

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CABINET

TUESDAY, 28 JUNE 2016 AT 10:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/the meeting to note that this meeting will be webcast for live and subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

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Report of the City Solicitor.

19 **OTHER URGENT BUSINESS**

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

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19A **PROCUREMENT CONTRACT – FROM WASTE TO RESOURCE STRATEGY FOR BIRMINGHAM: UPDATE PUBLIC**

Item Description

20 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraphs 2, 3, 6 and 7.

P R I V A T E A G E N D A

21 **GREAT CHARLES STREET CAR PARKS - DEVELOPMENT AGREEMENT (PRIVATE)**

Item Description

22 **ELECTRONIC BILL PAYMENT SERVICE – P0171 - PRIVATE**

Item Description

23 **ACQUISITION OF PRIVATELY OWNED EMPTY PROPERTIES - PRIVATE**

Item Description

24 **PLANNED PROCUREMENT ACTIVITIES (AUGUST 2016 – OCTOBER 2016) – PRIVATE**

Item Description

25 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

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

25A **PROCUREMENT CONTRACT - FROM WASTE TO RESOURCE
STRATEGY FOR BIRMINGHAM: UPDATE PRIVATE**

Item Description

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET	
Report of:	THE LEADER OF THE COUNCIL	
Date of Decision:	28 JUNE 2016	
SUBJECT:	ESTABLISHMENT OF THE CABINET COMMITTEE LOCAL LEADERSHIP	
Key Decision: No	Relevant Forward Plan Ref: N/A	
If not in the Forward Plan: (please "X" box)	Chief Executive approved	<input checked="" type="checkbox"/>
	O&S Chairman approved	<input type="checkbox"/>
Relevant Cabinet Member(s) or Relevant District Committee Chair:	ALL	
	ALL	
Relevant O&S Chairman:	Cllr Aikhlaq, Chair of the Corporate Resources and Governance O&S Committee	
Wards affected:	ALL	

1. Purpose of report:
<p>1.1. This report presents detailed proposals for the establishment of a new Cabinet Committee for Local Leadership, as set out in Article 6 of the City Council Constitution, amended at the Annual General Meeting on 24 May 2016.</p> <p>1.2. The report sets out the Terms of Reference and membership of the Cabinet Committee and describes its work programme in more detail.</p>

2. Decisions recommended:
<p>2.1. Approve the establishment of the Cabinet Committee Local Leadership with the Terms of Reference and membership set out in Appendix 1 to this report.</p> <p>2.2. Approve the appointment of four councillors as Assistant Leaders, with the remuneration set out in the Scheme of Councillors Allowances for 2016/17, approved by City Council on 24 May 2016.</p> <p>2.3. Approve the work programme for the Committee and the Assistant Leaders set out in Appendix 2.</p>

Lead Contact Officer(s):	<p>Tony Smith Policy Executive, Strategic Policy Team</p> <p>Stuart Evans Joint Interim City Solicitor</p>
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3. Consultation

3.1 Internal

The plans set out in this report have been presented to the former Corporate Resources Overview and Scrutiny Committee. The terms of reference for the Cabinet Committee and the role description and remuneration of the Assistant Leaders were approved by the City Council at its Annual General Meeting of 24 May 2016.

3.2 External

The plans for the Committee have not been subject to external consultation. However, a wide range of external stakeholders have been engaged on the issues covered in the work programme and this will continue throughout the review to be undertaken by the Committee. The Assistant Leaders will have a clear role in engaging external stakeholders across their area of the city.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The recommendations are fully consistent with the Council's policies. The Business Plan and Budget adopted by Full Council in March 2016 committed the Council to "to develop a new approach to devolution within the city, with a focus on empowering people and giving them influence over local services". The work of the Cabinet Committee will take forward the next stage of an evolutionary process which began in 2015/16 with initial changes to the role of districts and the creation of Sutton Coldfield Town Council. This stage will conclude in 2018 with the switch to all out elections and new ward boundaries.

4.2 Financial Implications

The Special Responsibility Allowance for the Assistant Leaders (£10,000 pa) was approved by the City Council on 24 May 2016. There will be resource implications in terms of administrative and policy support to this work and the initial support arrangements are summarised in Appendix 2. All proposals with significant financial implications will be reported to Cabinet for approval.

4.3 Legal Implications

There are no direct legal implications of this report. The Cabinet Committee will operate within the provisions of the Local Government Act 2000, which gives the Executive the power to appoint committees for the exercise of defined responsibilities and functions and in accordance with Article 5(d) of the City Council's Constitution. The role of the Committee and of the Assistant Leaders is also outlined in Part B of the City Council's Constitution. The constitutional changes referred to in Part B of the Constitution have been approved by Full Council.

4.4 Public Sector Equality Duty

Policies developed by the Committee will be subject to the public sector Equality Duty and impact assessments will be carried out as appropriate.

5.	Relevant background/chronology of key events:				
5.1.	<p>The need for the work programme set out in Appendix 2 stems from the Community Governance Review carried out between September 2014 and September 2015, the Kerslake Review of Corporate Governance (December 2014) and the subsequent review of ward boundaries and the size of the Council by the Boundary Commission. An initial series of changes was implemented in 2015/16 and plans were made for a further stage in the evolution of local governance arrangements between 2016 and 2018 (when the boundary changes will come into effect). The proposal to take this work forward through a Cabinet Committee was approved at the City Council AGM on 24 May 2016 and incorporated into the City Council's Constitution. That meeting also received the report of the Independent Remuneration Panel on the Assistant Leader posts, which included an outline of the work programme set out in more detail in Appendix 2.</p>				
6.	Evaluation of alternative option(s):				
6.1.	<p>Other options for taking forward this work have been considered, such as incorporation in Cabinet portfolios and establishing an informal working group. The Cabinet Committee model provides a basis for both cross-party working and the role of the Assistant Leaders, which is seen as a vital addition to leadership capacity at this time.</p>				
7.	Reasons for Decision(s):				
7.1	<p>To put into effect the City Council decision to have a Cabinet Committee Local Leadership and four Assistant Leaders to take forward the council's aspirations for local leadership and governance. The decision will enable sufficient political leadership to be put in place to take this work forward.</p>				
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Signatures</td> <td style="width: 40%; text-align: right;"><u>Date</u></td> </tr> <tr> <td style="height: 100px; vertical-align: top;"> <p>Council Leader</p> <p style="text-align: center;">.....</p> </td> <td style="vertical-align: bottom; text-align: right;"> <p>.....</p> </td> </tr> </table>		Signatures	<u>Date</u>	<p>Council Leader</p> <p style="text-align: center;">.....</p>	<p>.....</p>
Signatures	<u>Date</u>				
<p>Council Leader</p> <p style="text-align: center;">.....</p>	<p>.....</p>				
List of Background Documents used to compile this Report:					
<p>City Council Constitution as amended 24 May 2016.</p>					

Appendix 1:

Terms of Reference and Membership of Cabinet Committee Local Leadership

Terms of Reference and Role Description for Assistant Leaders (extract from City Council constitution approved on 24 May 2016)

Cabinet Committee Local Leadership

This Cabinet Committee will be established by the Cabinet with the following membership:

- The Leader
- Another Cabinet Member as deemed appropriate by the Leader
- The Leaders of the official opposition party and the next largest opposition party
- The Chairs of the District Committees
- Four Assistant Leaders (see below)
- Assistant Leaders will be able to attend meetings of Cabinet but will not have a right to vote on any item of Cabinet business.

The quorum for the Committee shall be six and this number must include one of the Cabinet Members and one of the Leaders of the opposition groups as well as one of the Assistant Leaders.

The Committee will include four Councillors designated as Assistant Leaders. These councillors will be charged with taking forward the agenda of the Cabinet Committee Local Leadership between meetings, under the management of the Leader of the Council. They will not have decision making powers independently of the Committee. They will each be responsible for an area of the city, to be specified by the Cabinet.

7.1

1. These terms of reference are subject to change by Cabinet as and when necessary to reflect the changing shape of the devolution and Future Council, agenda. The City Council is committed to the ongoing development of devolved community governance through a process of reviewing devolved

ways of working and considering new innovations; it is recognised that further devolution is necessary given the scale size and diversity of challenges, opportunities and varied needs across the city.

2. The Cabinet Committee will conduct a review of the existing devolved arrangements consulting and engaging with the community, other stakeholders and Members. During the period of review local areas will be supported in bringing forward and piloting new ways of working in relation to devolved arrangements; the Cabinet Committee with the Assistant Leaders will support, oversee and evaluate the new ways of working for potential wider use within the City.
3. The Cabinet will set out the detailed coverage of this review, but it will include assessing the effectiveness of all existing arrangements for local engagement and partnership working, preparations for the new ward arrangements to be introduced in 2018 and new ways of working such as parish councils.
4. The Assistant Leaders with the Cabinet Committee will play a leading role in taking forward the following council strategic priorities:
 - Local Leadership - conducting the review set out above at paragraphs 2 and 3 and reporting to Full Council and Cabinet as appropriate
 - Every Place Matters – overseeing the development of area focused policies and programmes to address inequalities between areas of the city
 - A Better deal for Neighbourhoods – the committee will work to improve services in neighbourhoods and responsiveness to local communities and individual service users and to support local initiatives to improve the environment and street scene
 - Supporting local councillors – through the devolution process
 - Fostering and applying new approaches to local leadership.

Assistant Leaders: Role Description

The Leader of the Council will set clear success criteria and outcome targets for the Assistant Leaders and the Cabinet Committee, for approval by the Cabinet and these will be monitored alongside officer work programmes to ensure the work remains on track and delivers a successful transition to future arrangements.

The strategic role of the Assistant Leaders will be to:

- Provide leadership to policy development as directed by the Leader and working in conjunction with Cabinet Members, with the aim of realising the full potential of city policies for Place – making a difference in all Birmingham neighbourhoods. This will include the strategic priorities of Local leadership, Every Place Matters (regeneration and investment outside the city centre) and A Better Deal for Neighbourhoods (improving local services)
- Drive forward the review of devolved arrangements within the city and the successful transition to the post 2018 environment as directed by the Cabinet and the Leader.

Within their area of the city Assistant Leaders will:

- Promote and support changes to the practice, culture and capabilities underpinning the role of “front line councillor”
- Shape and support local partnership working and engagement with communities and local stakeholders
- Shape neighbourhood governance and neighbourhood delivery plans working alongside District Chairs
- Ensure that arrangements are in place to move beyond the districts model whilst capturing the learning and the partnerships developed in previous years and supporting the role and contribution of all local councillors
- Ensure that local issues and innovations are reflected in strategic decision making with regard to Local Leadership, Every Place Matters and A Better Deal for Neighbourhoods.

Frequency of meetings

The Cabinet Committee Local Leadership will as far as is practicable and at the discretion of the Chair, meet monthly for the remainder of the 2016/17 municipal year.

Appendix 2:

The Evolution of Devolution

Outline Work Programme for the Cabinet Committee Local Leadership 2016-18

Background: The Evolution of Devolution

Birmingham City Council has for decades had an interest in how to engage communities and neighbourhoods in local democracy and local services, recognising the scale of the city and the inevitable remoteness of the central council. Neighbourhood Forums and Ward Committees were followed by the “Local Involvement Local Action” initiative and then by the decision to go for a more radical approach, following the recommendation of Sir Adrian Cadbury’s Democracy Commission in 2000.

After a lengthy period of policy development and consultation (including the Highbury 3 conference and the Constitutional Convention) and two years of detailed planning, the district devolution model was put in place in April 2004. The thinking behind that model was that it was essential to devolve control of services (budgets and management) to a more local level. This was only practical at the district level (and only for a limited number of services). Ward Committees were therefore retained to provide a focus for community engagement at a more local level.

Over time that system has proved unsustainable. Localised management of services and budgets was often more theoretical than real and the costs of the system became unaffordable following the cuts from 2011-12. But the Community Governance Review (started in 2014) and the Kerslake report also suggested other more positive reasons for changing direction and developing a new community leadership role at the local level.

At the same time other significant changes are taking place in the role of local government in Birmingham, around the country and internationally, such as:

- The development of a new approach to metropolitan governance, with the Combined Authorities and metro mayors
- The devolution process and devolution deals
- The ongoing challenge of the spending cuts but also the shift to local finance rather than government grants and the debate on new responsibilities that will accompany this
- Profound changes in specific service areas such as health and social care, education and housing
- The upcoming shift to an all-out elections with new ward boundaries and fewer councillors

- The emergence of urban parish councils, not least the largest town council in the country in Sutton Coldfield.

In response to this, a long term programme of change was started last year, through the cross party Community Governance Working Group, with the following phases:

1. 2015-16: Initial changes to the constitution to reduce the number of scrutiny committees, change the role of district committees from service management to neighbourhood challenge and community planning and begin to shift ward committees towards a “ward forum” approach.
2. 2016-18: Further development of new approaches to local leadership in preparation for the changes in 2018, including the changing role of wards, the future of districts and wider area working, the potential for further parish councils. This will include alignment of these changes with the emerging Future Council operating model for local services and changes at the city and city region level. This phase could include piloting of diverse approaches in local areas which could be rolled out later.
3. 2018-2022: Implementation of new ward arrangements and embedding the changes developed in the previous two years.

The future vision for local leadership

The establishment of the Cabinet Committee and the Assistant Leader posts and the initiation of this work programme for the next phase of devolution provide an opportunity to develop a genuinely radical agenda for change.

Our ambition is to put Birmingham at the vanguard of reform and new ideas on local governance and community leadership, building on the tremendous diversity and vibrancy of our civil society and its social enterprises, community and voluntary organisations and restoring the reputation for good governance that once characterised the city.

It is a vision based on the idea of dispersed leadership in which everyone in the city can aspire to make a difference. It is a vision based on a new sense of pride and purpose and the unique character of Birmingham’s public life expressed through innovation, invention and true leadership. It is a vision based on devolution from central government with new powers to act along with our West Midlands partners but also the empowerment of local communities and individuals in the city.

The Future Council programme and the 2020 Vision discussion paper which went to full council in November, as well as the direction set by the Leader of the Council provide a new context for these changes. The Cabinet is working on more complete Vision that sets out the administration’s priorities for change in the city and how the City Council will contribute to those in partnership with others. It will also focus on the future role of the council and the key areas where the council itself must change. This will steer the work of the Cabinet Committee in the area of local devolution and leadership.

The overriding theme is a shift to a **partnership-based approach**, recognising that wider outcomes for the city will only be achieved by working with others and that the role of the council will be to *lead the city but not run the city*.

In terms of governance and democracy this implies a shift from a *constitutional and internal focus*, based on *direct service delivery* (top down) to an *external and partnership focus* (bottom up and outside in). See box below.

Potential direction of change (the “big shifts”)

- The focus will shift from districts to wards and real neighbourhoods
- There will be no “one size fits all” across the city - instead local areas will develop a diversity of structures and ways of working
- The focus will shift from formal decisions made by committees and cabinet to decisions made with the community
- Integrated services and partnerships with a wider range of providers, including civil society and community groups will mean that even fewer decisions will fall within city council accountability mechanisms. We will need to learn to be accountable through partnership and influence and not control
- Such a shift will require a very different way of working for councillors – emphasising their role as democratic leaders working with other community leaders
- Over time the “centre of gravity” of governance in the city will shift from the Leader and Cabinet to the local leadership of councillors in their communities.

The proposed new smaller wards will enable individual councillors to focus on specific neighbourhoods but will preclude the previous committee approach.

A new landscape of public services is also emerging, including:

- More integrated services across the public sector
- The development of local area hubs providing single access points or gateways to services
- A focus on “whole person, whole family and whole place” and on prevention
- Greater diversity of local services including delivery and action by community and civil society groups
- Innovations that focus public resources on priority outcomes and groups, such as the proposed “Open for Learning” approach to information, advice, learning and skills and the new approach to sports and physical activity.

The principles that will guide the work of the Committee are set out overleaf.

Our Principles of Local Leadership

Based on the big shift and the context outlined above, the following principles will guide the next stage of the “evolution of devolution” and the work of the Committee:

Subsidiarity – activities should take place at the lowest possible level. Devolution should be driven from the bottom up, starting at the level of real neighbourhoods that people identify with

Partnerships – the partnership theme in the overall Future Council vision should be even stronger at the most local level

Diversity – there is no “one size fits all” solution to this – we need to allow different local areas to develop their own ways forward and to innovate and take risks from which the whole city can learn

Local leadership – we need a framework that will support stronger local leadership of all sorts, including enabling local areas to set out their priorities and plan their future (community planning) and to challenge service providers (neighbourhood challenge). Leadership should also be supported through diverse forms of local engagement, stronger community assets and open data.

Co-production – working together to identify problems, develop solutions and take action, rather than delivering standard solutions to the community. Local leadership is based on taking action with communities not on council budgets and decision making structures

Modern public services – we should develop new models of local services that are accessible and responsive to local communities and individuals, joined up and focused on the local place.

A focus on outcomes that matter

From the start, this work must be based on outcomes that matter to the people of Birmingham.

An early part of the work programme will be to set out a clear scheme of outcomes that will guide the Committee’s work. This will also be used to assess the progress with this way of working, including the effectiveness of the Assistant Leader role. Outcomes will be drawn from existing service improvement targets for local services, public priorities in terms of how they can influence and get involved in local democracy and objectives for specific policy areas within the Policy Review (see below). More details on this will be reported to an early meeting of the Committee.

The role of the Cabinet Committee and the Assistant Leaders

Both the Cabinet Committee and the Assistant Leaders will play a central, leading role in taking this agenda forward. This will divide into two areas of work: the ongoing functions of the committee and a policy review designed to take forward the next stages of the evolution of devolution, starting in 2016-18 but continuing beyond 2018.

1. The ongoing work of the Committee and the Assistant Leaders

In addition to the need to support the meetings of the Committee and ensure that communications are in place, the role description of the Assistant Leaders (Appendix 1) indicates that the following areas of ongoing work will need to be supported:

On a city wide basis: leadership and policy development in the areas identified in this document

On an area basis, within their area:

- Promoting and supporting changes to the practice, culture and capabilities underpinning the role of “front line councillor”
- Shaping and supporting local partnership working and engagement with communities and local stakeholders
- Shaping neighbourhood governance and neighbourhood delivery plans working alongside District Committee Chairs
- Ensuring that arrangements are in place to move beyond the districts model whilst capturing the learning and the partnerships developed in previous years and supporting the role and contribution of all local councillors
- Ensuring that local issues and innovations are reflected in strategic decision making with regard to Local Leadership, Every Place Matters and A Better Deal for Neighbourhoods.

2. Policy Review of local leadership and community governance

The Policy Review will be taken forward throughout the next phase and we will not put an artificial deadline on its completion. However work on specific areas of policy within the Review will be completed within the current municipal year or the year after. All significant policy proposals will be reported to Cabinet for approval.

The review will be in three parts:

1. Area working – looking at what will replace the districts model
2. A Better Deal for Neighbourhoods – looking at how we can improve local services and enable stronger community engagement
3. Every Place Matters – looking at how we can spread the benefits of devolution and economic growth to the whole city and regenerate areas of the city in need of change.

More detail is given on each of these below.

Area working

- The development of a new area geography for the city, based on the new ward boundaries and bottom up collaboration between wards.
- The potential to develop new integrated local services and early intervention focused on key outcomes within our goals of preventing family breakdown, maximising independence for adults and economic growth and jobs.
- Flexible working across ward and district boundaries on different priorities – developing a new bottom up geography for the city
- The development of new governance models such as town and parish councils and the agreement of devolution to those bodies
- The provision of new “hubs” or “gateways” to services which could link local residents into services provided at an area, city wider or even combined authority level
- Leadership development programmes and culture change – from “back bench” to “frontline” councillors
- The work of the Assistant Leaders set out above – including the areas of the city and policy specialisms they will cover and evaluating the impact and value of their work.
- The establishment of the Local Innovation Fund, including details of how it will be allocated and the criteria for spending.
- Any updated guidance to District Committees and Ward Forums as may be necessary to reflect the changes being made.

A Better Deal for Neighbourhoods

- Ward Forums – developing these as an interface between residents and local community organisations and public services and elected representatives.
- Support for neighbourhood forums and other community led bodies and their relationships with councillors
- The capacity of the voluntary and community sector and communities themselves in different parts of the city and how this can be improved
- Enhancing the “ownership” and control exercised by social housing tenants and the role of District Housing Panels and Housing Liaison Boards

- The value of models such as neighbourhood management and neighbourhood tasking and how they can be supported
- Open data and new forms of digital engagement, for example performance data on services, ward based asset registers, promotion of volunteering opportunities and time banking
- New forms of neighbourhood delivery and partnership – for example social investment, community trusts, community based housing associations or other examples developed elsewhere through the national Our Place initiative
- Enhancing influence on services across the public sector through very local Community Planning or Neighbourhood Challenge processes (perhaps linking into those for wider areas) and well established methods such as working with the Police on Neighbourhood Tasking
- “Neighbourhood Agreements”, “Charters” or “neighbourhood promise” – a compact between public service agencies and local communities on service standards and the responsibilities of services and the public
- Neighbourhood or community councils (parish councils) - there is the potential for more parish councils to be set up at a similar scale to new wards. One idea is for the City Council to do local “devolution deals” with them to localise some services. This would create a new element of very local democracy with an additional resource arising from the Council Tax precept.
- Improving the way we work at a local neighbourhood level through linking new approaches to service delivery (“operating models”) with the role of councillors in working with local residents. This means finding ways to make services more responsive and ward/neighbourhood level engagement more powerful within the design of services.

Every Place Matters

- A new policy for local centres – the creation of a Big City Plan style framework document for the city’s local centres and an implementation/action plan to take it forward
- Local Skills and Employment Plans – building on the work done in some districts over the last year and putting in place local plans for skills and employment across the city.
- Area policies for other key policy areas such as housing development and clean and green neighbourhoods.

Resources to support the Committee and the Assistant Leaders

The following resources are already in place to support this work:

1. Ongoing work of the Committee and the Assistant Leaders

- A named Corporate Leadership Team lead: Strategic Director Place, supported by another JNC officer in Place Directorate.
- The four remaining G7 “District Head” posts. These roles are evolving as we move away from the District model. They will devote a proportion of their time to supporting the work of the Assistant Leaders, dependent on the ongoing requirements to support district committee and other local activities.
- The four G5 Community Support and Development Officers – a portion of their time dependent on other local duties
- Three Governance Managers and one administrator are dedicated to supporting ward level work but this will make a contribution to the work programme set out here.
- A Committee Clerk.

