can make an informed decision as to whether they should name a selective school as one of their preferences.

12. The application process for in-year admissions

- 12.1 In-Year applications may arise for a number of reasons, for example, where a family has moved to Birmingham or if a parent/carer wishes to move their child from one school to another at a time outside the normal

admissions round.

- 12.2 The local authority and all schools will work together to coordinate in-year applications.
- 12.3 The local authority will enable parents to complete an application for a school place and will provide details of schools with places available.
- 12.4 In the first instance, parents will be requested to make applications directly to the school(s) concerned. Outside the normal admissions round, parents/carers can apply for a place for their child at any time and to any school.
- 12.5 Parent/carers who live in Birmingham who have not been offered their preferred school will be advised of their right of appeal and be added to the schools waiting list. In-Year waiting lists for community, voluntary controlled, voluntary aided, foundation schools, academies and free schools in Birmingham will be maintained by the schools. The Local Authority may require sight of the waiting lists at these schools, in order to determine that the co-ordinated scheme is operating effectively.
- 12.6 Children who are not offered a place at any of their preferred schools, will be offered a place at a Birmingham Local Authority maintained school, academy or free school near to the child's home address, that has a vacancy.
- 12.7 The Local Authority will be informed by schools and academies of any child who has not taken up a school place so that appropriate action can be taken.
- 12.8 Children who live in Birmingham whose parents have refused the school place offered may be issued with a formal notice advising of their legal requirement to ensure that their child is in receipt of a suitable education whether in school or otherwise.
- 12.9 Where a child is not receiving suitable education, further action may be taken against a parent under Birmingham Local Authority's School Attendance process.

13. Fair Access Protocol

- 13.1 The operation of Fair Access Protocol is outside the arrangements for the coordination of the normal admissions rounds and is only triggered when an eligible child has not secured a school place under in-year admission procedures.
- 13.2 Fair Access Protocols exist to ensure that unplaced children outside the normal admissions round, especially the most vulnerable, are offered a suitable school as quickly as possible and to ensure that all schools in an area admit their fair share of children with challenging behaviour.

- 13.3 In the event of a governing body refusing to admit a pupil with

challenging behaviour outside the normal admissions round, even though places are available, a referral will be made to the Local Authority for action under the Fair Access Protocol.

13.4 This provision will not apply to a looked after child or EHC plan naming the school in question, as these children must be admitted.

13.5 All admission authorities must participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.

14. Applications for a School Place from those living outside of England

14.1 Applications for a place in Reception Class, Year 2-3, Secondary Transfers and those 14-19 Academies that are part of Birmingham's coordinated Admission Scheme for Entry in September 2022 can all be made by parent/carers from their current address if it is outside of England in accordance to the relevant timescales and sections as outlined above.

14.2 If your child is unsuccessful in meeting the criteria for a place at one of your preferred schools in Reception Class, Year 2-3, Secondary Transfers and 14-19 Academies for entry in September 2022 you will have the right of appeal against that decision to refuse to admit your child.

14.3 If your child is offered a place at one of your preferred schools in Reception Class, Year 2-3, Secondary Transfers and 14-19 Academies for entry in September 2022, they will be expected to take up the place at the start of term in September 2022. **If your child does not attend on the first day of term you risk triggering the school's attendance processes which may result in the place eventually being withdrawn.**

14.4 Applications for a place In-Year can be made by parent/carers from their current address outside of England. Please refer to the In-year section above for details on how to apply.

14.5 If your child is unsuccessful in meeting the criteria for an In-Year place at one of your preferred schools, you will have the right of appeal against that decision to refuse to admit your child.

14.6 Birmingham School Admissions and Fair Access Service will not place your child at an alternative school if your child was unsuccessful in meeting the criteria at one of your preferred schools until you have moved into Birmingham and can provide acceptable proof of address of this.

14.7 If your child is successful in gaining an In-Year place at one of your preferred schools, they will be expected to start at the school within a reasonable time frame to be agreed with the school, **otherwise you risk triggering the school's attendance processes which may result in the place eventually being withdrawn.**

15. Applications from UK Crown Servants and UK Military Families

- 15.1 Birmingham School Admissions will process applications from UK crown servants or UK military families with evidence from their employers or commanding officers that they are returning to the area ahead of any move. We will accept any posting or quartering address as a 'home' address in the absence of any actual home address.

Appendix 3

Addendum to Birmingham's Fair Access Protocol (2018)

- 1.1 Key changes in the new School Admissions Code as regards the fair access protocol that come into effect from 1st September are:
 - 1.1.1 A prescriptive list of children who can be placed under a fair access protocol that includes children who have been out of education for 4 or more weeks. This is a much shorter timescale than the current Code which includes children out of school for 2 months or longer. Previously looked after children for whom the local authority has been unable to promptly secure a school place are also included in the list for the first time. Children returning from EHE are no longer a category but can still be considered under the protocol where they fall within other relevant categories.
 - 1.1.2 When it has been agreed that a child will be referred for placement under the fair access protocol, a place must be allocated within 20 school days. Previously the Code was not specific in this respect.
 - 1.1.3 If most schools in the area no longer support the principles of the Fair Access Protocol, they can initiate a review with the local authority. The fair access protocol must explain the process for initiating a review. A review has been initiated (see Cabinet report of 27th July 2021) and will consider as part of its work future arrangements for initiating the same.
 - 1.1.4 Decisions about admitting children under the Protocol can be made by one individual in an admission authority provide that suitable authority has been delegated to that individual. For schools that BCC is the admission authority for this will continue to be managed at a school level.

Extract from the proposed School Admissions Code (2021) in relation to Fair Access Protocols:

Fair Access Protocols:

3.14 Each local authority **must** have a Fair Access Protocol to ensure that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible.

3.15 The Protocol **must** be consulted upon and developed in partnership with all schools in its area. Once the protocol has been agreed by the majority of schools in its area, all admission authorities **must** participate in it. Participation includes making available representative who is authorised to participate in discussions, make decisions on placing children via the Protocol, and admitting pupils when asked to do so in accordance with the Protocol, even when the school is full.⁷⁹ Local authorities **must**

⁷⁹ Decisions about admitting children under the Protocol can be made by one individual in an admission authority provided that suitable authority has been delegated to that individual. Admission authorities must ensure this process complies with relevant governance requirements.

provide admission authorities with reasonable notice and information as to how and when discussions around the placement of children via the Protocol will take place.

3.16 No school – including those with places available – should be asked to take a disproportionate number of children who have been permanently excluded from other schools, who display challenging behaviour, or who are placed via the Protocol. Fair Access Protocols **must** also set out how the needs of children who have been permanently excluded, and children for whom mainstream education is not yet possible, will be met.

3.17 Fair Access Protocols may only be used to place the following groups of vulnerable and/or hard to place children, where they are having difficulty in securing a school place in-year, and it can be demonstrated that reasonable measures have been taken to secure a place through the usual in-year admission procedures⁸⁰:

- a. children either subject to a Child in Need Plan or a Child Protection Plan⁸¹ or having had a Child in Need Plan or a Child Protection Plan within 12 months at the point of being referred to the Protocol;
- b. children living in a refuge or in other Relevant Accommodation at the point of being referred to the Protocol;
- c. children from the criminal justice system;
- d. children in alternative provision who need to be reintegrated into mainstream education or who have been permanently excluded but are deemed suitable for mainstream education;
- e. children with special educational needs (but without an Education, Health and Care plan), disabilities or medical conditions;
- f. children who are carers;
- g. children who are homeless;
- h. children in formal kinship care arrangements⁸²;
- i. children of, or who are, Gypsies, Roma, Travellers, refugees, and asylum seekers;
- j. children who have been refused a school place on the grounds of their challenging behaviour and referred to the Protocol in accordance with paragraph 3.10 of this Code;
- k. children for who a place has not been sought due to exceptional circumstances⁸³;
- l. children who have been out of education for four or more weeks where it can be demonstrated that there are no places available at any school within a reasonable distance of their home. This does not include circumstances where a suitable place has been offered to a child and this has not been accepted; and
- m. previously looked after children for whom the local authority has been unable to promptly secure a school place⁸⁴.

⁸⁰ For example, where an application has been made to at least one school and this has been refused, or the local authority has confirmed that there are no places available at any school within a reasonable distance.

⁸¹ Child in Need Plans and Child Protection Plans are plans of help and protection to address safeguarding and welfare needs, where a child has been assessed by the local authority as being a child in need under Section 17 of the Children Act 1989 and/or as suffering or likely to suffer significant hardship under Section 47 of the Children Act 1989. See also statutory guidance Working Together to Safeguard Children (2018) (pages 35 and 48-49).

⁸² As evidenced by either a child arrangements order not relating to either birth parent or a special guardianship order.

⁸³ It is for the local authority to decide whether a child qualifies to be placed via the Protocol on this basis, based on the circumstances of the case.

⁸⁴ In most cases use of the Fair Access protocol should be unnecessary for a previously looked after child. We would expect the local authority to aim to secure a school place particularly promptly for a previously looked after child and for admission authorities to cooperate with this. The local authority may consider swift use of their

3.18 Eligibility for the Fair Access Protocol does not limit a parent's right to make an in-year application to any school for their child. Admission authorities **must** process these applications in accordance with their usual in-year admission procedures (as set out in paragraphs 2.23-2.31). They **must not** refuse to admit such children on the basis that they may be eligible to be placed via the Fair Access protocol. The parent will continue to have the right of appeal for any place they have been refused, even if the child has been offered a school place via the Fair Access protocol.

3.19 There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol, but parents' views should be taken into account.

3.20 Fair Access protocols should seek to place a child in a school that is appropriate to any particular needs they may have. The Fair Access protocol **must not** require a school automatically to admit a child via the Fair Access Protocol, in place of a child permanently excluded from the school.

3.21 Where it has been agreed that a child will be considered under the Fair Access protocol, a school place **must** be allocated for that child within 20 school days. Once they have been allocated a school place via the Fair Access protocol, arrangements should be made for the child to start at the school as soon as possible.

3.22 In the event that the majority of schools in an area can no longer support the principles and approach of their local Fair Access Protocol, they should initiate a review with the local authority. There should be a clear process for how such a review can be initiated within each Fair Access Protocol. The existing Fair Access Protocol will remain binding on all schools in the local area until the point at which a new one is adopted.

Admissions priority for children adopted from state care outside of England – what it means for admission authorities

The 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – “**IAPLAC**”.

The draft Code and associated regulations were laid before Parliament on 13 May 2021. The Code is laid in Parliament for a 40-day period during which both the House of Commons and the House of Lords have the opportunity to review the Code and any Member can pass a motion to not approve it.¹ This 40-day period is expected to expire on 1 July, and provided there is no such motion, the new Code will come into force on 1 September 2021.

What action must admission authorities take in order to comply with the new IAPLAC provision?

Paragraph 1.7 of the new Code will require that highest priority is given to “looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted”.

This new provision will necessitate variations to determined admission arrangements to take effect from 1 September 2021. Admission authorities will need to vary their admission arrangements for 2021/22 (which would have been determined by 28 February 2020) and their admission arrangements for 2022/23 (which would have been determined by 28 February 2021). Without these variations, admission arrangements that have already been determined will no longer comply with the Code from this date.

Therefore, we expect admission authorities to hold a meeting sometime between now and 31 August 2021 to determine the necessary variations to admission arrangements for 2021/2022 and 2022/2023. Variations will be conditional on the Code passing through its Parliamentary process (i.e. a date on or around 1 July 2021). If any variations are agreed before then, they must be expressed to be conditional on the Code passing through Parliament. All such variations should come into effect on 1 September 2021.

¹ Such a motion would prevent the Code from coming into force.

As these variations will be necessary to comply with a mandatory requirement of the Code, it will not be necessary to refer a variation request to either the schools adjudicator (in respect of maintained schools) or the ESFA (in respect of academies).

How will the new IAPLAC provision affect admissions in 2021/22?

All applications received before 1 September 2021 will have been processed in accordance with the existing (2014) Code, and offers made and places allocated will be unchanged.

Any applications received on or after 1 September 2021 will need to be processed in accordance with the new Code. By way of example, when dealing with in-year applications for the 2021/2022 academic year, children who are determined as being IAPLAC must be given equal highest priority with LAC and PLAC.

Any child who is on a waiting list for a school before 1 September 2021 and meets the definition of an IAPLAC must be ranked again on 1 September 2021 following the new Code coming into force so that the child is given equal highest priority with LAC and PLAC.

How will admission authorities be able to verify that a child is an IAPLAC?

Responsibility for determining whether a child is eligible for IAPLAC priority rests with the admission authority. Subject to ministerial approval, we plan to publish non-statutory guidance on the admission of IAPLAC in time for the new Code coming into force. This guidance will aim to assist and support admission authorities in assessing evidence provided by parents who want their child to be considered under the IAPLAC criterion.

The guidance will recommend that admission authorities should request advice from their Virtual School Head (VSH), if they are in any doubt about the acceptability of evidence provided by the parent of an IAPLAC.

Other references to previously looked after children in the Code

All references to previously looked after children in the Code mean children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after **as well as** those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

This means that the other provisions in the Code which apply to PLAC (for example, in relation to the admission arrangements of schools with a religious character, selective arrangements, and boarding priority) apply to IAPLAC in exactly the same way as they do to PLAC.

Title of proposed EIA	In-year variation admission arrangements
Reference No	EQUA462/14/06/2021
EA is in support of	Amended Policy
Review Frequency	Annually
Date of first review	01/12/2021
Directorate	Education and Skills
Division	Education and Early Years
Service Area	School Admissions and Fair Access
Responsible Officer(s)	<input type="checkbox"/> Everyone except external users
Quality Control Officer(s)	<input type="checkbox"/> Alan Michell
Accountable Officer(s)	<input type="checkbox"/> Lisa Fraser
Purpose of proposal	1.1 All admission authorities, of which Birmingham City Council is one, are required to vary their admission arrangements in-year to meet the requirements of the proposed new School Admission Code and as per the related DfE guidance. The Co-ordinated Scheme is also to be varied in response to the same changes in the Code.
Data sources	Consultation Results; relevant reports/strategies; Statistical Database (please specify). The change is required specifically related to the status of children from abroad and who were previously adopted.
Please include any other sources of data	Impulse and annual returns to Department for Education and proposed new Code.
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community
Age details:	<p>The policy is designed to manage admission arrangements (that apply to council schools and the Co-ordinated scheme) for pupils of reception and statutory school age.</p> <p>This EIA is required for the technical change for admission arrangements and has been undertaken on the assumption the same change is required of the Co-ordinated Scheme.</p> <p>Children will move school/into school</p>

based on age. This includes into reception, infant to junior and secondary school as per the published arrangements.

At reception age there is the opportunity for deferred and part-time entry if requested by parents.

Schools are also able to move children within school year groups where this is deemed appropriate and in consultation with parents or carers.

Age is considered across the different phases and processes as per national policy including the School Admission Code (2014) and proposed new Code.

There is no adverse impact expected in applying the arrangements based on a child's age including as regards IAPLAC.

Protected characteristic: Disability

Service Users / Stakeholders; Wider Community

Disability details:

Children are admitted to schools via the admission arrangements irrespective of disability aside from children who require an Education, Health and Care Plan (EHCP).

Children subject to an EHCP will normally have a named school that they are required to be admitted to as reflected in the admission arrangements which support the School Admissions Code.

This decision (of a named school) is subject to consultation with parents and carers and schools. The Code makes it clear that discrimination against children with a disability or any special educational need is contrary to the law and specifically the Equality Act (2010).

There are no changes to the arrangements/scheme that have any impact including any adverse impact on children with disabilities, including in respect of the IAPLAC change and related change of status/definition.

Protected characteristic: Sex

Service Users / Stakeholders; Wider Community

Gender details:

There are single sex schools within the school estate.

The admission arrangements (and co-ordinated scheme) apply the required processes to allocate school places in-year and via the transfer round to allocate places as per the School Admission Code to all schools including single sex schools.

There is no adverse impact expected of the proposed changes to the admission arrangements, including the IAPLAC change (which do not impact directly on gender).

Protected characteristics: Gender Reassignment

Service Users / Stakeholders; Wider Community

Gender reassignment details:

The admission arrangements simply apply the required processes to allocate school places in-year and via the transfer round to allocate places as per the School Admissions Code to all schools.

There is no adverse impact expected of the proposed changes to the admission arrangements (which do not impact directly on gender reassignment).

Protected characteristics: Marriage and Civil Partnership

Service Users/ Stakeholders

Marriage and civil partnership details:

There are no changes in either the arrangements or scheme that impact in any way on marriage or civil partnership.

There is no adverse impact.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Wider Community

Pregnancy and maternity details:

There are no changes in either the arrangements or scheme that impact in any way on pregnancy and maternity.

There is no adverse impact.

Protected characteristics: Race

Service Users / Stakeholders; Wider Community

Race details:

There are no changes to the policy (arrangements or scheme) that impact directly or indirectly on race.

Race is not part of any school's admission arrangements and the council's arrangements have not been amended to have any related impact.

As with all of the related protected characteristics, the School Admissions Code makes it clear that such discrimination is illegal.

There is no adverse impact in respect of race.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders; Wider Community

Religion or beliefs details:

The school estate includes faith-based schools with a range of faith-based admission criteria expected and understood to be compliant with the law and the School Admissions Code.

Faith is reflected legally and appropriately in the council's voluntary controlled school's admission arrangements (for four schools) only.

There are no proposed changes to the related admission arrangements aside from the change is regards IAPLAC.

No impact or adverse impact is expected as regards religion or beliefs.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders; Wider Community

Sexual orientation details:

There are no changes in either the arrangements or scheme that impact in any way on sexual orientation.

There is no adverse impact.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

None.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

Consultation analysis/response to DfE guidance and a proposed new Code

Adverse impact on any people with protected characteristics.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future?

Are there any adverse impacts on any particular group(s)

No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

The change proposed in the council's admission arrangements for the relevant schools is a requirement of the new School Admissions Code and consistent with the related DfE guidance. The change assigns LAC status to children from abroad who were previously looked after and then adopted. 'Highest priority' must be given to all looked after children.

The in-year variation is a requirement of the Code for ALL admission authorities and has not been consulted upon. It is expected that there will be a consultation process prior to determination of the 2022/23 Admission arrangements. Essentially the same changes are proposed for the Co-ordinated Scheme.

Submit to the Quality Control Officer for reviewing?

Yes

Quality Control Officer comments

The council's admission arrangements have been subject to only very minor and specific amendments (related to IAPLACS) as the result of a requirement to do so to ensure compliance with the proposed new School Admissions Code which is scheduled to be implemented from 1st September 2021.

	All of the changes are consistent with the School Admissions Code and none have any impact or adverse impact on the protected characteristics as outlined above in the EIA.
Decision by QualityControl Officer	Proceed for final approval
Submit draft to Accountable Officer?	Yes
Decision by Accountable Officer	Approved by Lisa Fraser
Date approved / rejected by the Accountable Officer	08/07/2021
Reasons for approval or rejection	<p>The council's admission arrangements have been subject to only very minor amendments as required by the proposed new School Admissions Code. Essentially the same changes are also proposed within the Co-ordinated Scheme.</p> <p>The consultation feedback last year (three responses) did not raise any equalities concerns.</p> <p>None of the above have any impact or adverse impact on the listed protective characteristics.</p>
Please print and save a PDF copy for your records	Yes
Julie Bach	
Person or Group	
Content Type: Item Version: 48.0 Created at 27/01/2020 10:05 AM by <input type="checkbox"/> Alan Michell	
Last modified at 28/01/2020 12:41 PM by Workflow on behalf of <input type="checkbox"/> Lisa Fraser	

Close

Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. To complete the assessment, you should consider whether that policy/development/proposal will have a positive or a negative impact on each of the key themes by placing a (✓) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. The assessment must be completed for all Cabinet reports. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete. The officers from the sustainability team can help to fill the assessment especially during the early days of implementation.

Theme	Example
Natural Resources - Impact on natural resources including water, soil, air.	<p>Does the decision increase water use?</p> <p>Does the decision have an impact on air quality?</p> <p>Does the decision discourage the use of the most polluting vehicles (private and public) and promote sustainable modes of transport or working from home to reduce air pollution?</p> <p>Does the decision impact on soil?</p> <p>For example, development will typically use water for carrying out various operations and, once complete, water will be needed to service the development. Providing water to development and treating affluent water requires energy and contributes to climate change. Some of the activities including construction or disposal of waste may lead to soil pollution. The decisions may lead to more journeys thereby deteriorating air quality and thus contribution to climate change and greenhouse gases.</p>
Energy use and CO ₂ emissions.	<p>Will the decision have an impact on energy use?</p> <p>Will the decision impact on carbon emissions?</p> <p>Most day-to-day activities use energy. The main environmental impact of producing and using energy such as electricity, gas, and fuel (unless it is from a renewable source) is the emission of carbon dioxide.</p>
Quality of environment.	<p>Does the decision impact on the overall quality of the built environment?</p> <p>Decisions may have an impact on the overall setting, character and distinctiveness in the area. For example, if development involves ground digging and excavations etc. it may have an impact on the local archaeology.</p>

Impact on local green and open spaces and biodiversity	<p>The proposal may lead to localised impacts on the local green and open spaces which may have an impact on local biodiversity, trees and other vegetation in the area.</p> <p>Will the proposal lead to loss (or creation) of green and blue infrastructure? For example, selling an open space may reduce access to open space within an area and lead to a loss of biodiversity. However, creating a new open space would have positive effects.</p>
Use of environmentally sustainable products, equipment and packaging'	<p>Will the decision present opportunities to incorporate the use of environmentally sustainable products (such as compostable bags, paper straws etc.), recycled materials (i.e. Forest Stewardship Council (FSC) Timber/wood), non-polluting vehicles, avoid the use of single use plastics and packaging.</p>
Minimising waste	<p>Will the decision minimise waste creation and the maximise recycling during the construction and operation of the development/programme/project? Will the decision provide opportunities to improve recycling? For example, if the proposal involves the demolition of a building or a structure, could some of the construction materials be reused in the new development or recycled back into the construction industry for use on another project?</p>
Council plan priority: a city that takes a leading role in tackling climate change and deliver Route to Zero.	<p>How does the proposal or decision contribute to tackling and showing leadership in tackling climate change and deliver Route to Zero aspirations?</p>

Project Title:	Cabinet report: PROPOSED IN-YEAR VARIATION TO ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS 2021/22 AND 2022/2023	
Department:	Team: School Admissions and Fair Access: Education and Skills	Person Responsible for assessment: Alan Michell
Date of assessment: 21/06/2021	Is it a new or existing proposal? The report proposes a technical amendment to an existing policy.	
1.2	Brief description of the proposal: The 2021 School Admissions Code (the Code) includes several changes focused on in-year admission processes including the Fair Access process. A significant change as regards formal admission arrangements requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children – “IAPLAC”.	
1.3	The draft Code and associated regulations were laid before Parliament on 13 May 2021. The Code is laid in Parliament for a 40-day period during which both the House of Commons and the House of Lords have the opportunity to review the Code and any Member can pass a motion to not approve it. This 40-day period is expected to expire on 1 July, and provided there is no such motion, the new Code will come into force on 1 September 2021.	
1.4	This new provision in respect of IAPLAC necessitates variations to Birmingham Council's determined admission arrangements to take effect from 1 September 2021. Admission authorities are required to vary their admission arrangements for 2021/22 (which would have been determined by 28 February 2020) and their admission arrangements for 2022/23 (which would have been determined by 28 February 2021). Without these variations, admission arrangements that have already been determined will no longer comply with the Code from this date.	
1.5	It is thus expected that admission authorities hold a meeting before 31 August 2021 to determine the necessary variations to admission arrangements for 2021/2022 and 2022/2023. Variations will be conditional on the Code passing through its Parliamentary process (i.e. a date on or around 1 July 2021). If any variations are agreed before then, they must be expressed to be conditional on the Code passing through Parliament. All such variations should come into effect on 1	

September 2021.

- 1.6 As these variations will be necessary to comply with a mandatory requirement of the Code, it will not be necessary to refer a variation request to the Schools Adjudicator (in respect of maintained schools).
- 1.7 Changes are also proposed to the Co-ordinated Scheme and to the Fair Access Protocol.
- 1.8 The purpose of the report is to agree a variation to the admission arrangements for Community and Voluntary Controlled Schools for the academic year 2021/2022 and 2022/2023 **Appendix 1A and 1B** respectively.

Potential impacts of the policy/development decision/procedure/ on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources- Impact on natural resources including water, soil, air			N/A	
Energy use and CO ₂ emissions			N/A	
Quality of environment			N/A	
Impact on local green and open spaces and biodiversity			N/A	
Use of sustainable products and equipment			N/A	
Minimising waste			N/A	
Council plan priority: a city that takes a leading role in tackling climate change			N/A	

Overall conclusion on the environmental and sustainability impacts of the proposal	Not Applicable. The report relates to a technical change in the scope of prioritising internationally adopted children who were previously looked after.
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If you require assistance in completing this assessment, then please contact: ESAGuidance@birmingham.gov.uk

Birmingham City Council

Report to Cabinet

27th July 2021



Subject: SKILTS SCHOOL CONVERSION FROM COMMUNITY SPECIAL SCHOOL TO ACADEMY STATUS

Report of: Kevin Crompton
Interim Director of Education & Skills

Relevant Cabinet Member: Councillor Jayne Francis: Education, Skills & Culture
Councillor Kate Booth, Children's Wellbeing

Relevant O &S Chair(s): Councillor Narinder Kooner: Education and Children's Social Care

Report author: Jaswinder Didially - Head of Education Infrastructure
0121 675 0228
Jaswinder.Didially@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Glebe Farm and Tile Cross		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009054/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 Academy conversions are commenced by Order of the Secretary of State; the resulting process requires the property occupied by the school, together with all relevant and associated rights, liabilities and staff, to be transferred to Forward Education Trust. In order to achieve this, the City Council is required to grant a 125 year lease and also complete a Commercial Transfer Agreement (CTA).