2. The Policy Review officer team

A core team will support the policy development work of the committee. This will be supplemented by a range of other staff working on specific strands of the work (details to be reported to the Cabinet Committee in due course) and by the use of external expertise from partner organisations such as the universities and input from community based organisations.

- A portion of the time of a JNC officer and one of the G7 District Head posts
- A portion of the time of two Corporate Strategy Team policy officers
- Contributions from the Economy and People directorates as appropriate
- Such Corporate Support as is needed to supplement this staff, for example legal, finance and HR input

The Cabinet Committee will undertake a review of resource needs as it develops its proposals for future arrangements. The evolving approach will also be supported by the Local Innovation Fund and the Cabinet Committee will set out a detailed approach to how that money will be invested. The resources dedicated to local working will evolve over time and will be a key consideration in future budget reviews.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET	<i>Exempt information paragraph number – if private report:</i>
Report of: Date of Decision:	CHIEF EXECUTIVE 28 JUNE 2016	
SUBJECT:	2015/16 COUNCIL BUSINESS PLAN MEASURES – END OF YEAR PERFORMANCE MONITORING (APRIL 2015 TO MARCH 2016) & 2016/17 COUNCIL BUSINESS PLAN TARGETS	
Key Decision: Yes / No	Yes	
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>	
Relevant Cabinet Member(s):	Deputy Leader /ALL	
Relevant O&S Chairman:	ALL	
Wards affected:	ALL	

1. Purpose of report:
<p>To:</p> <p>1.1 Provide a summary of our end-of-year performance against our Council Business Plan targets for the period April 2015 to March 2016.</p> <p>1.2 Approve the targets for the 2016/17 Council Business Plan measures.</p> <p>1.3 Remind Cabinet of the Birmingham Promise measures for 2016/17.</p>

2. Decision(s) recommended:
<p>That Cabinet:</p> <p>2.1 Notes the end of year results for the 2015/16 Council Business Plan measures – Appendix 1.</p> <p>2.2 Approves the targets for the 2016/17 Council Business Plan measures - Appendix 2.</p> <p>2.3 Notes the Birmingham Promise measures provided in Appendix 3.</p>

Lead Contact Officer(s):	Angela Probert	Lourell Harris
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3. Consultation
<p>3.1 <u>Internal</u></p> <p>Cabinet Members, Strategic Directors and directorate staff have been involved in discussions around the performance against the targets of the Council Business Plan and Birmingham Promise measures contained in this report. Otherwise this paper is a factual report on progress and therefore, no other consultation has been required.</p> <p>3.2 <u>External</u></p> <p>No external consultation required.</p>
4. Compliance Issues:
<p>4.1 <u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u></p> <p>Yes - this report shows whether our 2015/16 Council Business Plan targets for our strategic and operational outcomes and policy priorities have been achieved.</p> <p>4.2 <u>Financial Implications.</u></p> <p>The Council Business Plan forms a key part of the budgeting and service planning process for the City Council that takes account of existing finances and resources and sets out the key strategic and operational outcomes that the City Council wish to achieve. Any decisions highlighted will be carried out within existing finances and resources unless otherwise stated.</p> <p>4.3 <u>Legal Implications</u></p> <p>Not applicable.</p> <p>4.4 <u>Public Sector Equality Duty. (see separate guidance note)</u></p> <p>The Council Business Plan (CBP) Measures, and Birmingham Promises, are designed to ensure significant improvement in service quality and outcomes for the people of Birmingham – some have a particular focus on disadvantaged groups. Non-achievement may have a negative impact on external assessments of the City Council and could put relevant funding opportunities at risk.</p>

5. Relevant background/chronology of key events:

5.1 Performance against our 2015/16 Council Business Plan and Birmingham Promise Targets

The Council Business Plan measures and targets for 2015/16 reflected the key performance indicators for the City Council. Progress was monitored against these indicators throughout the year to establish our success in meeting our agreed outcomes (including our own organisational improvement).

Continuing from the previous year, our focus in 2015/16 has been on the most problematic areas requiring significant improvement. A number of the measures were new and had no previous comparative information against which we could measure improvement and for these the focus was on ensuring improvement from a baseline position at the start of the year.

In addition, we introduced the Birmingham Promises and reported progress against these every three months.

This report sets out our progress in meeting our targets for both our Council Business Plan measures for the period April 2015 to March 2016 and the Birmingham Promises as at March 2016.

5.2 Birmingham Promises

Throughout the year, we monitored performance against 15 Birmingham Promises, how well they had progressed compared to the previous quarter's result, and the percentage achieving over 97% (our baseline performance deemed as performing well). **At the end of March 2016, 12 (80%) performed well (achieving 97% or above) with 6 (50%) of these achieving 100% (these are listed below):**

- The council making decisions on housing benefit or council tax support claims within 10 days of receiving them;
- The council attending to trees considered to be dangerous by our qualified Tree Officer, within 2 hours;
- Carrying out temporary repairs to potholes or other defects within 24 hours;
- Considering school admission appeals, following the offer of a year 7 and reception class place, by an independent appeal panel within 40 school days of the deadline for submitting the appeal.
- Offering the nearest available school, within 10 school days, for those children identified as being without a school place.
- Considering all in-year appeals within 30 school days of the appeal being received.

Compared to the previous quarter (October to December 2015), 11 (73%) either maintained or improved performance.

5.3 Council Business Plan Measures

The Council Business Plan 2015+ set out the council's strategic outcomes, priorities and key actions to be achieved in the short, medium and long-term. Our Council Business Plan measures for 2015/16 included the key targets for measuring success against these

outcomes.

Results (including provisional results) are reported for 29 of the 30 Council Business Plan measures but the result for the Family Common Assessment Framework (fCAF) measure cannot be produced due to unresolved system issues.

At this point in the year no tolerances are allowed around the targets and we do not include those close to target as being on track, as we do in the in-year monitoring reports. Therefore results are based on the target being either achieved or not met.

For the 29 Council Business Plan measures where a result has been produced, there has been a significant increase in achieved results compared to the previous year with **48% (14) meeting their end of year target** - a 14 percentage point improvement on the end of year result achieved in 2014/15 (34%).

For 28 of the 29 measures we are able to provide a direction of travel against the previous year, or earliest result reported this year for new measures. Analysis of our direction of travel for the 28 measures with a comparable result show that:

- 14 (50%) have improved,
- 12 (43%) had a downward trend, and
- 2 (7%) stayed the same.

This performance is also shown in Fig 1 below:

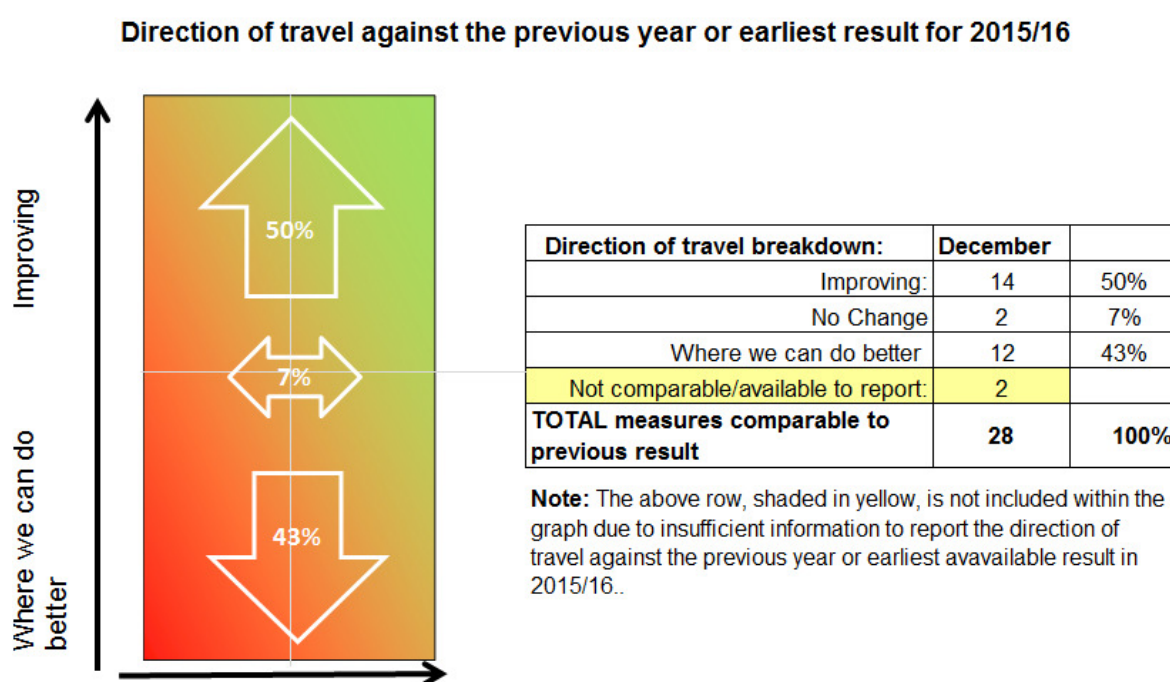


Fig 1

Against our strategic outcomes the performance position is summarised in Fig 2 below:

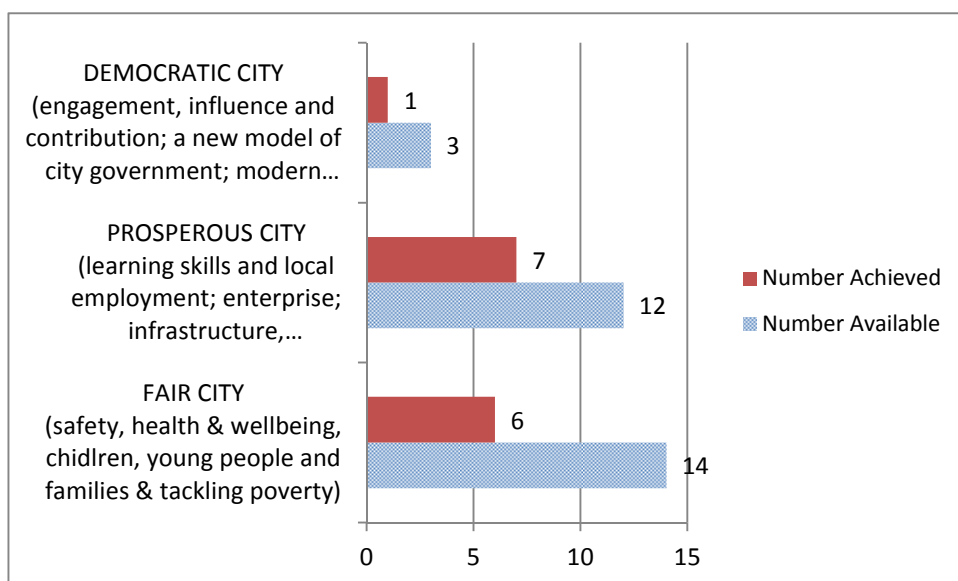


Fig 2

5.4 Council Business Plan Successes:

Economy Directorate

- Working in partnership with registered providers and private developers, latest results show that **561 'new affordable homes'** were built in 2015/16, and whilst not the final figure, we are ahead of our end of year target by 37 properties. Final results will be made available from the Homes and Communities Agency, and, Communities and Local Government agencies by 31st August 2016.
- **4,005 jobs were created** through Innovation and Enterprise activities 814 jobs more than our target for the year. In addition, we exceeded our target for **the number of young people helped into work through employment support activity** where 2,166 young people were helped, 1,042 through the Birmingham Jobs Fund Initiative, 466 from Destination work, 629 from 'Project 20,000' and 29 via the Youth Promise Devolved Youth Fund.

Directorate for People

- The **percentage of completed adult safeguarding cases that were audited and judged good** were aided by the adult safeguarding officers and social work teams working to understand and learn from poor audit outcomes. At 87%, this is a significant improvement on the 70.6% achieved in March 2015.
- Continued and consistent improvement throughout 2015/16, whilst the new provider bedded in, has ensured that the **'percentage of drug users who were in full time employment for 10 working days following treatment, or upon discharge of treatment'** has, at 33.6%, surpassed the 30% target.
- We exceeded our Adult Social Care Outcome Framework (ASCOF) target for **Delayed**

transfers of care from hospital and at 16.9 days, our successful partnership working with University Hospital in addressing issues has helped to improve performance by 3.3 days when compared to last year. Whilst a success against our own target, there is still more work for us to do to bring our performance in line with other West Midland authorities.

- The **percentage of 16 to 19 year olds who were not in Education, Employment or Training (NEET)** at 5% (the target is 7%), whilst slightly below the national average, is better than the Core Cities average of 5.9%, and has improved by 2% percentage points compared to last year.

Place Directorate

- **333 private sector properties have been brought back into use** since the start of 2015/16 exceeding our target of 300 properties.
- The **percentage of land and highways with unacceptable levels of graffiti** is down to 4.57%, better than our target of 7.00% and due to effective partnership working with Amey and the Parks service.
- Our end of year result of 7.10% for the percentage of **municipal waste sent to landfill** shows that we performed well against our target of 7.5% due to effective joint working with Veolia even with the difficulties experienced in the earlier part of the year where the energy from waste plant suffered a longer than usual shutdown whilst issues with the generator were resolved.

5.5 Other notable achievements:

Throughout the year, we have regularly reported on other significant achievements and events as part of the regular monitoring reports. The following list other notable successes during this last quarter:

- At the European property exhibition known as MIPIM, there was strong collaboration between the private and public sectors across the local authority / local enterprise partnerships and across Greater Birmingham. Attended by investors and real estate decision makers from around the world and the city to attract further investment in order to secure long term growth, this year's events programme was the Greater Birmingham's biggest to date and showcased development schemes from across the region.
- **Birmingham Curzon** and in particular, the future growth of the city not only in terms of connectivity from HS2 but also in its potential to radically transform the Eastside part of the city centre, providing around 4,000 new homes and 600,000 square metres of commercial, leisure and retail floor space.
- **Launch of the Birmingham Smithfield Master Plan** – which sets out how we intend to deliver our vision of Smithfield becoming a unique and vibrant place for people to meet, live and shop. This gives an opportunity to create a brand new place in the heart of the city. Our plans will see over 300,000 square metres of new floor space created, 2,000 new homes built and a series of new squares, parks and gardens. It will also prove to be a major boost to our economy bringing a further £500m of investment, 3,000 jobs and millions more visitors.

- M&G Investment are to fund the construction of number **Three Snowhill**. The £200m scheme will bring 40,000 square metres of new high quality office space to the city and is set to be the largest city centre office development scheme ever built outside London.
- The '**Unlocking Housing Site Programme**', a £9m housing fund, has been launched by the Greater Birmingham and Solihull Local Enterprise Partnership.
- A £50 million **Youth Employment Initiative** has been approved by Government. 16,000 young people will be helped into employment over the next 3 years.
- **Go Ahead for HS2 College** – plans have been agreed for the £22 million National College for High Speed Rail which will provide specialist engineering and construction training from a purpose built facility to be built at Birmingham Science Park Aston.
- We have successfully bid for and received £110,000 from the Government to enhance our work in tackling '**Rogue Landlords**'.
- The nationally renowned **Illegal Money Lending Team and Scambusters** are continuing the success of previous years.
- Our Waste Enforcement activity has resulted in 5,882 Fixed Penalty Notices being issued for Littering offences, 602 prosecutions resulting in Fines of £108,179, and costs recovered of £96,742 (£107,061 requested). Flytipping enforcement saw 36 cases finalised resulting in fines of £36,785 and costs awarded of £18,495 (£25,378 requested) - additionally two persistent fly tippers have been imprisoned for a total of 17 months.
- **Benefits:** Our Benefits Advice take-up team has successfully maximised income to vulnerable citizens in Birmingham by gaining an additional £3m of welfare benefits.

5.6 Council Business Plan Measures – where we need to do better

Council wide:

- **Sickness absence** was 10.64 days against a target of 9.25 days, due largely to poorer performance in the period May to July 2015. Proactive interventions reduced the sickness trend but not enough to bring us back up to that achieved in March 2015. Our Human Resources Business Partners continue to carry out more detailed analysis across all directorates, to identify trends/areas of most concern, and work with directorates to put actions in place to address these. During this financial year we have also compared our performance in relation to the percentage of employees who were employed at the start and end of a 12 month period who did not take any sickness leave, against other Core Cities' performance. During the first year of this exercise, Birmingham's average performance of 45.65% has proved above average, as most other Core City authorities, (where quarterly results were available) had an average result of 41% or below. Further work with the Core Cities will continue into 2016/17 to explore and share best practice.
- **Percentage channel shifts** for our key four services; Benefits, Council Tax, Housing and Waste Management we achieved 21% against a target of 25% - this is 4 percentage points better than performance at the start of the financial year (April 2015). Both Waste Management and Housing Repairs achieved their targets whereas Revenues and Benefits

whilst achieving their targets for the first half of the year, saw declining performance in the latter half affected by initiatives not going live as planned including E Revenues, (now part of the online forms project); On-line solutions for students, (now planned for 2016/17); Issues with the benefits change of circumstances form and the monthly landlords report. In addition to the introduction of on-line solutions for students, other improvements being introduced to help reduce demand and increase online transactions during 2016/17 include a risk-based verification process; the introduction of a new Benefits Claim form, simplifying letters and wider promotion of online services.

People Directorate

- Despite good performance throughout the first three quarters of the year, the last quarter's performance for **'the percentage of care home providers rated as moderate or good using the provider quality framework'** has brought the year end position down to 91.4% (862 out of 943 returned self-assessment questionnaires (SAQ) in 2015/16, just below target of 92%. January to March 2016 recorded the highest proportion of bed based providers engaging in the SAQ process with the number of non-returns reducing to 43%. In addition, 11 of the previously unrated providers were scored as inadequate bringing the final quarter's performance down. Whilst below target, the outturn result is an improvement on the 88% achieved in the previous year.
- **Homelessness prevented or relieved** where the end of year result of 7,843 is below target by 1,657. The council and funded Third Sector providers saw a significant decrease in the number of homeless preventions during 2015/16 due to the difficulty of securing private sector accommodation, demand for social housing in the city, and an increase in the number of homeless applications in their communities.
- **Younger people reprovisioning** where 21 clients have been moved into community settings against a target of 80. However, there have been changes to 264 community and residential packages realising a saving of £575,937. In future, this measure will be changed to put more of a focus on our commitment to help people stay independent and be able to live in the community.
- **Unallocated single assessments open for more than 7 days.** Whilst our aim is not to have any unallocated assessments at the end of the year, we had 8 located within the North West and Central district of the City. Team managers are targeting interventions in these areas to bring up performance in this area. Whilst not reaching the 'zero' target, it is a significant improvement on the 49 unallocated assessments at the beginning of the year and there are now no significant delays in allocating work.
- **Percentage of Care Leavers (aged, 19, 20 and 21) in Education, Employment and Training** achieved 54% against a target of 60%. The national definition of care leavers changed in December which increased the cohort and made them more difficult to track. Compared to April 2015, performance has improved by 9%.
- **Recruiting adopters** took an average of 43 weeks against our target of 26 weeks. In addition, the **average length of time from admission to care to adoption** took an average of 651 days against our target of 547 days. Both of the adoption indicators, as reported in previous reports, will take some time for improvements to be reflected in the performance results. The increased focus on recruiting adopters and on family finding, plus the new programme to speed up the matching of children on placement orders with

adopters, is underway.

- Performance against the **percentage of new Education, Health and Care plans issued within 20 weeks** improved during the course of the year and whilst our end of year result of 71% is below our 100% target, it is 28 percentage points better than when we first started reporting performance in February 2016 – other areas within SEND remain off track at this time. This is an area that the Cabinet Member will be prioritising focus and attention over the coming months and will shortly be leading a cross-party working group to focus attention on improving performance and processes.
- **Children subject to a child protection plan for a second or subsequent time.** Performance of 20% remains outside our range for this measure of 13-18% and at the same level as that achieved in March 2015. We are refining a more child-focused, strengths-based approach to case conferences where family and professionals agree to a child being in need rather than a child needing a protection plan, is the better way forward.
- The latest available result for the **outcome of school inspections** show that at 78%, we missed our target by 2 percentage points. Results for this measure are reported in arrears and final data, which will be made available via Ofsted, will not be available until mid-September 2016.

Place Directorate

- **Residual Household Waste** – the end of year result is 81.25kg over our 600kg target. To address this we are adopting an Education, Engagement and Enforcement approach going forward. Actions are planned or in place to educate encourage and guide residents to reduce the amount of residual waste that they are producing. In addition, our enforcement action continues to tackle some of the worst commercial offenders in relation excess packaging and retailers without waste disposal contracts for their commercial waste; plans are being developed to restrict access to the City's household recycling centres to Birmingham residents only and ensuring that traders do pay for their waste disposal, and work is being done to help prevent Trade/Commercial waste from entering the domestic waste stream. Waste prevention is key to achieving this target and this will be through citizen and trader engagement and education and where this is unsuccessful enforcement action will follow.
- **Household waste reused, recycled and composted** - the target of 35% has been missed by 8.48%. A number of factors impacted this result including: the fact that rather than pay for a green waste service, some residents may have chosen to home compost instead, and this is not measurable; a small increase in residual waste - this will be addressed in 2016/17 with a major communications plan as part of the City Council's Reduce, Reuse, Recycle strategy underpinned through our Education, Engagement and Enforcement approach. Other actions to help improve performance include working with partner Charities to agree a scheme to provide recycling and reuse points for residents.
- **Litter** – survey results show that 7.33% of land and highways have an unacceptable level of litter. Although an improvement on the first result reported this year (7.57%) we have failed to meet our end of year target (5%) by 2.33%. This is a consolidated position across the city. It is anticipated that the refocused citizen and trader education, engagement and enforcement (5,882 fixed penalty notices and 306 prosecutions for Littering in 2015/16) will assist us in meeting this target going forward. Also, the Ward Cleaner Streets Plan will

inform prioritisation for hot spot areas for littering in the city.

Appendix 1 provides the full list of outturn results for the 2015/16 Council Business Plan measures with explanatory commentary of issues impacting performance, and actions in place which aim to bring performance back on track.