- 1.2 This report seeks approval for the execution and completion of the legal documentation associated with this arrangement, substantially in the form of standard template documents required by the Department for Education (DfE)
- 1.3 To ensure that Members are fully aware of known financial implications associated with the conversion of Skilts School. Specifically, that under the current legislation the cumulative projected deficit falls on the Local Authority to fund.

2 Recommendations

That Cabinet;

- 2.1 Notes that Skilts School is proposing to convert to Academy status on or after 1st September 2021 and that Skilts School will be a Sponsored Academy and the sponsor is Forward Education Trust.
- 2.2 Notes that Skilts School is relocating to the former Hallmoor School site on Hallmoor Road, Kitts Green, Birmingham B33 9QY effective 1st September 2021. The school will be known as Lea Hall Academy and this is the site that will be leased to the Trust.
- 2.3 Notes that at the point of conversion Skilts School will have an estimated deficit balance of £565,828 and the deficit balance will remain with the City Council, as outlined in the DfE Guidance entitled 'Treatment of surplus and deficit balances when maintained schools become Academies'.
- 2.4 Authorises the grant and completion of the lease for Skilts School, to Forward Education Trust for 125 years substantially in the form of the model lease produced by the DfE at a peppercorn rent. The school site is identifiable as shown on the accompanying redline plan (see **Appendix 1**).
- 2.5 Authorises the completion of a Commercial Transfer Agreement to Forward Education Trust relating to the transfer of staff under the Transfer of Undertakings (Protection of Employment) Regulations 2006 and assets to the Academy Trust.
- 2.6 Authorises the City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1 The Academies Act 2010 empowered the Secretary of State for Education to create Academies through Academy Orders.
- 3.2 Skilts School is a Community Special School at present. The school was judged inadequate by Ofsted on 5th December 2017 and is eligible for intervention under section 62 of the 2006 Education and Inspections Act. Schools judged to be failing are ordered to convert to Academy Status to allow underperformance to be tackled swiftly.

- 3.3 A Directive Academy Order was issued to Birmingham City Council and the Governing Body of the School by the Secretary of State under section 4 (A1) of the Academies Act 2010 on 5th February 2018 requiring the school to convert to an Academy. The school intends to convert on or after 1st September 2021.
- 3.4 The school site is currently located outside of the City boundary in Redditch. Owing to the condition of the current school and the location, it was agreed that the school would relocate to a new site within the City boundary. The School Organisation Process for the relocation of the school was undertaken in 2019 and the decision was made to relocate the school to a new purpose-built school in the Glebe Farm and Tile Cross Ward as noted in 2.2 above. The relocation will take place on 1st September 2021 and the current site in Redditch will remain with the Local Authority.
- 3.5 The land and assets to be occupied and used by the school are currently owned by the City Council. In order for the Academy to operate, a lease is to be granted to the Academy Trust substantially in the form prescribed by the DfE – this requires the lease to be for 125 years and at a peppercorn rent.
- 3.6 In addition, members of staff that are currently employed by the City Council are to transfer under the Transfer of Undertakings (Protection of Employment) Regulations 2006 to the Academy Trust as well as the assets of the school under a Commercial Transfer Agreement (CTA).
- 3.7 The statutory TUPE consultation process which needs to take place prior to the proposed conversion date is being managed and coordinated by the HR Team. The consultations for Skilts School took place with Unions on 21st June 2021.

4 Options considered and Recommended Proposal

- 4.1 A do-nothing option is not available, as the Secretary of State has made an Academy Order which requires Skilts School to become an Academy. The recommendation is to allow the completion of the transfer of Skilts School in accordance with the Academy Order granted by the Secretary of State.

5 Consultation

- 5.1 Ward Councillors for the Glebe Farm and Tile Cross ward have been consulted for which no comments were received.

6 Risk Management

- 6.1 There is always a risk with Academy Conversions whereby any delay to the conversion process can result in schools developing or increasing a deficit position which would then be picked up by the Local Authority at the point of conversion; however, Skilts School currently has a deficit balance as noted in 2.3 of this report.
- 6.2 There is always a risk with Academy Conversions whereby any incoming Academy Trust may request additional indemnities for equal pay claims, in

excess of the indemnities contained within Birmingham City Council CTA template. Any such requests are reviewed in each individual case and any agreement does not represent a precedent or change to the Birmingham City Council CTA template.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The Academies Conversion Programme is a Central Government Policy.

7.2 Legal Implications

7.2.1 The Secretary of State for Education has issued the Academy Order under section 4 of the Academies Act 2010. Section 5B of that Act requires all concerned parties, including the local authority, to take all reasonable steps to facilitate the conversion of the school into an Academy.

7.2.2 Although the Director for Education & Skills has the delegated authority under the Council's constitution to authorise the grant of long leases, Commercial Transfer Agreements and other ancillary documentation relating to the changing status of maintained schools to Academies, the value of the estimated deficit balance at Skilts School means that Cabinet must be the decision-maker for all matters relating to this school's conversion.

7.3 Financial Implications

7.3.1 At the point of conversion, 1st September 2021, it is estimated that Skilts School will have an estimated deficit balance of £565,828 as outlined in 2.3. The Local Authority has worked with the school and the IEB to stabilise and reduce the deficit position Under the DfE guidance relating to directed Academy conversions, the City Council will retain this balance. The final deficit amount to be funded will be confirmed after conversion has taken place, following the usual 3 months financial close-down process. The deficit will be funded from a budget held by Education and Skills for this purpose. This budget sits within the High Needs Block and covers 'Special Schools in Financial Deficit'. There is also a budget set within the MTFS for specific school deficits. Ongoing there's a twice termly meeting looking at schools in financial difficulty, therefore horizon scanning takes place and future budget requirements will be planned within the MTFS and/or the Education and Skills budget.

7.3.2 The recommendations in this report will enable Skilts School to lease land and buildings from the City Council at a peppercorn rent as required by the DfE. Resourcing for corporate legal costs and potentially external legal costs arising from this conversion and the wider Academy conversion programme

will be met from school contributions and earmarked resources within the Education Infrastructure Budget for the purposes of the Academy conversion process.

- 7.3.3 In accordance with the Academy Conversion Charging Policy schools pay a contribution towards the legal costs associated with the conversion of the school and owing to the nature and volume of work anticipated for this conversion the contribution for Skilts School, as a Community School is £7,875.00.

7.4 Procurement Implications (if required)

- 7.4.1 Not applicable

7.5 Human Resources Implications (if required)

- 7.5.1 The Statutory TUPE consultation process is being undertaken by the Schools ER Team as outlined in 3.7.

7.6 Public Sector Equality Duty

- 7.6.1 The Academies Conversion Programme is a Central Government Policy. An initial Equality Analysis was undertaken in February 2014 (EA000046) and the outcome indicated that a Full Equality Analysis was not required. The Central Government Policy has not changed since the initial Equality Analysis and it has been decided that the recommendations in this report do not require a full equality impact assessment.

8 Appendices

Appendix 1 – Redline Plan of Skilts new site (Lea Hall Academy)

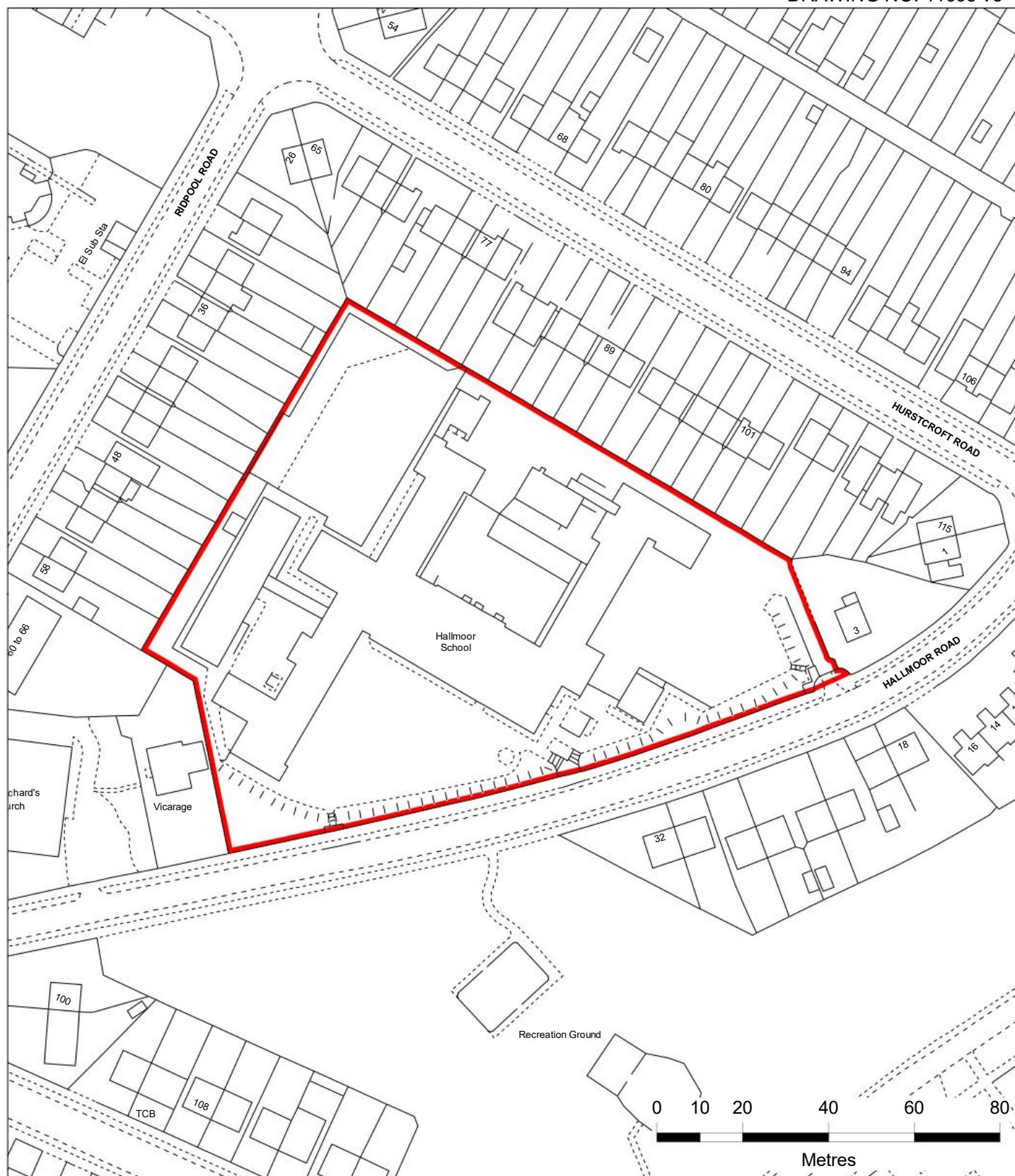
Appendix 2 – Academy Order – Skilts School

Appendix 3 - Treatment of surplus and deficit balances when maintained schools become Academies

Appendix 4 - Environment and Sustainability Assessment

9 Background Documents

- 9.1 Relevant officer files.



AREA EDGED RED **1.20** HECTARES APPROX. **2.96** ACRES APPROX.



Birmingham
City Council

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Interim Director Inclusive Growth
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PO Box 14439
Birmingham, B2 2JE

Lea Hall Academy
Hallmoor Road
Glebe Farm & Tile Cross



SCALE

DRAWN

DATE

1:1,250

MI

07/06/2021

O.S.Ref SP1487SE



Rt Hon Justine Greening MP
Secretary of State

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

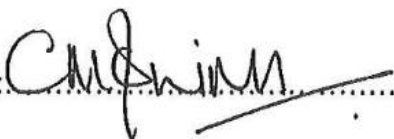
To: The Chair of Governors of Skilts School

Birmingham City Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4(A1) of the Academies Act 2010.
2. I hereby order that on the conversion date Skilts School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Birmingham City Council shall cease to maintain Skilts School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed: 

Date: 5 February 2018

**Christine Quinn,
Regional Schools Commissioner**



Department
for Education

Treatment of surplus and deficit balances when maintained schools become academies

**Guidance note for schools, local
authorities and academy trusts**

March 2018

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Summary

About this guidance

When a maintained school becomes an academy, legislation sets out a process for the transfer of any surplus the school may have at the point of conversion. This guidance sets out what happens to a *surplus* balance when a school ceases to be maintained by the local authority (LA) and becomes an academy under the Academies Act 2010. It also sets out what happens to any *deficit* a converting school may have. It is intended to help LAs comply with their duties, and ensure that deficit or surplus balances are transferred within the statutory timescales. This guidance should be read alongside the legislation: the Academies Act 2010, the Academy Conversions (Transfer of School Surpluses) Regulations 2013 and the School and Early Years Finance (England) Regulations 2018.

Expiry or review date

This guidance will be reviewed annually and updated when required.

What legislation does this guidance refer to?

- The Academies Act 2010¹
- The Academy Conversions (Transfer of School Surpluses) Regulations 2013 (“the 2013 Regulations”)
- The School and Early Years Finance (England) Regulations 2018 (“the Finance Regulations”)

Who is this guidance for?

- This guidance is for:
- LAs
- School leaders, school staff and governing bodies in all maintained schools and academies
- Academy trusts

¹Section 7 of the Academies Act 2010 requires local authorities to transfer a maintained school’s surplus balances when the school converts to an academy. The Academy Conversions (Transfer of School Surpluses) Regulations 2013 set out the procedure that the local authority must follow in determining and paying the amount.

Key points

1 Definition of converter academies and sponsored academies

1.1 In this document, converter academies are those that convert (whether as a standalone academy or as part of a multi academy trust) by means of an academy order (AO) made after an application by the governing body of the school. Schools which are eligible for intervention, within the meaning of Part 4 of the Education and Inspections Act 2006, and schools that have applied to become an academy but where the Regional Schools Commissioner (RSC), on behalf of Secretary of State (SoS), does not consider the school strong enough to convert without the additional support of a sponsor are treated as sponsored academies, even where their route to becoming an academy is through an application for an AO by the governing body.

2 Converter academies with a surplus balance on conversion

2.1 If a school has a surplus balance when it converts to academy status, the 2013 Regulations provide that:

- the LA must determine and notify the amount of that surplus within **four months** of the date of conversion;
- if that amount is agreed, pay it to the Academy Trust (AT) within one month following the AT's agreement to the determination;
- the LA and AT must work together to reach an agreement on the determination within the four month timescale. However, should agreement not be possible, the AT has a right to apply to the SoS for a review. This must ordinarily be done within one month of the determination, giving reasons for the disagreement and an account of what endeavours have been made to reach agreement;
- an AT may also make a request for a review at a later time, but only in exceptional circumstances. The AT must set out why it considers there to be exceptional circumstances, and it is for the SoS to determine whether exceptional circumstances exist;
- the SoS has three months from receiving the request for a review, or deciding that exceptional circumstances apply, to make a decision. However, he can extend the period for reviewing a determination; and
- the LA then has one month in which to pay over the surplus following receipt of this decision.

2.2 If the new academy has made commitments against an anticipated surplus, advice should be sought from the Education and Skills Funding Agency (ESFA) on how to secure an advance of funding to meet this commitment. The preferred approach in these circumstances is for ESFA to make a partial payment in anticipation of an agreement on the amount of the surplus.

3 Capital and revenue differentiation (converter projects)

3.1 For converter academy capital projects, where the Department is notified of a committed capital surplus alongside a revenue deficit, we advise LAs to preserve the capital surplus so that the school can use it on the capital project they have in mind and to pay that capital surplus over to the school, rather than netting it off the revenue deficit. This ensures that capital funding is not spent on revenue. Revenue surpluses, on the other hand, can be used to reduce or clear a capital deficit.

4 Converter academies with a deficit balance on conversion

4.1 Deficit balances unlike surplus balances are not covered in the same way by primary legislation and regulations. The Department's policy, however, is to treat deficits in a similar way, so the Department reimburses LAs and recovers the money back from the academy through abatement of General Annual Grant (GAG). The Department has to ensure the amount due is a true reflection of what is owed and will only pay once the amount is agreed by both parties. In the event of a disputed deficit balance, the AT may apply to the SoS for a review. The SoS will base his decision on the evidence provided by both parties.

4.2 If a school is concerned that the size of its deficit could prevent it from converting, but the school is not eligible for intervention or otherwise eligible to be treated as a sponsored academy, it is open to the LA to agree to absorb part or all of the deficit rather than insist on it being repaid by the school. This is most likely to apply where the school is joining the AT of an external sponsor, but as a converter academy.

5 Sponsored academies with a surplus balance on conversion

5.1 Where a school is to open as a sponsored academy, there are two possible routes to closure of the maintained school: the route where the governing body or Interim Executive Board (IEB) applies for an AO; and the route where the SoS issues an AO in respect of a school eligible for intervention. There will be a difference in the treatment of surplus balances on conversion, depending on the route taken:

- where the SoS issues an AO following an application from the maintained school's governing body or IEB, the law requires that the surplus will transfer to the AT;
- under the other route, the surplus remains with the LA (though the surplus can be transferred to the AT and, in practice, some LAs have agreed to this).

6 Sponsored academies with a deficit on conversion

6.1 Where a school with a deficit is to open as a sponsored academy, the deficit remains with the LA, to be funded from its core budget. School deficits are not an allowable charge on the LA's schools budget (funded by its allocation of Dedicated Schools Grant); however, if the schools forum has agreed to de-delegate a contingency provision, then the deficit may be funded from that contingency, depending on the criteria agreed for its use. This arrangement applies to all sponsored academies as defined in section 1.1.

6.2 LAs should work closely with schools becoming an academy to ensure that they manage the risk of an increasing deficit, and if a school is not managing its expenditure in a satisfactory manner, the LA may withdraw delegation of the school's budget share in order to limit the potential cost to the LA's budget. Some LAs may have an approach which sees their finance officers working closely with school improvement officers, so they can identify at an early stage schools which are underperforming and may require a sponsored academy solution, and can provide additional financial monitoring prior to them becoming an academy.

7 Federated schools

7.1 The 2013 Regulations require that a LA and AT should agree on the method of determining the surplus balance for a school that was a federated school, and if no agreement is reached, the balance would be split based on pupil numbers.

7.2 The formula used for splitting surplus balances at federated schools where there is no agreement is $A \times (B / C)$, where:

A is the amount of a school's delegated budget that has not been spent by the governing body or any head teacher in the federation immediately before the conversion date;

B is the total number of pupils registered at the school immediately before the conversion date; and

C is the total number of pupils registered at all of the schools within the federation on that date.

7.3 As in the case of non-federated schools, the LA and AT must use reasonable endeavours to reach agreement on the amount of surplus payable. Where agreement cannot be reached, the AT has the right to ask the SoS for a review.

8 Schools with internal loans outstanding

8.1 The Department would expect that the liability to repay a loan made by the LA to a maintained school would normally transfer to the academy, which would continue repayments from its revenue budget on the previously agreed schedule, unless the LA and school agree to liquidate the loan and pay it off at the point of transfer. The transfer of responsibility for the loan should be reflected in a legal agreement between the LA and the AT, either by amending the Commercial Transfer Agreement (CTA) or in a separate agreement. Any current loan repayments a maintained school has to make will need to be checked for their affordability alongside the repayment of any deficit at the point of conversion. The Department will not recognise as a loan any arrangement that is agreed between the LA and a maintained school after the governing body or IEB has made an application to become a sponsored academy or after the school becomes eligible for intervention by the SoS, unless the AT sponsoring the academy has agreed to take on the liability. The Department will also not recognise as a loan any sum that has been provided in order to fund a deficit that has arisen because a school's recurrent costs exceed its current income and where this has been agreed or an existing loan arrangement was revised on or after 22 March 2018.

9 Other borrowing and leases

9.1 Schools may have borrowed from other lenders prior to conversion and have liabilities for continuing repayments. SoS approval of this borrowing is required before the loan is taken out. The associated repayment liabilities would normally transfer to the academy, which would continue repayments from its revenue budget on the previously agreed schedule, unless the lender and school agree to liquidate the loan and pay it off prior to the school becoming an academy.

9.2 One form of such borrowing is leases. There is a distinction between operating leases and finance leases. A broad explanation of the distinction between these two types of leases is that an operating lease is where the school makes a regular payment to use the equipment and the equipment is returned to the provider at the end of the lease, and a finance lease is where the body making the payment acquires the asset at the end of the repayment period. It is up to the prospective academy's accountants, however, to determine whether a lease is an operating lease or finance lease. Finance leases are regarded as a form of borrowing and, as with any borrowing other than the internal loans that LAs make to their maintained schools, SoS approval of this borrowing is required before the lease is taken out.

9.3 If any such borrowing occurs prior to the school becoming an academy, it will be necessary for the finance lease payments or repayments of the loan to be checked for affordability alongside the repayment of any deficit at the point of conversion.

9.4 Any queries in relation to the contents of this note should be submitted through the [contact form](#).



Department
for Education

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Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. To complete the assessment you should consider whether that policy/development/proposal will have a positive or a negative impact on each of the key themes by placing a (√) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. The assessment must be completed for all Cabinet reports. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete. The officers from the sustainability team can help to fill the assessment especially during the early days of implementation.

Theme	Example
Natural Resources- Impact on natural resources including water, soil, air.	Does the decision increase water use? Does the decision have an impact on air quality? Does the decision impact on soil? For example, development will typically use water for carrying out various operations and, once complete, water will be needed to service the development. Providing water to development and treating affluent water requires energy and contributes to climate change. Some of the activities including construction or disposal of waste may lead to soil pollution. The decisions may lead to more journeys thereby deteriorating air quality and thus contribution to climate change and greenhouse gases.
Energy use and CO ₂ emissions.	Will the decision have an impact on energy use? Will the decision impact on carbon emissions? Most day-to-day activities use energy. The main environmental impact of producing and using energy such as electricity, gas, and fuel (unless it is from a renewable source) is the emission of carbon dioxide.
Quality of environment.	Does the decision impact on the quality of the environment? Decisions may have an impact on the overall setting, character and distinctiveness in the area. For example if development involves ground digging and excavations etc. it may have an impact on the local archaeology.
Impact on local green and open spaces and biodiversity	The proposal may lead to localised impact on the local green and open spaces which may have an impact on local biodiversity, trees and other

	vegetation in the area. For example selling an open space may reduce access to open space within an area and lead to a loss of biodiversity. However, creating a new open space would have positive effects.
Use of environmentally sustainable products, equipment and packaging'	Will the decision present opportunities to incorporate the use of environmentally sustainable products (such as compostable bags, paper straws etc.), recycled materials (i.e. Forest Stewardship Council (FSC) Timber/wood), non-polluting vehicles, avoid the use of single use plastics and packaging.
Council plan priority: a city that takes a leading role in tackling climate change and deliver Route to Zero.	How does the proposal or decision contribute to tackling and showing leadership in tackling climate change and deliver Route to Zero aspirations?

Project Title:		Skilts School conversion from Community School to Academy status		
Department: Education Infrastructure		Team: Education Property Management		Person Responsible for assessment: David Board
Date of assessment: 16/06/2021		Is it a new or existing policy/strategy/decision/development proposal? New decision to execute government order/strategy to convert this school to academy.		
Brief description of the proposal: To execute all matters related to the conversion of the school to academy status, as per the government order.				
Potential impacts of the policy/development decision/procedure/ on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources- Impact on natural resources including water, soil, air	N/A	N/A	√	N/A
Energy use and CO ₂ emissions	N/A	N/A	√	N/A
Quality of environment	N/A	N/A	√	N/A
Impact on biodiversity	N/A	N/A	√	N/A
Use of sustainable products and equipment	N/A	N/A	√	N/A
Council plan priority: a city that takes a leading role in tackling climate change	N/A	N/A	√	N/A

Overall conclusion on the environmental and sustainability impacts of the proposal'	The proposal has no specific environmental impacts. Only the status of the school is changing from Community School to Academy status. There are no specific material changes to the school and environment.
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If you require assistance in completing this assessment then please contact: Amit Bratch (amit.bratch@birmingham.gov.uk).

Birmingham City Council

Report to Cabinet

27 July 2021



Subject: New Ways of Working

Report of: Director, Digital & Customer Services

Relevant Cabinet Member: The Leader of the Council, Councillor Ian Ward
Councillor Tristan Chatfield, Cabinet Member for Finance and Resources
Councillor Brigid Jones, Deputy Leader

Relevant O & S Chair(s): Councillor Mohammed Aikhlaq - Resources

Report author: Robin Burton, New Ways of Working Programme Manager
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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name of ward:		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008892/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

1.1 The strategic drivers for New Ways of Working (NWOW) Programme are as follows:

- Our staff have embraced flexible working during the pandemic, and there is now an opportunity to make a permanent shift from a situation whereby 15-20% of our

workforce worked, pre-pandemic, in an agile and flexible manner to one where 80-85% do so.

- Staff have expressed that they would like more flexibility and enjoy working from home (Health and Wellbeing Survey Jan 2021).
- COVID has also shown us the art of the possible – we can leapfrog to the next stage of Council development, with the clarity and leadership needed to do so.
- COVID has revealed and amplified some of the challenges that our communities face. This is a moment in time to galvanise our intention to do better by them, and centre equality in our vision for the future, and in all that we do.