5.7 **2016/17 Council Business Plan Measure Targets and Birmingham Promises**

The set of Council Business Plan measures for tracking progress against our priorities for 2016/17 was presented to, and approved by, Cabinet in March 2016. That meeting resolved that confirmation of the targets be brought back to today's meeting for ratification.

The Council Business Plan targets for 2016/17 have gone through a rigorous target setting and challenge process, including where possible, consideration of their outturn results for 2015/16 plus available resources to enable delivery in 2016/17. Where resources and service levels have reduced, some targets may have been changed to reflect that whilst still remaining challenging. In addition, during the year some targets have been aligned to seasonal and other anticipated variations to allow us to monitor step progress towards achieving the overall year-end target.

Cabinet is asked to approve the targets for the measures listed in Appendix 2 and to note that as the council continues to move through its Future Council programme of redefining priorities and service provision, it may be necessary to make further changes to the measures.

Cabinet is reminded that throughout 2016/17, we will also be tracking progress in meeting our Birmingham Promises – these are provided in the attached Appendix 3.

6. **Evaluation of alternative option(s):**

This report provides progress against the measures in place to achieve the Council's strategic outcomes. If this report was not provided, Cabinet, in its entirety, would not have an overview of progress against the key Council Business Plan measures, or actions being taken to bring performance back on track. No alternative options are available.

7. **Reasons for Decision(s):**

To advise Cabinet of progress against outcomes for 2015/16 and to seek approval to the targets for the 2016/17 Council Business Plan measures.

Signatures	<u>Date</u>
Cabinet Member:
Chief Officer:

List of Background Documents used to compile this Report:
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- | |
|---|
| <ul style="list-style-type: none">• 2015/16 Council Business Plan Measures – April to June 2015 Performance Monitoring;• 2015/16 Council Business Plan Measures – April to September 2015 Performance Monitoring;• 2015/16 Council Business Plan Measures – April to December 2015 Performance Monitoring.• 2014/16 End of Year Performance April 2014 to March 2015 Performance |
|---|

List of Appendices accompanying this Report (if any):
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- | |
|---|
| <ol style="list-style-type: none">1. Appendix 1 – 2015/16 Council Business Plan Measures Outturn Results2. Appendix 2 – 2016/17 Council Business Plan Measures Targets3. Appendix 3 – 2016/17 Birmingham Promises |
|---|

Report Version		Dated	
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PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - The equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality 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.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) Promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

KEY PRIORITY – FAIR

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	Month 12 - March Performance Status	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Economy	Inclusion and Community Safety	Number of casualties killed/seriously injured in road traffic accidents	Smaller is better	271 Provisional	394	✓	✓	➔	<p>PROVISIONAL RESULT - Based on the latest available information (March 29th), there were 24 recorded KSI casualties in road traffic collisions in Birmingham during the period October to December 2015; of which 4 were fatal and 20 were seriously injured (we estimate that this data is approximately 20 – 30% complete). The final data will be verified and signed off annually (by June 2016) by the Department for Transport.</p> <p>The Government has set no road safety targets. However Birmingham uses a measurement which is to reduce annual Killed and Seriously Injured (KSI) casualties by 17.3% between the baseline of 2005-2009 [476] average to the average of 2011-2015 (394). This means that the average number of casualties for 2011 – 2015 should be no more than 394 per year with the intention of keeping it at that level thereafter.</p> <p>Our Road Safety Strategy includes a range of programmes and interventions to be delivered which should aim to help reduce the number of collisions on Birmingham roads. These include programmes such as 20mph speed limit project, Pedestrian training for primary and secondary schools, working with communities to raise road safety awareness and developing speed management protocol with WMP and other local authorities.</p>
People	Health & Social Care	Percentage of completed Adult safeguarding cases audited judged 'good' - to ensure quality of safeguarding practice.	Bigger is better	87.0%	85.0%	✓	✓	➔	An average of 52 out of 60 Safeguarding Audits (87.0%) were judged as Good. Although this is slightly below the previous quarter, it is still exceeding the target of 85% and a significant improvement on the 2014-15 figure of 70.6%. The Safeguarding Officers and Social Work Teams continue to work to understand and learn from any poor audit outcomes.
People	Health & Social Care	Percentage of drug users who are in full time employment for 10 working days following treatment, or upon discharge of treatment.	Bigger is better	33.6%	30%	★	✓	➔	We have delivered the performance measure for the proportion of drug users in full time employment for 10 working days following treatment. The year-end outturn was 33.6%, against a profile target of 30%. This is an improvement on the previous quarter of 30.7% maintaining the KPI achievement.

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
People	Health & Social Care	Percentage of care home providers rated as moderate or good using the provider quality framework	Smaller is better	91.4%	92%	X	↗	<p>Despite good performance throughout the first three quarters of the year , the last quarter's performance has brought the year end position down to 91.4% (862 out of 943 returned Self Assessment Questionnaires (SAQs) in 2015/16 rated as Good or Requires Improvement), just below target of 92%.</p> <p>The final Quarter of 2015/16 recorded the highest proportion of bed based providers engaging in the SAQ process with the number of non returns reducing to 43% due to ongoing Commissioning targeting of poor providers and those not returning an SAQ. However, for bed based 11 of the previously unrated providers were scored as inadequate bringing the final quarters performance down. The year-end position is an improvement on the previous year when 88% of care home providers with 3 or more Birmingham funded clients were rated Good or Requires Improvement.</p>
People	Health & Social Care	Increase in the number of cases where homelessness is prevented or relieved	Bigger is better	7,843	9,500	X	↘	<p>The council and funded 3rd sector providers have seen a significant decrease in the number of homeless preventions during 15/16. This is for a number of reasons including the difficulty of securing private sector accommodation and the demand for social housing in the city. The decrease in preventions has occurred at the same time as there has been an increase in the number of homeless applications taken in the city.</p>
People	Health & Social Care	Moving younger adults from residential care into community settings	Bigger is better	21	80	X	↘	<p>Younger Adults Reprovisioning has moved 21 clients from Residential to Community services so far this year. We are currently showing changes to 264 Community and Residential packages, and the combined savings for these and the moves from Residential services totals £575,937. Going forward we will look at the proportion of clients who live in the community as one of our Council Business Plan measures, as well as reporting on supported admissions to residential care. We are expecting to see increasing proportions of community clients through the year and future reports will look at the proportion of clients in the community, to show the impact of the offer and our continuing commitment to keep people independent in the community.</p>

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
People	Health & Social Care	Delayed transfers of care from hospital per 100,000 population	Smaller is better	16.9	18.4	✓	↗	On any given day between April and March, an average of 140 Birmingham clients aged 18+ were still in hospital after their discharge date (16.9 per 100,000, below the target of 18.4). As noted in the last report, there had been an increase in the weekly delays, due to increased delays in the hospitals. Additional staff were recruited to address this, and as a result the numbers have decreased significantly. Despite these issues, only 9.8 per 100,000 Adults clients had delays attributable to Adults and Communities – below the target of 11.3. As previously noted, this performance is due to good work with senior managers at University Hospital, developing an enhanced assessment hub and bed bureau with Enhanced Assessment Bed (EAB) discharge coordinators in each acute trust, validating data with the mental health trust and ensuring that most full assessments now take place outside of the hospital setting. Please note that while we have improved through the year, and achieved our Adult Social Care Outcome Framework (ASCOF) targets, we are still underperforming compared to other West Midlands authorities.
People	Children's Services	Number of Children in Care	Smaller is better	1,807	1,850	✓	↗	The number of children in care is slowly decreasing in line with our intentions set out in the early help and children social care improvement plan. We are developing "edge of care" services (short term intensive support help for young people who are experiencing conflict with their parents). Over 21% of children in care are aged 16 and 17.
People	Children's Services	Unallocated single assessments open for more than 7 days	Smaller is better	8	0	X	↗	We have now developed family assessments and we are counting unallocated assessments per family rather than counting per individual child. Our aim is to get to no unallocated assessments. However the current position is significantly better than last year and there are no significant delays in allocating work
People	Children's Services	Referrals that are re-referrals within 12 months	Within range	24%	18 - 25%	✓	↘	Performance improved by 1% to 24% and is now within the preferred target range of 18-25% and closer to the national average for this measure of 23%.

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/ Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
People	Children's Services	Recruitment of adopters - time from initial enquiry to adopter approval at panel	Smaller is better	43 Weeks	26 Weeks	X	↘	The adoption service is being overhauled with an increased focus on recruiting adopters and on family finding. The performance indicator is over a long period so it will take some time to see these changes reflected in the performance number reported as the older cases work their way through the system. The assessment teams have been increased to create more capacity within the service to avoid delays in allocation of assessments. The recruitment team will be working closely with the assessment and family finding teams to create a seamless service. Timescales for recruitment responses are in place so that there is no delay at the point of enquiry, initial visit and transfer to assessment.
People	Children's Services	Average length of time from admission to care to being placed for adoption (1 year rolling average)	Smaller is better	651	547	X	↘	A new programme to speed up the matching of children on placement orders with adopters is underway. This is a long term indicator and not a good measure of current performance. We are increasing the number of adoption placements made, which is a better indicator of current performance. There were 120 children placed in 2014-15 and 140 children placed in 2015-16. By the end of December in 2015-16 there were 55 from a total of 120 children placed who would fit within the category hard to place e.g. age, sibling groups and/or from ethnic minority groups.
People	Children's Services	Special Education Need (SEN) - Percentage of Education, Health and Care Plans issued within 20 weeks (excluding permitted exceptions)	Bigger is better	71%	100%	X	↗	For the ninth consecutive month there was a slight increase in the proportion of new Education Health and Care Assessment (EHC) plans completed by the deadlines (71% up from 68% in February). The implementation of the improvement plan continues and is now embedded in the new Education Improvement Plan and SENAR service plan. The will be monitored through service performance boards throughout 2016/17
People	Children's Services	Children becoming the subject of a child protection plan for a second or subsequent time	Within range	20%	13 - 18%	X	↔	The rate per 10,000 children who are the subject of a child protection plan increased significantly since January 2014, but has now fallen as we refine our more child-focused strengths-based approach to case conferences. This puts parents and children at the centre. We are increasing the number of conferences where family and professionals agree that a child in need plan, rather than a child protection plan, is the way forward.

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS


KEY PRIORITY – PROSPEROUS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Economy	Development, Transport & the Economy	Number of homes built that were 'Affordable' Homes	Bigger is better	561	524	✓	Not Comparable	The Affordable Homes target for 2015/16 was 524 and the latest available result is that 561 new homes have been completed. These new homes have been delivered by Birmingham City Council, Registered Providers and Private Developers across a range of various "bed" properties providing much needed, high quality affordable homes. We will receive final figures for 2015/16 by August once information is made available from the Homes and Communities Agency and Communities & Local Government.
Economy	Development, Transport & the Economy	Jobs created as a result of public sector interventions	Bigger is better	4,005	3,191	✓	↘	The measure has exceeded its target for the year, mainly due to more jobs than expected being created through the Innovation and Enterprise activities (Business Innovation and Business Development programme) and other programmes including Birmingham Energy Savers and Finance Birmingham.
Economy	Development, Transport & the Economy	Number of young people helped into work through Employment Support Activity	Bigger is better	2,166	2,100	✓	↗	Overall cumulative performance at Quarter 4 is 2,166 young people helped into employment (against a target of 2,100). This comprises 1,042 from the Birmingham Jobs Fund Initiative; 466 from Destination work; 629 from Project 20,000; and 29 from the Youth Promise - Devolved Youth Fund. The Devolved Youth Fund; and Destination Work projects are increasing delivery following the under-performance reported at quarter 3, and outputs will continue to be achieved in 2016/17. The success of the Pop up Shop (for Grand Central job opportunities), delivered as part of Project 20,000, has mitigated the under-performance of these projects, with overall achievement of the KPI target at 103%. Final performance against the KPI will be reported in May when outstanding March information is received (although the majority of information has now been received).

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
People	Skills, Learning & Culture	Percentage of Year 12 to 14 pupils (16-19 year olds) not in education, employment or training (NEET)	Smaller is better	5%	7%	✓	↗	This target has been met. The 3 month average performance for 2015/16 (Nov to Jan) was 5.2%. Performance was slightly worse than national average (4.2%) but better than the core city average (5.9%). Birmingham does have a significant proportion of people whose status is "Not Known" (16.9% against 8.4% nationally) although this did reduce compared to 2014/15.
People	Skills, Learning & Culture	Care leavers who are in Education, Employment or Training (at age 19, 20 and 21)	Bigger is better	54%	60%	X	↗	<p>We currently have over 70 care leavers at University currently (in Years 1-4), this number equates to 10% of our total care leaver cohort, and compares favourably to the national figure of 6%, according to the National Audit Office Report.</p> <p>We are developing our partnerships with Birmingham Talent Match, Princes Trust/ Fairbridge, University Hospital Birmingham Learning Hub, to support care leavers into work experience, traineeships and paid work. We also have 4 serving HM Forces personnel among our cohort, and several care leavers are working for the Council as a result of recruitment initiatives.</p> <p>In order to support care leavers into secure and sustain educational, employment and training opportunities, more coordination and direct support is required to individual care leavers. An additional 6 Personal advisors as well as two dedicated 'EET' officers are to be recruited. Additionally the City has secured £10 million of European funding to support young people in the City and it is hoped that a proportion of this will be utilised to support the City's care leavers. We are working closely with colleagues from the commissioning centre of excellence in developing a new accommodation and support pathway for care leavers. The outcome of this will be better quality accommodation and wrap around support for those young people in care moving to independence, our care leavers and those who come to Birmingham as young unaccompanied asylum seekers.</p>
People	Children's Services	Outcome of maintained school inspections - percentage of Ofsted reports issued in the period rated good or better	Bigger is better	78%	80%	X	↗	The latest available result for the period ending September 2015 was 78% missing our target by 2%. Ofsted have advised that final data for March 2016 and provisional data for June 2016 will be available mid September 2016.

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Place	Sustainability	Reduce residual household waste	Smaller is better	681.25kg	600.00kg	X		<p>The actual end of year result of 681.25 kg means that we have failed to meet this target. The profiled end of year target is 600 kg. Performance continues to be going in the wrong direction for this very important indicator. A comprehensive communications strategy will pick up the behaviour changes required to address this and the poor recycling performance.</p> <p>The following actions are also progressing to improve this measure:</p> <ul style="list-style-type: none"> • We continue to educate, encourage and guide residents to reduce the residual household waste they are generating. A residents' engagement exercise has taken place as part of the roll out of the wheelie bins – we have visited some 90,000 residents across the City so far. • There has been an increase in waste products nationally such as packaging. The Trading Standards service is taking action to target some of the worst commercial offenders in the region, action to date includes : <ol style="list-style-type: none"> 1) a mail out letter to businesses which has been approved 2) proposed blog has been agreed and is in development. • Plans are in development to restrict access to the City's 5 HRCs to Birmingham City residents only. Measures are also being developed to prevent Trade/Commercial waste from entering the domestic waste stream. • A one-off Ward based waste composition analysis is being undertaken to provide an understanding of the make-up of the waste in different wards. This will help steer the waste disposal strategy and will provide crucial information for targeted communications about reducing waste and increasing reuse and recycling. • Action continues to support the garden waste service – talking to residents about their options for disposal of garden waste. An effective policy to support home composting can make a contribution to reducing residual waste.

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Place	Sustainability	Household waste which is reused, recycled and composted	Bigger is better	26.52%	35.00%	X	↓	<p>The actual end year result of 26.52% means that we failed to meet this target (35%). Performance is disappointingly low and there are a number of factors that will have contributed to this. Charging for garden waste has reduced the amount of compostable waste that the service collects as some residents will now prefer to home compost. There has also been a small increase in residual waste from those areas where wheelie bins were first introduced. This will need to be addressed as part of the upcoming major communications plan. It will be part of the City Council's Reduce, Reuse, Recycle strategy and it will be targeting improvement in all streams that contribute to this indicator. We will be targeting a big change in public behaviour supported by an improving and more reliable collection service. In addition to this there are some other plans on the horizon which will influence performance.</p> <p>The Government are currently considering whether bottom ash could be counted towards recycling performance. If approved, this would have a beneficial effect on this performance indicator</p> <p>The following actions are also progressing to help improve this measure:</p> <ul style="list-style-type: none"> • The Reuse Centre at Norris Way continues to provide an invaluable social enterprise facility. Although this makes up only a small part of the overall waste stream, with reuse appearing higher up in the waste hierarchy this is a positive step and a priority for the Future Waste Strategy. • As part of the Future Waste Strategy Programme a number of ideas are being progressed around the "Reuse and Recycle" agenda. Consultation with several social enterprise organisations has taken place. • A scheme is being progressed to increase recycling through agreements with partner Charities. Legitimate Charity partners will provide recycling points for residents, with the recycling counted towards the domestic recycling measure.

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Place	Sustainability	Municipal waste sent to landfill	Smaller is better	7.10%	7.50%	✓	↘	<p>The actual end of year result of 7.10% means that we performed better than target. The end of year target is 7.50%.</p> <p>The target for this indicator is profiled to take into account the scheduled closedown of the Energy from Waste (EFW) Plant which now takes place in the early part of the year. During this year's planned shutdown extra scheduled checks were carried out, resulting in a longer than usual shutdown. A number of further faults were identified in the generator plant that resulted in further unplanned shutdowns.</p> <p>Veolia were required to ensure that the EFW plant, including its generator, were fit for purpose and were therefore obliged to resolve any problems as quickly as possible. The problems encountered with the generator, and the resulting additional landfill costs incurred, were the contractual responsibility of Veolia and not Birmingham City Council. A successful resolution of this issue has now been secured.</p> <p>Since November 2015 there has been no further waste going to landfill apart from the usual small amount of rejected ash. The result of 7.10% is a significant achievement considering the difficulties that the service had to address in 2015/16.</p>
Place	Sustainability	The percentage of land and highways with unacceptable levels of Litter.	Smaller is better	7.33%	5.00%	X	↘	<p>The end of year result combining all the three tranches of inspections is 7.33% this means that we failed to meet the target although it is an improvement on the tranche one figure of 7.57%. The target for this measure is that no more than 5.00% of the land and highways surveyed is to have unacceptable levels of litter.</p> <p>We are identifying particular areas of concern and are working with Parks, Housing, Amey, Highways, Regulation and Enforcement to use a more targeted approach to address them.</p> <p>The majority of the areas found to be unsatisfactory as a result of littering has been identified as being from the domestic stream.</p>

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Place	Sustainability	The percentage of land and highways with unacceptable levels of Graffiti.	Smaller is better	4.57%	7.00%	✓	↗	<p>The end of year result combining all the three tranches of inspections is 4.57% this means that we have performed better than target. The target for this measure is that no more than 7.00% of the land and highways surveyed should have unacceptable levels of graffiti.</p> <p>Partnership working with Amey and Parks is proving effective here. Graffiti removal is being co-ordinated and jobs identified by staff are being passed for action to the relevant teams.</p>
Place	Deputy Leader	Private sector empty properties brought back into use.	Bigger is better	333	300	✓	↘	<p>333 private sector empty properties were brought back into use, since the start of 2015/16. The end of year target of 300 was met, despite officers also working on a rogue landlords programme and continuing to undertake enforcement work continues.</p>

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

KEY PRIORITY – DEMOCRATIC

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Council-wide	Deputy Leader	Average sick days per full-time equivalent employee (excluding schools staff)	Smaller is better	10.64	9.25	X	↘	<p>Whilst it is normal for absences to rise during the winter months, the year-to-date figure of 10.64 days is 0.18 days worse than last year. However, this was due to poor performance in three of the first four months (May to July) of this year. In July 2015, trends suggested that without proactive intervention, by the year-end, absence could be around 11.6 days (i.e. an entire day worse than last year).</p> <p>Since the August interventions to increase manager's focus on monitoring absences (see below), performance for September to December 2015 improved to similar rates to those achieved last year. In 2016, performance has been a little more variable, but broadly in line with last year.</p> <p>Only Economy Directorate performed better than target, based on year-to-date values. But, People Directorate, with the highest absence rate of 11.95 days per full-time equivalent member of staff is roughly an eighth of a day better than last year, and, conversely the Place Directorate absence rate is roughly a quarter of a day worse. In Place Directorate the cause of the worsening absence rate appears to be physical illness, rather than stress, anxiety or depression, and there is no obvious explanation in terms of rates of return to work. So, Human Resources (HR) Business Partners are conducting more detailed analysis across directorates to identify trends and areas where the performance is the most concerning.</p> <p>Significant effort continues to be put into reducing the absence rates through attendance panels, closer management attention (proven to be the most effective way of reducing absence), guidance on managing health and well-being issues, and securing earlier focused intervention from Occupational Health. In the last quarter of the year, increased effort was put into managing short term absence, through more rigorous Absence Improvement meetings and planning, which should also positively impact the headline absence rate in the coming months.</p> <p>The role and responsibilities of managers are being redefined as part of the cultural change within Future Council and the critical responsibility for managing absence is a key component of the work. HR recognises it has a crucial role to play in providing tools, support and training for managers to support them in this work.</p> <p>Although the increased focus on absence shows that following the dip in performance in late spring/early summer 2015, there were roughly continuous minor improvements to the absence rates (i.e. matching last year's rates) from mid-summer 2015, resulting in a year end figure only 0.18 days worse than the previous year. We are continuing to ensure this is embedded into every day managerial practice. Complacency would lead to the very real risk that the downward trend will be reversed.</p>