1.2 New Ways of Working directly supports the achievement of one of the three key priorities outlined in the Council Delivery Plan 2020 – 2022:

- Being enabled by a Fit for Purpose Council (Delivering New Ways of Working): creating a more responsive, efficient, and effective organisation by ensuring our teams have the capability, confidence, and tools to continue to work where, when, and how they choose, with maximum flexibility and minimum constraints to optimise their performance in support of those we serve.

1.3 Two other key priorities are dependent upon the NWOW programme as a key enabler:

- Inclusive Growth is focussed on stimulating an economic recovery that works for everyone, transforming the landscape of our city while creating opportunities for local communities and ensuring the ‘just transition’ to a green economy.
- Early Intervention focusses on establishing an empowering and enabling model of early intervention and prevention that ‘helps people to help themselves’, and ultimately achieve the aspirations they hold for themselves and their communities.

1.4 The New Ways of Working Programme has been identified as the means to bring together, build upon, and accelerate existing work on developing agile working, a modern workplace, and the provision of locality-based working. The future is about neighbourhoods, better use of community-based assets and more services delivered in our communities. The programme will seek to:

- Reduce Workforce Inequality – Reducing inequalities in the workplace
- Increase Neighbourhood Working – Enabling more services to move into the community
- Reduce Carbon Footprint – Delivering on our commitments to carbon reduction to zero
- Maximise Property Assets – Creating opportunities to better utilise our property estate to the benefit of the city.

2 Recommendations

2.1 That Cabinet: -

2.1.1 Notes the progress done so far on the New Ways of Working Programme since January 2020.

2.1.2 Approve the Enhanced Business Case to enable the New Ways of Working programme. The cost of the project is:

Capital - £5.56m

Revenue - £4.75m

Total - £10.4m

The project has identified revenue savings of £6.1m over 5 years.

2.1.3 Delegates authority to the Director Digital & Customer Services in consultation with the Director Inclusive Growth and the Chief Finance Officer to implement the business case.

2.1.4 Delegates authority to the Director for Digital and Customer Services, the Assistant Director Development & Commercial or their delegate, in conjunction with the Chief Finance Officer or their delegate, and the City Solicitor or their delegate to approve any procurement strategies and subsequent contract award decisions required to support the implementation of the recommendations within this report.

2.1.5 Authorises the City Solicitor to negotiate, execute and complete all necessary legal documents to give effect to the above recommendations

3 Background

3.1 Birmingham City Council has successfully delivered services during the COVID 19 pandemic, with very few staff being office based. This presents a once in a generation opportunity to introduce New Ways of Working at pace.

Current Position

3.2 In our response to the pandemic, we have proven that the Council can deliver services effectively with Members and staff working both remotely and flexibly.

3.3 The NWOW challenge is to transition from an emergency response posture to a more considered and sustainable way forward.

3.4 The Central Administrative Building estate presently comprises 7 buildings providing 5,953 workstations which supports 6,562 staff. In a previous Cabinet report it was agreed to progress the disposal of Lancaster Circus and the removal of Margaret Street as a CAB building.

3.5 It is intended, through increased staff agility and flexibility, to maximise the utilisation of the CAB properties that we retain by re-designing and fitting them out them as agile buildings to increase capacity and encourage collaboration.

3.6 Our goal is to cultivate an agile culture and behaviours throughout the organisation, and to fully implement working practices, technology, and facilities to enable all staff to operate in a fully agile way. This goal needs to be considered in the context of the needs of our residents, businesses, partners, the voluntary and community sector, and visitors.

3.6.1 To achieve agile we need to invest in key areas: Firstly, People, in terms of true engagement and additional skills training; Secondly, Technology, for example in Hybrid meeting technology, laptops with cameras, monitors for home workers, the Field Worker Platform; and Thirdly, in Paper reduction – and we need to move as many of our documents as possible online so that they can be accessed anywhere, anytime, enabling greater insight.

3.6.2 Investment in our People: During the Discovery Phase it has become apparent that managers in BCC need more support to transition to agile that we initially envisaged therefore we have increased the number of Agile Liaison staff in the business case to ensure that this essential change is fully embedded.

3.6.3 We recognise we need to work with and support our workforce. In order to build confidence, change behaviours, enhance our competencies, create empowerment, foster engagement and promote mutual trust, our Agile project plan has been developed to make sure we cover all this and more, including:

- Agile Framework to clarify how HR, IT and H&S policies apply when working remotely (reviewing them where necessary)
- More training and development across our entire organisation, particularly around IT training to build confidence and competence
- Agile 'One Stop Shop' enabling staff to easily access support, knowledge and 'How To' guides
- Support from Agile Liaison Officers to enable the move to agile
- Team agreements of how each team will deliver their outcomes and how they will make Remote and Home Working successful
- Investment in Managers – Outcome based management training
- One-to-one support to help embrace this change
- Access to a wide range of learning and support to enable them to focus on setting outcomes with individuals
- Dedicated Management Programmes
- The Future Leaders Programme
- Managing Remotely Programme
 - Increase the skills, confidence and competence of a manager when motivating, guiding and supporting their teams with empathy
 - Helping managers to build trust with their employees
 - A shift in the function of the manager position to more of a facilitator position

3.6.4 New Ways of Working will look to maximise our investment in Property enabling the purpose behind our property assets to support our foundational need for safety and social connection. Offices will continue to act as value

drivers by providing our workforce with secure and optimised environments that support active collaboration and informal community bonding. We need our estate to meet the need for collaboration and innovation. We will do this by redesigning our buildings and by creating workspaces that encourage people to collaborate and innovate. Detailed example floor plans for Woodcock Street have been developed and these designs will be discussed with staff focus groups to get their input but also to ensure that we are creating what services and staff need to deliver great outcomes. In addition, we will ensure that our buildings have more spaces than before to meet staff welfare needs i.e. more Multi Faith rooms, Nursing Mothers room, Recovery room etc.

3.6.5 New Ways of Working will look to radically reduce our need for Paper by empowering our staff to be able to access documents wherever they choose to work. Therefore, a new paper management E2E process will be introduced to enable the staff to be more agile, productive and efficient whilst reducing paper volumes. We will maximise our use of the Digital Mail Centre ensuring we have an end to end hybrid mail, scanning solution and document management repositories enabling documents to be easily tracked and the indexes to be searchable.

3.6.6 New Ways of Working will decommission Lancaster Circus and relocate all of the BCC services that reside there. These include but are not limited to:

- CCTV Control Room
- UTC
- Emergency Response Team
- BCC network Point of Presence

These are essential services and it is not an option for us to have any interruption in service. In particular, these services will be critical in keeping the public safe and to ensure that the Commonwealth Games is delivered successfully. Therefore, moving them prior to the games has been deemed too great a risk and a plan has been drawn up to move them immediately upon the Games completion.

3.6.7 New Ways of Working will invest in new digital tools as these are key enablers for NWOW. We need to ensure that our staff have the right hardware, software and processes to excel in an agile environment. The development of a new platform for our Field Worker is required. Birmingham City Council employees approximately 7,000 field workers across Directorates, who are “the face” of Birmingham City Council and responsible for delivering frontline services to our citizens of Birmingham. To date there is no standard process for our field workers to use, albeit all field workers are essentially carrying out the same set of very similar activities - as a result multiple process, solutions and ways of working are in practice daily and as a consequence silo working remains prevalent at

Birmingham City Council. These key workers need a solution that will support them in providing a more responsive, flexible and professional service to their customers – a solution that will enhance service to their users as well as making their working lives easier and safer.

3.7 Progress to date

- 3.7.1 **Investing in our People** - During the Discovery phase we have worked closely with Directorates and their management teams. We have defined a set of key investments to sustain the change, including training, active support from Agile Liaison Officers, key communication tools that will allow us to communicate with the whole staff at the same time; Chat bots – an artificial intelligence tool to help us build intelligent FAQs; Pulse Survey tool – to enable us to ‘take the temperature’ of the organisation during the transition; Ideas app – to gather employee ideas on how we can improve what we’re doing; Learning Pathways – a ‘front door’ to all of the learning BCC offers and New Employee Onboarding – a tool to enable us to onboard new employees remotely, amongst others.
- 3.7.2 **Building Re-Opening** - NWOW have also been instrumental in the re-opening strategy for Woodcock Street and had extensive discussions with Property to ensure that we open the building in a safe and secure manner.
- 3.7.3 **Decommissioning Lancaster Circus** - The project to decommission Lancaster Circus discovered much more detail of the services and IT that needs to be decommissioned before the building can be handed over to Inclusive Growth. Engagement with key stakeholders to work out a strategy for relocation of key IT infrastructure and services and with third parties required to relocate them to get cost estimates.
- 3.7.4 **Paper Management** - Discovery of how much paper is stored in Lancaster Circus, Margaret Street, Council House and Woodcock Street. Worked with in-house scanning team and created an in-house solution that negates using a third party and creates a tradable service. Worked with and educated teams to remove paper from The Council House and Margaret Street resulting in nearly 2 million pages sent to confidential waste and nearly 400,000 documents sent to Dollman Street for scanning and indexing.
- 3.7.5 **Reimagining the office** - With the vacation of Lancaster Circus and Margaret Street we needed to create collaborative working space, during the Discovery Phase we have been reimagining Woodcock Street and Lifford House. The designs are ‘strawmen’ of what the space could look like based upon experience of doing this for other local authorities and taking into consideration a recent PHE report ‘The impact of physical environment on employee wellbeing.’ We will be socialising these designs and engaging with

staff focus groups to ensure that we end up with a building that works for them.

3.7.6 Locality Working - During the Discovery Phase it became apparent that there were multiple definitions as to what Locality Working meant. Therefore, we will need to carry out some more analysis on this and will report back to Cabinet at a later date on what locality working provision is required and how we intend to meet that demand.

3.7.7 The Property Strategy, which was approved by Cabinet on 13th November 2018, is aligned with the strategic outcomes outlined in the Council Plan 2018-2022 to create a city of growth where every child, citizen, and place matters; an entrepreneurial city to learn in; a great city to grow up in; a fulfilling city to age well in; a great city to live in; and for residents to gain maximum benefit from hosting the Commonwealth Games. As the largest local authority in the country with the biggest property portfolio, the Council has the opportunity to utilise its property and land assets in a strategic way to deliver its priorities.

3.7.8 The Property Strategy takes a medium to long term strategic approach to how we utilise our unique asset base and will ensure a balanced delivery of maximised commercial and social returns. Re-aligning the Council's property will provide a catalyst for development and underpin the social fabric of communities across the city. Under S.3 Local Government Act 1999 the Council is under a duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

4 New Ways of Working Options Considered and Recommended Proposal

Option	Advantage	Disadvantage
1) 'Do Nothing' – All staff return to pre-covid working arrangements	<ul style="list-style-type: none">• No change for staff	<ul style="list-style-type: none">• No reduction in inequality or increase in workplace diversity• Does not meet future business needs• No strategic fit• No customer benefits.• Does not contribute to our carbon reduction target• Will require investment in property repairs

		<ul style="list-style-type: none"> • Does not contribute to the MTFP shortfall
2) 'Do the Minimum' / Continue Remote Working, as is – all staff maintain current working arrangements	<ul style="list-style-type: none"> • We can maximise our CAB estate, realising income and/or savings from vacated buildings 	<ul style="list-style-type: none"> • Does not address staff health and wellbeing • Work practices are not sustainable • Managers not equipped to manage staff remotely. • Does not meet future business needs • Productivity increases will decrease over time • No benefits to our customers • Does not improve access to services • Does not improve staff diversity and inclusion
3) Optimum Scope - fully embrace principles of agile working across all directorates across the Council	<ul style="list-style-type: none"> • Meets the need from staff for more flexibility • Good for health and wellbeing of staff • Supports the creation of a workforce that reflects the communities we serve at all levels in the organisation • Creates an agile organisation • Reduces our carbon footprint • Meets the needs of customers, organisation, and staff. • We can maximise our CAB estate, realising income and/or savings from vacated buildings • Helps to meet the MTFP requirements. 	<ul style="list-style-type: none"> • Requires initial investment. • Requires a mindset shift for all staff • Requires a cultural shift in employee working arrangements and management practices, that take time to embed

4.1 While the country is in periods of lockdown, and subject to the government's tests and critical milestones, the advice to all staff is where you can, you should continue to work from home. The current plan is for the Council to open some buildings from the 2nd August in a covid secure manner, much as we did last year. It is clear however that the re-opening of our CAB buildings will need to be done in a planned

and managed fashion in line with public health and government guidance. It is likely that working from home for those who can will remain a significant part of staff working arrangements for 2021-22

5 Consultation

- 5.1 The Leader, Deputy Leader, Cabinet Member for Finance and Resources, and Chair of Resources Overview & Scrutiny Committee have been consulted.
- 5.2 The Programme is actively engaged with the Trade Unions and will continue to consult with them throughout the programme.
- 5.3 Birmingham Children's Trust has been consulted and the Programme is actively engaged with them to co-design our approach and to co-design workspaces.
- 5.4 The Programme will engage with staff, team, and managers to co-design the shape, process, and agile workspaces as we recognise that one size does not fit all.
- 5.5 Staff were consulted in January 2021 via a regular Health and Wellbeing survey. 81% of 2350 respondents stated that they either 'Enjoy working from home (43%)' or 'Prefer to work flexibly (38%)'.
- 5.6 We have worked extensively with the Trade Unions with fortnightly workshops with all the TUs to gather their input into the programme and to ensure that they are sighted and onboard at every stage. A joint statement on Homeworking and the return to the office has been agreed. This active collaboration is a vital component of the programme.

6 Risk Management

6.1 The New Ways of Working key risks are:

Main Risk	Mitigation
DESIGN	
That design will not be suitable for all services or individuals	Take a tailored approach to services and staff, shaping the proposition for each service / directorate based on their needs
IMPLEMENTATION	
Directorates do not embrace NWOW impacting service effectiveness	Support from Cabinet and Council Leadership Team in removing barriers and active support
Maintaining team cohesion and staff motivation	Manager training on how to successfully manage remote teams – including how to motivate and develop them

Ability to manage staff performance & motivation	Manager training on how to manage by outcomes build trust and staff empowerment
Change management overload – staff overwhelmed by amount of change	A cross organisation change management function that monitors and manages the pace of change
That optimism bias will lead to overstating the organisation's ability to effect timely and lasting behavioural change	Ensure change element is designed, approved, and delivered, starting with a baseline and monitoring change acceptance / compliance against that baseline. Focus on managers to ensure their understanding and support.
There is a risk to the secure and successful delivery of the Commonwealth Games as Lancaster Circus supports our emergency Response infrastructure	We have worked closely to work out the timelines to achieve the decommissioning and move of this equipment in a safe and secure manner

7 Compliance Issues:

7.1 Legal Implications

- 7.1.1 The power to hold, appropriate and dispose of land is contained in Sections 120-123 of the Local Government Act 1972.
- 7.1.2 Section 1 of the Localism Act 2011 confers on the Council a general power of competence and Section 111 of the Local Government Act 1972 gives power to the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

7.2 Financial Implications

7.2.1 Capital

It is estimated that the disposal of Lancaster Circus will realise between £11m and £20m of capital receipts (dependent upon if we sell as is or with planning consent). This would not be possible without the delivery of the NWOW programme. The cost of delivering the Enhanced Business Case is £5.6m. This includes the costs and timelines of de-commissioning Lancaster Circus and The Council House Extension (Margaret Street) and relocating essential IT such as the POPs site and relocating key services such as UTC and the CCTV control centre. It also includes the cost of turning the CAB sites that we retain into agile workspaces and investing in our workforce through training and new tools.

7.2.2. Revenue

The closure and vacation of 1 Lancaster Circus and Margaret Street will yield revenue budget savings of £1.349m which will contribute to the delivery of revenue savings already built into the Council MTFP through CAB portfolio rationalisation. final financial implications will be confirmed through future decision reports as the

programme progresses, in line with the Council Gateway and Financial Approval Framework.

7.2.3 Future Savings and Capital Receipts

During the Discovery Phase of NWOW we have identified a number of other savings and savings opportunities that NWOW will enable but we need a little more time to work out the detail of these. These include:

- Print savings – at BCC we spend more than £1m on internal printing, this has been reduced exponentially during pandemic but we need to work with directorates to ascertain if this is sustainable.
- Document Storage – BCC stores millions of documents in offsite storage at a cost of £100,000's so we are working with services to ascertain how many of these documents can be scanned and removed from storage and what we need to retain in hard copy to meet out legal obligations.
- Other buildings – It is our goal to exit 75% of the CAB estate but we need to work with services and Children's Trust to help them to transition to agile to release more of the CAB estate.
- In addition the Field Worker team identified substantial savings but we need to work with services as Field Worker platform comes on stream to demonstrate the benefits and to realise these savings.

7.3 Procurement Implications

7.3.1 Any procurement implications arising from the implementation of the recommendations within this report will be undertaken in accordance with the Council's standing orders relating to contracts and the delegation within recommendation 2.1.4 of this report. It is anticipated that external service providers will be required to refurbish Woodcock Street and Lifford House and to move essential services out of Lancaster Circus. Subject to further analysis, wherever possible, there will be an attempt to reduce externally generated costs and risk by leveraging existing Council resource. Where appropriate, the procurement strategy will seek to leverage existing frameworks such as G Cloud 12.

7.4 Human Resources Implications (if required)

7.4.1 HR implications: Where New Ways of Working results in a change of work location, this will necessitate a period of consultation and a 12 week notice period using the mobility clause. This clause provides for the movement of staff to alternative work locations and any reimbursement in line with the Disturbance allowance policy. The potential for redundancies within support services such as Cleaning, Civic Catering and Security will be reviewed and developed during the course of project roll out.

7.5 Public Sector Equality Duty

- 7.5.1 An Equality Impact Analysis has been completed and is attached at Appendix 2. This indicates that the equalities impact of the proposed implementation of New Ways of Working is minimal and that the new solution will ensure that all of the latest equality duty requirements, for example, accessibility for users with specific needs, will be met.

8 List of appendices accompanying this report:

- 8.1 Appendix 1 – New Ways of Working Enhanced Business Case
- 8.2 Appendix 2 – Equality Impact Assessment 674

9 Background Documents

- Report to Cabinet dated 20th April 2021 – “New Ways of Working”
- Report to Cabinet dated 19th January 2021 – “Investing in our Future - What Birmingham City Council needs to do next: 2021 to 2026”
- Report to Cabinet dated 13th November 2018 – “Property Strategy 2018/19-2023/24 including first phase projects”

ENHANCED BUSINESS CASE

New Ways of Working

FIT FOR PURPOSE COUNCIL PORTFOLIO

AUTHOR: Robin Burton



Document Control

Document title	Enhanced Business Case – <i>New Ways of Working</i>		
Voyager Code			
Programme Sponsor	Peter Bishop		
Programme Manager	Robin Burton		
Finance Business Partner	Lee Bickerton		
Version number	1.1	Document owner	Robin Burton
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Version	Author	Date	Summary of changes
0.1	Robin Burton		Initial Version
0.2	Robin Burton		Review with Programme Sponsor
0.3	Robin Burton	30/06/21	Further refinement
0.4	Peter Bishop		Further refinement and final draft
0.5	Robin Burton	01/07/21	Further refinement
1.0	Robin Burton	02/07/21	Final Draft
1.1	Robin Burton	08/07/21	Final Draft with further refinement

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1 Section A – General Information

1.1 A1 - Programme Summary

Our goal is to cultivate an agile culture and behaviours throughout the organisation, and to fully implement working practices, technology, and facilities to enable all staff to operate in a fully agile way. This goal needs to be considered in the context of the needs of our residents, businesses, partners, the voluntary and community sector, and visitors.

Agile organisations:

- Are quick to respond to changes and are focused on customer's needs which call for customised rather than standardised offerings
- Use advanced processes, tools, and training to react successfully to the emergence of new competitors, rapid advancements in technology and sudden shifts in overall market conditions

We will do this by:

- Having skilful individuals who are self-aware and are great team players
- Having leaders that inspire others, without losing cohesion
- Continuously learn from experiences and experiments
- Collaborate and have a sharing communication style throughout
- Focus on long-term benefits and values regarded by our customers

Moving our organisation to an agile work environment from a traditional fixed-seating office model is essential to this and requires a cultural change on a massive scale. We are asking our employees who will work in this new way to change their ingrained daily habits and give up the comfort zone of their personal work space. It also means managers learning to manage in a different way and it means people taking responsibility for when, how and where they work to deliver their outcomes for our citizens. It's a time to 'Be Bold and Be Birmingham.'

Being Agile is about bringing people, processes, connectivity and technology, time and place together to find the most appropriate and effective way of working to carry out a particular task. It is working within guidelines (of the task) but without boundaries (of how you achieve it). Being Agile is more than working in a different way, it is being and behaving differently. Just investing in new technology and in new work spaces are not enough. We need to engage with the workforce; empowering people in a relationship of trust and responsibility are the key. This involves change in organisational culture and individual mindset, particularly in senior and middle management.

To achieve agile we need to invest in key areas: People in terms of true engagement and additional skills training; Technology for example in Hybrid meeting technology, laptops with cameras, monitors for home workers, the Field Worker Platform; and in Paper reduction – and we need to move as many of our documents as possible online so that they can be accessed anywhere, anytime, enabling greater insight.

It is an approach to getting work done with maximum flexibility and minimum constraints. It goes beyond just flexible working and focuses on eliminating the barriers to getting work done efficiently.

Our staff have embraced flexible working during the pandemic, and there is now an opportunity to take the next step into true agile working where 80-85% of our workforce work, behave and think in a more agile and flexible manner.

COVID has shown us the art of the possible when it comes to working flexibly – we can now leapfrog to the next stage of Council development, with the clarity and leadership needed to do so.

In the Health and Wellbeing Survey carried in January 2021 80+% of those who responded expressed that they would like more flexibility and enjoy working from home.

COVID also revealed and amplified some of the challenges that our communities face. This is a moment in time to galvanise our intention to do better by them, and centre equality in our vision for the future, and in all that we do.

The New Ways of Working Programme is the means to bring together, build upon, and accelerate existing work on developing agile working, a modern workplace, and the provision of locality-based working. NWOW will enable a future that is about neighbourhoods, better use of community-based assets and more services delivered in our communities. The programme will seek to:

Reduce Workforce Inequality – Reducing inequalities in the workplace, for example ensuring those with caring responsibilities can work more flexibly so they can build their careers while balancing the needs of those at home; through locality and remote working increase access to services from our communities, whilst creating a sense of community cohesion between the council and its communities; and for those that choose their home as their contracted place of work we will provide a package of measures for our Home Workers that includes suitable equipment plus any Access to Work equipment required to enable them to achieve their outcomes, with increased wellbeing support to ensure we are an inclusive employer.

Increase staff Communication and Engagement – Through the development of Engagement Champions and Focus Groups we will involve our staff in decisions that shape our future ways of working; stimulate discussion and involvement; and develop “bottom up” solutions to resolve the every-day problems and barriers experienced by them when wanting to be the best they can be in order to deliver greater outcomes. Our use of new digital tools to engage, to communicate, to understand the “pulse” of our organisation and to answer frequently asked questions will stretch all of our imaginations in the art of the possible through experiential learning.

Increase Neighbourhood Working – Enabling the move of services into the community, stimulating economic redevelopment with the Council becoming an anchor institution in more deprived parts of the city. This will be achieved through a combination of the creation of locality workspaces for staff to work in their communities and Public Hubs - an easily identifiable, welcoming place to the public which is central to a community, easily accessible on foot and by public and private transport. A Public Hub will house an array of public services encouraging a modern relationship with our citizens.

Reduce Carbon Footprint – Delivering on our commitments to carbon reduction to zero by reducing the need for staff to commute and reducing energy consumption within our property estate.

Maximise Property Assets – Creating opportunities to better utilise our property estate to the benefit of the city, thereby enabling the Council to realise savings and income.

New Ways of Working directly supports the achievement of one of the three key priorities in the Council Delivery Plan 2020 – 2022:

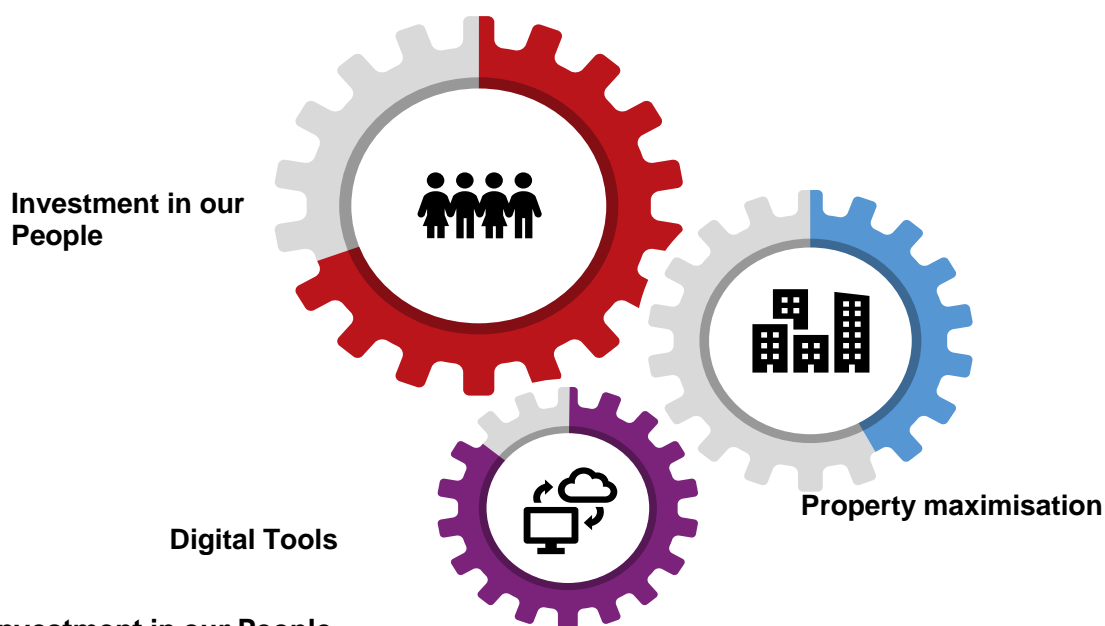
- Being enabled by a Fit for Purpose Council (Delivering New Ways of Working): creating a more responsive, efficient, and effective organisation by ensuring our teams have the capability, confidence, and tools to continue to work where, when, and how they choose, with maximum flexibility and minimum constraints to optimise their performance in support of those we serve.

The other two key priorities outlined below are dependent upon the NWOW programme as a key enabler.

- Inclusive Growth is focussed on stimulating an economic recovery that works for everyone, transforming the landscape of our city while creating opportunities for local communities and ensuring the 'just transition' to a green economy.
- Early Intervention and Prevention is focussed on establishing an empowering and enabling model of early intervention and prevention that 'helps people to help themselves', and ultimately achieve the aspirations they hold for themselves and their communities.

New Ways of Working

NWOW is made up of 3 interdependent cogs, all functioning in unison to enable us to deliver great services to our customers. We will readjust and reimagine all 3 cogs so that we can work in new ways. Of course, each cog will have activities and projects of their own which will change the way we work. Each will be led by dedicated teams, but all 3 must be interlinked with each other in order to succeed. Our People cog is our most important, as without our teams feeling confident, competent and supported to work in new ways we will not succeed.



Investment in our People

We recognise we need to work with and support our workforce. In order to build confidence, change behaviours, enhance our competencies, create empowerment, foster engagement and promote mutual trust, our Agile project plan has been developed to make sure we cover all this and more, including:

- Providing an overarching Agile Framework to clarify how HR, IT and H&S policies apply when working remotely
- And if appropriate we will review our Human Resource policies to make sure they're still fit for purpose
- Providing more training and development across our entire organisation, particularly around IT training so we will have dedicated IT Workforce Development Officers to support individuals to build confidence and competence
- Via our Agile 'One Stop Shop' methodology staff will be able to easily access support, knowledge and 'How To' guides

- Every department will be supported by an Agile Liaison Officer to enable the move to a more agile way of working

We will introduce the use of “**Team Principles**” as part of this. Team Principles are a team agreement of how each team will deliver their outcomes and how they will make Remote and Home Working successful amongst themselves.

IT skills – wrap around support

- We are investing in dedicated Workforce Development IT Officers to provide increased wrap around support to develop IT skills, including:
 - Upskilling opportunities for those who are struggling
 - Access to bite size learning at individuals’ pace
 - 121 support
 - Use of peer to peer support
- If we’re going to be more digital, we’ll also have to break some old habits
 - Less hand written notes....more electronic ones
 - Less duplicating and saving of files.... with more collaboration techniques
 - And of course better communications....with less emails...less attachments and more instant chat

We have access to the software to do it already but as an organisation we need to make better use of it.

Investment in Managers – Outcome based management

- We are introducing a focus on outcomes based management and will have dedicated Senior Workforce Development Officers to support managers with these skills
- This will consist of training as well as one-to-one support to embrace this change
- All Managers will access a range of learning and support to enable them to focus on setting outcomes with individuals
- Outcomes based management and New Ways of Working are being embedded throughout all our learning materials, but dedicated Management Programmes have been developed in response to feedback:
 - **The Future Leaders Programme:**
 - Has been built through consultation and piloted with our Service Finance colleagues
 - We have used their feedback to reshape the modules and delivery mechanisms in place to deliver them
 - Roll out of this programme has already begun but our Senior Workforce Development Officers will pump prime this delivery and ensure there is application in practice
 - **Human Manager**
 - When the pandemic started, many managers were focused on just one thing as they sought to supervise a newly distributed workforce: productivity. Managers were concerned with making sure their teams and employees were getting the same amount of work done at home as they were while working in the office. Moving forward managers need be focusing on building trust with their employees above all else. That means abandoning micromanagement and shifting the entire function of the manager position to more of a facilitator position: everything from introducing new tools and communication channels to support remote work to ensuring they have license to tend to their home lives when they need to. Our Human Manager programme will teach our managers how to manage their distributed teams with empathy. It’s critical our remote managers are less of a boss

and more of a leader, our employees will be looking to their managers for guidance, and it's important for employees to know their managers are there to support them in the work environment as well as provide support for personal matters as well.

Helping to support the Management of Remote Working

- Delivered over 2 x 3hour virtual workshops
- Flexible - runs fortnightly or in line with identified priorities

Workshop one	Workshop two
Outcome based management	3 C's of Remote Leadership: Clarity, Communication and Connection
Output and productivity	Emotional Intelligence
Employee relations (Policy)	Building Trust
Health and Safety	Engagement
Tools and technology	Wellbeing & Resilience
Sustainable change	Team Principles

An accompanying 'Toolkit for Managers' with links to resources has also been created and will be provided to all managers.

Building Mutual Trust

Being Agile is built on foundations of trust

- Trust that we will deliver the outcomes asked of us
- Trust to choose the most appropriate course of action to achieve those outcomes
- Trust to consider our own wellbeing and safety, as well as considering that of those we work with and to whom we deliver our services
- Trust in the equipment and training that is provided to us

But building trust isn't a one-way street

- Trust must be built between both managers and staff, and between our workforce and our customers
- It requires listening and understanding from all parties
- The training programmes ran as a pilot in February and are being made available now. The workshops will enable an understanding of the power of trust, focusing on:

- What is Trust
- Benefits of building trust
- The 4Cs Trust Model
- Behaviours that build trust
- Methods and Tools to build Trust

An Agile One Stop Shop - for all your needs

- We recognise that while there may appear to be lots of support, information and training provided to enable Home or Remote working – it's not good enough, clear enough, or accessible enough
- We want everything staff need to be accessible through a series of Apps that we will install within MS Teams
- We're providing more support to enable everyone to gain the confidence and competence in its use
- "How-to guides" will be accessed through a few clicks of a mouse, providing support and answers
- An increased number of "Video tutorials" will be easy to find on topics such as how to do something in MS Teams, undertaking a dynamic risk assessment, or support with wellbeing

We will be supporting all teams to become more agile

- We are appointing a small dedicated team of Agile Liaison Officers who will support every team at every step
- They'll be a critical friend, discussing teams' agility and the art of the possible
- Where a team is struggling to become more agile, they'll offer additional support
- Checking in with individual team members, as well as managers they'll provide a 360-degree view of every teams' agility, promoting successes and identifying any barriers
- They'll support managers to apply new learning such as Outcomes Based Management, Skills around Trust, how to use Insight etc.
- And they'll check to see how Team Principles are working amongst teams
- At the same time, they'll challenge everyone to become more agile
- They'll help to disseminate key messages, highlight any ideas to the Programme Board and feedback thoughts and ideas on how to support our new ways of working
- And they will help us to measure our change as we adopt new ways of working, so we can report, reflect and improve on it

During the Discovery Phase it has become apparent that managers in BCC need more support to transition to agile that we initially envisaged therefore we have increased the number of Agile Liaison staff in the business case to ensure that this essential change is fully embedded.

Property Maximisation

Driving Cultural Change and Wellbeing With Good Workplace Design

Dealing with employees' resistance to losing their desks is challenging enough, but to truly get the most benefit from an agile work environment, we need to think bigger. We need to ensure that we are creating the best environment for a culture that supports innovation and collaboration. Also, we don't want to slow people down by impeding their productivity as they adjust to the new environment. That means we need to work with staff to plan a productive new environment, and we must educate people about thinking and working differently.

Reimagining the office

As we begin our return to office, the purpose for the workplace needs to be challenged in everyone's minds. Understanding who needs to be in the space and how employees are

motivated is core to rethinking the need for square footage, where space is located and how it's designed.

The renewed purpose for our workplace will be on supporting our foundational need for safety and social connection. Offices will continue to act as value drivers by providing our workforce with secure and optimised environments that support active collaboration and informal community bonding.

We need our estate to meet the need for collaboration and innovation. We will do this by redesigning our buildings and by introducing furniture that encourages people to collaborate and innovate. Detailed proposed floor plans for Woodcock Street and Lifford House are included in the appendices, these designs will be discussed with staff focus groups to ensure that we are creating what staff need to deliver great outcomes. In addition, we will ensure that our buildings have more spaces than before to meet staff needs i.e. Multi Faith rooms, Mothers room, Recovery room etc.

We will do everything to make the change easy and seamless. We won't fuel anxieties by making it time-consuming or cumbersome for people to find a place to work or to find colleagues. Our designs include wayfinding systems that make it quick and easy to get to work. Our goal is to drive a collaborative culture that promotes innovation, where employees are able to adjust their daily tasks as needed in an agile work environment.

Paper Management

To empower our new agile organisation we will need our staff to be able to access documents wherever they choose to work. Therefore, a new paper management E2E process will be introduced to enable the staff to be more agile, productive and efficient whilst reducing paper volumes.

In the Outline Business Case we had made the assumption that this would need to be carried out by a third party organisation however when we investigated BCC capability we discovered that with a small investment we could deliver a zero fee service to directorates and retain a potential external fee earning service.

Therefore, to enable this new process, we plan to zero the internal scanning charge by Dollman Street to the other departments by adding another industrial scanner and 3 staff to ensure that we retain the expertise in house. Documents will be scanned/indexed with at least 5 key index fields including the retention date and then stored in managed Document Management repositories enabling documents to be tracked and the indexes to be searchable.

We will communicate the process with the departments to encourage them to use this facility and remove any non-compliant storage of documents in both physical and electronic forms. And we will also be able to permanently withdraw, scan and index a large volume of the documents stored at Iron Mountain which will make significant financial savings. Obviously we will also work with teams to ensure they limit production of paper going forward, through the development of enhanced IT skills and the social skills to apply this in practice in their individual roles.

Decommissioning Lancaster Circus

In order to dispose of Lancaster Circus, no matter what Stimulating Growth decide to do with it, we need to decommission and relocate all of the BCC services that reside there. These include but are not limited to:

- CCTV Control Room
- UTC
- Emergency Response Team
- BCC network Point of Presence

These are essential services and it is not an option for us to have any interruption in service. In particular these services will be critical in keeping the public safe and to ensure that the Commonwealth Games is delivered successfully. Therefore, moving them prior to the games has been deemed too great a risk and a plan has been drawn up to move them immediately upon the Games completion. Other non-critical IT services will be moved as per the timeline.

This delivery is focused on the safe, risk free and secure relocation of these key services. To decommission, move, restructure and re-install our IT infrastructure effectively, we require a dedicated project Team (IT & Digital Services and 3rd party support) to help ensure the requirements and moves is planned effectively, other activities includes;

- Existing IT infrastructure discovery and site audit
- Design new solution for the alternative location based on the IT requirements
- Coordinate and manage solution implementation
- Plan and implement decommissioning and recommissioning activity
- Plan activity for legacy or systems no longer required and disposed securely.

Digital Tools

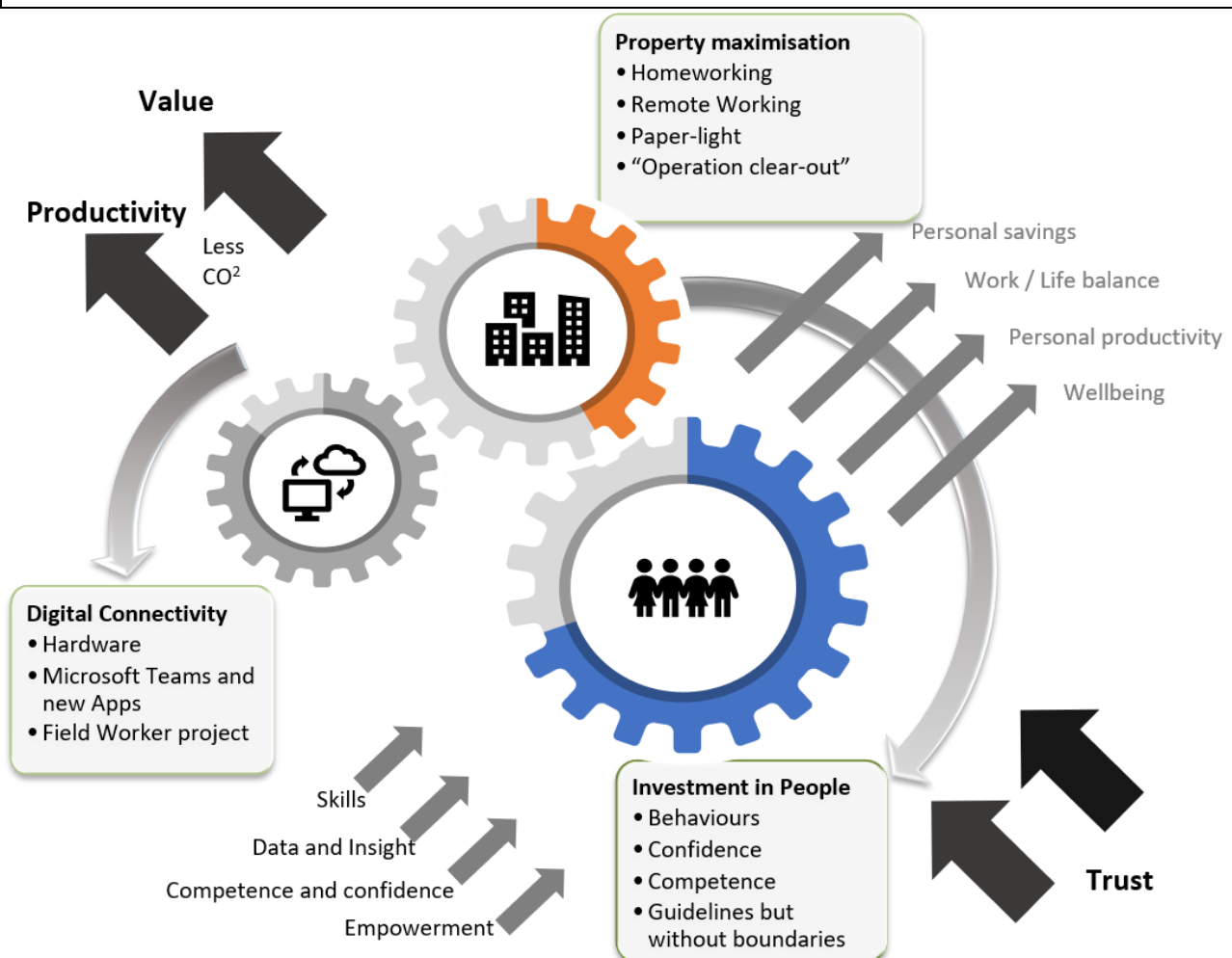
Technology is a key enabler for NWOW, we need to ensure that our staff have the right hardware, software and processes to excel in an agile environment. We have procured powerful machines and software that will open up myriad possibilities for new ways of working such as Microsoft TEAMS. But buying standard hardware and software will not always deliver the productivity gains we are looking for in the complex world of Local Government. Unlocking technology as a business enabler needs a business-led and solution-focused approach. That is exactly where the idea and development of the Field Worker Platform came from. Birmingham City Council employees approximately 7,000 field workers across Directorates, who are “the face” of Birmingham City Council and responsible for delivering frontline services to our citizens of Birmingham. To date there is no standard process for our field workers to use, albeit all field workers are essentially carrying out the same of very similar activities - as a result multiple process, solutions and ways of working are in practice daily and a consequence silo working remains prevalent at Birmingham City Council. They need a solution that will support them in providing a more responsive, flexible and professional service to their customers – a solution that will enhance service to their users as well as making their working lives easier and safer. The Field Worker platform will:

- Standardise the process/user journey for all field workers to give them a consistent view of their work regardless of their customer base
- Provide all case information digitally to field workers so they avoid the need to visit offices or print paperwork

- Centralise 'Risk Markers'/'Warning markers' in order to proactively inform our field workers of risks within the field
- Enable staff to work offline without losing access to casework
- Support field workers to be able to communicate in real time with customers whilst working in the field.
- Reduce the administrative burden of casework, freeing up specialist time to spend on improving the service or supporting more people.

The Field Worker Platform is an essential element in enabling our field workers to become agile as currently they do have access to case information when they are 'out and about' and need to return to offices to access case information and to update case files etc.

Another added value of the Field Worker Platform is that because of how it has been designed it will deliver a platform which can be reused (think of it as a box of Lego bricks that you can use to build other digital business processes) for future digital developments such as: the Insight programme and also in developing our single view of debt reducing the cost of future development.



1.2 A2 – Programme Scope

In Scope	Out of Scope
<ul style="list-style-type: none"> Creation of an agile organisation that delivers an increase in organisational performance and workforce productivity by focusing on outcomes and enabling staff to work in a flexible manner that delivers their best performance. Creation of outcome based management across the whole Council 	<ul style="list-style-type: none"> The development of a new Performance Framework, business planning and associated KPI's this sits with HR/OD as does organisational culture change.
<ul style="list-style-type: none"> Reduction of the Council's CAB estate by 75% 	<ul style="list-style-type: none"> Corporate Landlord Function – The implementation of an effective Corporate Landlord Function
<ul style="list-style-type: none"> Redesign and refit of retained CAB estate into agile buildings 	<ul style="list-style-type: none"> Redesign of operational estate
<ul style="list-style-type: none"> Decommissioning of surplus CAB buildings to include all IT and services 	<ul style="list-style-type: none"> Disposal/repurpose of surplus CAB buildings
<ul style="list-style-type: none"> Relocation of key services from Lancaster Circus and Margaret Street (i.e. CCTV; UTC and Emergency Response) 	<ul style="list-style-type: none"> Council House Complex – Re-imagining and future options / design sits within Localism Programme.
<ul style="list-style-type: none"> The creation of a series of locality workspaces 	<ul style="list-style-type: none"> Creation of multi-functional spaces (Public Hubs) located in the community that will deliver a better citizen and staff experience whilst increasing footfall in the local high street.
<ul style="list-style-type: none"> Paper Management and Storage – Digital mail room, reduced printing, document disposal, scanning, storage, archiving. 	<ul style="list-style-type: none"> Insight Programme – Review, refresh and accelerate the Insight Programme / Data as a Service.
<ul style="list-style-type: none"> Agile technology – the specification and delivery of the technology to enable agile working to include: corporate telephony; mobile devices (i.e. laptops with cameras); Field Worker platform; communication apps; hybrid meeting technology (and processes) 	<ul style="list-style-type: none"> Existing ICT programmes and programmes are out of scope but will be managed as dependencies where appropriate. These sit with IT&D.

2 Section B – Strategic Case

2.1 B1 - Programme Investment Objectives and Outcomes

The investment objectives and outcomes for this project are as follows:

Objectives	Outcomes
<ul style="list-style-type: none"> To increase organisational performance and workforce productivity by focusing on outcomes and enabling staff to work in a flexible manner 	<ul style="list-style-type: none"> Increased performance Increased employee satisfaction Increase in employee work life balance Increase in employee wellbeing
<ul style="list-style-type: none"> To utilise the Council's property estate to maximum effectiveness and efficiency including the provision of modern collaborative spaces and locality-based working 	<ul style="list-style-type: none"> Delivery of revenue savings from surplus CAB estate Delivery of capital receipts form surplus CAB estate Delivery of locality workspaces Reduction in staff commuting and travel
<ul style="list-style-type: none"> To reduce our impact on the climate by reducing the need to travel to and from work and reducing our energy consumption through the rationalisation of our property estate 	<ul style="list-style-type: none"> Reduction in carbon footprint Increase in employee wellbeing
<ul style="list-style-type: none"> To become an employer of choice, attracting and retaining staff through desirable working practices and the removal of barriers often associated with inflexible working arrangements 	<ul style="list-style-type: none"> Reduction in inequality Workforce more representative of the communities we serve Employer of choice Increased retention

2.2 B2 - Programme Deliverables

Deliverable	Expected Timeline
<ul style="list-style-type: none"> All managers trained to set and manage by outcomes 	<ul style="list-style-type: none"> April 2023
<ul style="list-style-type: none"> Creation of an agile organisation 	<ul style="list-style-type: none"> April 2023
<ul style="list-style-type: none"> Reduction in inequalities in the workplace 	<ul style="list-style-type: none"> 12 - 18 months
<ul style="list-style-type: none"> Reduction of CAB estate by 50 % (Lancaster Circus and Margaret Street) 	<ul style="list-style-type: none"> 12 – 24 months
<ul style="list-style-type: none"> Agreement of Children's Trust and Adult Services space requirements – particularly around agile space 	<ul style="list-style-type: none"> 6 months
<ul style="list-style-type: none"> Decision upon next tranche of surplus CAB buildings 	<ul style="list-style-type: none"> 18 months
<ul style="list-style-type: none"> Reduction of CAB estate by circa 75% 	<ul style="list-style-type: none"> 24 – 72 months
<ul style="list-style-type: none"> Lancaster Circus and Lifford House - reformed into agile workspaces 	<ul style="list-style-type: none"> 10 months
<ul style="list-style-type: none"> Creation of Locality Workspaces 	<ul style="list-style-type: none"> 18 – 24 months

<ul style="list-style-type: none"> Improved IT infrastructure to support our Members and staff to work flexibly and remotely 	<ul style="list-style-type: none"> 12- 18 months
<ul style="list-style-type: none"> Zero Charging for Internal Scanning 	<ul style="list-style-type: none"> August 2021
<ul style="list-style-type: none"> New Agile Paper Management Process 	<ul style="list-style-type: none"> August/September 2021
<ul style="list-style-type: none"> Withdrawal of Iron Mountain documents 	<ul style="list-style-type: none"> September 2021
<ul style="list-style-type: none"> Decant of Lancaster Circus 	<ul style="list-style-type: none"> November 2021
<ul style="list-style-type: none"> Lancaster Circus vacated (retain basement) 	<ul style="list-style-type: none"> March 2022
<ul style="list-style-type: none"> Lancaster Circus fully vacated 	<ul style="list-style-type: none"> Oct 2022
<ul style="list-style-type: none"> Margaret Street vacated 	<ul style="list-style-type: none"> March 2022
<ul style="list-style-type: none"> CCTV, UTC and Emergency Response relocation 	<ul style="list-style-type: none"> September 2022

2.3 B3 - Programme Benefits

Benefit	Impact	Measure
<ul style="list-style-type: none"> Increased performance Increased employee satisfaction Increase in employee work life balance Increase in employee wellbeing 	<ul style="list-style-type: none"> Increase in staff retention Employer of choice Increase in council performance 	<ul style="list-style-type: none"> Increase in productivity Health & wellbeing survey
<ul style="list-style-type: none"> Revenue savings from surplus CAB estate Capital receipts from surplus CAB estate Locality workspaces Reduction in staff commuting and travel 	<ul style="list-style-type: none"> Ability to meet shortfall in MTFP Increase in well-being of staff Carbon reduction 	<ul style="list-style-type: none"> On-going savings Reduction in staff mileage claims Improved travel habits Increase in productivity
<ul style="list-style-type: none"> Reduction in carbon footprint Increase in employee wellbeing 	<ul style="list-style-type: none"> Cleaner air in the city Council meets carbon reduction target 	<ul style="list-style-type: none"> Carbon footprint Employee well-being survey
<ul style="list-style-type: none"> Increase in citizen satisfaction with Council Increase in employee satisfaction 	<ul style="list-style-type: none"> Residents are better served Increase in well-being of staff 	<ul style="list-style-type: none"> Customer satisfaction survey Employee satisfaction survey
<ul style="list-style-type: none"> Reduction in inequality More diverse workforce Employer of choice 	<ul style="list-style-type: none"> Workforce more representative of the communities we serve Increased retention 	<ul style="list-style-type: none"> Diversity of workforce Glassdoor's 'Best Companies to Work For' survey Employee retention figures
<ul style="list-style-type: none"> Reduction in running costs (i.e. saving utility costs) to the Council 	<ul style="list-style-type: none"> Savings realised 	<ul style="list-style-type: none"> Reduced utility bills
<ul style="list-style-type: none"> Reduction in staff absence. The reduction 	<ul style="list-style-type: none"> Increase in productivity 	<ul style="list-style-type: none"> Absence figure

in absence experienced over the last 12 months is forecast to continue		
<ul style="list-style-type: none"> Reduction in paper volumes Reduction in Iron Mountain costs 	<ul style="list-style-type: none"> Staff more agile Increase in productivity 	<ul style="list-style-type: none"> Number of confidential waste sacks collected for destruction Number of boxes collected by Dollman Street for scanning
<ul style="list-style-type: none"> Reduction in GDPR risk 	<ul style="list-style-type: none"> More compliant 	<ul style="list-style-type: none"> Number of boxes collected from non-compliant locations Retention dates electronically captured for every document when scanned
<ul style="list-style-type: none"> Improved productivity & efficient business processes 	<ul style="list-style-type: none"> Better service to customers 	<ul style="list-style-type: none"> Less time to retrieve a document from Iron Mountain Reduced of Shared Drive storage space
<ul style="list-style-type: none"> Reduced Carbon Footprint 	<ul style="list-style-type: none"> Less storage required for paper 	<ul style="list-style-type: none"> Carbon Footprint calculation

2.4 B4 - Stakeholders

. Please include any consultation outputs in Section G - Supporting Documents.