APPENDIX 1 – 2015/16 COUNCIL BUSINESS PLAN OUTTURN RESULTS

Directorate	Portfolio / Committee	Key Performance Indicator Description	Aim	M12 2015/16 EOY Result	2015/16 Target	2015/16 Target-Missed/Achieved	DOT from 2014/15, or, earliest Quarter 2015/16 for new measures (Green upward arrow = improved Red downward arrow = worsened Black double sided arrow - no change)	Month 12 - March Commentary
Council-wide	Deputy Leader	Complaints with a full response within 15 working days - city-wide performance	Bigger is better	92%	90%	✓	↔	<p>Performance against this target has been excellent all year and has been achieved overall in every month.</p> <p>People Directorate is the only directorate that has not achieved against the target and this is despite the lowest level of complaints. The Service Areas in the People Directorate that have consistently failed the 90% target were Assessment and Support Planning and Housing Services.</p>
Council-wide	Deputy Leader	Percentage channel shift for our four key services (Benefits, Council Tax, Housing, Fleet & Waste)	Bigger is better	21%	25%	X	↗	<p>Channel shift, for this corporate target, is only measured across the four main services – Waste Management, Housing Repairs, Benefits and Revenues. Both overall volume reduction and an increase in online transactions can impact on this measure.</p> <p>Waste management and Housing Repairs both achieved their channel shift targets. The big spike in December was caused by applications for the green waste service which saw over 60% of applications being made online.</p> <p>Revenues and Benefits achieved their targets for the first 6 months of the year but were unable to sustain this performance as a result of the following initiatives not going live as planned or being delayed:- E-revenues – due to be considered as part of the online forms project Online solution for students – this is due to go live in May 2016 Issues with Benefits Change of circumstances online solution Monthly report for landlords</p> <p>A number of positive improvements have been made to the Revenues and Benefits process which should reduce demand and increase online transactions in 16/17 including:- New forms released for Students, Direct Debit, Single Person Discount Risk based verification process Introduction of new Benefits claim form Changes to letters simplifying them and promoting online services</p>

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

A Strong Economy

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
Economy	Deputy Leader	Number of new homes built	Bigger is better	Yearly	2,500
Economy	Jobs & Skills	Youth Promise - Closing the gap in Districts with high levels of unemployment by targeting activities to support training/employment for 18-29 year olds	Smaller is better	Quarterly	Minus 1.2 percentage points
Economy	Jobs & Skills	Youth Promise - Closing the gap in unemployment for 18-29 years	Smaller is better	Quarterly	Plus 0.8 percentage points
Economy	Jobs & Skills	Jobs created through the Business Growth programme and Finance Birmingham	Bigger is better	Quarterly	177
Place	Clean Streets, Recycling & Environment	Reduce residual household waste	Smaller is better	Monthly	588.00 kg
Place	Clean Streets, Recycling & Environment	Increasing Recycling, Increasing Reuse and Increasing Green Waste	Bigger is better	Monthly	30% by 2016/17 50% by 2019/20 70% by 2034/35
Economy	Transport & Roads	Length of new/improved cycle ways within Parks, Green Spaces, Canals and Highways	Bigger is better	Quarterly	Highway Routes: 31 kilometres Canal Routes: 13 kilometres Green Routes: 5 kilometres

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

Safety and Opportunity

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
People	Children, Families & Schools	Early years foundation stage	Bigger is better	Annual Monthly results provided based on local data	70%
People	Children, Families & Schools	Proportion of Schools Inspected as Good or Outstanding	Bigger is better	Quarterly/ Half Yearly/ Termly	90%
People	Children, Families & Schools	School attendance - Percentage of Persistent absentees	Smaller is better	Yearly	4.40%
People	Children, Families & Schools	Special Educational Needs - Education Health and Care Plans	Bigger is better	Monthly	100%
People	Children, Families & Schools	Number of cases open to Family Support Services	Stabilise	Monthly	Trend / Activity for 2016/17
People	Children, Families & Schools	Percentage of referrals that are re-referrals within 12 months (only relates to children's social care)	Smaller is better	Monthly	25%

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
People	Children, Families & Schools	Number of unallocated cases open for more than 7 days	Smaller is better	Monthly	20
People	Children, Families & Schools	Percentage of family assessments completed in timescale	Bigger is better	Monthly	82%
People	Children, Families & Schools	Percentage of children seen at assessment (S17 and S47 only)	Bigger is better	Monthly	68%
People	Children, Families & Schools	Number of children with a child protection plan - snapshot as of month end	Stabilise	Monthly	Trend / Activity for 2016/17
People	Children, Families & Schools	Percentage of child protection visits in the month	Bigger is better	Monthly	95%
People	Children, Families & Schools	Number of Children in Care - snapshot at month end	Smaller is better	Monthly	Trend / Activity for 2016/17

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
People	Children, Families & Schools	Average length of time from admission to care to being placed with a family	Smaller is better	Monthly	590
People	Children, Families & Schools	The number of children and young people placed for adoption, in month and year-to-date	Bigger is better	Monthly	125
People	Children, Families & Schools	Percentage of social workers who had supervision in the month	Bigger is better	Monthly	83%
People	Children, Families & Schools	Average social work caseload	Stabilise	Monthly	16
People	Children, Families & Schools	Percentage of agency social workers including team managers	Smaller is better	Monthly	15%

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

A Great Future for Young People

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
Economy	Jobs & Skills	Youth Promise: Number of young people helped into work through Employment Support Activity	Bigger is better	Quarterly	The profile of activity for this measure is currently being negotiated. It is anticipated that the target should be available for Quarter 1 reporting.
People	Jobs & Skills	Percentage of Pupils Not in Education Employment or Training	Smaller is better	Annual Monthly results provided based on local data	4%
People	Jobs & Skills	Percentage of Care leavers in Education, Employment or Training	Bigger is better	Monthly	60%
People	Children, Families & Schools	Children in Care GCSE	Bigger is better	Annual Monthly results provided based on local data	Above National Average

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
People	Children, Families & Schools	Key Stage 2 attainment	Bigger is better	Annual Monthly results provided based on local data	In line with National Average
People	Children, Families & Schools	GCSE attainment	Bigger is better	Annual Monthly results provided based on local data	In line with National Average
People	Children, Families & Schools	Excluded children without a school place after 6 days	Smaller is better	Monthly	0

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

Thriving Local Communities

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
Place	Leader	Increase the number of citizens being involved in local decision making	Bigger is better	Yearly	21% Baseline from 2015/16 Residents Survey
Place	Leader	Increase in public perception that they can influence local decisions made about their community	Bigger is better	Yearly	49% Baseline from 2015/16 Residents Survey

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

A Healthy Happy City

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
People	Health & Social Care	Percentage of births that receive a face to face new baby visit from a health visitor within 14 days	Bigger is better	Yearly	85%
Economy	Housing and Homes	The number of homes built that are 'Affordable' Homes	Bigger is better	Quarterly	571
People	Housing and Homes	Homelessness prevented or relieved	Bigger is better	Quarterly	8,000
People	Health & Social Care	Percentage of service users living in a care home or receiving home support that meets the quality standard (% of clients with a Good provider)	Bigger is better	Quarterly	70%
Place	Housing and Homes	Available Council Homes as a percentage of total stock	Bigger is better	Monthly	98.80%
Place	Housing and Homes	Empty properties brought back into use.	Bigger is better	Monthly	27 per month

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
Place	Housing and Homes	Properties improved in the private rented sector as a result of local authority intervention	Bigger is better	Monthly	24 per month
People	Health & Social Care	Percentage of clients with community services	Bigger is better	Monthly	Trend / Activity for 2016/17
People	Health & Social Care	Uptake of Direct Payments	Bigger is better	Monthly	Trend / Activity for 2016/17

APPENDIX 2 – 2016/17 COUNCIL BUSINESS PLAN TARGETS

A Modern Council

Directorate	Cabinet Member Portfolio	Key Performance Indicator Description	Aim	Data Frequency	2016/17 Target
Council-wide	Deputy Leader	Percentage channel shift for our four key services (Benefits, Council Tax, Housing, Waste Management) - on-line	Bigger is better	Monthly	19%
Council-wide	Deputy Leader	Implementation of the new web-site	Plan is best	Monthly	August 2016 - 80% of new pages updated. March 2017 - 100% completed.
Council-wide	Deputy Leader	Values and behaviours embedded across the Council (Councillors, CLT, managers and frontline staff) - measured by staff survey.		Annual	50%
Council-wide	Deputy Leader	Confidence in council by partners	Bigger is better	Annual	Establish baseline (via perception survey in January 2017). Key areas to be measured include the degree to which: <ul style="list-style-type: none"> • The council is seen as open and approachable • The partner organisation feels listened to and respected • The relationship between the council and partners is seen as productive and of mutual benefit
Council-wide	Deputy Leader	Average sick days per full-time equivalent employee (excluding schools staff)	Smaller is better	Monthly	9.25 per full time equivalent member of staff

APPENDIX 3 – 2016/17 BIRMINGHAM PROMISES

Directorate ▼	Description ▼	Service Area ▼
Council-wide	<p>If you make a complaint, we will:</p> <ul style="list-style-type: none"> • Acknowledge it and provide you with a reference number • Investigate your complaint thoroughly • Send you a full response or an update within 15 working days. 	Customer Services
Corporate Resources	<p>When you make a claim for Housing Benefit or Council Tax Support we will make a decision on your claim within 10 days of receiving it. That decision will be to pay the claim if you have supplied all of the information required to do so, or to contact you if there is information that is missing to enable the claim to be paid.</p>	Benefits
Economy	<p>If you report a dangerous pothole or other defect, we promise to make it safe within one hour.</p>	Highways
	<p>If you report a dangerous pothole or other defect we promise to make temporary repairs within 24 hours.</p>	Highways
	<p>If you report a dangerous pothole or other defect we promise that the street will be fully repaired within 28 days.</p>	Highways
	<p>We will repair any red traffic light signal fault within 2 hours.</p>	Highways
	<p>We will repair any street light not in light within 1 month.</p>	Highways
Place	<p>We will respond to emergency repairs within 2 hours</p>	Housing Repairs
	<p>We will resolve routine repairs within 30 days.</p>	Housing Repairs
	<p>If you report a tree that is considered dangerous by our qualified Tree Officer, we will ensure the tree is attended to within 2 hours.</p>	Parks
People	<p>As a parent applying for a reception or year 7 school place for your child, we promise to:</p> <ul style="list-style-type: none"> • Hold an appeal following an offer for either a reception or year 7 place in front of an independent panel within 40 school days of the appeal deadline 	School Admissions
	<ul style="list-style-type: none"> • Offer within 10 school days a place at a child's nearest school with availability if you have not received an offer 	School Admissions
	<ul style="list-style-type: none"> • Have an independent appeal panel consider in-year appeals within 30 school days of receiving your appeal application 	School Admissions
	<p>We promise to, upon receipt of all required documents, process your application form for a blue badge within 40 working days</p>	Blue Badge

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	Director of Property
Date of Decision:	28th June 2016
SUBJECT:	CITY CENTRE CHAMBERLAIN BUILDINGS
Key Decision: Yes	Relevant Forward Plan Ref: 001203/2016
If not in the Forward Plan:	Chief Executive Approved <input type="checkbox"/>
(please "tick" box)	O & S Approved <input type="checkbox"/>
Type of decision:	Executive
Relevant Cabinet Member:	Councillor John Clancy - Leader of the Council
Relevant O&S Chairman:	Councillor Mohammed Aikhlaq - Corporate Resources and Governance
Wards affected:	Ladywood

1. Purpose of report:

- 1.1 On the 16th March 2015 Cabinet approved the overall strategy for the Commercial Investment Portfolio and authorised the Director of Property to investigate the potential to use the City Council's property assets to lever in private sector investment.
- 1.2 This report provides an update on this project which aims to contribute to the delivery of the Snow Hill Masterplan by releasing certain assets on Corporation Street (see plan at Appendix 1) so preserving the historic street scene and promoting the civic value of the buildings as well as providing an opportunity for collaborative working with the Police and Crime Commissioner West Midlands (PCCWM).

2. Decision(s) recommended:

That Cabinet:

- 2.1 Authorises the Director of Property to negotiate and enter into a collaboration agreement with PCCWM to facilitate a regeneration project involving the joint assets at Corporation Street/Steelhouse Lane, (see plan Appendix 2) which will contribute to the delivery of the Snow Hill Masterplan Victorian Quarter, and approves the joint marketing of those assets for disposal on a long leasehold basis.
- 2.2 Authorises the Director of Property to market the Pitman Building and Murdoch Chambers on Corporation Street for disposal on a long leasehold basis (see plan Appendix 3).
- 2.3 A further report will be presented once marketing and shortlisting has been undertaken, with a recommendation as to the preferred development partners for each opportunity.
- 2.4 Authorises the City Solicitor to negotiate, execute and complete all necessary legal documents to give effect to the above recommendations.

Lead Contact Officer:	Kathryn James – Head of Service Investment Property Management Birmingham Property Services
Telephone No:	0121 675 3934
E-mail address:	kath.james@birmingham.gov.uk

3. Consultation

3.1 Internal

Local Ward Members have been consulted on the contents of the report. Councillor Hartley has confirmed she has no objection to the proposal. Councillor Bore supports the report other than on one aspect, in that as too many buildings in the area are being converted to student accommodation, non- student residential would help maintain a better balance between residential, leisure and employment in this city quarter. Councillor Bore does not want to see all the buildings released given over to student accommodation.

Officers from City Finance and the City Solicitor have been involved in the preparation of this report.

3.2 External

Consultation has taken place with the PCCWM property team regarding the content of this report, who are supportive of the proposal.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 The proposal contributes towards the strategic outcomes outlined in the 'Council Business Plan and Budget 2016+', specifically succeed economically, to help deliver a balanced budget and contribute to the Councils plan to rationalise its property portfolio as part of its asset management programme.

4.2 Financial Implications

4.2.1 The Commercial Investment Property Portfolio generates in excess of £30 million of external income for the City Council per annum. The disposals will improve the efficiency and financial performance of the portfolio over the medium term.

4.2.2 Any capital receipts arising from the disposal of the Pitman Building and Murdoch Chambers will be utilised in accordance with City Council policy. Further reports will consider the use of receipts in relation to the Business Case for investment in the Commercial Portfolio.

4.2.3 Soft market testing identified the need for a number of technical reports for the project to de-risk the development opportunity and so attract wider interest. Funding for this in the sum of £50,000 will be provided for in line with statute which states that up to 4% of the future capital receipt may be used to fund disposal costs. A proportion of the cost will be covered by PCCWM budgets. The collaboration agreement will set out the details of how costs will be split 50 / 50 between the parties. Purchasers will be responsible for the Councils legal, administrative and surveyors costs in relation to any disposal.

4.3 Legal Implications

4.3.1 The power to acquire, dispose and manage assets in land and property is contained in section 120 and 123 of the Local Government Act 1972, and section 32 of the Housing Act 1985 in respect of HRA controlled assets.

4.4 Public Sector Equality Duty

4.4.1 Having carried out an initial screening, there is no requirement to undertake a full equality analysis (attached as appendix 4).

5. Relevant background/chronology of key events:

- 5.1 The Chamberlain Buildings at the northern end of Corporation Street form part of an unbroken and nationally significant Victorian and Edwardian townscape extending from the civic and commercial heart of Birmingham. In particular the Steelhouse Lane area, which will be known as St Marys Place has been identified for reconfiguration which will unlock sites and provide an opportunity for investment as part of the Snow Hill Masterplan. Release of the buildings for refurbishment by specialist developers will assist in the creation of a new neighbourhood whilst protecting the historic street scene.
- 5.2 The City Centre Chamberlain Building (CCCB) portfolio comprises ten multi-storey Victorian, largely terracotta, buildings located along the length of Corporation Street in Birmingham city centre, as identified on the plan attached at Appendix 1. The total lettable area is circa 300,000 square feet. The portfolio presents an important collection of assets within the wider Commercial Investment Property portfolio given its role largely providing affordable office space for small businesses and shops for independent traders in a city centre location. The buildings also make a significant architectural and historical contribution to the city centre environment, six of the assets are listed.
- 5.3 Demand for the office space has significantly reduced over the last few years. It is clear from the financial analysis undertaken on the CCCB portfolio that although the ground floor retail space is performing well, overall the CCCB portfolio is underperforming as a net income generator due to high office vacancy rates, inefficient office floor plates, and an oversupply of tertiary office space. This position is expected to worsen and therefore “do nothing” is not an option. The portfolio is at a very sensitive point where voids are very likely to increase so reducing income, whilst costs associated with managing and holding the properties increase.
- 5.4 The current use as offices is no longer sustainable and in order to preserve the individual buildings and historic environment alternative uses need to be considered. The upper floors are most likely to attract residential or student accommodation conversions which will provide additional housing units and so expand the residential footprint in the City. Whilst the ground floor retail use of the properties is productive and already provides an opportunity for independent traders the conversion of the upper floors and increased footfall will give further opportunities for investment.
- 5.5 Following Cabinet approval in March 2015 Council officers instigated a review of the Chamberlain buildings portfolio. Two projects were identified which can support the Snow Hill Masterplan and are set out below.
- 5.6 The first project provides an exciting opportunity to work with the PCCWM on a joint disposal of assets. The block comprises three BCC owned buildings: Coleridge and Ruskin Chambers, which are both Grade II Listed, and King Edward Building and Steelhouse Lane Police station (shown hatched on plan at Appendix 2). PCCWM have declared the police station surplus to their requirements and intend to vacate by February 2017. They have approached BCC to investigate the potential to work together and enter into a collaboration agreement to dispose of the block in its entirety in order to maximise development potential.
- 5.7 Working collaboratively with PCCWM will provide an enhanced opportunity for both publically funded bodies to reduce running costs, create economic growth and bring investment to the City as well as provide regeneration, and the potential for new housing and jobs.
- 5.8 The three BCC owned buildings have a combined floor area of 68,250 sq ft. set on a footprint of 0.46 acres, the combined site extending to an acre. A disposal would be structured to retain the income stream from the retail units through an appropriate mechanism. Soft market testing suggests the most appropriate alternative use for the upper floors would either be residential or student accommodation. Although the asset at King Edwards building is fully let and not underperforming, soft market testing has highlighted a preference for inclusion of the buildings as part of any redevelopment, given the potential of the wider site which will provide an increased level of critical mass. It is proposed that priority is given to relocating tenants from this and other assets into other City Council property.

- 5.9 The second project is Pitman Building and Murdoch Chambers which are Grade II* Listed 4 storey buildings providing a combined floor area of 27,324 sq ft set on a footprint of 0.32 acres. Soft market testing indicates the strongest interest from the residential and student accommodation markets.
- 5.10 It is proposed that consultants are appointed to market these assets. The appointment for the combined assets will be jointly with PCCWM and will be in accordance with the Council's Procurement Governance arrangements. The Pitman/ Murdoch block will be presented to the market first followed by the larger joint disposal opportunity. Part of the commission will be to develop a strategy for relocating existing office tenants elsewhere within the Council's portfolio where possible.
- 5.11 Due to the heritage value of the assets and the importance of this project to the Snow Hill Masterplan a targeted bespoke approach to marketing will be required to ensure developers with the appropriate track record and access to investment capital will be identified. It is proposed targeted expressions of interest are firstly sought on a qualitative basis which identifies the credibility of business plans and financial commitment. From the expression of interest a shortlist of preferred partners will be selected by the Director of Property and invited to submit detailed financial proposals. The Director of Property, in conjunction with the PCCWM where appropriate, will select a preferred partner for each project and report back to Cabinet for further approval.

6. Evaluation of alternative option(s):

- 6.1 Do nothing – this would mean an opportunity to secure the future of these buildings through appropriate re-use of the assets would be lost. The opportunity to deliver key projects within the context of the Snow Hill Masterplan would also be lost.

7. Reasons for Decision(s):

- 7.1 To support the delivery of the Snow Hill Masterplan objectives by releasing for refurbishment Pitman Building and Murdoch Chambers on a long lease.
- 7.2 To support the delivery of the Snow Hill Masterplan objectives, working collaboratively with PCCWM by entering into a collaboration agreement to facilitate the joint marketing of the four buildings between Steelhouse Lane and Corporation Street.

Signatures

Date

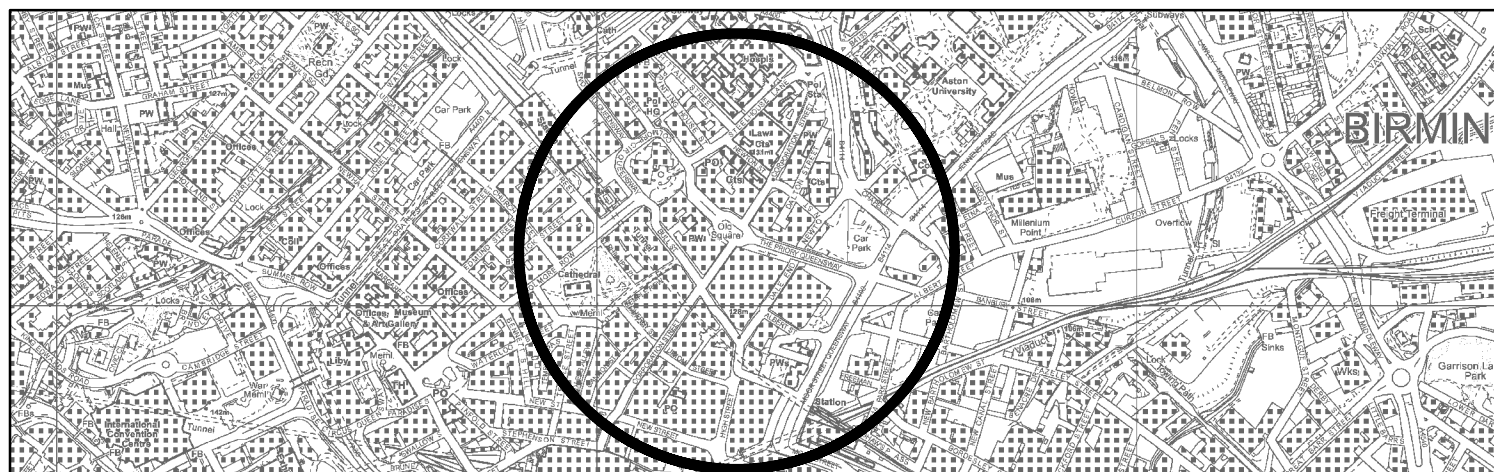
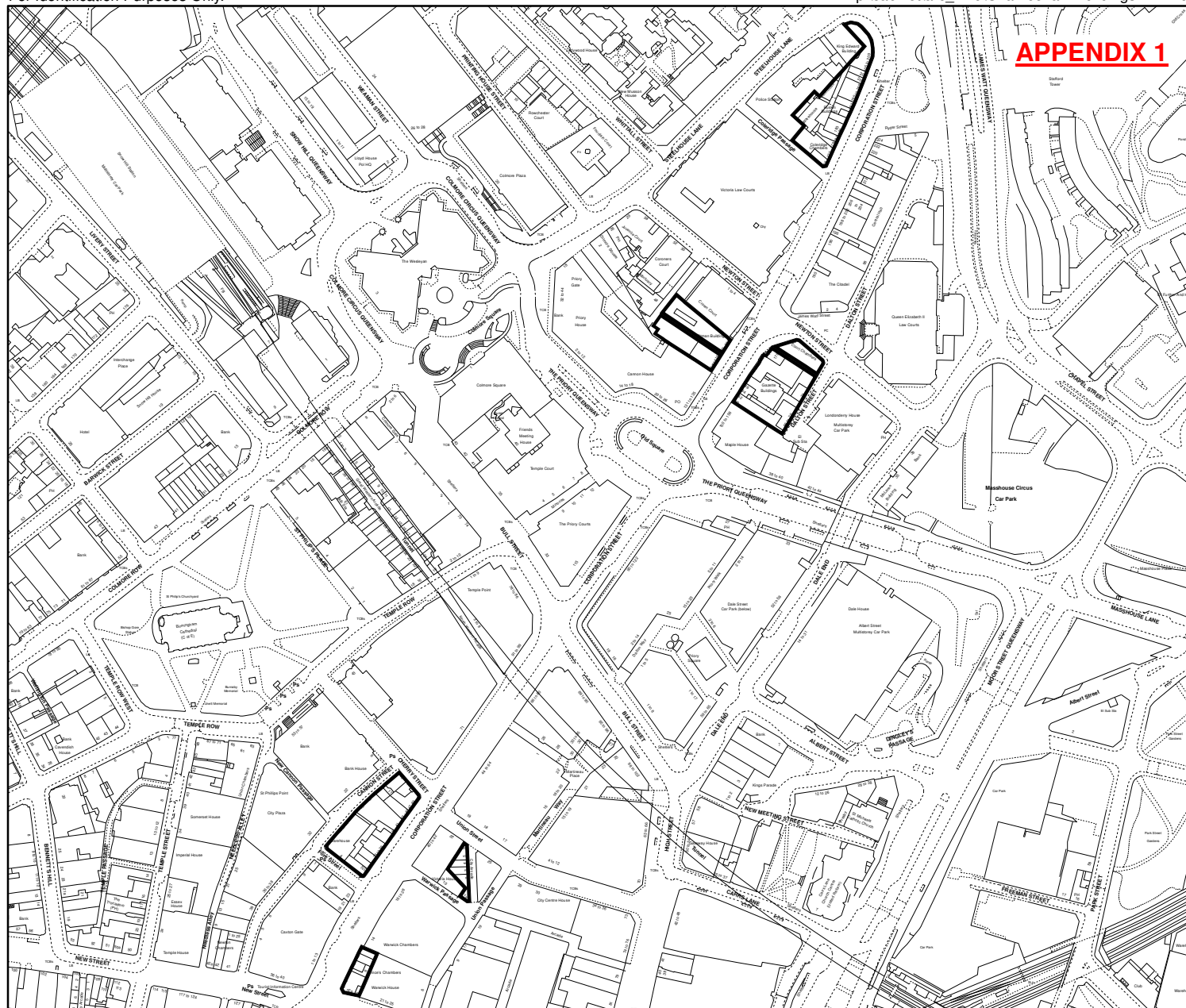
Leader of the Council

Director of Property

List of Background Documents used to compile this Report: Snow Hill Masterplan

List of Appendices accompanying this Report :

1. Appendix 1 – plan of Chamberlain building in relation to Snow Hill Masterplan
2. Appendix 2 – plan of Steelhouse Lane and Corporation Street buildings
3. Appendix 3 – plan of Pitman and Murdoch Chambers
4. Equality Assessment Screening 001335

APPENDIX 1

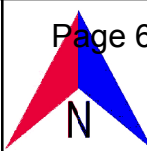
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Chamberlain Buildings
City Centre

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Scale (Main Map)

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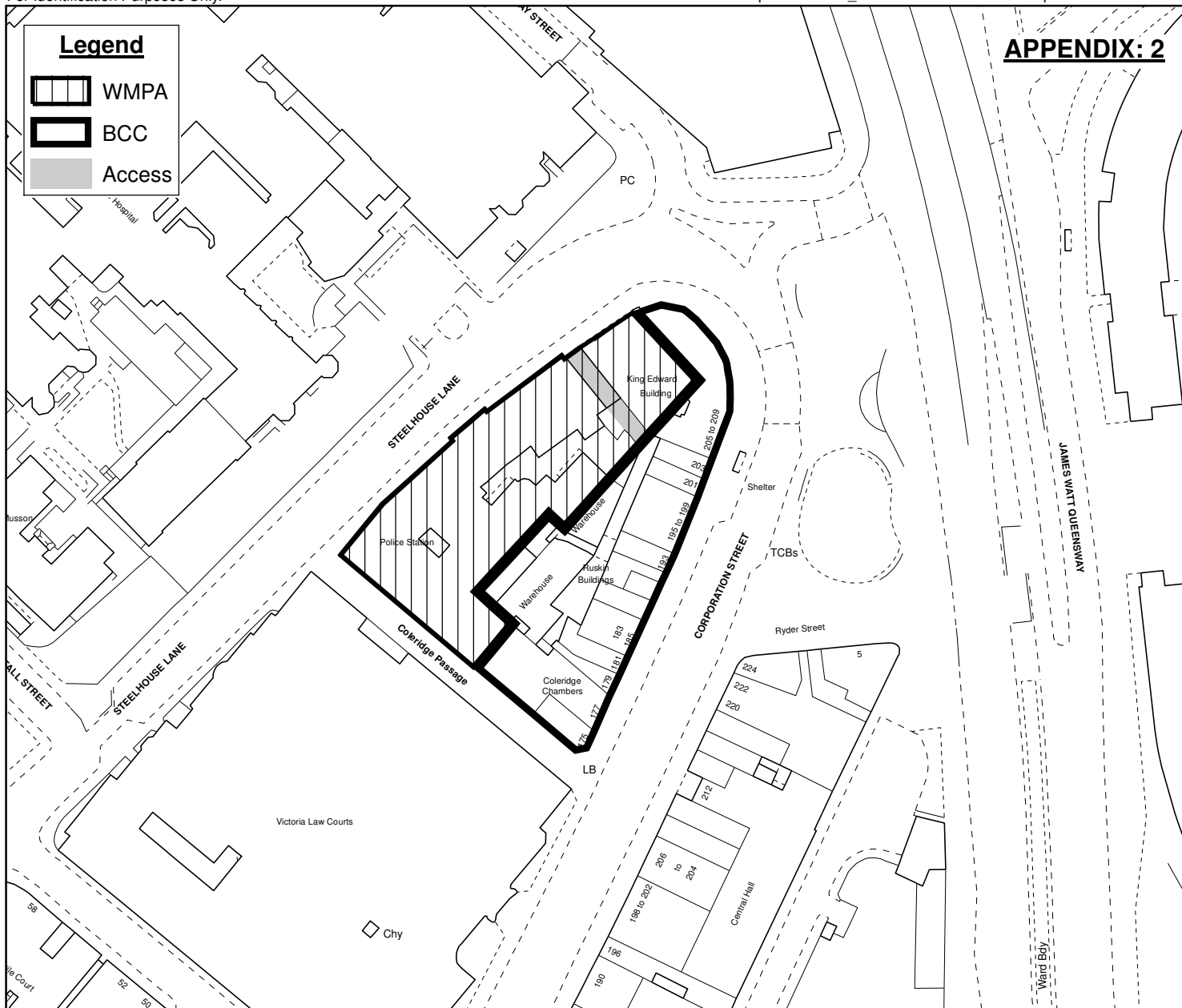
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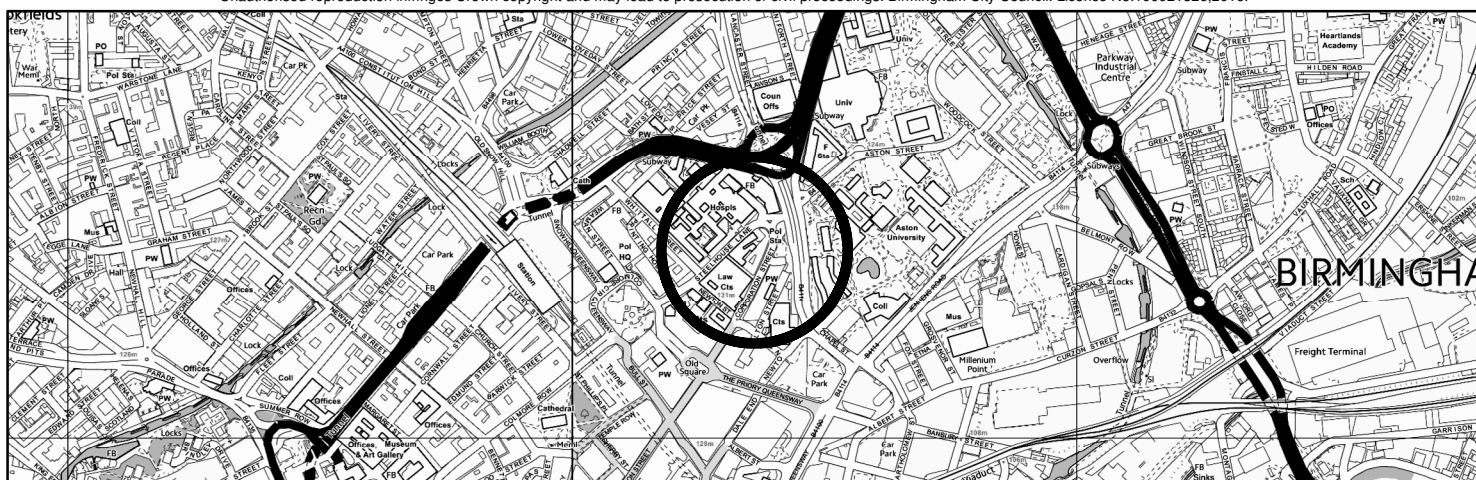
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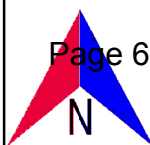


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Coleridge Chambers, King Edward Building,
 Ruskin Building & Police Station
 Corporation Street & Steelhouse Lane



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Scale (Main Map)

1:1,250

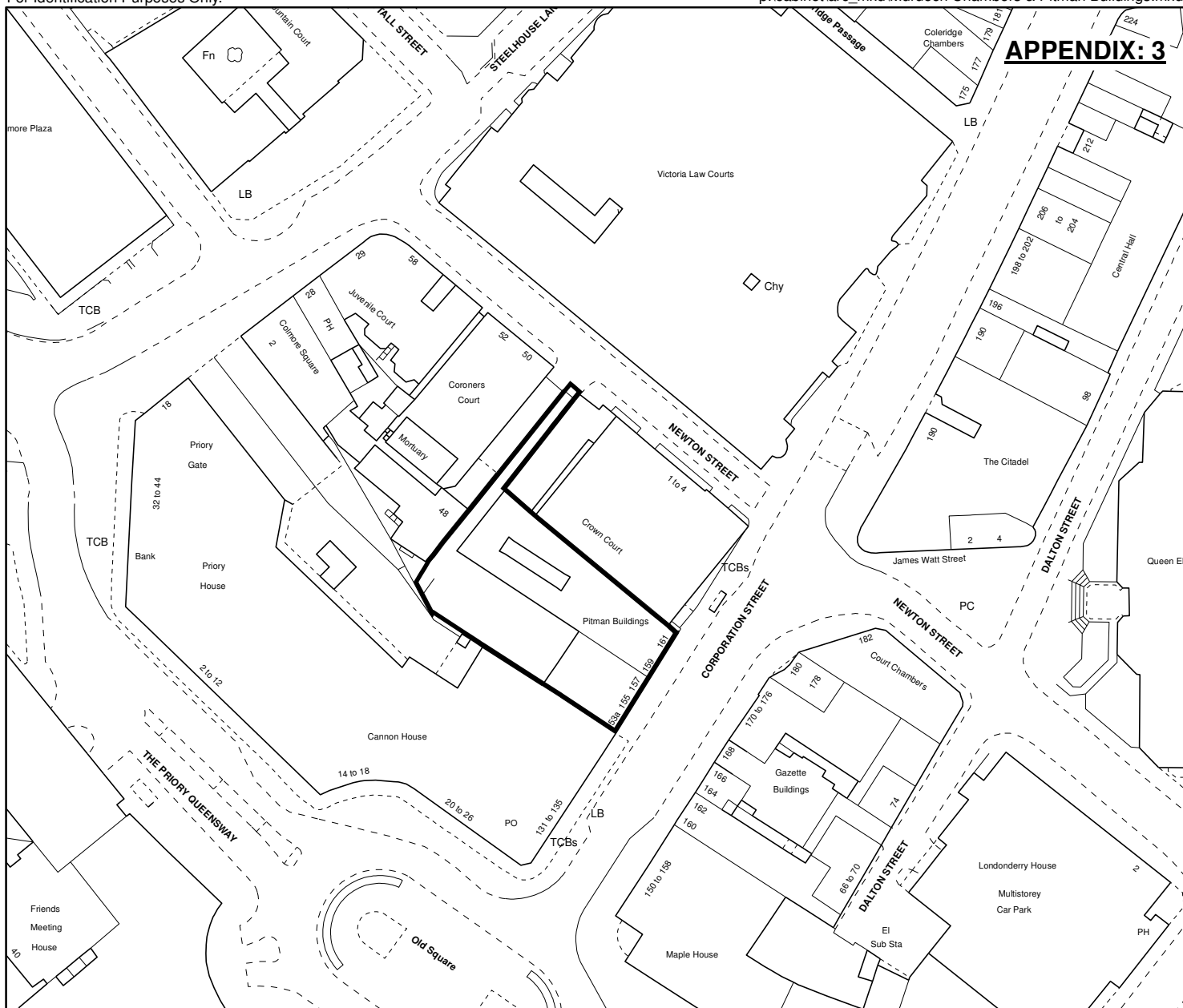
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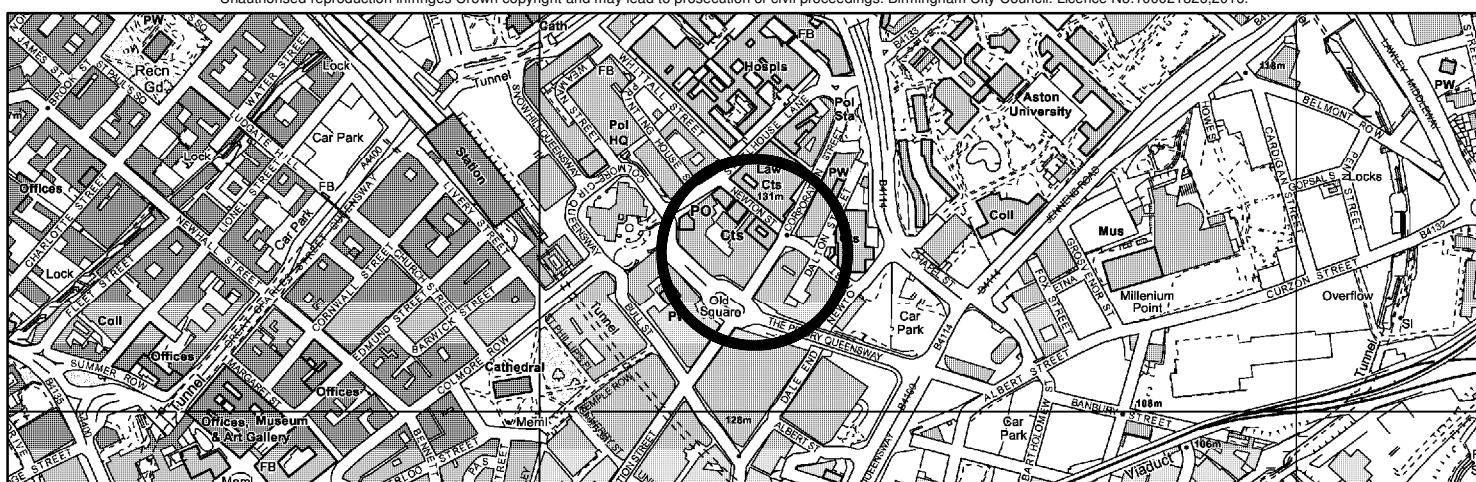
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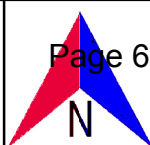
**APPENDIX: 3**

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Murdoch Chambers & Pitman Buildings
 Corporation Street



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Date
 05/01/2016

O.S. Ref No. SP0787SW

Equality Analysis

Birmingham City Council Analysis Report

EA Name	City Centre Chamberlain Buildings
Directorate	Corporate Resources
Service Area	Birmingham Property Services - Major Projects
Type	New/Proposed Function
EA Summary	To seek approval to a project which will use the City Council's property assets to lever in private sector investment, contribute to the delivery of the Snow Hill Masterplan by releasing assets on Corporation Street and potentially provide funds for re-investment in the portfolio to secure a long term income stream.
Reference Number	EA001333
Task Group Manager	Felicia.Saunders@birmingham.gov.uk
Task Group Member	
Date Approved	2016-06-07 01:00:00 +0100
Senior Officer	eden.ottley@birmingham.gov.uk
Quality Control Officer	eden.ottley@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Function and expected outcomes?	<p>BPS provides professional property services to a wide range of customers including business tenants, landowners, local community and developers.</p> <p>The project seeks to rationalise underperforming properties as part of the Commercial Investment Property Portfolio Strategy 2014-19.</p> <p>The objective is to use the City Councils property assets to lever in private sector investment, contribute to the delivery of the Snow Hill Masterplan by releasing assets on Corporation Street, and potentially provide funds for re-investment in the portfolio to secure a long term income stream.</p>
---	--

For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes

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?	No

2.3 Analysis on Initial Assessment

BPS supports the Council in achieving its priorities as set out in the Council Plan and strives for continuous improvement in terms of delivering efficiencies and economies, as well as maximising the effectiveness of the contribution made.

The Commercial Portfolio primarily supports the Councils priorities through optimisation of revenue income and the project seeks to enhance the net outcome.

The WMPA have been consulted on the equality issues and at this stage there is no requirement for a further Full Analysis until the negotiations commence on the planning implications.

3 Concluding Statement on Full Assessment

The Leader of the Council has been consulted regarding the contents of this report, and is fully supportive of the report proceeding to an executive decision.

Officers from City Finance and the City Solicitor have been involved in the preparation of this report and local ward members have been consulted.

Following Cabinet approval in March 2015 Council officers instigated a review of the Chamberlain buildings portfolio. Two projects were identified which can support the Snow Hill Masterplan and are set out below.

Consultation has taken place with the WMPA property team regarding the content of this report.

There has been ongoing consultation with members for their respective constituency, who have as representation been consulted on issues of relevance.

There have been no issues raised which impact the wider community negatively, therefore a full equality assessment is not required at this stage.

4 Review Date

07/12/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	DIRECTOR OF PROPERTY
Date of Decision:	28 JUNE 2016
SUBJECT:	DISPOSAL OF LAND AT GREAT CHARLES STREET, BIRMINGHAM
Key Decision: YES	Relevant Forward Plan Ref: 001899/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	THE LEADER OF THE COUNCIL – CLLR JOHN CLANCY
Relevant O&S Chairman:	CLLR MOHAMMED AIKHLAQ - CORPORATE RESOURCES AND GOVERNANCE O&S COMMITTEE
Wards affected:	LADYWOOD

1. Purpose of report:
1.1 This report updates Members on the disposal of land at Great Charles Street, Birmingham.
1.2 To inform Cabinet, following negotiations, of the revised terms that will, subject to the grant of planning consent, bring the site forward for comprehensive development. The terms of the transaction are set out in the report on the private agenda.
1.3 The site is shown edged black on the plan attached as Appendix 1 of this report.

2. Decision(s) recommended:
That Cabinet:
2.1 Notes this report

Lead Contact Officer(s):	Basit Ali
	Birmingham Property Services
Telephone No:	0121 464 6771
E-mail address:	basit.ali@birmingham.gov.uk

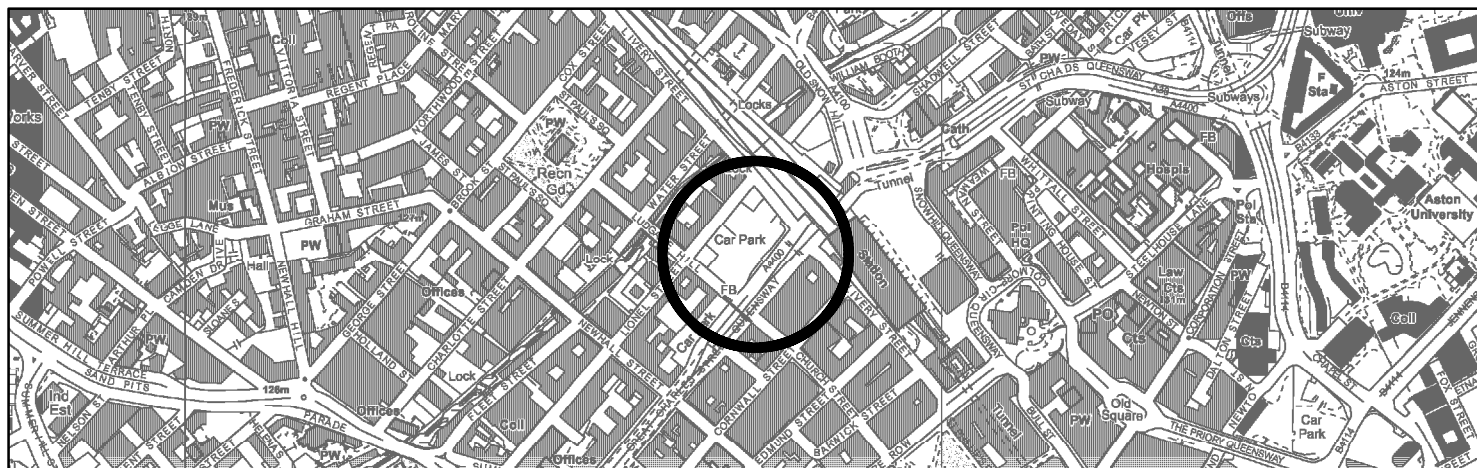
3.	Consultation
3.1	<u>Internal</u>
3.1.1	Ladywood Ward members were consulted with no comments received. Senior officers in Birmingham Property Services, Legal and Democratic Services and City Finance have been involved in the preparation of this report.
3.2	<u>External</u>
3.2.1	None
4.	Compliance Issues:
4.1	<u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u>
4.1.1	The proposal contributes towards the strategic outcomes outlined in the 'Council Business Plan and Budget 2016+', specifically Succeed Economically, by supporting regeneration through investment and generating a premium, subject to planning consent.
4.2	<u>Financial Implications</u>
4.2.1	The disposal of the site will attract a significant premium to the council which will be applied in accordance with the capital receipts policy as approved in the Council Business Plan and Budget 2016+. Details of the premiums are contained in the private report.
4.2.2	The loss of revenue income to the City Council as a consequence of the development of the site has previously been reported to Cabinet and will be covered by Policy Contingency on completion of the sale. This loss of income is currently estimated at £0.357m and relates to car parking income (£0.3m) and advertising/letting income (£0.057). External support may also be required to complete the development lease up to a value of £50,000. Funding for this will be provided for in line with statute which states that up to 4% of the future capital receipt may be used to fund disposal costs.
4.2.3	Car parking and advertising lettings income will continue to be collected by the Council until such time that the sale of the site is completed following grant of planning consent.
4.3	<u>Legal Implications</u>
4.3.1	The Council has a duty to efficiently manage its assets and has the power to hold and dispose of land under Sections 120 and 123 of the Local Government Act 1972.
4.4	<u>Public Sector Equality Duty</u>
4.4.1	An Equality Assessment (EA) was undertaken for this proposal, which confirms that a full EA is not required for the purposes of this report.