<ul style="list-style-type: none"> Members – we have consulted with: <ul style="list-style-type: none"> Leader Deputy Leader Councillor Aikhlaq Councillor Chatfield EMT Senior Leadership - we have consulted with <ul style="list-style-type: none"> CLT ECLT All directorate senior management teams Staff – we have a comprehensive communication and engagement plan to engage and inform all staff Trade Unions – we have fortnightly workshops with all trade unions and ad hoc meetings to discuss and consult on things such as policy External Partners – we have engaged with external partners for the move of essential services out of Lancaster Circus (ATEC Ltd.), Iron Mountain re storage contracts, Restore Ltd. Regarding movement of documentation out of Margaret Street and Acivico regarding ventilation of Woodcock Street Internal Partners – we have engaged with Finance throughout the programme; we have senior members of OD working on the programme, and meet with HR senior leadership team weekly. We meet with IT&D leadership team weekly and we have sub groups, that meet fortnightly, set up with:
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- Property
 - HR/Policy
 - Health, Safety and Wellbeing
 - Management Development
 - IT Skills
 - Programme sub group
 - Agile working group
 - Communications Group
-
- **Communities** – Locality working focuses on involving local people, organisations and partners in shaping and delivering local services. A community engagement programme will be built into the Public Hubs programme that will help to identify the needs of our communities and providing an opportunity to shape Public Hubs.

3 Section C - Economic Case and Options Appraisal

3.1 C1 - Summary of options reviewed at OBC stage

1. 'Do Nothing'

- a. Does not contribute to MTFP shortfall
- b. Does not meet future business needs
- c. No strategic fit
- d. No customer benefits
- e. Stagnant productivity
- f. No reduction in inequality or increase in workplace diversity
- g. Does not contribute to our carbon reduction target
- h. Will require investment in property repairs
- i. No savings delivered through central building management

2. 'Do the Minimum' / Continue Remote Working, as is

- a. Managers not equipped to manage staff remotely
- b. Does not meet future business needs
- c. Work practices are not sustainable
- d. Productivity increases will decrease over time
- e. No benefits to our customers
- f. Does not improve access to services
- g. Does not improve staff diversity
- h. No savings delivered through central management of buildings

3. Optimum Scope / Improvements in agile working

- a. Helps to meet the MTFP requirements
- b. Supports the creation of a workforce that reflects the communities we serve at all levels in the organisation
- c. Creates an agile organisation
- d. Reduces our carbon footprint
- e. Meets the needs of customers, organisation, and staff – establishing strategic fit
- f. Procurement of only a small number of products and services to achieve the objectives

3.2 C2 – Critical Success Factors

The Critical Success Factors (CSFs) for this programme are as follows (bullet points are fine):

Category	Critical Success Factors
CSF1: Business needs - how well the option satisfies the existing and future business needs of the organisation	<ul style="list-style-type: none"> • Helping to meet the MTFP requirements • Creating a workforce that reflects the communities that we serve at all levels in the organisation • An agile by default organisation • Reducing our carbon footprint • Creating a Corporate Landlord Function – bringing the entire BCC property estate under professional management
CSF2: Strategic fit - how well the option provides holistic fit and synergy with other key elements of national, regional, and local strategies	<ul style="list-style-type: none"> • This meets the needs of the Delivery Plan 2020 – 2022
CSF3: Benefits optimisation – how well the option optimises the potential return on expenditure – business outcomes and benefits (qualitative and quantitative, direct, and indirect) – and assists in improving overall VFM (economy, efficiency, and effectiveness).	<ul style="list-style-type: none"> • It meets the short-term needs of the MTFP and delivers on-going savings and/or income improving its VFM • It meets the strategic priority of ‘Delivering new ways of working’ • It delivers the benefits of agile working
CSF4: Potential achievability – the organisation’s ability to innovate, adapt, introduce, support, and manage the required level of change, including the management of associated risks and the need for supporting skills (capacity and capability). Also, the organisation’s ability to engender acceptance by staff.	<ul style="list-style-type: none"> • It is highly achievable as BCC is currently already part way towards becoming an agile organisation as most staff are working remotely and in a recent survey would like to continue
CSF5: Supply side capacity and capability – the ability of the marketplace and potential suppliers to deliver the required services and deliverables	<ul style="list-style-type: none"> • BCC needs to procure a very small number of products and services to achieve the preferred options objectives
CSF6: Potential affordability – the organisation’s ability to fund the required level of expenditure – namely, the capital and revenue	<ul style="list-style-type: none"> • The programme will deliver on-going savings and/or income that will not only help to meet the requirements of the MTFP but also will fund the programme in its entirety.

consequences associated with the proposed investment	
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3.2.1 Overall conclusions and recommendations

Option 3 provides the optimum solution for BCC: it delivers better services for our communities, where and when they want and need them. It will re-invigorate deprived areas with the Council as an anchor tenant, constructing, acquiring, and re-purposing buildings and transforming them into Community and Locality working Hubs, thereby increasing city footfall.

It will change the vision of what working for BCC is, from a traditional council, with an inherently poor public sector image, to one that is appealing to citizens, businesses, and future employees alike, seeing BCC as a leading, future thinking organisation on which they can depend, and for which to work.

This will enable the Council to attract the best minds and to become an employer of choice by offering workforce agility and empowerment to deliver their outcomes with maximum flexibility and minimum constraints. It will broaden the available talent pool from which to recruit and allow the Council to increase its levels of diversity and inclusion.

This option will ensure that all agile workers will have fit for purpose technology, enabling them to work anywhere, and ensuring that we meet DSE requirements. It will protect our data and meet mandated GDPR requirements, and it will champion collaboration and connectivity, ensuring that everyone understands what is expected of them at all times.

Preferred option

*The preferred and agreed option at OBC stage was as follows: **Option 3***

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3.3 C3 - Risks and Issues

Please outline your top risks and issues as per the implementation of your preferred option

No.	Description	Impact	Mitigation
1	There is a risk that Trade Unions reject NWOW proposals	NWOW benefits are not realised	Fortnightly workshops with TU's to jointly develop approach
2	There is a risk that mmanagement and staff do not embrace agile working	NWOW benefits are not realised	Comprehensive and integrated change programme to embed change Agile Liaison staff to work across all directorates
3	There is a risk that optimism bias will lead to overstating the organisation's ability to effect timely and lasting behavioural change	BCC do not realise the benefits of NWOW	Ensure change element is designed, approved, and delivered, starting with a baseline and monitoring change acceptance / compliance against that baseline. Focus on managers to ensure their understanding and support to drive lasting change
4	There is a risk that we end up with a two tier council i.e. non-office based staff do not benefit from agile working but 'back office/HQ' staff do	Inequality of job roles in the council leading to staff unrest	Ensure that spectrum of agility applies to all roles in varying degrees
5	There is a risk that if we try to relocate CCTV, Emergency Response and UTC from Lancaster Circus prior to Commonwealth Games we will endanger the games delivery and safety of public	We will potentially endanger the delivery of the Commonwealth Games and the public	Plan to move all of these services immediately after the Commonwealth Games

6	There is a risk that a reduction of staff working daily from City centre may also present some issues such as a reduction in spend in the local economy, for example lunch time food purchases and after work social meetings	City centre business suffer a downturn in income	For example 'Less spend in City more spend in Erdington!'
7	There is a risk that resistance to change from storage culture (from hard copy and Iron Mountain)	Need more office space to store documentation. Increase in offsite storage costs No reduction in carbon	NWOW communications to educate staff; Workshops discover paper light processes. Zero scanning charge
8	There is a risk that un-identified services/facilities provided from Lancaster circus, may be identified throughout the project that will require additional works and costs.	Financial impact to the project.	Detailed scoping from start of the project to capture more details of all services (ongoing)
9	There is a risk that end of life IT equipment may incur additional charges	Costs impact to the project.	Detailed scoping to establish legacy systems and plan for replacement.

3.4 C4 – Other Impacts of the Preferred Option

<p>Positive Impacts</p> <ul style="list-style-type: none"> • Increase in staff well-being – giving staff more autonomy over how, when and where they work has been proven to improve staff well-being. • Increase in collaborative space which will facilitate collaborative working and across directorates. • Increase in locality working i.e. more staff working in communities – as we create locality working spaces and Public Hubs more staff will be out working in their communities, this will give them a greater sense of belonging and promote cross directorate working. • Increase in spend in communities by Council staff – again as we create locality working spaces and Public Hubs more staff will be out working in their communities, spending money in their communities on lunch, coffee etc. thus improving the fortunes of local businesses <p>Negative Impacts</p> <ul style="list-style-type: none"> • Potential impact upon on some staff mental health – which needs to be managed and monitored by managers

- Remote working can create barriers to opportunities for interaction, connectivity and collaboration. The NWOW Management training will show managers how to use tools like video conferencing, voice and mobile apps to maintain collaboration and productivity, and enhance it.

4 Section D – Commercial Case

This considers whether realistic and commercial arrangements for the project can be made

4.1 D1 - Partnership, Joint venture and accountable body working

Describe how the project will be controlled, managed and delivered if using these arrangements

This programme will be managed using the corporate standard Programme Management methodology based on Managing Successful Programmes (MSP), linked with the assurance, guidance and compliance structures established by the CPMO.

4.2 D2 - Procurement implications and Contract Strategy

What is the proposed procurement contract strategy and route? Which Framework, or OJEU? This should generally discharge the requirement to approve a Contract Strategy (with a recommendation in the report).

Subject to further analysis, wherever possible, there will be an attempt to reduce externally generated costs and risk by leveraging existing Council resource. Where required, the procurement strategy will seek to leverage existing frameworks such as G Cloud 12.

Specific management, control and performance clauses include:

- The duration of contract(s) and any break clauses
- The aim for fixed price, payment on milestones where appropriate for consultancy
- Service provider roles and responsibilities
- Payment / charging mechanisms, including prices, tariffs, incentive payments etc.
- Configuration management
- Service provider failure, in terms of timeliness, specification, price or quality.
- Intellectual property rights
- Compliance with appropriate regulations etc.
- Resolution of disputes and disagreements between the parties
- Allocation of risk
- Knowledge transfer and mentoring
- End of contract options

4.3 D3 - Staffing and TUPE implications

It is anticipated that the TUPE – Transfer of Undertakings (Protection of Employment) Regulations 1981 will not apply to this programme of work.

The programme is working very closely with all of the Trade Unions to shape and build the programme and how it will be delivered. Every fortnight we hold a 2 hour workshop with the TU's to discuss the next phase of the programme get their ideas and thoughts before we proceed.

It is very important that a NWOW programme is anchored in HR/OD as NWOW will affect how everyone with the council works. Therefore, NWOW programme is working very closely with HR and OD to shape what and how we deliver to ensure that it is helping to build the culture that BCC seeks to achieve. The Change Lead and the Change Manager are senior BCC HR/OD professionals and all of the Change team will be sourced from the business so that we ensure that the change will be embedded and all of the knowledge remains in the business.

5 Section E – Financial Case

This section sets out the cost and affordability of the programme

5.1 E1 - Impact on the organisation's income and expenditure account

The payment stream for the scheme over the intended lifespan of the project is as follows, a comprehensive cost builder and financial profiling information can be found in Section G – Supporting Documents:

£(m) xxx	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Future Years	Total
	£(m)	£(m)	£(m)	£(m)	£(m)	£(m)	£(m)	£(m)	£(m)
Preferred choice:									
Capital		£3.67	£3.88	£0.00	£0.00	£0.00	£0.00	£0.00	£7.55
Revenue		£1.88	£2.47	£0.10	£0.10	£0.10	£0.10	£0.10	£4.75
Total		£5.55	£6.35	£0.10	£0.10	£0.10	£0.10	£0.10	£12.3
Funded by:									
Existing MTFP saving		£0.67	£1.35	£1.35	£1.35	£1.35	£1.35	£1.35	£7.42
Existing Capital funding		£1.90	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£1.90
Total		£2.57	£1.35	£1.35	£1.35	£1.35	£1.35	£1.35	£9.32
Additional		£2.98	£5.00	-£1.25	-£1.25	-£1.25	-£1.25	-£1.25	£2.99
Total		£2.98	£5.00	-£1.25	-£1.25	-£1.25	-£1.25	-£1.25	£2.99

5.2 E2 - Impact on the balance sheet

The proposed expenditure will have the following impact

The proposed expenditure is unlikely to have an adverse impact on the Balance Sheet. The fixed asset may reduce slightly due to the planned disposal of Lancaster Circus to fund the programme, but this is potentially more beneficial than funding the programme via prudential borrowing which will increase the debt/liabilities on the Balance Sheet.

The ongoing MTFP savings that will be generated over the medium to long term will ensure that the Balance Sheet remains in a better position.

5.3 E3 - Overall affordability

The cost of the project is 10.4m (total capital expenditure (£7.55m) plus total revenue expenditure (£4.75m) less existing capital funding (£1.9m).

Note: costs should be broken down, as appropriate, within the categories shown for the design, build and operational phases of the scheme. In all cases, capital charges, VAT, and the cost of risk should be shown separately.

5.4 E4 – Approach to Optimism Bias and Provision of Contingency

Costs in this business case have been quoted at either fixed price or where not practicable they include a 15% contingency.
Staffing costs it has been assumed that the staff are full time and won't take any annual leave throughout the delivery.

5.5 E5 – Taxation

Please indicate if there are any tax implications and how you will manage them, including VAT

There should be no adverse VAT implications for the City Council in this scheme as any VAT paid to contractors or third parties is reclaimable.

6 Section F – Management Case

This section considers how robust your programme delivery plans and arrangements are

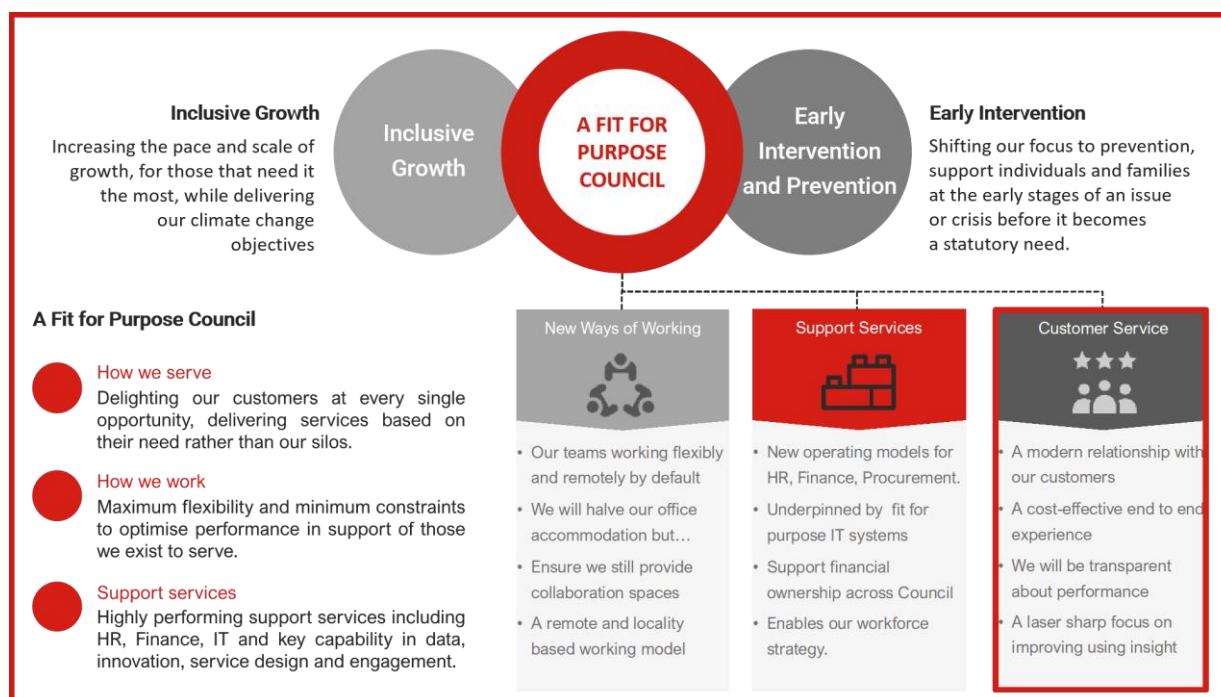
6.1 F1 - Programme management arrangements

The NWOV programme is an integral part of the Fit for Purpose Council Portfolio which comprises several programmes aligned to the delivery plan. The portfolio exists to understand, and implement, how the Council will transform over the short, medium, and longer term, in support of its progressive vision.

In part, the portfolio is about the here and now, ensuring that we deliver against the commitments we have already made, many of which are captured within the Modern Council Programme, and to take the opportunity to embed and sustain the positive changes that we have made in our response to the COVID-19 pandemic.

In doing so, we must be cognisant of other parts of the portfolio – determining the type of Council that Birmingham needs in the medium and longer term, to better deliver its vision, emergent thinking, and ambitions from thematic perspectives - how to; stimulate growth that benefits those who need it most, while achieving carbon goals; and, shifting our emphasis from crisis to prevention.

The visual below provides a high-level summary of how the programme relates to the parent portfolio and to other strategic transformation initiatives across the Council.



This programme will be managed using the corporate standard Programme Management methodology based on Managing Successful Programmes (MSP), linked with the assurance, guidance and compliance structures established by the CPMO.

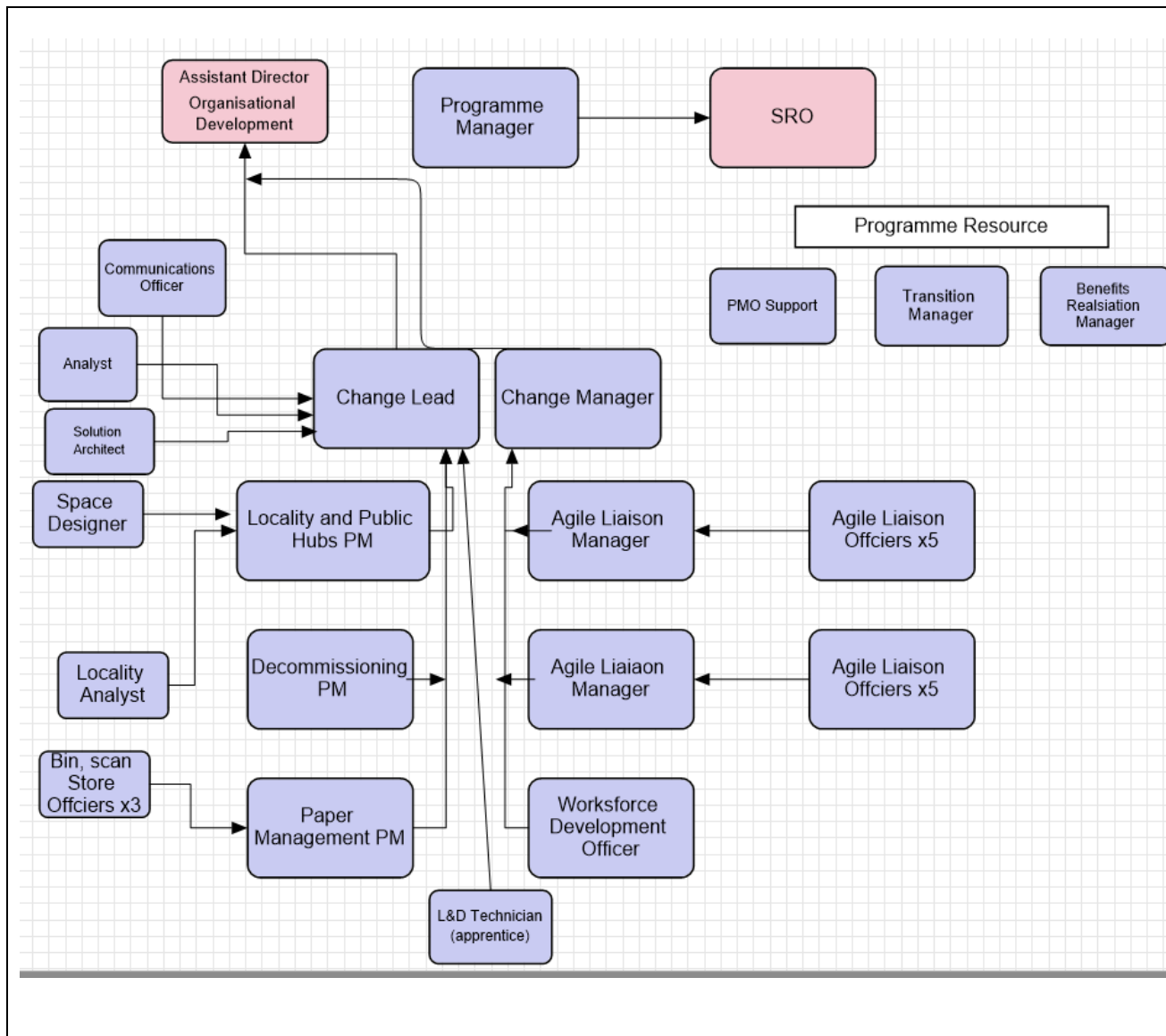
6.2 F2 - Programme management arrangements

The project will be managed in accordance with PRINCE 2 methodology. The programme has 6 key workstreams

NWoW Programme Workstreams	
Workstream	Description
Programme Management	Design, planning, delivery management, monitoring, reporting, and benefits realisation
Decommissioning of Buildings	Decommissioning of CAB buildings including the re-location essential services such as: CCTV; UTC and Emergency Response
Agile space design and Locality Hub Working	Project Manager and Support Team – design and realisation new agile space; Identification and delivery of locality workspaces for staff
Paper Management	Project Manager and Support Team – Identification and delivery of store, scan or disposal of documentation. Realisation of new scanning facility
Change Management	Change Lead, Agile Liaison Manager and officers, IT development officers – Supporting the business and cultural change and championing new ways of working internally
Technology	Delivery of the Field Worker Platform; Technology requirements for agile working; Telephony Strategy; Technology design for agile workspaces; workplace technology; Hybrid meeting technology; new apps etc.

6.2.1 Programme reporting structure

The reporting organisation and the reporting structure for the project are as follows:



6.2.2 Programme roles and responsibilities

These are as follows:

Programme role	Responsibilities	External/Internal
Transformation Director	<ul style="list-style-type: none"> Oversight and accountability for the Fit for Purpose Council Portfolio 	<ul style="list-style-type: none"> External
Programme Sponsor	<ul style="list-style-type: none"> Oversight and accountability for the NWOW Programme 	<ul style="list-style-type: none"> Internal
Programme Manager	<ul style="list-style-type: none"> Development of the Outline and Full Business Cases Ongoing programme management in line with BCC / CPMO standards, including programme governance, definition, design, planning, delivery, reporting, 	<ul style="list-style-type: none"> External

	benefits realisation cost management, and RAID management, etc.	
Change Lead	<ul style="list-style-type: none"> Design and lead on internal business change requirements and transition 	<ul style="list-style-type: none"> Internal
Change Manager	<ul style="list-style-type: none"> Lead on all the Internal Change 	<ul style="list-style-type: none"> Internal
Business Analyst	<ul style="list-style-type: none"> Support Project and Programme Managers with relevant data analytics, insight and baselining Be the internal 'fact finder' 	<ul style="list-style-type: none"> Internal/External
Solution Architect	<ul style="list-style-type: none"> Support Project and Programme managers with design and solution engineering management 	<ul style="list-style-type: none"> External
Finance Lead	<ul style="list-style-type: none"> Support Project and Programme Managers in developing the Full Business Case Develop the NWOW financial / benefits cases 	<ul style="list-style-type: none"> Internal
Communications Officer	<ul style="list-style-type: none"> To communicate about the programme 	<ul style="list-style-type: none"> Internal
PMO Support	<ul style="list-style-type: none"> To support the programme in meeting the requirements of CPMO 	<ul style="list-style-type: none"> External
Learning and Development Technician (Apprentice)	<ul style="list-style-type: none"> To maintain all of the L&D IT requirements of the programme 	<ul style="list-style-type: none"> External (Apprentice)
Agile Liaison Manager	<ul style="list-style-type: none"> To oversee the delivery of the support given to directorates around the people change elements of the programme 	<ul style="list-style-type: none"> Internal
Agile Liaison Managers x 10	<ul style="list-style-type: none"> Support for every department to enable the move to a more agile way of working 	<ul style="list-style-type: none"> Internal
Workforce Development Managers x 2	<ul style="list-style-type: none"> Additional resources in order to deliver at increased pace, increased capacity and in new ways 	<ul style="list-style-type: none"> Internal
Paper Management PM	<ul style="list-style-type: none"> To manage disposal of paper from Lancaster Circus and deliver firm quotations 	<ul style="list-style-type: none"> External
Locality and Public Hubs PM	<ul style="list-style-type: none"> To identify Locality workspaces – and deliver firm quotations 	<ul style="list-style-type: none"> External

Locality PM	<ul style="list-style-type: none"> To identify locations of Public Hubs; liaise with services; partners; 3rd sector and external partners to determine optimum make of Public Hubs; deliver firm quotations and plan to deliver Public Hubs 	<ul style="list-style-type: none"> External
Space Designer	<ul style="list-style-type: none"> To redesign the retained buildings in to agile workspaces To design locality workspaces and Public Hubs 	<ul style="list-style-type: none"> External
Bin, Scan, Store officers x 3	<ul style="list-style-type: none"> To support the Project Manager and to decant Lancaster Circus/Margaret Street and Woodcock Street paper 	<ul style="list-style-type: none"> Internal

6.2.3 Programme plan

This is as set out in the following table.

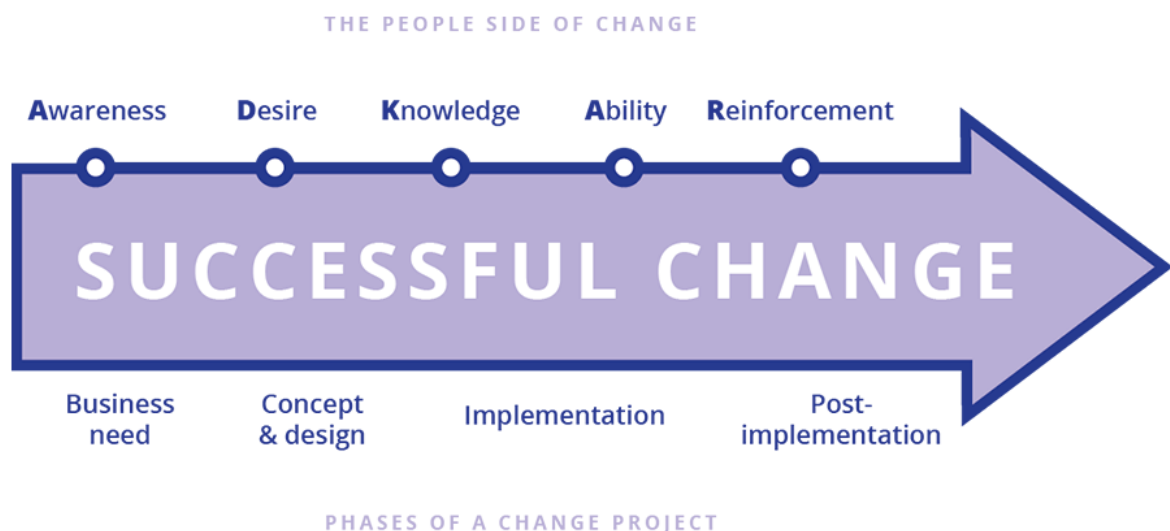
Milestone Activity	Week Beginning
Enhanced Business Case sign off	August 2021
Communication apps on stream	June 2021
Management by Outcomes Training	June 2021
Managing Remote Teams Training	June 2021
Distribution of Laptops with cameras	May 2021
Returned laptops distributed to local schools	May 2021
Assessment of paper complete	28 th August 2021
Paper Management Project Plan Approved	2nd August 2021
Operational Readiness Review of new Paper Management Process	4 th October 2021
Post Implementation Review	14 th February 2022
Handover to Service Delivery	28 th February 2022
Microsoft Teams Training	May 2021
Lancaster House vacated (basement excepted)	April 2022
Lancaster Circus fully vacated	September 2022
Disposal of Lancaster Circus	To be agreed with Inclusive Growth
Relocation of Council House staff back to Council House	Dependent upon refurbishment timeline
Release of Margaret Street to Museums Trust	April 2022
Sign off of design of Woodcock Street	Sept 2021
Refit of Woodcock Street complete	April 2022
Sign of design of Lifford House	Sept 2021
Refit of Lifford House Complete	April 2022
First Locality workspace opens	June 2022
NWOW scanning service up and running	August 2021
Iron Mountain savings realised	September 2021
Bin Scan Store campaign begins	August 2021

6.3 F4 - Arrangements for change management

The strategy, framework and plan for dealing with change management are as follows.....

We will be using ADKAR is one of the most well-known and widely-known frameworks. In a programme such as NWOW change happens at an individual level. Individual staff members must change their behaviours for change to happen at an organisational level.

So, to make change happen within BCC, we must first understand how to change the individual. The ADKAR change management model allows us to focus on what drives individual change. These activities then lead on to achieving organisational results.



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It advocates a bottom-up approach that begins with the individual employee and ends with organisational change.

The acronym stands for:

- Awareness of the need for change
- Desire to support the change
- Knowledge of how to change
- Ability to demonstrate skills and behaviour
- Reinforcement to make the change stick

This model is well-established and has a track record of success.

The great thing about ADKAR change management is that it provides clear goals for change management activities. Step 1 is to achieve awareness. Step 2 is to achieve desire. Step 3 is to provide the knowledge. And so on.

It also provides a language and framework in which to discuss change for employees, managers, and senior leaders.

6.4 F5 - Arrangements for benefits realisation

The strategy, framework and plan for dealing with the management and delivery of benefits are as follows.....

The Benefits Realisation Plan (BRP) describes the objectives and benefits associated with a project and how these benefits will be delivered. It ensures that the project is designed and managed in the right way to deliver quality and value benefits to patients, staff and local communities. The BRP also defines how and when outcomes and benefits are measured.

Benefit	How will this benefit be delivered
Reduction in inequality of workforce	Recruitment and retention of staff for whom a 9-5 office role is not possible i.e. people with caring responsibilities. Recruitment
Capital Receipts	Through the vacation CAB buildings – and their subsequent disposal
Revenue savings	Through the vacation CAB buildings – savings from running costs
Reduction in carbon footprint	Staff no longer commuting to CAB buildings everyday. Reduction in face to face meetings through the introduction of hybrid meeting technology. Reduction in printing and paper production. Disposal of CAB buildings.
Reduction in sickness/absence	Agile working delivers a better work life balance for staff
Increased staff well-being	Agile working delivers a better work life balance for staff
Workforce more representative of the communities we serve	Target and recruit people from under representative communities to work for the council, with the potential to offer more locally based apprenticeships within our Locality buildings and hubs
Increased retention	Agile working delivers a better work life balance for staff. It is what staff have asked for and flexibility will lead to better retention.
Employer of choice	Ability to work in an agile way is fast becoming key pre-requisite for people

	choosing an employer (particularly for millennials)
Employee productivity and satisfaction	Measurement by outcomes and not time.

*A copy of the project benefits register is to be found in Section G - Supporting Documents
This sets out who is responsible for the delivery of specific benefits, how and when they will be delivered and the required counter measures.*

6.5 F6 - Arrangements for risk management

The strategy, framework and plan for dealing with the management of risk are as follows.....

The NWOW risk management strategy is proactive and designed to effectively manage risks and involves:

- identifying possible risks in advance and putting mechanisms in place to minimise the likelihood of them materialising with adverse effects
- risk management processes in place to monitor risks, and access to reliable, up-to-date information about risks
- controls to mitigate against the adverse consequences of the risks, if they should materialise
- decision making processes supported by a risk framework for risk analysis and evaluation

Risk management framework

- a risk management framework, within which risks are identified, mitigated and managed
- senior management support, ownership and leadership of risk management policies
- clear communication of organisational risk management policies to all staff
- embedding risk management fully into business processes and ensuring it is applied consistently

NWOW has an up to date risk register which is constantly under review and issues and risks will be managed within tolerance, and the programme manager will use the 'take corrective action' activity to resolve it, only bringing it to the attention of the programme board when the programme manager creates their next Highlight Report. Whenever corrective action would not save the stage all the programme from going beyond tolerance limits, then the situation will be escalated to Programme Board which meets every fortnight.

A copy of the risk register is to be found in Section G - Supporting Documents

6.6 F7 – Arrangements for dependency management

The strategy, framework and plan for dealing with the management of dependencies are as follows.....

New Ways of Working have no significant dependencies on other programmes however if any arise they will added to the Master RAID log and managed through regular meetings to track progress.

6.7 F8 – Arrangements for Impact assessments

The approach to be used to undertake impact assessments are as follows....(Inc. Data, Privacy, Environmental and Equality)

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

25. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

A Full EIA (EQUA 674) is attached, which has been shared with our TU colleagues. We have also taken the decision to review our EIA with our TU colleagues on a quarterly basis ensuring we are able to identify any impact on protected characteristics at all stages of our programme.

6.8 F9 - Arrangements for contract management

The strategy, framework and plan for contract management are as follows.....

Specific management, control and performance have been identified during the programme Discovery phase and include:

- The duration of contract(s) and any break clauses
- The aim for fixed price, payment on milestones where appropriate
- Service provider roles and responsibilities
- Payment / charging mechanisms, including prices, tariffs, incentive payments etc.
- Configuration management
- Service provider failure, in terms of timeliness, specification, price or quality.
- Intellectual property rights

- Compliance with appropriate regulations etc.
- Resolution of disputes and disagreements between the parties
- Allocation of risk
- Knowledge transfer and mentoring

6.9 F10 - Arrangements for post project evaluation

The arrangements for post implementation review (PIR) and project evaluation review (PER) have been established in accordance with best practice and are as follows:

Using best practice an in-depth Post Implementation Review will take place and will include:

- **Gap Analysis**
 - To evaluate how closely the programme results match the original objectives
- **Whether the programme goals were achieved**
 - How does the end result compare with the original project plan, in terms of quality, schedule and budget?
- **The satisfaction of stakeholders**
 - Were the end users' needs met?
 - Is the programme sponsor satisfied?
 - What are the effects on the client or end user?
 - If key stakeholders aren't satisfied, how should this be addressed?
- **Identify lessons learned.**
 - How well were the programme's deliverables assessed, and how well were timescales and costs assessed?
 - What went wrong, why did these things go wrong, and how could these problems be avoided next time?
 - What went well, and needs to be learned from?
- **Report findings and recommendations.**
 - What have we learned from this review?
 - Do you need corrective action to get the benefits we want?
 - What lessons have we learned that need to be carried forward to future programmes/projects?

- Does this programme naturally lead on to future projects, which will build on the success and benefits already achieved?

6.9.1 Post implementation review

This review ascertains whether the anticipated benefits have been delivered. The review is timed to take place in April 2023.

- Assessment of the programme costs and benefits.
 - What were the final costs?
 - What will it cost to support in the future?
 - How do the costs compare with the benefits achieved?
 - If the programme hasn't delivered on it's expected financial benefits, how can this be improved?
- Identify areas for further development.
 - Have all of the expected benefits been achieved? If not, what is needed to achieve them?
 - Are there opportunities for further training and coaching that will maximise results?
 - Could we make further changes, which would deliver even more value?
 - Are there any other additional benefits that can be achieved?

6.9.2 Project evaluation review (PER)

This review appraises how well the project was managed and whether or not it delivered to expectations. It is timed to take place in April 2023.

Using best practice an in-depth Programme Evaluation Review will take place and a report created. It will be generated from feedback from Post Programme Report Questionnaire that will be circulated to all key stakeholders.

6.10 F11 - Gateway review arrangements

This Enhanced Business Case has been through the following reviews:

Programme Board
CPMO
CLT
Deputy Council Leader
Council Leader

6.11 F12 - Contingency plans

In the event that this project fails, the following arrangements are in place to guarantee the continued delivery of the required services and outputs.....

NWOW is fundamentally a people change programme and as such the change elements are being delivered by and are embedded within BCC organisational development. There is learning built into the programme to ensure that we refine it as we go along. If the change does not 'stick' then OD will be in a position to repeat it with the benefit of the learning we will have embedded. Other elements of the programme such as paper lite are simple process changes that have been successfully implemented elsewhere and as such there is every reason to believe will be success in Birmingham however there will opportunities to revisit processes and training if people do not 'get it. With building re-c configuration we will design the building and furniture to be reconfigurable so if we can redesign with minimal effort and cost if it does not work.

7 Section G – Supporting Information

7.1 Equality Impact Assessment 674

7.2 RAID Log

Risk ID	Risk description and Impact	Date Raised	Risk Category	Risk Owner	Proximity of Risk	Target Resolution	Estimated Cost of	Mitigation Actions and Owners	Direction of Travel	Current Risk Assessment	
										Impact	Likelihood
R1	Field Worker will not be funded if the FW Team do not deliver robust savings agreed by the business	19-01-21	Professional/Ma nagerial	Robin Burton	5		TBD	PM to work with team and to identify consultant to help them if required - RB	Improved	4 - High	2 - Low
R2	Cannot recruit required quality team in timely manner	19-01-21	Professional/Ma nagerial	Robin Burton	4		TBD	Create tender to engage a PSC - RB	Improved	5 - Very High	2 - Low
R3	There is a risk that we cannot vacate Lancaster Circus if we cannot move CCTV/UTC in timeframe because the 3rd parties cannot commit to move	19-01-21	Partnership/Con tractual	Robin Burton	3		TBD	Work with 3rd party to identify ways to accelerate - RB	Unchanged	5 - Very High	2 - Low
R4	There is a risk that we cannot vacate Lancaster Circus if Children's Trust do not agree to leave.	19-01-21	Partnership/Con tractual	Robin Burton	3		TBD	Escalate to Senior Management - RB	Improved	5 - Very High	3 - Significant
R5	There is a risk that we cannot vacate Lancaster Circus if cannot access LC to assess scanning costs	19-01-21	Environmental	Robin Burton	4		TBD	If building access not possible work with estimates - RB	Improved	3 - Significant	2 - Low
R6	There is a risk that we cannot remodel WC of Lifford House and generate costs if we cannot gain access access	19-01-21	Environmental	Robin Burton	4		TBD	If building access not possible work with estimates - RB	Improved	3 - Significant	2 - Low
R7	There is a risk that we cannot vacate Lancaster Circus if cannot move key IT (i.e. POP site) out of Lancaster Circus	19-01-21	Technological	Robin Burton	3		TBD	Create POP site elsewhere	Improved	5 - Very High	3 - Significant
R8	There is a risk that we cannot vacate Lancaster Circus if the suggested location to move POP site unsuitable	19-01-21	Technological	Robin Burton	3		TBD	Woodcock Street	Improved	5 - Very High	3 - Significant
R9	There is a risk that NWOW cannot be delivered if the Trade Unions reject NWOW proposals	19-01-21	Legislative	Robin Burton	2		TBD	Workshop and consult to identify way forward	Unchanged	5 - Very High	3 - Significant
R10	There is a risk that we cannot vacate Lancaster Circus if Management and staff do not embrace agile working	04/2021	Professional/Ma nagerial	Robin Burton	3		TBD	Integrated and comprehensive change and training programme - Tracy Kirtton	Improved	5 - Very High	3 - Significant
R11	There is a risk that we cannot deliver the change programme if we cannot create job evaluations because structure not agreed and therefore cannot recr	04/21	Professional/Ma nagerial	Tracy Kirtton	4		TBD	Agree lead grade and agree structure asap	Worsened	5 - Very High	4 - High
R12	There is a risk that NWOW will not meet it's objectives and not deliver the benefits if the Programme does not address the Trust issue between Manager	04/2021	Professional/Ma nagerial	Robin Burton	3		TBD	Engage with staff to ensure that they are part of the design and ownership of the solutions - Tracy Kirtton	Improved	5 - Very High	4 - High
R13	There is a risk that we will not deliver Public hubs and locality space if the scope and requirements are not clearly defined and that the conflicts of interest with other ongoing initiatives with internal & external parties (scope and reqs + risk of conflict)	04/2021	Political	Robin Burton	3		TBD	Complete a business case and ensure purpose is well defined in PDD	Unchanged	4 - High	3 - Significant
R14	There is a risk that we will not deliver Public Hubs and locality space that meet the needs of communities and/or staff	04/2021	Professional/Ma nagerial	Robin Burton	3		TBD	Define the scope in detail via design workshops with input from subject matter experts and end users	Unchanged	4 - High	3 - Significant
R16	There is a risk that we cannot vacate Lancaster Circus if we do not identify all of the services/facilities provided from Lancaster circus.	29-03-21	Financial	Mary Nsikan	3		TBD	Detailed scoping from start of the project to capture more details but no guaranteed everything will be captured.	Unchanged	3 - Significant	3 - Significant
R17	There is a risk that the Common Wealth Games associated works may impact Lancaster Circus 2022 closure.	29-03-21	Partnership/Con tractual	IT/Mary Nsikan	2		TBD	Joint planning to cover all works, associated 3rd party involvement and dependencies on other key projects to avoid impacts on the Common Wealth Games		5 - Very High	4 - High
R18	There is a risk that the End of life IT equipment may incur additional charges	29-03-21	Financial	IT/Mary Nsikan	3		TBD	Detailed scoping to establish legacy systems and plan for replacement.		3 - Significant	4 - High
R19	There is a risk that the Enhanced Business Case will not stack up financially	29-03-21	Financial	Economic	3	3	2	Work closely with finance lead to ensure we have robust costs and agreed savings		5 - Very High	3 - Significant

Title of proposed EIA	New Ways Of Working
Reference No	EQUA674
EA is in support of	Amended Policy
Review Frequency	Quarterly
Date of first review	21/06/2021
Directorate	Digital and Customer Services
Division	
Service Area	New Ways of Working Programme
Responsible Officer(s)	 Robin Burton
Quality Control Officer(s)	 Tracy Kirton
Accountable Officer(s)	 Peter Bishop
Purpose of proposal	Lancaster Circus declared surplus and Margaret Street no longer a CAB
Data sources	Statistical Database (please specify); relevant research
Please include any other sources of data	SAP HR data for the provision of protected characteristics where recorded. Data for the 3 main buildings of Woodcock Street, Lancaster Circus and Margaret Street annex at the point of this assessment is indicative data whereby we have verified occupants from property and IT databases and managed to cross referene them to HR records. There is a gap in this data as new starters or those moving to the building over the last 12-18 months do not appear on our location information. We aim to capture more robust data as part of our programme.
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Employees
Age details:	Age analysis of all City Council employees shows that of the 10,595 staff in SAP HR at the time of completing this EIA the % split is as below: Not available - 0.37% Under 20 - 0.35%

20-29 - 6.01%

30-39 - 13.66%

40-49 - 23.15%

50-59 - 40.54%

60-69 - 14.66%

70plus - 1.26%

When looking at all 3 buildings that are affected at this point in the programme it changes slightly to:

Not available - 0.10%, down by 0.27%

Under 20 - 0.26%, down by 0.09%

20-29 - 6.17%, up by 0.16%

30-39 - 16.92%, up by 3.26%

40-49 - 28.76%, up by 5.61%

50-59 - 38.89%, down by 1.65%

60-69 - 8.80%, down by 5.86%

70plus - 0.10%, down by 1.16%

Whilst in both the council wide and those that affected by this programme the figures show that on those aged 20-29 (0.16% increase) are affected minimally and those aged 30-39 (3.26% increase) and 40-49 (5.61%) are impacted slightly.

However as the support available during the relocation of staff is open to all staff through a variety of delivery methods, we do not feel there is any direct impact on any specific age group

Protected characteristic: Disability

Disability details:

Employees

Employees with access to work equipment in Lancaster Circus and Margaret Street will have a formal review of their working requirements to ascertain their needs moving forward.

These will need to be reviewed regardless following over 12 months of work from home for many during the pandemic lockdown restrictions.

Any equipment currently supplied under Access to Work will either be relocated to Woodcock Street, or should the employee choose to continue to work from home then their equipment will be supplied to their home address.

Where a workers role is agreed with them as being "remote" then they will be assessed individually for their requirements at home and at Woodcock Street.

The new proposals are likely to have a more positive impact as each employee will have the autonomy to choose the most relevant location. The programme also seeks to enable employees to have more autonomy and choice, wherever possible in terms of the working hours to enable the to work at times that meet their health needs.

Protected characteristic: Sex

Gender details:

Employees

In terms of gender, our initial analysis of Lancaster and Margaret Street shows more male (67.27%) than female (32.73%) employees. This is based on property occupation data being cross referenced to HR/SAP data. However the property data cannot be relied on as accurate as it is 12months out of date. This suggests that more males will be affected by the closure than females.

However, as the closure will also impact on Woodcock Street employees who will need to "share" space it is felt that the total demographic is to be used for the EIA purpose. This demonstrates an almost equal impact with 48.03% male and 51.96% female being affected by these proposals.

As every employee will be supported individually by the NWOW team it is not felt that any further mitigation is required.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Employees

Unfortunately we do not have at this stage any details of employees for this characteristic.

The closure of the buildings will not directly impact should there be as welfare facilities in all 3 buildings are the same.

Should Woodcock Street require additional welfare facilities moving forward then our staff groups will be involved in any decisions regarding their designs.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Employees

We have not analysed our data for this characteristic as our data set needs to be refined as we engage with every team affected.

We will review this as part of our systematic review

However every employee will be enabled to access all support available throughout the programme.

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

Employees

We have not analysed our data for this characteristic as our data set needs to be refined as we engage with every team affected.

We will review this as part of our systematic review

However every employee will be enabled to access all support available throughout the programme.

Protected characteristics: Race

Race details:

Employees

Ethnicity information for Lancaster and Margaret Street shows there are 56.50% white employees compared to 43.50% BME, suggesting that the move would mean slightly more impact on our white staff.

However we also need to consider the Woodcock population as these staff

will also be affected by the proposals. When including 54.1% white and 45.9% BME for Woodcock the overall effect is only slightly changed at 54.5% white employees and 45.5% BME.

A slightly different way of analysing the impact on this protected characteristic has also been to look at lower paid staff in terms of any affect. With this in mind we have also analysed our GR1-GR4 grades for all 3 buildings. In this scenario we see that the figures change slightly and show that there is a potential to impact slightly more on our BME staff as the figures change to 49.82% white and 50.18% BME. However this difference is so minor it is not considered any mitigation is required at this stage as all staff can accept all the support on offer.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Employees

Unfortunately we do not have at this stage any details of employees for this characteristic.

The closure of the buildings will not directly impact should there be as welfare facilities in all 3 buildings are the same.

Should Woodcock Street require additional welfare facilities moving forward then our staff groups will be involved in any decisions regarding the designs.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Employees

Unfortunately we do not have at this stage any details of employees for this characteristic.

The closure of the buildings will not directly impact should there be as welfare facilities in all 3 buildings are the same.

Should Woodcock Street require additional welfare facilities moving forward then our staff groups will be

	involved in any decisions regarding their designs.
Socio-economic impacts	Not applicable
Please indicate any actions arising from completing this screening exercise.	<p>The only characteristic at this stage of the programme that would require mitigation is our employees with a disability. In term of this our NWOW are engaging with all employees with access to work equipment and requirements in Lancaster Circus and Margaret Street and support them in their move to Woodcock Street or home depending on their personal choice and job role.</p> <p>The programme is likely to expand as we hope to provide more locality based working, it is therefore important to keep this EIA under review as we consider any other options</p>
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	
Consultation analysis	
Adverse impact on any people with protected characteristics.	
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	
How will the effect(s) of this policy/proposal on equality be monitored?	
What data is required in the future?	
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	<p>The data collected on the 3 main buildings detailed in this proposal do not suggest a full equality impact assessment is required at this stage.</p> <p>As data is captured through more detailed conversations with relevant teams a review of this screening will be required and any mitigations identified agreed.</p>

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

Yes

Quality Control Officer comments

I have amended this screening in parts to provide our most recent data and would suggest as we proceed with the programme we revisit this screening in 3 months time

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Date approved / rejected by the Accountable Officer

Reasons for approval or rejection

Please print and save a PDF copy for your records

No

Julie Bach

Person or Group

Content Type: Item

Version: 40.0

Created at 09/04/2021 04:16 PM by  Robin BurtonLast modified at 14/05/2021 09:21 AM by Workflow on behalf of  Tracy Kirton[Close](#)

Reports not on the Forward Plan

Birmingham City Council

27 July 2021



Subject: Response to Recovery

Report of: Robert James, Managing Director of City Operations

Report author: Nic Fell, Programme Director

1) Key Decisions not on the Forward Plan / Urgent Decisions

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

<i>Reasons for Urgency / why not included on the notification</i>	The key decision relating to the delegation of authority (outlined below) must be taken because it is impracticable to defer the decision due to the need for the delegations to be in place prior to the Chief Executive Office announcing the end of the current emergency on 2 August 2021. Without these delegations in place the council would be unable to respond quickly and effectively to emerging threats from the COVID-19 virus, or to support key suppliers that have suffered financially due to the pandemic.
<i>Date Chief Executive Agreement obtained:</i>	Deborah Cadman, 15th July 2021
<i>Name, Date and any comments of O&S Chair agreement obtained:</i>	Cllr Carl Rice, 6th July 2021 Comments: <ul style="list-style-type: none"> The delegation appears to be open ended – a time limit of the end of March should be set, at which point, if still needed, another report should come to Cabinet For transparency the decisions should be reported back to Cabinet – every couple of months should be sufficient.

Birmingham City Council

Report to Cabinet

27 July 2021



Subject: Response to Recovery

Report of: Robert James, Managing Director of City Operations

Relevant Cabinet Member: Councillor Ian Ward (Leader), Councillor Paulette Hamilton

Relevant O & S Chair(s): Councillor Carl Rice, Co-ordinating O&S Committee

Report author: Nic Fell, Programme Director
Tel: 07776 202191
Email: nic.fell@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009145/2021		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report seeks to inform Cabinet of the Council's plan to end the current state of emergency on 2 August 2021, subject to specific conditions being met. This will enable the Council to increase its focus on supporting Birmingham residents and businesses to recover from the impacts of the pandemic.
- 1.2 The report seeks Cabinet approval for authority to be delegated to the Director of Public Health in consultation with the Director of Council Management, the City Solicitor, the Leader and the relevant Cabinet Member (depending on the proposed spend) to use COVID-related government funding to respond quickly to future

threats from the virus and in doing so to protect the residents of Birmingham and the wider West Midlands. This delegation would be up to 31 March 2022, and on the basis the Director of Public Health will provide updates to Cabinet at least every two months on progress, decisions taken and spending in relation to the associated budgets and funding streams.