5.	Relevant background/chronology of key events:
5.1	The site has been identified as part of the Snow Hill District Area of Transformation in the Big City Plan. This is an important regeneration site within the masterplan's boundary with the potential to deliver a high quality built environment on a key route between the Jewellery Quarter and the City Core. The development of the site assists in the delivery of a key objective of the Big City Plan to transform the pedestrian links between St Pauls Church and St Phillips Cathedral.
5.2	The site was marketed and Cabinet approved the selection of a developer. Subsequently, a Development Agreement between parties was completed in March 2013 to formalise the drawdown of the site in a 4 phase scheme which was under pinned by a major office building, a residential building and new open space.
5.3	The proposed development has not been able to progress due to the economic downturn, viability issues and lack of occupier(s) interest. However, keen to see the development of the site, officers have maintained constructive dialogue with the developer. The revised proposals from the developer now focus on the shift in demand from office led development to residential. The developer is now motivated to bring the site forward for development (subject to planning consent) for a scheme that is invigorated by city centre developments at Paradise Circus and Arena Central. Revised terms for the Development Lease have been agreed.
5.4	Steps have been taken to strengthen the terms in the Development Lease such that the developer is incentivised to bring forward development quickly.
5.5	Approval to the decisions recommended in the private report will allow the Council to complete the disposal of the site conditional on grant of planning consent (details are noted in the private report). The proposed scheme will extend to 2 phases comprising of new apartments, serviced apartments and a hotel.
6.	Evaluation of alternative option:
6.1	Not to proceed to completion of the disposal would mean that the opportunity to develop the site is delayed and the realisation of the premium to the Council is also delayed.
7.	Reasons for Decision(s):
7.1	Completion of this disposal will bring this strategic site forward for development.
7.2	Completion of the sale will generate a premium.

Signatures	<u>Date</u>
Leader of the Council – Cllr John Clancy
Peter Jones, Director of Property

List of Background Documents used to compile this Report:
1. Cabinet Report 31st July 2006 2. Cabinet Member for Regeneration Report 15th November 2006 3. Cabinet Member for Regeneration Report 6th September 2007 4. Cabinet Report 11th December 2011 - Disposal of land at Great Charles Street, Birmingham

List of Appendices accompanying this Report (if any):
1. Appendix 1 – Site plan



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Birmingham B2 2WT

Car Park at
Ludgate Hill / Great Charles Street
City Centre



Scale (Main Map)
1:1,250

O.S. Sheet: SP0687SE

Drawn
by John Wilson

Date
27/05/2016

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	STRATEGIC DIRECTOR, FINANCE AND LEGAL
Date of Decision:	28th June 2016
SUBJECT:	STRATEGY / AWARD REPORT FOR ELECTRONIC BILL PAYMENT SERVICES (P171)
Key Decision: Yes	Relevant Forward Plan Ref: 001473/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr Majid Mahmood, Cabinet Member for Value for Money and Efficiency
Relevant O&S Chairman:	Cllr Mohammed Aikhlaq, Corporate Resources and Governance
Wards affected:	ALL

1. Purpose of report:
<p>1.1 This report seeks approval for the award of a contract called off the Northern Housing Consortium Electronic Payment Services (2015) Framework Agreement for the provision of an electronic bill payment service for a period of three years.</p> <p>1.2 The private agenda report contains confidential market information.</p>

2. Decision recommended:
<p>That Cabinet:</p> <p>2.1 Notes the content of the report.</p>

Lead Contact Officer:	Fitzroy Pencil, Accounts Receivable Manager
Telephone No:	Corporate Finance, Corporate Resources Directorate 07785 236080
E-mail address:	fitzroy.pencil@birmingham.gov.uk
Additional Contact Officer:	Lisa Haycock, Category Officer
Telephone No:	Corporate Procurement Services, Corporate Resources Directorate 0121 303 3479
E-mail address:	lisa.haycock@birmingham.gov.uk

3. Consultation

Internal

The Strategic Director Finance and Legal, the Assistant Director - Shared Services Centre and the Service Director – Customer Services have been consulted and are in agreement with the content of this report.

Officers from City Finance, Corporate Procurement Services and Legal Services have been involved in the preparation of this report.

3.1 External

Officers from Northern Housing Consortium have been consulted and confirm the suitability for the Council to use this framework agreement.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 Proposals are consistent with the Council Business Plan and Budget 2016+ outcome “Fairness: A healthy, happy city”, by providing citizens access to make payments to the Council at either the Post Office or retail outlets who offer the Paypoint network.

4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

The provider has agreed to sign up to principles of the Charter. Action plans were submitted as part of their tender response detailing the specific actions intended to be undertaken under each principle and is considered to be acceptable. This will enable the provider to be certified under the scheme and this certification must be maintained for the duration of the contract. The performance against the action plan will be monitored on a regular basis as part of the contract management plan.

4.2 Financial Implications

4.2.1 The proposed framework contract does not commit the Council to a specific level of spend. Charges are based on levels of transactional activity. Shared Services Centre and Housing Revenue Account budgets will meet the costs for Revenues and Housing transactions.

4.3 Legal Implications

4.3.1 This payment system enables the Council to discharge a range of statutory functions including those in Part 2 Housing Act 1985 and the Local Government Finance Act 1992

4.3.2 Information Management

The nature of this contract is service-based and there are no significant information management issues to be addressed.

4.4 Public Sector Equality Duty

- 4.4.1 A relevance test to decide whether the planned procurement for Electronic Bill Payments Services has any relevance to the equality duty contained in Section 149 of the Equality Act 2010 in order to eliminate unfair/unlawful discrimination and to promote equality and human rights was conducted on 3rd May 2016.

The screening identified there was no requirement to assess it further and completion of an Equality Assessment form was not required.

5. **Relevant background / chronology of key events:**

5.1 Background and Service Requirements

- 5.1.1 Electronic bill payment is a method of payment used by the Council for the collection of Housing Rent, Council Tax and Parking Fines at either the Post Office or retail outlets who offer the PayPoint Network. The bill payment systems provide convenient locations for citizens to pay for a range of bills.
- 5.1.2 In order to maximise income to the Council, it must give citizens access to make payments using the widest methods possible.
- 5.1.3 The provision of electronic bill payments for PayPoint and Post Office networks is currently provided by allpay Limited using the Northern Housing Consortium framework agreement. The decision to approve the use of the framework agreement was authorised by the Assistant Director of Procurement, Director of Corporate Finance and the Director of Legal & Democratic Service (or their delegate) in accordance with the Council's Procurement Governance Arrangements on 12th December 2011. The contract commenced on 1st February 2012 and expires on 30th June 2016.

5.2 Outcomes Expected

- 5.2.1 The following outcomes are anticipated as a result of the proposed procurement process to be carried out:
- Maintains the ability for citizens within Birmingham to make payments to the Council for Housing Rent, Council Tax and Parking Fines at either the Post Office or retail outlets who offer the PayPoint network.
 - Maintains efficient processing of payments for the Council.
 - Maintains the ability of the Council to maximise income by giving citizens access to make payments using a variety of payment methods.

5.3 Market Analysis

- 5.3.1 The market for the supply of electronic bill payment services is a niche market with only a small number of providers who can meet the requirements of the Council.

5.4 Procurement Options

- 5.4.1 The following options were considered:

- Do nothing - the current contract ends on 30th June 2016. Not properly applying procurement law may result in a breach of the Public Contracts Regulations 2015, Standing Orders or the Procurement and Commissioning Strategy.
- Tender as a Council only contract - in the current economic climate this would not be cost effective or a prudent use of funds or resources where no additional value would be gained against using a collaborative framework agreement.
- Use a Collaborative Framework Agreement - There are currently two national framework agreements in place that cover Electronic Bill Payments tendered by Northern Housing Consortium (NHC) and Procurement for Housing (PfH) that are suitable for use by other public bodies. This is the most cost effective option.

NHC Electronic Payment Services (2015) Framework Agreement

The NHC framework agreement commenced in June 2015 for a period of 2 years with the option to extend for a further 2 years. The framework agreement permits the mandatory requirement that the suppliers sign up to the BBC4SR. This framework agreement offers the most competitive rates and is therefore the recommended option to use. The protocol of the framework agreements allows for a direct award. Further details are in paragraph 5.5.

PfH – Electronic Payments Framework Agreement

The PfH framework agreement commenced on 2nd September 2015 for a period of 2 years with allowances to extend up to a maximum of 4 years and is suitable to use. Due to the lower rates offered on the other framework agreement available this option was rejected.

5.5 Procurement Approach

5.5.1 The recommended option is a direct award calling off the NHC Framework Agreement commencing in July 2016 for a period of 3 years. The contract period of 3 years is set to expire at the same time as the framework agreement.

5.5.2 Call-Off Protocol

As the framework agreement was awarded as a sole supply to one supplier it is not appropriate to undertake a competition exercise. The protocol for awarding a contract from the framework agreement is to award a direct call-off, in this case allpay Limited. Social value will not be included as an evaluation criteria however the companies will be required to sign up to the BBC4SR and produce actions proportionate to the value of the contracts awarded.

5.6 Risk

5.6.1 The CPS approach is to follow the Council Risk Management Methodology and the Procurement and Contract Management Team will be 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 Shared Services and CPS with arrangements being put in place to ensure

operational risks are mitigated.

5.7 Service Delivery Management

5.7.1 The contract will be managed operationally by the Accounts Receivable Manager, reporting to the Assistant Director – Shared Services Centre.

5.7.2 Formal contract management measures will be included as a requirement of the contract by Key Performance Indicators around service levels.

6. Evaluation of alternative option(s):

6.1 An analysis and evaluation of the alternative options is included in 5.4 above.

7. Reasons for Decisions:

7.1 To enable a direct award to be made for electronic bill payments utilising the NHC Electronic Payment Services (2015) Framework Agreement.

Signatures:

Date

Councillor Majid Mahmood:..... Date.....
Cabinet Member for Value for Money and Efficiency

Jon Warlow:..... Date.....
Strategic Director, Finance and Legal

List of Background Documents used to compile this Report:

None

List of Appendices accompanying this Report (if any):

None

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to:	CABINET
Report of:	Strategic Director of Economy
Date of Decision:	28th June 2016
SUBJECT:	JEWELLERY QUARTER CEMETERIES – HERITAGE LOTTERY FUND: FULL BUSINESS CASE
Key Decision: Yes	Relevant Forward Plan Ref: 000811/2015
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member:	Cllr John Clancy – Leader of the City Council Cllr Majid Mahmood – Value for Money and Efficiency
Relevant O&S Chairman:	Cllr Zafar Iqbal – Economy, Skills and Transport Cllr Mohammed Aikhlaq – Corporate Resources and Governance
Ward affected:	Ladywood

1. Purpose of report:
1.1 To seek approval to the Full Business Case and to accept £1.387m of Heritage Lottery Fund (HLF) grant towards total eligible project costs of £2.135m for the refurbishment and improvement of Warstone Lane and Key Hill Cemeteries (the Jewellery Quarter Cemeteries), including an activities programme and new interpretation facilities (attached as Appendix 2). 1.2 To obtain approval to the tender strategy and seek authority to proceed with the procurement for the works for the refurbishment of the cemeteries. 1.3 The accompanying private report includes commercially confidential information relating to the procurement process.

2. Decision(s) recommended:
That Cabinet: 2.1 Notes the report and appendices.

Lead Contact Officer:	Russell Poulton
Telephone No:	Regeneration Manager, 0121 464 9841
E-mail address:	russell.poulton@birmingham.gov.uk

3. Consultation

3.1 Internal

- 3.1.1 Local ward councillors have been consulted and are supportive of this project proceeding. The Head of Bereavement Services is fully supportive of the project and has been an integral part of its development.
- 3.1.2. Officers from Corporate Procurement, City Finance and Legal Services have been involved in the preparation of this report
- 3.1.3 Authority to submit the bid to HLF was approved by Cabinet on 22nd September 2015.

3.2 External

- 3.2.1 The Jewellery Quarter Development Trust (JQDT) has been consulted and is very supportive and the project has also been endorsed by the JQDT Heritage and Culture Group.
- 3.2.2 Further engagement and consultation with stakeholders was carried out during the development of the Activity Plan, a mandatory part of any HLF application, using a wide range of activities and consultation with different people and stakeholders, including HLF. This is a working document and sets out the scope of ongoing engagement and activities.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The proposal supports the Council Business Plan and Budget 2016+, in particular Outcome One: A Strong Economy, through attracting visitors and external investment with major enhancements to a key heritage attraction, improving green space in an area with very little, at the same time as engaging with the people of Birmingham to play an active role in learning new skills such as social media, tour guiding, research and archiving as well as opportunities for work placements during the build phase. The project is also specifically referred to in "Protecting the Past – Informing the Future, Birmingham's Heritage Strategy 2014-19".

4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will be form part of the conditions of the contract. Tenderers will submit an action plan with their tender that will be evaluated in accordance with the assessment set out in Appendix 3. Implementation of action plan commitments of the successful tenderer will be monitored during the contract period.

4.2 Financial Implications

- 4.2.1 The estimated cost of this proposed project is £2.135m. This will be funded from HLF grant of £1.387m, matched with £0.120m (City Council capital resources), £0.300m Town and Country Planning Act 1990 (TCPA) (Section 106) monies (2014/08371/PA Kettleworks development which is due to be received in the near future), £0.150m Historic England Grant (available until 2017), plus £0.177m voluntary time and non-cash contributions. In the unlikely event that the TCPA S106 monies are not received then the funding will be found from existing capital budgets in the Economy Directorate.

- 4.2.2 The bid included a 10-year Management and Maintenance Plan for each cemetery following the restoration and improvement works. This plan was prepared by Bereavement Services, Place Directorate, who will fund the estimated additional expenditure of £30,600 per annum from existing approved revenue budgets.
- 4.2.3 On the basis that a procurement process is to be undertaken, precise details of the finances are included in the private report.
- 4.3 Legal Implications
- 4.3.1 Under the general power of competence in Section 1 Localism Act 2011, the City Council has the power to enter into the arrangements set out in this report and they are within the boundaries and limits of the general power of competence in Sections 2 and 4 Localism Act 2011.
- 4.3.2 Pre-Procurement Duty under the Public Services (Social Value) Act 2012
Although the Public Services (Social Value) Act 2012 does not apply to contracts that are works, in accordance with Council policy tenders will be asked how their bid addresses social value as part of the overall evaluation in line with agreed thresholds.
- 4.4 Public Sector Equality Duty
- 4.4.1 The funding received will be used to invest in restoring and improving the two Jewellery Quarter cemeteries, both of which are included in the National Register of Parks and Gardens of Special Historic Interest. This will complement existing investment in the Jewellery Quarter, such as the nearby Golden Square, and assist in attracting additional visitors to the city and the JQ in particular. Skills and volunteer development, as well as ongoing community engagement are key elements of the bid and as such the proposal has been assessed as having a positive effect on equality considerations.
- 4.4.2 The initial Equality Assessment was undertaken on 7th September 2015 and this has been reviewed as part of this report and is attached as Appendix 6. The analysis has concluded that there will be no adverse impact on any relevant person or group.

5. Relevant background/chronology of key events:

- 5.1 The Jewellery Quarter is a unique part of Birmingham and contains many historic buildings that reflect Birmingham's rich industrial heritage. Within the dense urban street pattern sit Warstone Lane and Key Hill, collectively known as the Jewellery Quarter Cemeteries. Both are included on Historic England's Register of Parks and Gardens of Special Historic Interest but both are in need of significant investment to reinstate and repair the damaged and vulnerable aspects and make them more welcoming places, improving access, safety and comfort.
- 5.2 Key Hill and Warstone Lane Cemeteries were the first public cemeteries in Birmingham, developed to provide burial space additional to the city's churchyards, which had become inadequate to support demand for burial space by the 19th century. They have much in common in that both made use of former quarry sites (the extracted sand was used for casting in nearby workshops) to create a dramatic series of catacombs in the redundant quarry faces.

- 5.3 The two cemeteries contribute fundamentally to the unique historical and architectural character of the Jewellery Quarter and Birmingham, with prominent local figures such as Joseph Chamberlain, Alfred Bird and John Baskerville buried there. They also provide a haven for wildlife, representing, alongside St Paul's churchyard, the only significant green spaces within the Jewellery Quarter Conservation Area.
- 5.4 Over the last few years, the Council, supported by what was then English Heritage, has undertaken significant repair and restoration work, largely focused on Key Hill Cemetery, including repairs to the gates and piers and significant repairs to a section of retaining wall near the catacombs which had collapsed. These proposed works will build upon the recent other investments made, particularly to the piers, gates and railings along Key Hill Cemetery. This project is seen as completing the works already carried out. Besides restoring and improving important heritage assets, the project will attract significant additional visitors to the Jewellery Quarter and make a significant enhancement to the main areas of open space in the area. This will complement the other investment in the locality, notably the nearby Golden Square and the recently approved Jewellery Quarter Townscape Heritage programme.
- 5.5 A Stage I HLF application was approved by the Director of Planning and Regeneration in 2012 which provided a grant of £78,400 for the development of a full Stage II submission. Support was provided by two HLF Mentors, one advising on the historic and capital works and the other on the development of the Activity Plan. A formal bid for HLF grant funding of £1.387m was approved by Cabinet on 22nd September 2015. The bid was approved at the September meeting of the West Midlands HLF Committee and the Offer Letter is attached as Appendix 1. Since then there have been ongoing discussions with HLF over procurement issues, these have now been resolved. Planning permission has already been secured.
- 5.6 This £2.135m project will restore and secure as much of the historic fabric of the cemeteries as is practical and create a more attractive and usable space for the JQ's growing population. A Full Business Case is attached as Appendix 2. The procurement approach is set out in Appendix 3 and the Design Specification is set out in Appendix 4. The two main capital elements are:
- Repair, conservation and new building work: reinstating historical boundary railings, stone piers and entrance gates on all road frontages; renovation of catacomb stonework and installation of safety balustrade; creating a new Garden of Memory and Reflection in the form of a paved seating area reinterpreting the footprint of the former chapel now demolished;
 - Other Physical Works: resurfacing pathways to improve access, improved drainage and general tree and vegetation management.
- 5.7 In addition to the proposed works, an Activity Plan is a mandatory part of any Stage II application placing great emphasis on engagement through learning and participation both in the development and delivery phases. A varied programme of activities and events has been developed to improve the overall presentation, interpretation and access of the area and to encourage wider usage, engagement and appreciation of the historic and natural heritage of the cemeteries for all users. This includes the development of an Apprenticeship Construction Levy, offering five work placements with contractors for construction students, a schools programme linked to natural heritage and devising a programme of historical and thematic guided tours, self-touring walks, talks, pop-up exhibitions for touring and educational loan boxes about the people buried in the cemeteries. These will be managed by the Activities Manager in conjunction with Bereavement Services. Crucially, this will be part of a wider link to the various heritage attractions in the Jewellery Quarter to better market the area and attract more visitors.

5.8	The revenue grant will fund two part-time posts, a capital works project manager and activity programme manager, design team fees and programme costs. Procurement of these two posts is set out in Appendix 3 with the job descriptions agreed with HLF as part of the agreement. Bereavement Services, who manage the cemeteries, will be responsible for overseeing delivery of the Management and Maintenance Plans for the two cemeteries. Existing Planning and Regeneration staffing will be responsible for overseeing the delivery of the capital element of the project and the grant claim process.
5.9	The strategy for the procurement of the capital and landscaping works and the engagement of a Project Manager and an Activities Manager is detailed in Appendix 3.
5.10	<p>Timescales for delivery are:</p> <ul style="list-style-type: none"> • Permission to Start Letter from HLF – July 2016 • Engagement of a Project Manager and an Activities Manager – August 2016 • RIBA Stage 4 designs competed – September / October 2016 • Commence tender process for capital works programme – October 2016 • Competition exercise for landscaping works – October 2016 • Approval to award contracts for capital and landscaping works • Capital works start on site – February 2017 • Capital works completion – September 2018 • Revenue activities programme – August 2016 – March 2019
5.11	These timescales will ensure that all funding has been expended in line with grant conditions and resource availability. A Risk Register associated with the proposed project is attached as Appendix 5.

6.	Evaluation of alternative option(s):
6.1	Do Nothing – Not to utilise HLF funding. The grant offer is rejected and no additional investment is made to the cemeteries other than essential work. This will undermine the investment and development work carried out to date and have a negative reputational impact with HLF and Historic England who have both strongly supported the project and the Jewellery Quarter with significant funding.
6.2	Alternative procurement options are detailed in Appendix 3.