- 1.3 The report also seeks Cabinet approval for authority to be delegated to the Managing Director of City Operations in consultation with the Director of Council Management, the Leader and the relevant Cabinet Member to use the £2.9m award to the Council for the current financial year (FY2021/22) under the National Leisure Recovery Fund to support the Council's key Leisure partners, who have been significantly impacted by the pandemic. This would be on the basis the Managing Director of City Operations will provide quarterly updates on spend against the £2.9m funding award.

2 Recommendations

- 2.1 That Cabinet notes the Council's plan to end the current state of emergency on 2 August 2021. This decision being subject to specific conditions being met including the majority of current, national restrictions being lifted on the 19 July 2021, the final date in the government's roadmap.
- 2.2 That Cabinet delegate authority to the Council's Director of Public Health in consultation with the Director of Council Management, the City Solicitor, the Leader and the relevant Cabinet Member (depending on the proposed spend) to use the Test & Trace budget and other related COVID funding sources to best mitigate risks arising from the ongoing pandemic, especially where there is a need to respond quicker than the Council's statutory decision making process would allow, until 31 March 2022. This is on the basis that the Director of Public Health will update Cabinet at least every two months on progress, decision taken and the use of the budgets and funding.
- 2.3 That Cabinet delegate authority to the Managing Director of City Operations in consultation with the Director of Council Management, the Leader and the relevant Cabinet Member to approve Leisure Supplier Relief payments during FY2021/22, up to a maximum of £2.9m, the amount the Council has been award via the National Leisure Recovery Fund. This is on the basis that the Managing Director of City Operations will provide quarterly updates to Cabinet on payments made against the £2.9m funding award.

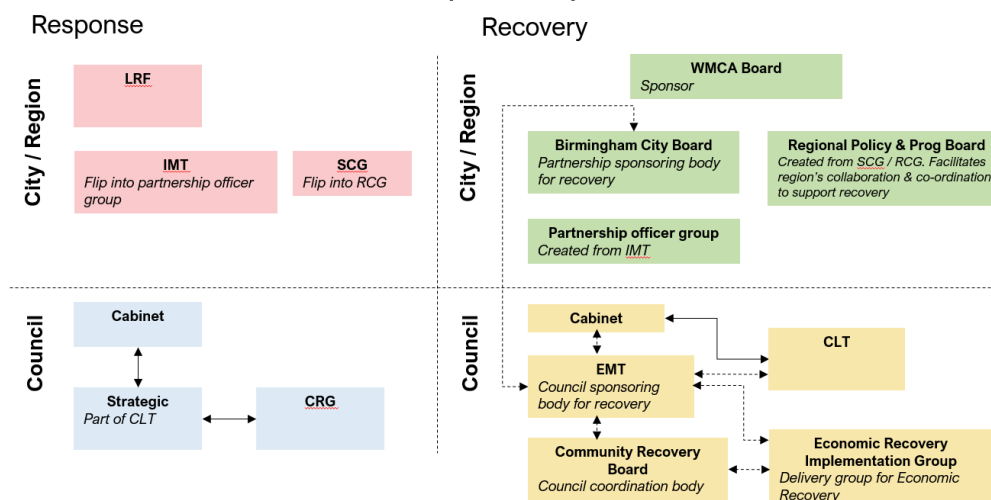
3 Background

- 3.1 The Council implemented its pandemic plan in January 2020 and has been operating under emergency arrangements since declaring a Major Incident in March

2020. These arrangements were necessary in the early stages of the pandemic to enable the Council to respond quickly and effectively to a fast-moving situation.

- 3.2 In January 2021 the Council made changes to the emergency response, including transferring the majority of the COVID response into individual Directorates and in doing so moved the response to a more business as usual model.
- 3.3 The Council's response to COVID no longer falls within the 2 primary tests for resilience, as the Council is now able to perform its functions and is now able to take timely action in support of the COVID response.
- 3.4 With the planned end of the majority, if not all restrictions on 19 July 2021, as per the Government's current roadmap, the Chief Executive Officer plans to declare an end to the current emergency on 2 August 2021, subject to the following conditions being met:
 - 3.4.1 That Birmingham is not subject to any specific local restrictions, enhanced support or tier arrangements.
 - 3.4.2 That no major issues have been raised during the 2-week period after 19 July, during which time the plan is for the Council to operate post-emergency arrangements.
- 3.5 A decision to end the emergency is one that can be made by the Chief Executive Officer alone.
- 3.6 A decision to end the emergency will mean a number of key changes to the way the Council operates. The key points are below, with more information provided in Response to Recovery CLT paper referenced in Section 9 (Background Documents):
 - 3.6.1 An end to decision-making under emergency powers.
 - 3.6.2 Changes to the governance structures, including the disbanding of the Strategic cell, the Coordination & Response Group and the transfer of the on-going COVID response back into Directorates.
 - 3.6.3 The stepping down of certain workforce practices, put in place during the emergency. Any such changes would be subject to consultation with Trade Unions.
- 3.7 The proposed recovery governance structure discussed at EMT on 8 June 2021 is shown on the right-hand side of the diagram below.

Governance framework (DRAFT)



- 3.8 While the emergency would be declared over the pandemic will persist, and the view is that we will be living with the virus at least into 2022.
- 3.9 During the course of the current emergency the Council has had to take quick and decisive action to protect the residents of the city in addressing emerging threats. When the emergency ends the Council will no longer have access to the emergency decision making process, with future decisions being made through the statutory decision-making process.
- 3.10 A key area of risk is the ability for the Council's Public Health team to respond to emerging threats at pace, for example to implement surge testing in response to a new Variant of Concern. Rather than retain the current state of emergency the proposal is that Cabinet delegate authority to key officers so the Council can respond quickly and effectively to protect the residents of Birmingham.
- 3.11 Another risk identified with the ending of the emergency is the Council's ability to use grant funding allocated via the National Leisure Recovery Fund to support key partners in the leisure sector (Places Leisure and Birmingham Community Leisure Trust) that have been significantly impacted by the pandemic. Given the time it currently takes for the council to gather and process the relief claims from Leisure providers, if the approvals follow the Council's statutory decision-making process the timescales will have a negative impact on the supplier's cash flow. Cabinet is asked to delegate authority to the Managing Director of City Operations to enable supplier payments can be authorised in a timely manner. A log of the COVID decisions exercised under this delegation will continue to be published on the Council's internet.

4 Options considered and Recommended Proposal

- 4.1 The following options were considered:

- 4.1.1 To continue with the current state of emergency. In this case the Council would continue to operate under emergency decision making powers and the emergency response structures and provisions would also remain in place. This is not the preferred option as retaining the emergency decision making process reduces the involvement of Cabinet in decision making. It also maintains a greater focus on response, when the view is that the Council should be increasing its focus on recovery.
- 4.1.2 To end the current emergency, but to seek delegated authority for key officers to enable the Council to respond to future, COVID-related threats and address the impacts of the pandemic on key partners. This is the preferred option as it helps to support a shift in focus to recovery, whilst mitigating the key risks associated with the on-going pandemic.

4.2 The recommendations are:

- 4.2.1 That Cabinet notes the Council's plan to end the current state of emergency on 2 August 2021, subject to the final date in the governments roadmap (19 July 2021) going ahead and specific additional conditions being met (see Section 3.4).
- 4.2.2 That Cabinet delegate authority to the Director of Public Health in consultation with the Director of Council Management, the City Solicitor, the Leader and the relevant Cabinet Member (depending on the proposed spend) to use the funding streams and budgets listed below (see 4.2.5) to respond efficiently and effectively to the COVID-19 pandemic and to ensure the Council best protects the residents of the city.
- 4.2.3 In accepting this delegated authority, the Director of Public Health agrees to keep Cabinet and the Council's leadership team updated at least every two months on progress, decision taken and the use of the budgets and funding streams outlined below.
- 4.2.4 This delegated authority will take effect from 1 July 2021 and will remain in place until 31 March 2022 or until it is rescinded by Cabinet.
- 4.2.5 Funding streams and budgets:
- Test & Trace budget, £27m of Government funding of which £19.2m is expected to be used in 2021/22.
 - DHSC Community Testing funding. This is currently agreed to 30 September 2021 and expected to be extended to 31 March 2022.
 - Government funding to support the sourcing and supply of PPE. Funding for which has been proposed until March 2022.
 - Any additional COVID specific Government funding provided to enable the Council to respond to the pandemic, for example funding for surge testing (Operation Eagle) activities.

- 4.2.6 That Cabinet delegate authority to the Managing Director of City Operations in consultation with the Director of Council Management, the Leader and relevant Cabinet Member to approve Leisure Supplier Relief payments during FY2021/22, up to a maximum of £2.9m, the amount the Council has been award via the National Leisure Recovery Fund.
- 4.2.7 In accepting this delegated authority, the Managing Director of City Operations agrees to keep Cabinet and the Council's leadership team updated quarterly on progress and the use of the £2.9m grant funding allocation for the current financial year.
- 4.2.8 It is anticipated that the £2.9m allocation will not be sufficient to cover claims for the full financial year (FY2021/22) and should this look likely then a paper will be brought to Cabinet with options and recommendations on how a shortfall is managed.

5 Consultation

- 5.1 The Council Leadership Team (CLT) and Cabinet Members were consulted.

6 Risk Management

- 6.1 A key risk is that when the current emergency ends the Council will be unable to use the emergency decision making process to respond quickly to emerging threats from the COVID-19 virus, leading to an increase in infection rates, hospitalisation and potentially an increase in deaths. The recommendation that Cabinet delegate authority to the Director of Public Health to use the specified government funding streams to respond to emerging threats is a key mitigation. In addition, the Council retains the ability to re-institute the emergency response in future should circumstances change significantly.
- 6.2 If approvals for quarterly Leisure Supplier Relief payments go through the Council's statutory (non-emergency) decision-making process, there is a risk that the timescales involved will lead to cash flow issues for suppliers. The recommendation that Cabinet delegate authority to the Managing Director of City Operations to use the £2.9m allocated to Birmingham from the National Leisure Recovery Fund will help to mitigate this risk.
- 6.3 There is a risk that Council's £2.9m allocation from the National Leisure Recovery Fund for this financial year (FY2021/22) will not cover the total claim from the Leisure Suppliers for the year. A separate Cabinet paper is planned to agree a way forward on this.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The Council's decision to end the current emergency will enable greater focus on recovering from the impacts of the pandemic, and ultimately delivering the Council's priorities as set out in the Birmingham City Council Plan 2018-2022.
- 7.1.2 The recommendation to delegate authority to the Director of Public Health to use the specific Government funding streams to respond quickly to emerging threats from the virus supports the Council's responsibility to ensure the safety and wellbeing of residents.
- 7.1.3 The recommendation to delegate authority to the Managing Director of City Operations to approve use of the Council's £2.9m allocation under the National Leisure Recovery Fund will enable the Council to fulfil its obligations in relation to the funding grant, and support key leisure services partners that have been significantly impacted by the pandemic.

7.2 Legal Implications

- 7.2.1 A decision to end the current state of emergency is one taken by the Chief Executive Officer, then ratified by the Council Leader.
- 7.2.2 When the emergency ends Council officers will no longer be able to use the Emergency Powers as set in Part E, para 3.3. of the Council's constitution. The delegations in this report enable specific Council's officers to continue making appropriate decision in relation to the Council's COVID response.

7.3 Financial Implications

- 7.3.1 This report recommends that authority is delegated to the Director of Public Health to make best use of the following funding sources in responding to the COVID-19 threat:
 - Test & Trace budget, £27m of Government funding of which £19.2m is expected to be used in 2021/22.
 - DHSC Community Testing funding (currently agreed to 30 September 2021 and is expected to be extended to 31 March 2022). This is claimed retrospectively based on cost incurred.
 - Government funding to support the sourcing and supply of PPE. Funding for which has been proposed until March 2022. This is claimed retrospectively based on cost incurred.
 - Any additional COVID specific Government funding provided to enable the Council to respond to the pandemic, for example funding for surge testing (Operation Eagle) activities.

7.3.2 The report recommends that authority be delegated to the Managing Director of City Operations to approve payments to leisure suppliers using the Council's £2.9m allocation from the National Leisure Recovery Fund, which is existing grant funding provided for this specific purpose. This is to be utilised in 2021/22 in accordance with grant conditions.

7.3.3 Any additional funding requirements would need to be agreed via the statutory decision-making process once the emergency has ended.

7.4 Procurement Implications

7.4.1 There are no Procurement Implications

7.5 Human Resources Implications

7.5.1 There are Human Resources implications associated with the Council's decision to end the emergency, where the expectation is that the Council would step down certain workforce practices put in place due to the pandemic. Details are provided in the CLT paper referenced in Section 9, and all such decision would be subject to consultation with the Trade Unions.

7.6 Public Sector Equality Duty

7.6.1 There are not considered to be any adverse impacts associated with the recommendations in this report, as the ending of the emergency is not expected to have a material impact on the council's response.

7.6.2 Services will continue to deliver the council's response to the pandemic in accordance with existing equality impact assessments.

7.6.3 When the council submitted its application for the National Leisure Recovery Fund an Equality Impact Assessment was not required.

7.6.4 The Council's Public Health response to COVID-19 will continue to focus on ensuring equality, and the latest Department for Health and Social Care (DHSC) Community Testing programme (and the associated funding) is specifically targeted at under-represented and disproportionately impacted groups.

8 Appendices

8.1 None

9 Background Documents

- 9.1 Response to Recovery paper, approved by the Council Leadership Team (CLT) on Monday 28 June 2021.

Birmingham City Council

Reports not on the Forward Plan

Birmingham City Council

27th July 2021



Subject: Child and Family Weight Management Services Grant

Report of: Justin Varney, Director of Public Health

Report author: Jo Bradley

1) Key Decisions not on the Forward Plan / Urgent Decisions

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

<i>Reasons for Urgency / why not included on the notification</i>	<p>This matter was not included in the Forward Plan because the public health team were not aware of the requirement to seek Cabinet approval for an SCN until the 14th July and the award was only made to the Council at the end of June with a fixed 12 month delivery schedule which requires rapid commissioning over the summer to ensure delivery starts in line with the Autumn academic term.</p> <p>The key decision relating to SCN for the provider of the CYP weight management programme must be taken because it is impracticable to defer the decision due to the delivery timescales for the funding and operational expectations from PHE/DHSC for work to commence at the start of the Autumn term.</p>
<i>Date Chief Executive Agreement obtained:</i>	15 th July 2021
<i>Name, Date and any comments of O&S Chair agreement obtained:</i>	Councillor Pocock, 16 th July 2021

Birmingham City Council

Report to Cabinet

27th July 2021



Subject:	Child and Family Weight Management Services Grant
Report of:	Justin Varney, Director of Public Health
Relevant Cabinet Member:	Councillor Hamilton: Cabinet Member for Health and Social Care
Relevant O &S Chair(s):	Councillor Pocock: Chair Health and Social Care Overview & Scrutiny Committee
Report author:	Jo Bradley

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 Approval is sought from Cabinet for the decision to agree Single Contract Negotiation (SCN) with Beezee Bodies (BZ) to provide child and family behavioural interventions for children identified as above a healthy weight in the National Child Measurement Programme (NCMP).
- 1.2 The cost will be funded from the Child and Family Weight Management Services Grant (No.31/5627) awarded to Public Health on 30th June 2021 from Public Health England (PHE) for £861,994 available for 12 months from 1st July 2021 to 20th June 2022
- 1.3 A joint funding application between Public Health and Beezee Bodies was made to PHE on 22nd April 2021. Developed at pace following the call for submissions on the

15th March. Beezee Bodies were chosen as a partner because of their extensive experience in delivering this type of programme and their unique use of Behavioural Insight and Evidence.

- 1.4 The Council does not have the capacity to deliver this service using internal resources and there are no existing commissioned providers in Birmingham.
- 1.5 This funding provides an opportunity to test and learn with an experienced partner and leverage extensive local relationships and previous engagement work. This will generate insights for future evidence-based commissioning.
- 1.6 The funding is non-recurrent and delivery has to commence in September 2021 in line with the academic year. PHE were unwilling to directly fund Beezee Bodies as the grant has to be awarded to the Council as the lead partner. Hence this paper is brought to Cabinet without prior notice on the forward plan because of the national timelines.

2 Recommendations

- 2.1 To approve the Single Contractor Negotiations and the award of contract to Beezee Bodies who were partners in the funding application process.

3 Background

- 3.1 The government committed £100 million to support children, adults and families to achieve and maintain a healthier weight. Competitive funding was assigned for children and families weight management services. The funding was identified for 1 year and said to be available from April 2021.
- 3.2 In Birmingham 2019/20 overweight/obesity prevalence for children in reception is 22.7% similar to national average of 23.0%. For year 6 it is 29.7% compared to national average of 35.2%. Levels of excess weight amongst Black African and Black Caribbean children are higher than the national average.
- 3.3 Whilst adult weight management grant funding was awarded to local authorities directly, for funding to be assigned to children and families weight management services, a competitive funding round was instigated on the 15th March. The deadline for completed applications was 12pm 22nd April 2021.
- 3.4 The funding could be used to introduce new brief interventions where local authorities could test approaches for the proactive follow-up of children identified as being overweight or having obesity through the National Child Measurement Programme (NCMP), and offer motivational support, including onward referral to locally available behavioural weight management services for children and families.
- 3.5 Public Health does not currently commission any providers to deliver specific family weight management interventions.
- 3.6 Following announcement of the funding the Public Health team started to scope the market for suitable providers, looking for providers who had experience of delivering in deprived urban communities and diverse communities with a demonstratable

track record of delivering outcomes and working with communities. On 26th March 2021 Public Health was approached by BZ, they suggested working in partnership to develop a funding application using our accumulated knowledge and their expertise in mobilising contracts quickly and efficiently. Public Health outlined they would need a service that was evidence-based, innovative, comprehensive and able to meet families where they are.

- 3.7 BZ agreed they would be able to meet both Public Health's requirements and the above funding criteria by delivering: a proactive follow-up of children identified as being overweight or having obesity through the National Child Measurement Programme; an offer of motivational support; and deliver a locally available behavioural weight management service for identified children and families. Whilst a generic offer, delivery would be underpinned by a focus on engaging Birmingham's Black African and Black Caribbean communities helping to address health inequalities. They added strength to the bid with knowledge expertise with current client group facilities already in place.
- 3.8 BZ has unique intellectual property for a digital coding behavioural insight framework that links individual assessment and demographic intelligence to behaviour change interventions which allows real time iteration of evidence based practice to meet the cultural and circumstances of the individuals. This is a unique offer that linked data management to adjustment of the intervention and this is fundamental to the elements of the project which are aiming to strengthen the outcomes for African and Caribbean families.
- 3.9 The funding will enable the implementation of engagement for all eligible families, using coproduction and community collaboration to engage with African and Caribbean families.

4 Options considered and Recommended Proposal

- 4.1 To carry out the work in-house - this option was discounted as there is no capability or experience within the council to provide this work
- 4.2 To carry out a procurement exercise – this was not practical as this was a time limited application process and funding offer. 15th March 2021 funding announcement, West Midlands webinar to discuss funding 23rd March 2021, application deadline 22nd April 2021. Funding awarded 30th June 2021. Funding for 1 year, 1st July 2021 to 30th June 2022.
- 4.3 Preferred route – Through a SCN to use the funding awarded by PHE to work in partnership with the named delivery provider, using our accumulated knowledge and the provider expertise in mobilising contracts quickly and efficiently. This joint application has enabled Public Health to apply for the available funding in the first place and the partner has IP that is unique to meeting the needs of the Council in delivering the project at pace and scale.
- 4.4 These interventions will support Birmingham City Council in addressing and working towards reducing childhood obesity by 2030.

- 4.5 Turn down the funding offered – this could be viewed as a missed opportunity to engage with and help families to make behaviour changes, offering appropriate interventions and testing and learning, generating insights for any future evidence-based commissioning.
- 4.6 Therefore the recommendation is for Cabinet to approve the SCN award to allow the project to proceed at pace.

5 Consultation

- 5.1 The Director of Public Health has been consulted and is in agreement with the contents of this report
- 5.2 Prior to the funding application deadline, a report was presented to the Council Leadership Team (CLT) and the application was signed off with approval
- 5.3 The situation has been discussed with the Cabinet Member for Health and Social Care, the Cabinet Member for Finance and Resources and the Chair of Health and Social Care Overview and Scrutiny.
- 5.4 The funder, Public Health England have approved the joint funding application with the named provider

6 Risk Management

- 6.1 The key risk is returning funding already secured. Not progressing through the SCN will place the programme at risk and mean that PHE are likely to rescind the grant offer which means the Council will lose the opportunity to develop and pilot interventions to address weight management in children and young people.
- 6.2 Missing an opportunity to test and learn, generating insights for any future evidence-based commissioning.

7 Compliance Issues

7.1 Strategic Alignment

- 7.1.1 The approval of this funding for the delivery of the service will be an asset to the delivery of the Council's outcomes, priorities and plan for 2018-22. As well as bringing additional funding to the council and the city, this will impact on the following outcomes and priorities:

- Birmingham is a great city to live in
- Birmingham is an aspirational city to grow up in

7.2 Legal Implications

- 7.2.1 Section 6C of the National Service Act 2006 as amended by the Health and Social Care Act 2012 and The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 provide for the discharge of public health functions by Local Authorities

- 7.2.1 Sec 111 Local Government Act 1972 confers power on the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

7.3 Financial Implications

- 7.3.1 The acceptance of this funding does not commit the council to expenditure.
- 7.3.2 The cost of the service is £861,994 in total. This has been determined from a robust budget submitted to PHE as part of the funding application process.
- 7.3.3 The cost will be funded from the Child and Family Weight Management Services Grant (No.31/5627) awarded to Public Health for delivery of this work.
- 7.3.4 Oversight of grant delivery will be through the Public Health Grant funded Public Health Children and Young People's team.

7.4 Procurement Implications

- 7.4.1 Entering into an SCN with the organisation detailed in 2.1 above is in accordance with Standing Order 2.5 due to the provider jointly completing the funding application, in which they were identified as the named provider of the delivery model approved by the funder. This means that the funding was awarded based on only the named provider delivering the services outlined in the funding application.
- 7.4.2 The named provider is unique in the current market in that they have a digital platform that combines individual citizen data with the evidence base for behavioural insight to create highly personalised and tailored behaviour change interventions in real time. The provider has experience of delivering at scale in urban settings with diverse and deprived communities and achieving outcomes for children and young people.
- 7.4.3 An exploration of the market has been undertaken to ensure that Beezee Bodies are unique in their service delivery model. The comparisons and outcome are captured in Section 8.1.
- 7.4.4 Birmingham City Council cannot procure the exact services included in the successful funding bid. Doing so would reveal the make-up of BeeZee Bodies services and breach their right to commercially sensitive confidentiality.

7.5 Human Resources Implications (if required)

- 7.5.1 This funding would not create any Human Resource implications.

7.6 Public Sector Equality Duty

- 7.6.1 Enter single contractor negotiations and concluding the award of this contract does not revise, amend or review Council policies of functions and therefore an Equality Impact Needs Assessment is not required.
- 7.6.2 The requirements of the Equality Act 2010 will be specifically included as part of any implementation of any decision.

8 Appendices

8.1 Market Comparison Table

Service Delivery Model	Beezee Bodies	ABL Health UK	Park-wood Healthcare	SHINE Health Academy	Com- pass UK	More Life	Every- one Health	My Weight Matters	HENRY
1. Provider of weight management for children and families with a focus on primary school age	Yes	No	No	No	Yes	No	Yes	No	Yes
2. Real time digital iteration - the nuanced additions and changes required to tailor services to a local audience, particularly those in deprived wards and in ethnically diverse communities	Yes	No	No	No	No	No	No	No	No
3. Use thematic analysis	Yes	No	No	No	Yes	No	No	No	No
4. Apply academic behavioural and social science theories to underpin existing programmes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No
5. Experience of delivering in an urban setting	Yes	No	No	No	No	No	No	No	No
6. Experience of working with diverse communities	Yes	No	Yes	Yes	No	Yes	Yes	Yes	No
7. Published external evaluation partner	Yes	No	No	No	No	No	Yes	No	No

Service Delivery Model	Beezee Bodies	ABL Health UK	Park-wood Healthcare	SHINE Health Academy	Com-pass UK	More Life	Every-one Health	My Weight Matters	HENRY
8. Underpinned by scientific rigour	Yes	No	No	No	No	Yes	Yes	No	No
9. Co-production with families	Yes	Yes	No	No	No	No	No	No	Yes
10. Fully NICE compliant	Yes	Yes	No	No	No	Yes	No	No	No
11. Visible leadership/partnership with Black African and Black Caribbean communities	Yes	No	No	No	No	Yes	No	No	No

Birmingham City Council

Report to Cabinet

Date: 27th July 2021



Subject: **PLANNED PROCUREMENT ACTIVITIES (AUGUST 2021 – OCTOBER 2021)**

Report of: **ASSISTANT DIRECTOR DEVELOPMENT & COMMERCIAL FINANCE**

Relevant Cabinet Member: **Councillor Tristan Chatfield, Finance and Resources**

Relevant O &S Chair(s): **Councillor Mohammed Aikhlaq, Resources**

Report author: Richard Tibbatts, Head of Contract Management
Email Address: richard.tibbatts@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		
3. Information relating to the financial or business affairs of any particular person (including the council)		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period August 2021 – October 2021. Planned procurement activities reported previously are not repeated in this report.
- 1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision,

otherwise they will be dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

2 Recommendations

- 2.1 Notes the planned procurement activities under chief officer delegations set out in the Constitution for the period August 2021 – October 2021 as detailed in Appendix 1.