7.	Reasons for Decision(s):
7.1	To enable the drawdown of the HLF grant to enable the development of the two cemeteries and to attract significant investment to the Jewellery Quarter and to commence the procurement activities to award contract for the work to be completed

Signatures	<u>Date</u>
Cllr John Clancy Leader of the City Council:	
Cllr Majid Mahmood, Cabinet Member Value for Money and Efficiency:	
Waheed Nazir Strategic Director for Economy:	

List of Background Documents used to compile this Report:
Protecting the Past – Informing the Future, Birmingham’s Heritage Strategy 2014-19, approved by Cabinet February 2014. Conservation Management Plan 2014 Historic England Grant Offer – Chief Officers Delegated Approval 2011. Cabinet report: Jewellery Quarter Cemeteries: Heritage Lottery Fund Grant Application dated 22 nd September 2015. Jewellery Quarter Cemeteries, Heritage Lottery Fund application, 2015 (HG-11-05561)

List of Appendices accompanying this Report (if any):
<ol style="list-style-type: none"> 1. Appendix 1: Public Report - HLF Offer Letter 2. Appendix 2: Public Report Full Business Case Annex 1: Stakeholder Analysis 3. Appendix 3: Public Report - JQ Cemeteries Procurement Approach 4. Appendix 4: Public Report - Design Specification 5. Appendix 5: Public Report - Risk Register 6. Appendix 6: Public Report - Equality Analysis Initial Assessment

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality 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.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

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29 September 2015

Our Ref: HG-11-05561

Russell Poulton
Regeneration Manager Birmingham City Council
Birmingham City Council
PO Box 28
Birmingham
B1 1TU

Dear Russell Poulton

Jewellery Quarter Cemeteries, Birmingham

Congratulations! Your application has now been assessed, and I am delighted to inform you that we have decided to award you a grant of up to £1,387,300.00 (One Million and Three Hundred and Eighty Seven Thousand and Three Hundred Pounds), 65% of the total eligible project cost of £2,135,000.00 towards the restoration and refurbishment of Key Hill and Warstone Lane Cemeteries. Alongside the capital works an activities programme and new interpretation will be installed. More specifically, we will monitor your progress against the following:

Approved Purposes

- Recruit a Project Manager to oversee the capital works
- Recruit an Activities Manager for three days a week to oversee the delivery of the activity plan, strengthen volunteering and community engagement
- Carry out the following capital works at Warstone Lane Cemetery
 - Reinstate ornate Gothic style cast-iron railings, sandstone piers and pedestrian gate along the high profile and short (c.68 meters) Vyse Street boundary
 - Reinstate similar historic pattern railings and gates in mild steel along the three other boundaries
 - Reinstate original features, remove self-set vegetation and repair the stonework on the Catacombs
 - Install a safety balustrade along the catacomb terraces
 - Create a new Garden of Memory and Reflection in the form of a paved seating area reinterpreting the footprint of the former chapel
 - Improve the setting of the cemetery lodge through railing removal and resurfacing
 - Resurface the pathways
 - Tree management and planting

- Installation of benches and interpretation panels
- Carry out the following capital works at Key Hill Cemetery
 - Installation of soakaway to improve drainage
 - Resurface the pathways
 - Replace the handrail along the top of the catacombs
 - Renovation of catacomb stonework
 - Installation of three new benches and interpretation panels
 - Tree management and shrub clearance
- Deliver an activity plan to engage wider audiences and build the capacity of the Friends of Group
- Offer five work placements with contractor for construction students
- Deliver a schools programme linked to the natural heritage
- Devise a programme of historical and thematic guided tours, self-touring walks, talks, pop up exhibitions for touring, educational loan boxes about the people buried in the cemeteries

Part 1 of this letter sets out how we will work with you during the delivery phase of your project.

Part 2 deals with the legal aspects of the grant that we are offering. It refers to the standard terms of grant that you accepted when you signed the declaration on the application form.

Part 3 advises you on the next steps.

Part 1 – How we will work with you

Delivering your project

You will need to deliver your project in line with the proposals set out in your application. We will contact you to arrange a start-up discussion, when we will agree a timetable for progress reporting and grant payment requests.

Keeping in touch

We will be monitoring your progress against the approved purposes of our grant and any areas of risk we have identified. This will help us to understand how well the delivery is advancing and alert us to any issues.

We have appointed David Lambert to carry out project management monitoring of your delivery phase on our behalf. He will become your main point of contact with HLF during your delivery phase.

We have appointed Sita Brand as a mentor to provide advice and guidance with regard to the activity plan and wider interpretation of the two sites on our behalf.

Please read the attached 'Managing your grant' guidance. This requires you to:

- obtain our permission to start the delivery phase;

- submit progress reports at a frequency agreed between us when we have our start up discussion;
- request your grant;
- provide a completion and evaluation report when you have finished the delivery phase;
- procure goods, works and services in accordance with EU procurement regulations.

The forms that you will need for requesting permission to start, requesting your grant and reporting your progress and completion should be **accessed and submitted via your online account** (https://forms.hlf.org.uk/officeforms/HLF_Projects.ofm1), in the same way that you supplied your application form. If you do not have an online account, send hard copies of your forms to your Grants Officer.

Part 2 – The legal section

Grantee: Birmingham City Council of The Council House Victoria Square Birmingham B1 1BB

Project Reference Number: HG-11-05561

Grant

The attached appendix 1 sets out the principal elements of the approved purposes to which the Heritage Lottery Fund (HLF) has agreed to contribute along with anticipated partnership funding.

Please be aware that if you spend less on your delivery project than the approved project budget, we will reduce the final grant payable. Any reduction will be in proportion to HLF's grant contribution.

Standard terms of grant

We will pay you the grant subject to you complying with our standard terms of grant which formed part of your application; the additional grant conditions (if any) set out below; and with the conditions and requirements set out in 'Managing your grant'.

Additional grant conditions

In addition to our standard terms of grant, you must observe the following additional conditions in respect of the Project:

See Appendix 2

Grant expiry date

You must complete the approved purposes by 30 April 2019

Duration of the terms of grant

The standard terms of grant and the additional grant conditions (if any) will last for 25 years from the date of this letter.

The following documents define the project for which the grant is offered:

1. This letter
2. Your application dated 12 June 2015
3. Documents submitted by you in support of your application including all correspondence we have sent you and all correspondence we have received from you.

Withdrawal of the grant

We may withdraw the grant if:

- You have already started work on the delivery phase before we have given you our permission to do so, in accordance with the standard terms of grant.
- You do not start work on the delivery phase within 12 months of the date of this letter.

Part 3 – Next steps

The following documents accompany this letter:

- 'Managing your grant' setting out our monitoring requirements
- 'How to acknowledge your grant' guidance
- Introduction: Announcing your grant to media
- Picture this – tips on taking photos
- Template photo call notice

Permission to start

We will only give you our permission to start when certain pre-conditions, defined in the 'Managing your grant' guidance, have been satisfied. These include evidence concerning partnership funding, and the existence of a robust project management organisation and plan. For us to pay your grant requests by bank transfer (BACS), we need to see a copy of a recent bank statement (within the last three months), or a cheque or a paying-in slip for the relevant account, showing the bank's name and address.

Gabby Kaur Balgurd will look forward to receiving your Permission to start form within 20 working days from the date of this letter or as soon as possible thereafter. However, if you have any difficulties in meeting this deadline, please let her know.

Publicity

It is important to publicise your award to local media so that lottery players know where their money has gone. However, you must keep your award confidential until we have discussed and agreed your publicity plans. We will publish the fact that you have been awarded a grant on our website within 10 days of the grant being awarded. Your grant officer can assist you with queries about publicity and the media and I have enclosed a template press release which you may find helpful to issue to media once your publicity plans have been agreed.

Please also contact your grant officer as soon as possible to agree the most appropriate location and nature of HLF acknowledgment for your grant both during your project and after its completion. You must make sure you include our logo on any information you produce about your delivery, for example, on public consultation or fundraising information or materials. You must also include our logo on all designs or plans you produce, on all specialist reports or surveys, and on all tender documents that are funded by our grant.

Please refer to the enclosed 'How to acknowledge your grant' guidance which explains how to do this.

We wish you every success with your project, and look forward to receiving regular updates.

Please contact your case grant officer Gabby Kaur Balgand if you have any queries arising from this letter.

Yours sincerely

Anne Jenkins

Anne Jenkins
Deputy Director of Operation

Enc

Full Business Case (FBC)			
1. General Information			
Directorate	Economy	Portfolio/Committee	Leader's Portfolio
Project Title	Jewellery Quarter Cemeteries	Project Code	Revenue TA-01843-01 Capital – to follow
Project Description	<p>Aims and Objectives</p> <p>The project aims to reinstate, restore and improve the damaged and vulnerable fabric of Birmingham's historic Jewellery Quarter cemeteries – Key Hill and Warstone Lane – and make that heritage more accessible to a wider range of people. Their importance is recognised in the Grade II* status of Key Hill Cemetery in the Register of Parks and Gardens of Special Historic Interest, and the Grade II status of Warstone Lane Cemetery.</p> <p>The project is an integral part of the wider heritage of the Jewellery Quarter and complements the other heritage investment taking place here, such as the JQ Townscape Heritage programme and the completion of the Coffin Works (both part-funded by HLF). Heritage is a key part of the Jewellery Quarter with over 200 listed buildings and four other museums (Museum of the Jewellery Quarter, Pen Room, Coffin Works, JW Evans). The funding provides an opportunity to bring much needed investment to conserve and enhance two important listed cemeteries, providing a resource and opportunities for visitors and residents alike to visit, enjoy and get involved with.</p> <p>The project will deliver the following (full details are set out in the Design Specification):</p> <ul style="list-style-type: none"> • Full 10-year management and maintenance plans for both cemeteries • Interpretation plan <p>Capital works - Warstone Lane cemetery</p> <ul style="list-style-type: none"> • Reinstatement of the historical boundary railings (removed in the 1950s), stone piers and entrance gates on all road frontages; • Resurfacing pathways to improve access; • Renovation of the catacomb stonework and installation of a safety balustrade; • Creation of a new Garden of Memory and Reflection in the form of a paved seating area reinterpreting the footprint of the former (now demolished) chapel; • General tree and vegetation management. <p>Capital works - Key Hill cemetery</p> <ul style="list-style-type: none"> • Resurfacing of pathways • Improvements to drainage by installation of soakaways • Renovation of catacomb stonework • Installing attractive safety balustrade above the catacombs • General tree and vegetation management <p>The physical works will be complemented by a varied programme of activities set out in the JQ Cemeteries Activity Plan which formed part of</p>		

the HLF submission. The activities cover five main types: volunteering, training, learning (schools and family activities), interpretation, and community engagement and audience development. A key aim of many of the activities is to strengthen volunteering and community engagement with the cemeteries as the foundation for their long-term sustainability.

This plan was developed in consultation with a wide range of stakeholders and members of the public and will be developed further by the Activity Plan Manager. HLF has also appointed a mentor to provide advice and guidance with regard to the activity plan and wider interpretation of the two sites.

The Jewellery Quarter Cemeteries Conservation Management Plan was completed in 2014 by Hillary Taylor Landscape Associates as part of the HLF submission updating and expanding on a number of earlier documents, such as the JQ Cemeteries Conservation Statement.

Cost for the engagement of a Project Manager and an Activities Manager are included to manage the physical works and to deliver the Activity Plan respectively.

Background

Both cemeteries are extremely good examples of picturesque urban cemeteries initiated, funded, laid-out and managed by joint stock companies. Key Hill was created by Nonconformists in 1836, and nearby Warstone Lane, laid out by Anglicans in 1848. Both cemeteries were compulsorily purchased by the City Council in 1952 and both were closed for new burials in 1982. More detail and background is contained in the Conservation Management Plan 2014 available at www.birmingham.gov.uk.

Both cemeteries are also significant for their catacombs, set in the redundant faces of former sandstone quarries. At both sites the catacombs are in need of restoration, conservation and safety works, including the replacement or introduction of safety railings to a sympathetic design. Along with St Paul's churchyard, they are the main green and open spaces in the Jewellery Quarter, providing a valuable ecological resource in the heart of the city centre.

They are however in need of significant investment. The City Council has been pursuing a programme of repair works at the cemeteries for some time, finding money from various sources including English Heritage, Big City Plan (Birmingham City Council) and Section 106 money. This has been done in full liaison and co-operation with other partners: Bereavement Services, Parks Department, The Friends, and the Jewellery Quarter Regeneration Partnership (now replaced by the Jewellery Quarter Development Trust).

Repair and restoration work has focused mainly on Key Hill Cemetery. In 2009 the gates and piers were repaired to the Icknield Street elevation of the cemetery at a cost of £126,000. Repair of the piers and gates to the Key Hill elevation, along with other boundary repairs, was undertaken in 2011/12 at a cost of £245,000. Less work has been undertaken at Warstone Lane Cemetery. Most significant are the repairs to a section of the retaining wall on the northern side of the catacombs, which partially collapsed in 2007 and has been propped up since.

Thus over the last few years, the investment of the City Council, supported by English Heritage, in conservation planning, repair and restoration work at the Jewellery Quarter Cemeteries totals some

£576,000 over and above regular maintenance costs and minor repairs.

Alongside this programme of works has been the work carried out by the voluntary groups, including a campaign to turn all memorials face up and where possible relocate buried memorials and repair and re-erect laid flat and/or damaged memorials. In tandem with the physical restoration of the memorials has been the very demanding and time-consuming project, carried out by the Friends and others, to record all the existing memorial inscriptions at Key Hill, which was completed and issued by the Jewellery Quarter Research Group (now Trust) in 2010.

The various projects described above have all been successful, but are limited in terms of their overall impact. It was appreciated that a more complex and ambitious project would be vital for the long-term protection and future of the Jewellery Quarter Cemeteries. This is the genesis of the HLF application.

During the course of developing the HLF bid, firstly to Round 1 and then to Round 2, the scope and scale of the proposed project has grown. Much of this is in response to advice from HLF itself. A key element of this advice has been that the proposed restoration works to the boundaries of Warstone Lane Cemetery should be more ambitious.

Thus the proposals that formed the successful submission to HLF in 2015 were developed over a number of years and build upon a number of improvement works. This also includes the £150K grant from Historic England (formerly English Heritage) which is used as match for the HLF money.

Consultation

Throughout the development of the project and as an integral part of the HLF bid, consultation has been carried out with a wide range of key stakeholders, including ward councillors and the Jewellery Quarter Development Trust (JQDT) amongst others. Bereavement Services has been part of the project development and will continue to be as it progresses. During the course of the Stage II HLF application, approximately 670 people were engaged and consulted with.

Procurement

Landscape Practice Group (LPG) will continue to provide the main design input from the Stage II submission, including developing the project up to RIBA Stage 4 and overseeing the tender process in conjunction with Corporate Procurement Services. Following protracted discussions over their continued role, HLF has agreed that LPG should continue to provide design services to the project.

The approach to the procurement of the capital and landscaping works is set out in detail as an appendix to the main report.

Equality Analysis

All local stakeholders have been consulted. An Initial Equalities Assessment was completed as part of the authority to bid and a new one was completed as part of this process (attached as Appendix 5 to the main Cabinet Report) with the conclusion that the proposed works will not adversely impact on any particular user groups. The project aims to significantly improve access to and within the cemeteries, for example, through better paths and drainage as well as interpretation and activities to increase knowledge, involvement and participation in the cemeteries.

	<p>Management and Maintenance</p> <p>Management of both cemeteries is the responsibility of the City Council's Bereavement Services, part of the Place Directorate, and closely involved in the development of the project.</p> <p>The provisions for the long-term maintenance of the cemeteries are set out in the 10-year (2015-2025) Management and Maintenance Plans for each cemetery. These set out the vision, objectives and priorities for the management of each cemetery and were prepared by Bereavement Services who have responsibility for them. Maintenance costs have been included as part of this process.</p> <p>Upon completion of the improvement works, it is intended to apply for a Green Flag Award. This is the recognised standard for publicly accessible parks and green spaces and is overseen by CABI Space. It aims to raise the standard of management of all open spaces and recognises well-managed ones.</p> <p>Project Milestones</p> <ul style="list-style-type: none">• Permission to Start Letter from HLF – July 2016• Engagement of a Project Manager and an Activities Manager – August 2016• RIBA Stage 4 designs competed – September / October 2016• Commence tender process for capital works programme – October 2016• Competition exercise for landscaping works – October 2016• Approval to award contracts for capital and landscaping works• Capital works start on site – February 2017• Capital works completion – September 2018• Revenue activities programme – August 2016 – March 2019			
<p>Links to Corporate and Service Outcomes</p>	<p>The proposal supports the Council Business Plan and Budget 2016+, in particular Outcome One: A Strong Economy, through attracting visitors and external investment with major enhancements to a key heritage attraction, improving green space in an area with very little, at the same time as engaging with the people of Birmingham to play an active role in learning new skills such as social media, tour guiding, research and archiving as well as opportunities for work placements during the build phase.</p> <p>The project is also specifically referred to in “Protecting the Past – Informing the Future, Birmingham’s Heritage Strategy 2014-19”.</p> <p>The Big City Plan sets out a 20-year vision for the city, recognising the Jewellery Quarter’s importance as a heritage asset of which the two cemeteries play an integral role. The masterplan identifies the enhancement of the two cemeteries as a key project, improving the heritage asset as well as providing much needed green space.</p> <p>Jewellery Quarter Conservation Area Character Appraisal and Management Plan (SPG 2002) – to preserve and enhance the historic environment of the Jewellery Quarter Conservation Area.</p>			
<p>Project Definition Document Approved by</p>	<table><tr><td>Cabinet Page 100 of 528</td><td>Date of Approval</td><td>22nd September 2015</td></tr></table>	Cabinet Page 100 of 528	Date of Approval	22 nd September 2015
Cabinet Page 100 of 528	Date of Approval	22 nd September 2015		

Benefits Quantification- Impact on Outcomes	Measure	Impact
	New boundary railings	<ul style="list-style-type: none"> Greatly enhanced sense of place and restoration of historic elements
	Resurfaced pathways and improved drainage	<ul style="list-style-type: none"> Improved access and drainage making the sites more accessible and safer and easier to walk around
	Renovation of catacombs / safety balustrade	<ul style="list-style-type: none"> Enhances key feature, making it safer and more accessible to everyone
	Garden of Memory and memorial archway	<ul style="list-style-type: none"> Creating a new focal point and commemorating the demolished chapel, providing a tranquil seating area to encourage use of the area.
	Activity Plan	<ul style="list-style-type: none"> A range of activities to encourage volunteering and involvement in the development and understanding of the cemeteries and their historic context.
	Management and Maintenance Plans for both cemeteries	<ul style="list-style-type: none"> Outline the aims and objectives for the management of each cemetery over a 10-year period; Includes an agreed action plan for change and continued improvements to each cemetery
	Interpretation Plan	<ul style="list-style-type: none"> Sets out aims for interpretation, the target audiences, themes and topics that will be communicated, interpretative methods to be used and how the plan will be delivered.
Project Deliverables	<ul style="list-style-type: none"> New and restored boundary treatment Resurfacing of pathways Renovation of catacombs and installation of safety balustrades New Garden of Memory in the form of a paved area General tree and vegetation management Range of activities as set out in the Activity Plan Management and Maintenance Plans for both cemeteries JQ Cemeteries Interpretation Plan 	
Scope	To implement the major refurbishment and renovation of two cemeteries of historic importance to the Jewellery Quarter and Birmingham. This will enhance the image and profile of the Jewellery Quarter and the city centre as a visitor attraction and green space and complements the other heritage attractions in the area.	
Scope exclusions	The scheme only includes those measures as detailed in this Full Business Case. It does not include the area around the Lodge area on Warstone Lane at this stage, although designs have been prepared, as there has been a change in leasehold arrangement and no agreement has been made.	
Dependencies on other projects or activities	<ul style="list-style-type: none"> Formal Permission-to-Start from HLF before any eligible spend can be made. Cabinet approval is the final element of this Procurement and appointment of Contractors for capital and 	

	landscaping works. <ul style="list-style-type: none"> • Appointment of project manager and activity plan manager • Placing of orders for works • Listed Building Consent (planning approval already in place) 		
Achievability	<ul style="list-style-type: none"> • The scheme is planned for practical completion by 2019 to ensure it meets with the HLF timescale. • Landscape Practice Group (LPG) has been engaged throughout the design process and has a track record for producing excellent design for HLF projects. • Extensive design work and surveys have already been carried out as part of the bid submission. • Support has been obtained from Ward Members and key stakeholders, including the JQDT • HLF has appointed two people to oversee the project: one to carry out project management monitoring of the delivery phase and the other to act as a mentor to provide advice and guidance with regard to the activity plan. They will both assist in bringing the project to fruition. • Resources to undertake the works have been secured and the design team is already in place. • Planning and Regeneration has extensive experience of delivering schemes of this nature, including HLF-funded programmes. 		
Project Manager	Russell Poulton – Regeneration Manager, Planning and Regeneration - 0121 464 9841 russell.poulton@birmingham.gov.uk		
Budget Holder	Waheed Nazir, Acting Strategic Director of Economy 0121 464 7735 waheed.nazir@birmingham.gov.uk		
Sponsor	Richard Cowell, Assistant Director, Development 0121 303 2262 richard.cowell@birmingham.gov.uk		
Project Accountant	Rob Pace, Finance Manager, Economy 0121 303 3817 rob.pace@birmingham.gov.uk		
Project Board Members	City and North West Project Board		
Head of City Finance (HoCF)	Alison Jarrett	Date of HoCF Approval:	15/06/2016

2. Budget Summary (Detailed workings should also be supplied)					
See Appendix 1 to Private Report					
Planned Start date for delivery of the project	July 2016		Planned Date of Technical completion	March 2019	

3. Checklist of Documents Supporting the FBC		
Item	Mandatory attachment	Number attached
Financial Case and Plan		
<ul style="list-style-type: none"> Detailed workings in support of the above Budget Summary (as necessary) 	Mandatory	See Private Report
Project Development products		
<ul style="list-style-type: none"> Risks register 	Mandatory	Appended to main report
<ul style="list-style-type: none"> Stakeholder Analysis 	Mandatory	Annex 1
Other Attachments (list as appropriate)		
<ul style="list-style-type: none"> HLF Offer Letter 		Appended to main report

Jewellery Quarter Cemeteries - Procurement Approach

This sets out the procurement approach for the three key elements of the works and services required:

- Repair, Conservation and New Building Works (Capital Works)
- Other Physical Works (Landscaping)
- Engagement of a Project Manager and an Activities Manager to Support the Programme

1. Repair, Conservation and New Building Works (Capital Works)

1.1 Scope

The scope and specification is as follows:

- Boundary works to Icknield St, Warstone Lane and Pitsford St, including reinstating historical railings, stone piers and entrance gates;
- Works to walls and catacombs, including installing new attractive safety balustrade;
- Cemetery furniture
- Creating a new memorial garden, including arch and seating, reinterpreting the footprint of the former chapel, now demolished.