3 Background

- 3.1 At the 1 March 2016 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.
- 3.2 In line with the Procurement Governance Arrangements that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.
- 3.3 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold (£189,330) and £10m. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.
- 3.4 It should be noted that the procurement threshold has changed from £164,176 to £189,330 and will apply from 1st January 2020 for a period of 2 years.
- 3.5 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 3.6 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.
- 3.7 A briefing note with details for each item to be procured is listed in Appendix 2. The financial information for each item is detailed in Appendix 3 – Exempt Information.

4 Options considered and Recommended Proposal

4.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process. The options considered are:

- To refer the procurement strategy and contract award of individual procurements to Cabinet for decision.
- To continue with the existing process – this is the recommended option

5 Consultation / Engagement

5.1 This report to Cabinet is copied to Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

6 Risk Management

6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 Details of how the contracts listed in Appendix 1 and Appendix 2 support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

7.2.1 Details of all relevant implications will be included in individual reports.

7.3 Financial Implications

7.3.1 Details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.4 Procurement Implications (if required)

7.4.1 This is a procurement report and the implications are detailed in the appendices

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity August 2021 – October 2021
- 2. Appendix 2 – Background Briefing Paper
- 3. Appendix 3 – Exempt Information

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (AUGUST 2021 – OCTOBER 2021)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Finance and Resources Plus	Finance Officer	Contact Name	Planned CO Decision Date
Single Contractor Negotiations	The Organisation and Delivery of the Great Birmingham 10K Run and the Great Birmingham Half Marathon	TBC	The organisation and delivery of two mass participation running events on closed road courses; the Great Birmingham 10k in May (apart from 2021 which will be October due to the covid pandemic), 2022, 2023 and 2024 and the Great Birmingham Half Marathon in October 2021, 2022, 2023 and 2024 as part of Birmingham's calendar of major events and the National Great Run Series.	4 years	Neighbourhoods	Leader	Carl Tomlinson	Garry Peal	01/11/2021
Single Contractor Negotiations	Additional Works within the SPRINT and Metro Corridors	TBC	Additional civil engineering works which fall directly within the Metro and Sprint projects corridors. These works are: •Installation of 4 white lighting columns in Centenary Square. •Amendments to the footway and carriageway at Park St, Digbeth and Allison Street to improve the public realm, pedestrian facilities and bus stop provision. •Reinstallation of the Iron:man statue and changes to the existing hostile vehicle mitigation bollards •WMCA Cross-city bus proposals that interface with Metro and the Paradise (U-turn) proposals •Amendments to Lyon Queensway, Cambridge Street and Great Charles Street Queensway/Summer Row, providing bus priority and/or bus stop infrastructure, that facilitate proposed changes to bus routes	1 year	Inclusive Growth	Transport and Environment	Simon Ansell	Nigel Tammo / Charlie Short	09/08/2021
Approval to Tender Strategy	Accommodation and Support to address Homelessness at Point of Discharge	TBC	Accommodation is required to provide a safe space for people who are homeless at the point of discharge from hospital, enablement beds and mental health provision. The service will also be for support for these individuals to assist with addressing their long-term housing needs.	5 years with option to extend for a further 2 years	Adults Social Care	Adults Social Care	Andrew Healey	Sarah Feeley / Mike Smith	01/10/2021
Strategy / Award	Professional Support Services to develop the Our Future Delivery Plan (OFCP)	TBC	Our Future City Plan – Central Birmingham Framework 2040' will replace the existing Big City Plan with a new vision for the central area of the city to help deliver new homes, jobs and commercial development. The Draft Central Framework 2040 is now being produced and expert advice is required.	8 months	Inclusive Growth	Transport and Environment	Simon Ansell	James Betjemann / Charlie Short	01/09/2021
Approval to Tender Strategy	Framework Agreement for the Provision of Home Support for Adults in Prison at HMP Birmingham	TBC	There is a requirement for the delivery of care and support for service users in HMP Birmingham. The service will support service users to achieve their identified outcomes in order to improve their independence and ability to self-manage and to achieve and maintain their desired potential in relation to their physical, intellectual, emotional and social capacity.	5 years	Adults Social Care	Adults Social Care	Andrew Healey	Chris MacAdams	01/09/2021
Approval to Tender Strategy	Concrete Liners for Burials	TBC	There is a requirement for the works to supply and install concrete liners for burials which are mainly utilised by the Muslim Community for burials	4 years	Neighbourhoods	Homes and Neighbourhoods	Carl Tomlinson	Bev Nash	09/08/2021
Approval to Tender Strategy	Estate Agency Service for Birmingham Municipal Housing Trust (BMHT)	TBC	An estate agency service to manage the sale of new build properties across four BMHT housing schemes. The tender will be undertaken in three lots based on the geography of the sites. •Lot 1 = Monmouth Road and Long Nuke Road, Bartley Green (86 sales units) •Lot 2 = Birchfield Road, Birchfield (18 sales units) •Lot 3 = Abbeyfields, Erdington (19 sales units)	4 years	Neighbourhoods	Homes and Neighbourhoods	Carl Tomlinson	Mark English / Siobhan MacDonald	09/08/2021
Approval to Tender Strategy	Addressing the backlog in Deprivation of Liberty Safeguard (DOLS) assessments in preparation for the implementation of Liberty Protection Safeguards	TBC	To complete approximately 1400 outstanding DOLS assessments. The supplier will be expected to provide management oversight and quality control of the assessments completed, prior to them being passed back to the LA for authorization.	1 year	Adults Social Care	Adults Social Care	Andrew Healey	Paul Hallam / Sandra Asiedu	09/08/2021

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES **CABINET – 27th July 2021**

Title of Contract	SCN - The Organisation and Delivery of the Great Birmingham 10K Run and the Great Birmingham Half Marathon
Director / Assistant Director	Chris Jordan, Assistant Director Neighbourhoods
Briefly describe the service required	<p>The organisation and delivery of two mass participation running events on closed road courses; the Great Birmingham 10k in May 2022, 2023, 2024 and 2025 and the Great Birmingham Half Marathon in October 2022, 2023, 2024 and 2025 as part of Birmingham's calendar of major events and the National Great Run Series.</p> <p>The risk and liability for these events will be the responsibility for the supplier and no costs additional to those agreed with be payable.</p> <p>As part of the 2021/22 budget consultation, it was agreed to provide resources to continue with the Council's existing calendar of major events up until the 2022 Commonwealth Games. This included being part of the National Great Run Series of Events.</p>
What is the proposed procurement route?	To enter into single contractor negotiations with Nova International Ltd (t/a The Great Run Company).
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There was a contract in place awarded under Chief Officer delegated authority that expired in 2020. No events have taken place since the expiry due to the Covid pandemic.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	<p>As a result of market investigations, there is only one organisation that capable meeting the Council's requirements of being part of a major national mass participation running event. The market for organising running event is extremely limited with most being operator of a small, local scale. The Great Run Company is the only operator of a major event providing access to a database of over 850,000 runners with the ability to offer an elite race and television coverage.</p> <p>The recommended supplier will be required to be a certified signatory to the BBC4SR and produce commitments proportionate to the value of this contract.</p>
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house as there is not the capacity or capability within the Council to deliver these events.
How will this service assist with the Council's commitments to Route to Zero?	This event will be a key part of delivering the Council's Route to Zero Agenda by encouraging healthier lifestyles by the promotion of running as an activity as an alternative form of transport.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	The Council is not under a statutory duty to provide mass participation running events. However, these events have formed part of the Council's Major Events programme and are set out within the Major Events Strategy.
What budget is the funding from for this service?	This service is funded from the approved Major Events Budget.
Proposed start date and duration of the new contract	The proposed start date is May 2022 for a duration of 4 years.

Title of Contract	SCN - Additional Works within the SPRINT and Metro Corridors
Director / Assistant Director	Philip Edwards, Assistant Director, Transport and Connectivity
Briefly describe the service required	<p>The provision of additional civil engineering works which fall directly within the Metro and Sprint projects corridors. These works are:</p> <ul style="list-style-type: none"> • Installation of remaining four white columns in Centenary Square. • Amendments to the footway and carriageway at Park St, Digbeth and Allison Street to improve the public realm, pedestrian facilities and bus stop provision. • Reinstallation of the Iron Man, statue in Victoria Square • WMCA Cross-city bus proposals - Amendments to Lyon Queensway, Cambridge Street and Great Charles Street Queensway/Summer Row, providing bus priority and/or bus stop infrastructure, that facilitate proposed changes to bus routes <p>A contract will not be entered into on any of these projects unless the appropriate approvals are in place.</p>
What is the proposed procurement route?	To enter into single contractor negotiations with the West Midlands Combined Authority (WMCA).
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a new requirement.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	<p>The WMCA awarded an alliance contract to the Midland Metro Alliance (MMA) that is primarily for infrastructure works to support a tram network. The MMA is a partnership and not a contracting entity therefore in order to access the arrangement, a contract is required to be entered into with the WMCA to be compliant with the Council's Constitution and Procurement Governance Arrangements. WMCA awarded a contract to McPhillips (Wellington) Ltd for the Sprint works which includes the Digbeth area.</p> <p>WMCA is best placed to manage the interface for the works with their Metro and Sprint schemes that will mitigate risk. This requirement is not being tendered as this may result in different contractors with different specifications that do not match the adjoining Metro and Sprint schemes.</p> <p>WMCA is a certified signatory to the BBC4SR and will be required to produce actions proportionate to the value of this contract</p>
Has the In-House Preferred Test been carried out?	Yes, and as this is a one-off contract for works, the test demonstrated this is not suitable to be carried out in-house as the organisation does not have the capability to directly deliver infrastructure works.
How will this service assist with the Council's commitments to Route to Zero?	The works at Digbeth and Paradise support the use of public transport and walking. The lighting columns are feature of the square but also improve public safety and confidence thereby encouraging more walking and cycling.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty for this service. However, works will assist with the improvement of the public realm and transport provision.
What budget is the funding from for this service?	<p>The funding will be from the following budgets:</p> <ul style="list-style-type: none"> • Installation of remaining four white columns – Centenary Square public realm scheme • Amendments to the footway and carriageway at Park St, Digbeth and Allison Street – Beorma scheme, developer contributions • Reinstallation of the Iron: man statue – City Centre Public Realm Scheme • WMCA Cross-city bus proposals – WMCA Cross-city bus funding <p>Entering into contract will be subject to gaining the necessary approvals on funding.</p>
Proposed start date and duration of the new contract	All works would be undertaken in the period between August 2021 and June 2022.

Title of Contract	Accommodation and Support to Address Homelessness at Point of Discharge
Director / Assistant Director	Graeme Betts – Director Adult Social Care
Briefly describe the service required	Accommodation is required to provide a safe space, enablement beds and mental health provision for people who are homeless at the point of discharge from hospital. The service will provide additional support for these individuals to assist with addressing their long-term housing needs.
What is the proposed procurement route?	An open procurement exercise will be undertaken advertised in the Find a Tender, Contracts Finder and www.finditinbirmingham.com
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There is a current contract with Claremont Living which expires on the 31 st March 2022.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Has the In-House Preferred Test been carried out?	Yes, and as this is a contract for accommodation and support services that the Council does not have direct access to and so cannot be delivered in house.
How will this service assist with the Council's commitments to Route to Zero?	The contract specification will require providers to install and maintain equipment and white goods with an energy efficiency rating of B or above and provide accommodation with an overall efficiency rating of C (or B) or above.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the service is required to ensure that the Council is able to deliver the Hospital Discharge Service: Policy and Model.
What budget is the funding from for this service?	The service will be funded from the Adult Social Care budget.
Proposed start date and duration of the new contract	The proposed start date is 1 st April 2022 for a period of 5 years with an option to extend for a further 2 years subject to budget availability and satisfactory performance.

Title of Contract	Professional Support Services to develop the Our Future Delivery Plan (OFCP)
Director / Assistant Director	Simon Delahunty-Forrest, Acting Assistant Director, Development
Briefly describe the service required	<p>'OFCP – Central Birmingham Framework 2040' will replace the existing Big City Plan with a new vision for the central area of the city to help deliver new homes, jobs and commercial development. The Draft Central Framework 2040 is now being produced and expert advice is required:</p> <ul style="list-style-type: none"> • To sense check the Framework and assure it's in accordance with relevant Government guidance; • To provide technical advice on issues such as financial viability, sustainability and design. • To create delivery plans for the central renewal areas, including detailed feasibility studies and outline designs for the development of key sites. • Negotiating with partner agencies, developers and other stakeholders on major projects to ensure proposals are appropriate and deliverable. • To draft business cases and funding strategies to take projects forward.
What is the proposed procurement route?	A further competition exercise will be undertaken using the Council's existing Transportation and Planning Professional Services Framework agreement.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a new requirement.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Has the In-House Preferred Test been carried out?	Yes, and it demonstrated there is not the relevant expertise or capacity in-house to undertake this work.
How will this service assist with the Council's commitments to Route to Zero?	The service to support the OFCP will be a key part of delivering the Council's Route to Zero Agenda by developing proposals which reduce traffic, create more green spaces and encourage sustainable development and transport.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty for this service. However, works will assist with the delivery of inclusive growth and the improvement of the public realm and transport provision.
What budget is the funding from for this service?	Resources have been approved from the Council's Transformation Fund.
Proposed start date and duration of the new contract	The contract will start in October 2021 for a duration of 8 months.

Title of Contract	Framework Agreement for the Provision of Home Support for Adults in Prison at HMP Birmingham
Director / Assistant Director	Louise Collett, Assistant Director Commissioning
Briefly describe the service required	There is a requirement for the delivery of care and support for service users in HMP Birmingham. The contract will support service users to achieve their identified outcomes in order to improve their independence and ability to self-manage and to achieve and maintain their desired potential in relation to their physical, intellectual, emotional and social capacity.
What is the proposed procurement route?	Due to the nature of the requirement a light touch procurement exercise in line with Regulations 74-77 of the public contract regulations will be undertaken advertised in the Find a Tender, Contracts Finder and www.finditinbirmingham.com
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The existing contract expires on 31 st January 2022.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house. Delivering care and support in a Prison means working in a very specialised and intimidating environment. The Council would have the ability to provide the two carers required and would have the ability to deliver the level of care required. The Council would not however be able to commit to a small, dedicated team providing care and support to persons in Prison. Continuity of care by a small number of carers needs to be guaranteed in order to maintain trust with the Prison authorities and in order that the established and lengthy access and egress procedures that need to be followed in order to get 'in' and 'out' of a Prison are administered effectively.
How will this service assist with the Council's commitments to Route to Zero?	The specification will require the service to be delivered in a way that reduces the carbon footprint, in particular with regards to aggregating transport needs where more than one carer needs to travel to HMP Birmingham.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is a statutory duty for this service under Section 76 of The Care Act 2014 that sets out the responsibilities for the provision of care and support for adult prisoners and people residing in approved premises (which includes bail accommodation). Where it appears that adults in prison or approved premises have needs for care and support, they should have their needs assessed by the local authorities and where they meet eligibility criteria; have services provided by the local authority. In essence prisoners are entitled to receive the same access and provision of services as if they were a member of the local community.
What budget is the funding from for this service?	This is funded from the Adult Social Care placements budget.
Proposed start date and duration of the new contract	The proposed start date is 1 st February 2022 for a period of 5 years.

Title of Contract	Concrete Liners for Burials
Director / Assistant Director	Paul Lankester, Interim Assistant, Director Regulation and Enforcement
Briefly describe the service required	There is a requirement for the works to supply and install concrete liners for burials which are mainly utilised by the Muslim Community for burials. There has been a significant increase in usage recently and it is estimated that around 500 concrete liners per annum will need to be installed.
What is the proposed procurement route?	An open procurement exercise will be undertaken advertised in Find a Tender, Contracts Finder and www.finditinbirmingham.com
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The existing contract the expires on 30 th September 2021 was awarded under Chief Officer delegated authority.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Has the In-House Preferred Test been carried out?	The in-house preferred test has been undertaken and demonstrates that this service is not suitable for delivery in-house due to a lack of resources and the inability to manufacture the liners in house.
How will this service assist with the Council's commitments to Route to Zero?	This specification will include a requirement that concrete liners are constructed to ensure that they meet the latest environmental standards.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is not a statutory duty for this service. The justification for providing concrete liners for this type of burial is the requirement that the Council caters for all communities regarding their preferred method of disposal of the deceased. Not providing this method of burial will result in communities seeking alternative sites across the city's boundaries and will result in a loss of income and failure to satisfy the needs of the citizens of Birmingham.
What budget is the funding from for this service?	This is funded from the Bereavement Services approved budget.
Proposed start date and duration of the new contract	The proposed start date is 1 st October 2021 for a period of 4 years.

Title of Contract	Estate Agency Service for Birmingham Municipal Housing Trust (BMHT)
Director / Assistant Director	Ian McLeod, Acting Director Inclusive Growth
Briefly describe the service required	<p>An estate agency service to manage the sale of new build properties across four BMHT housing schemes. The tender will be undertaken in three lots based on the geography of the sites.</p> <ul style="list-style-type: none"> • Lot 1 = Monmouth Road and Long Nuke Road, Bartley Green (86 sales units) • Lot 2 = Birchfield Road, Birchfield (18 sales units) • Lot 3 = Abbeyfields, Erdington (19 sales units) <p>The service will be for the following: advertise units for sale and negotiate the sales price; manage client relationships from reservation to sales completion; monitor progress of the sale and working with the build contractor ensuring safe access to sites, manage the handover process and stock properties.</p>
What is the proposed procurement route?	An open procurement exercise will be undertaken advertised in the Find a Tender, Contracts Finder and www.finditinbirmingham.com
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There is no existing contract in place for this service.
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not Applicable.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated that this service is not suitable to be undertaken in-house as there are not the skills or experience available to sell properties.
How will this service assist with the Council's commitments to Route to Zero?	The specification will include the requirement to minimise travel wherever practical to sell the properties by an increased use of social media.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	The Council is not under a statutory duty to provide the estate agency service. However, this is an essential requirement to assist the Council in its sale of properties developed as part of its duty to deliver social housing; thus, subsidising its investment.
What budget is the funding from for this service?	The service is funded from the Housing Revenue Account.
Proposed start date and duration of the new contract	The proposed start date is November 2021 for the duration of 4 years.

Title of Contract	Addressing the backlog in Deprivation of Liberty Safeguard (DOLS) assessments in preparation for the implementation of Liberty Protection Safeguards (LPS)
Director / Assistant Director	Balwinder Kaur, Assistant Director, Adult Social Care.
Briefly describe the service required	<p>The main impetus, for seeking to address the issue of the backlog now is the introduction of Liberty Protection Safeguards (LPS).</p> <p>LPS is a new statutory framework for protecting those who lack capacity and are deprived of their liberty in all settings. This represents a fundamental change in how people in receipt of care and who lack capacity are protected. LPS is due to replace DOLS in April 2022, although it is anticipated that there may be a delay until next September 2022.</p> <p>LPS is intended to be a more proportionate system for protecting people in all settings who are deprived of their liberty</p> <p>There may not be the same understanding of the pressures on Local Authorities (LAs) when LPS is introduced, as there has been with DOLS. The legacy of the Council's 2000 referrals still requiring assessments could compromise the successful introduction of LPS.</p> <p>Recent LGO findings and legal challenges in other LAs suggests that the risks (financial and reputational) of not addressing the DOLS backlog are increasing. These risks will be heightened if there is a legacy of DOLS assessments when LPS is implemented. It is not yet possible to fully scope the additional pressures that LPS will create as we are still awaiting the Department of Health guidance.</p> <p>The purpose of this service will be to complete approximately 1400 outstanding DOLS assessments. The supplier will provide management oversight and quality control of the assessments completed, prior to them being passed back to the LA for authorization.</p> <p>The 1400 assessments are to be completed over a 10-month period possibly longer. The extended duration of the project is intended to prevent pressures building in other stages of the DOLS process i.e. securing the required medical reports and the authorization of the deprivation of liberty. Risks of legal challenge, the consequent costs and the damage to Birmingham City Council's reputation will be reduced as this work progresses.</p>
What is the proposed procurement route?	A Light Touch Open Procedure will be undertaken. The opportunity will be advertised in Find a Tender, Contracts Finder and www.finditinbirmingham.com .
What are the existing arrangements? Is there an existing contract? If so when does that expire?	DOLS assessments are completed by a team of Best Interest Assessors (BIAs) directly employed by Adult Social Care. There is currently no contract with another organisation to support with this function.
If single /multiple contractor negotiations is proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Has the In-House Preferred Test been carried out?	<p>Yes. There are currently approximately 2000 DOLS assessments outstanding. DOLS assessments must be completed by a BIA. There is not the capacity within the pool of available BIAs to clear the backlog of assessments. It is estimated that approximately 600 of the assessments could be completed by offering the BIAs overtime.</p> <p>It is not suitable to recruit additional BIAs for the following reasons:</p>

	<ul style="list-style-type: none"> • The BIA role will become redundant when LPS is introduced. • The Council has no plans to offer further BIA training courses because of the above. • Given the Council's challenges around recruitment, it is highly unlikely that Adult Social Care would be able to temporarily recruit suitably qualified BIAs in sufficient numbers to complete the backlog project in the time available. • In the unlikely event of the numbers of BIAs required being available there would then be a need to secure additional management capacity within the DOLS Team to oversee their work.
How will this service assist with the Council's commitments to Route to Zero?	As the assessments are in the main conducted remotely as desktop activities. the service does not generate carbon emissions.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	Yes. Since 2007 Local Authorities have been required to implement the Mental Capacity Act (MCA) 2005 Deprivation of Liberty Safeguards (DOLS). The Act provides the statutory framework within which Local Authorities must authorise the Deprivation of Liberty of people who reside in care homes or in hospital and who lack capacity to make decisions for themselves. Local Authorities act as the Supervisory Body under the MCA.
What budget is the funding from for this service?	This is funded from Adult Social Care budget.
Proposed start date and duration of the new contract	The proposed start date is 1 st April 2022 for a duration of 1 year.

Birmingham City Council

Report to Cabinet

27 July 2021



Subject: APPOINTMENTS TO OUTSIDE BODIES

Report of: City Solicitor

Relevant Cabinet Member: Cllr Ian Ward, Leader of the Council

Relevant O & S Chair(s): Cllr Carl Rice, Chairman of Co-ordinating Overview and Scrutiny Committee

Report author: Celia Janney, Committee Services

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 The report seeks the approval of the Cabinet to the appointment of representatives to serve on outside bodies detailed in the appendix to this report.

2 Recommendations

- 2.1 That Cabinet agrees to appoint representatives to serve on the Outside Bodies detailed in the appendix to this report.

3 Background

- 3.1 At a meeting of all Councillors on 11 July 2017, the City Council approved changes to the Constitution that set out those appointments that are reserved to the full City Council to determine. All other appointments of Members and officers to outside bodies shall be within the remit of Cabinet to determine and the proportionality rules will not automatically apply.

4 Options considered and Recommended Proposal

- 4.1 These appointments are a matter for the Cabinet to determine, in accordance with the City Council's current Constitution.

5 Consultation

For appropriate items, the Secretaries to the Political Groups represented on the Council.

6 Risk Management

- 6.1 The main risk of not making appointments might lead to the City Council not being represented at meetings of the bodies concerned. It is always important in making appointments to have regard to the City Council's equal opportunities policies.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The appointments are consistent with the legal and constitutional requirements of the City Council.

7.2 Legal Implications

7.2.1 As set out in paragraph 7.1.1 above.

7.3 Financial Implications

7.3.1 There are no additional resource implications. Where applicable, those implications arise at the time that the relevant body, or a grant to it, is established.

7.4 Procurement Implications (if required)

7.4.1 Not applicable.

7.5 Human Resources Implications (if required)

7.5.1 Not applicable.

7.6 Public Sector Equality Duty

7.6.1 As set out in paragraph 6.1 above.

8 Background Documents

- 8.1 Report of the Council Business Management Committee to City Council on 11 July 2017 “Revised City Council Constitution”; along with relevant e-mails/ file(s)/correspondence on such appointments.

Attached: Appendix to Report to Cabinet – 27 July 2021 - Appointments to Outside Bodies

APPENDIX 1**APPENDIX TO REPORT TO CABINET 27 July 2021**
APPOINTMENTS TO OUTSIDE BODIES**1. Summary of Decisions**

On 15 August 2017, Cabinet resolved under decision number 004096/2017 that the practice be continued of contacting each representative when their term of office is due to expire to ascertain whether they are willing to be re-appointed and that, unless indicated otherwise in the report to Cabinet, it will be understood that such representatives are not willing to be re-appointed.

2. Annual Appointment

Further to the meeting on the 29 June 2021:-

Birmingham Repertory Theatre

Cllr Peter Fowler (Con) is willing to be appointed, to fill vacancy.

Therefore, it is

RECOMMENDED:-

That Cabinet agrees appoint Cllr Peter Fowler (Con) as Director, for the remainder of the term i.e. 27 July 2021 until 28 June 2022.

3. Sutton Coldfield Charitable Trust

Cllr Diane Donaldson (Lab) has agreed to continue. Four year term. The other Nominative Trustees are:- Mr Malcolm Cornish (Con) and Jane Mosson (Con).

RECOMMENDED:-

That Cabinet agrees appoint Cllr Diane Donaldson (Lab), 27 July 2021 until 26 July 2025.

4. Birmingham Bodenham Trust

Cllr Zafar Iqbal has agreed to continue. Four year term. The other Nominative Trustees are:- Cllr Diane Donaldson (Lab), and Mr Radley Russell (Lib Dem).

RECOMMENDED:-

That Cabinet agrees appoint Cllr Zafar Iqbal (Lab), 27 July 2021 until 26 July 2025.