1.2 Duration and Advertising Route

The contract will be awarded for a period of 19 months reflecting the proposed delivery programme for the project. This is a works contract which is below the OJEU threshold and therefore the tender will be advertised via www.finditinbirmingham.com and Contracts Finder only.

1.3 Procurement Route

The contract will be tendered using the 'open' route on the basis that:

- There are sufficient suppliers in the market place that can provide the required specialised services
- The service can be clearly defined
- Tenderers' prices will be fixed for the term of the contract

1.4 Tender Structure (Including Evaluation and Selection Criteria)

1.4.1 Evaluation and Selection Criteria

The quality / social value / price 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 form of contract: NEC3 Engineering and Construction Contract Option A priced contract with activity schedule or appropriate equivalent and the Council's amendments, specification and standard details.

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

1.4.3 The evaluation of tenders will be assessed as detailed below:

Assessment A

The criteria below, based on the PAS91:2013 Construction Prequalification Standard, will be assessed on a pass / fail basis:

- Supplier Information
- Economic / Financial Standing
- Health and Safety / Construction Design Management
- Business and Professional Standing
- Equality Legislation
- Environmental and Sustainability Management
- Statement of Good Standing
- Compliance with the Birmingham Business Charter for Social Responsibility
- Experience
- References

Those organisations that pass all sections of Assessment A will proceed to the next stage.

Assessment B - Quality

Criteria	Overall Weighting	Sub-Weighting
Quality - Written Proposals (40% Weighting)		
Technical Competence and Capacity	100%	50%
Organisation and Resources		20%
Project Methodology		30%

An interview with tenderers may take place if required to clarify their understanding of the requirements and the scoring adjusted accordingly, as appropriate.

Assessment C – Social Value (Weighting 10%)

Social Value Proposals (10% Weighting)		
Local Employment	100%	15%
Buy Birmingham First		15%
Partner in Communities		40%
Good Employer		10%
Green and Sustainable		10%
Ethical Procurement		10%

The evaluation criteria will include tenderers' commitments based on the social values outcomes identified in the Activity Plan drawn up for the project.

Tenderers who score less than 40% of the social value threshold, i.e. a score of 200 out of a maximum quality score of 500 may not take any further part in the process.

Assessment D – Pricing (Weighting 50%)

Tenderers would submit a fixed price tender with the works required for both sites.

Overall Evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer. The maximum score will be awarded to the tender that demonstrates the highest for quality. The maximum score will be awarded to the tender that demonstrates the highest for social value. Similarly the maximum price score will be awarded to the lowest acceptable price. Other tenderers will be scored in proportion to the maximum scores in order to ensure value for money.

1.5 Evaluation Team

The evaluation of the tenders will be undertaken by:

- Officers from Planning and Regeneration service
- Officers from Landscape Practice Group supported by officers from Corporate Procurement Services

2. Other Physical Works (Landscaping)

2.1 Scope

- Tree and vegetation management, including new planting

- Resurfacing of pathways
- Improvements to drainage by installation of soakaways

2.2 Procurement Route

The contract will be tendered using the Landscape Construction Framework Agreement 2015-19 on the basis that this is the Council approved route for procuring all landscaping works. The procurement process will be to carry out a further competition exercise following the protocol of the framework agreement.

2.3 Tender Structure (Including Evaluation and Selection Criteria)

2.3.1 Evaluation and Selection Criteria

The protocol for the framework agreement as the non-standard items exceed 50% of the contract value is that a further competition exercise will be carried out with a minimum of six contractors using the evaluation criteria of quality 40% and price 60%. As the value of the contract is below the threshold, social value will not form part of the evaluation criteria. The framework contractors that will be invited to tender are all certified signatories to the Birmingham Business Charter for Social Responsibility. Any additional actions from the social value outcomes as identified in the Activity Plan proportionate to the value of this contract will be included in the successful tenderers Action Plan. However it will be a mandatory requirement that the Birmingham Living Wage is paid by the successful contractor.

The form of contract under which the further competition exercise will be carried out is the Standard Form of Measured Term Contract 2011, issued by the Joint Contracts Tribunal for the Standard Form of Building Contract.

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

2.3.3 The evaluation of tenders will be assessed as detailed below:

Assessment A - Quality

Criteria	Overall Weighting	Sub-Weighting
Quality - Written Proposals (40% Weighting)		
Technical Competence and Capacity	100%	50%
Organisation and Resources		20%
Project Methodology		30%

An interview with tenderers may take place if required to clarify their understanding of the requirements and the scoring adjusted accordingly, as appropriate.

Assessment B – Pricing (Weighting 60%)

Tenderers would submit a fixed price tender for the landscaping works required for both sites.

Overall Evaluation

The evaluation process will result in comparative quality and price scores for each tenderer. The maximum score will be awarded to the tender that demonstrates the highest for quality. Similarly the maximum price score will be awarded to the lowest acceptable price. Other tenderers will be scored in proportion to the maximum scores in order to ensure value for money.

2.4 Evaluation Team

The evaluation of the tenders will be undertaken by:

- Officers from Planning and Regeneration service
 - Officers from LPG
- supported by officers from Corporate Procurement Services

3. Engagement of a Project Manager and an Activities Manager to Support the Programme

The engagement of a Project Manager and an Activities Manager will be procured in line with the Procurement Governance Arrangements. Due to the specialist nature of these roles and the low value, a soft market testing exercise will be undertaken to define the procurement route to be taken.

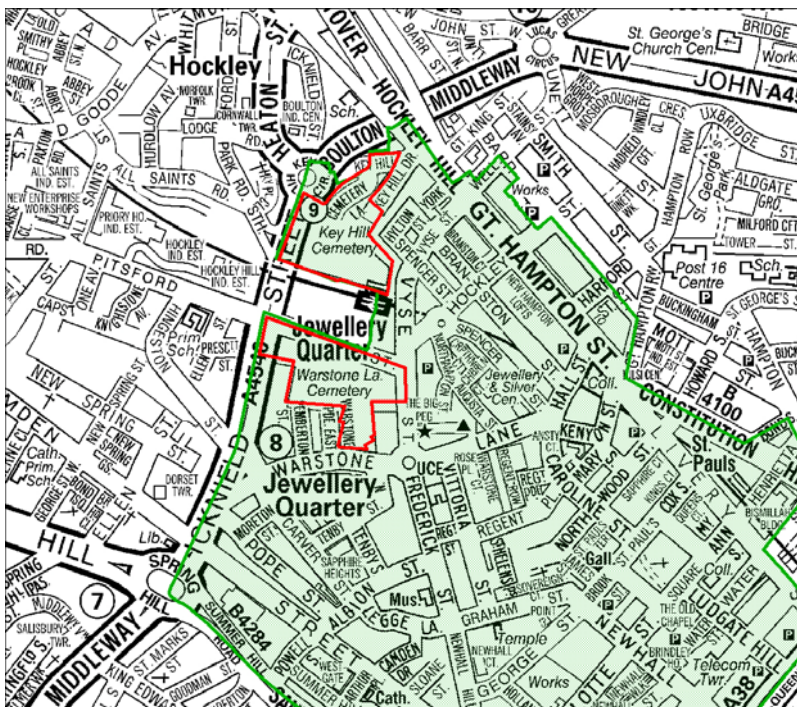
Design Specification The Jewellery Quarter Cemeteries Stage 2 HLF Bid

Contents

- Introduction
- The Proposals Overview
- Design Detail:
 - Warstone Lane Cemetery
 - Key Hill Cemetery

Introduction

This Design Specification accompanies the application for Warstone Lane and Key Hill Cemeteries, both located within the Jewellery Quarter Conservation Area, Birmingham.



A to Z Location Plan

GREEN shows
Jewellery Quarter
Conservation Area

RED shows site
boundaries

The Proposals Overview

Warstone Lane Cemetery proposals include:
Page 111 of 528

1. Reinstalling historical boundary railings, stone piers and entrance gates on all road frontages;
2. Resurfacing of pathways;
3. Renovation of catacomb stonework;
4. Installing an attractive safety balustrade along the catacomb terraces
5. Improving the setting of the cemetery lodge through railings removal and resurfacing;
6. creating a new Garden of Memory and Reflection in the form of a paved seating area reinterpreting the footprint of the former chapel, now demolished;
7. Tree management, including planting and removal.



Proposals Overview Plan WL L01

Key Hill Cemetery proposals include:

1. Resurfacing of pathways
2. Improvements to drainage by installation of soakaways
3. Renovation of catacomb stonework;
4. Installing an attractive safety balustrade above the catacombs
5. Tree & vegetation clearance & management



Proposals Overview Plan KH L01

Design Detail - Warstone Lane Cemetery

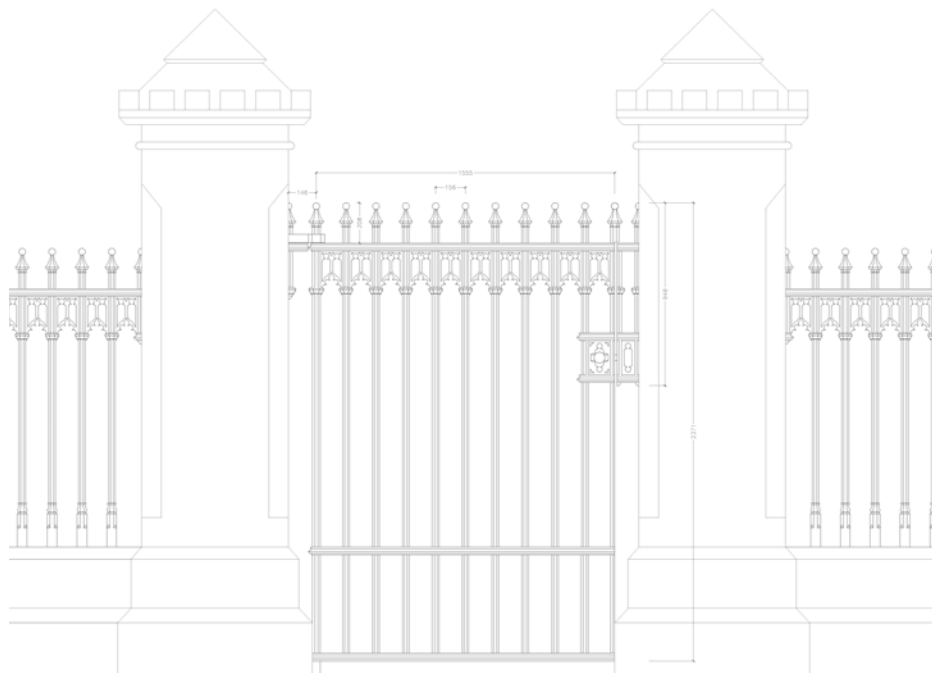
1. Reinstalling historical boundary railings, stone piers and entrance gates on all road frontages.

The former railings were removed in the post World War II period. Study of the historical archive and small extant remnants provide a clear indication of the original intricate design. The proposals include reinstating the historical cast iron design on the main Vyse St thoroughfare, and installing less intricate and hence less costly steel versions on the Icknield St, Pitsford St and Warstone Lane frontages. All stone piers and plinths are included, with existing ones renovated and missing ones installed as new.

Vyse Street Entrance



Photo of Vyse Street entrance showing the absence of piers, railings and gates.

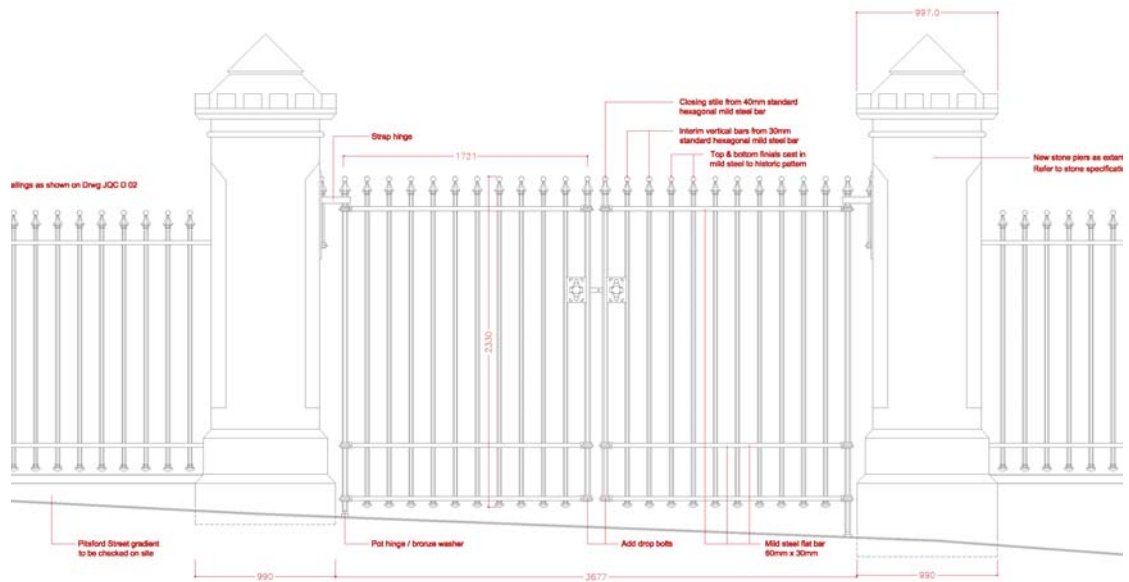


Proposed Vyse Street Pedestrian Gateway with reinstated stone piers, pier caps, upper stone plinths and ornate cast iron gates and railings.

Pitsford Street Entrance



Photo of Pitsford Street entrance showing the extant piers (sliced in half to allow more width!)



Proposed Pitsford Street Vehicle (Maintenance) Gateway with reinstated stone piers, pier caps, upper stone plinths and ornate cast iron gates and railings. Note that the original piers were set 3 yards apart (High church iconography of the Holy Trinity) like those on Icknield Street, however we have set the proposed piers at 12 feet apart (in reference to the Disciples) to allow sufficient width for large maintenance vehicles.

Icknield Street Entrance



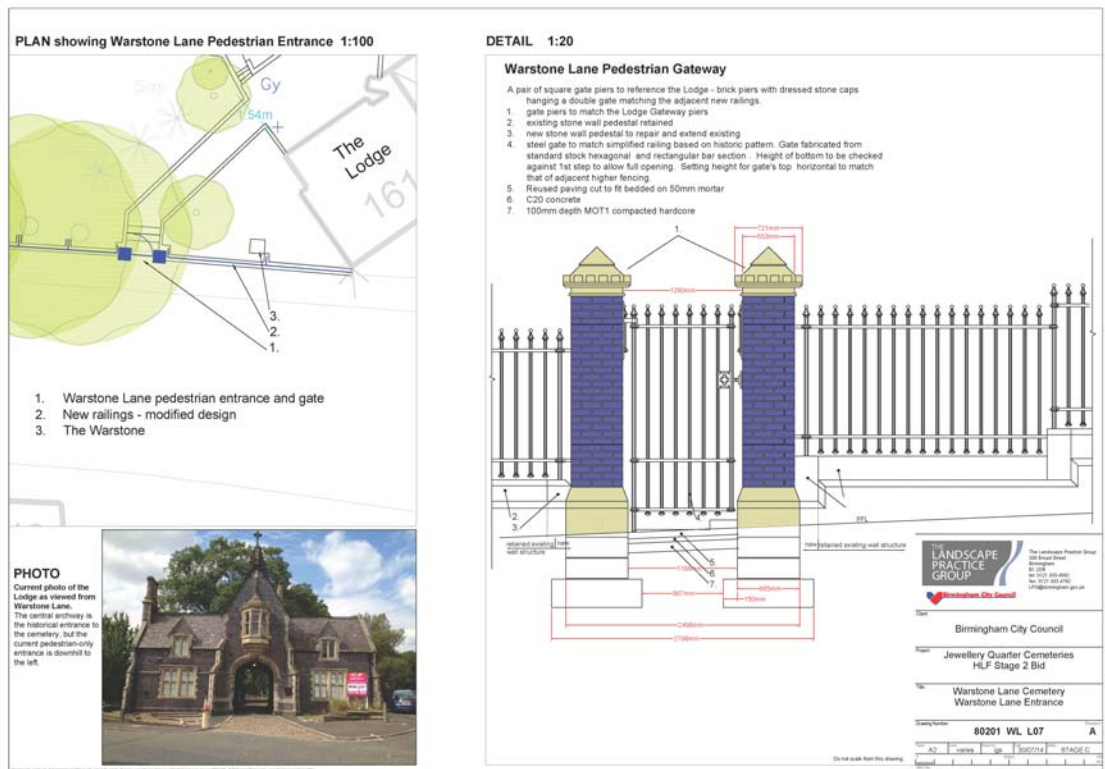
Photo of Icknield Street entrance showing the damaged extant piers that require sympathetic repair.

The proposed gates here will match those on Pitsford Street, though be narrower to fit the 3 yard pier width.

Warstone Lane Entrance



Photo of Warstone Lane Pedestrian Gateway showing the extant stone backstays forming the opening and the steps.



Warstone Lane Pedestrian Gateway Drawing showing reclaimed blue brick piers, stone pier caps, upper stone plinths and steel gates and railings. This entrance is not an original feature, but rather created when the Lodge first became leased out and its rear curtilage area encircled with a low wall and railings. Therefore the design is not to replicate the historical stone pier model, but to match with the Lodge in materials, colour and style. The proposed railings along this boundary are the simplified steel version, which are none the less very detailed and attractive.

2. Resurfacing of pathways;

The existing paths are largely Breedon gravel surfaced, with some tarmac sections. The flat paths require patch repairs. The gravel paths with a gradient have suffered from severe erosion; these are to be rebuilt with a bound macadam layer topped with buff coloured bonded gravel, which will resist erosion. The erosion of the paths over the years has silted up the drainage gulleys – these have already been cleaned out.



Photo of pathway leading down the side of the catacombs showing displaced gravel and silted up drainage channels.

3. Renovation of catacomb stonework;

Works to the catacomb walls are proposed for aesthetic, structural & safety reasons. The works will retain and reinstate original features, remove self set vegetation and repoint. Methods of restoration will be in keeping with the original materials.



Photo from the upper level showing the poor state of repair of the wall, buddleias and the long ago removed crenulation locations.

4. Installing an attractive safety balustrade along the catacomb terraces.



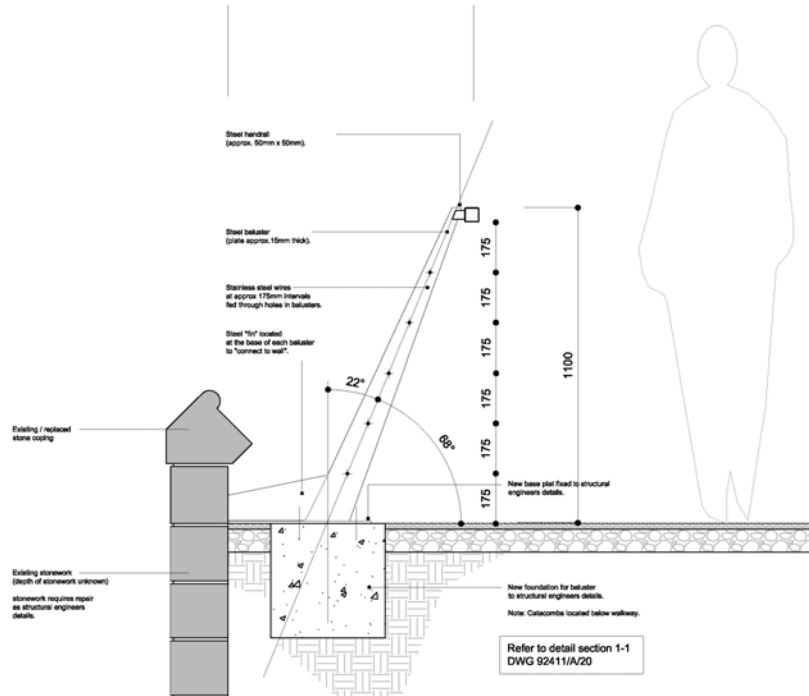
Photo from the middle level showing the height drops and the potential danger they create

The strategy to limit the impact of the new guardrail to the catacombs is to set the rail back from the stone capping and rake the balusters to:

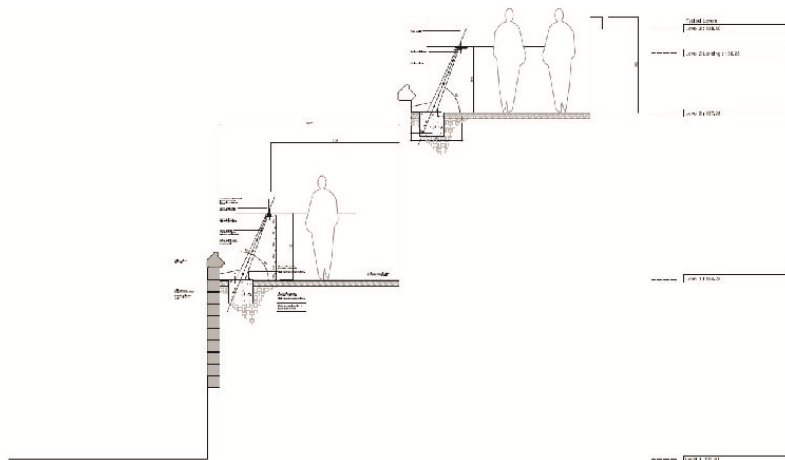
- reduce visual impact, and
- restrict the ability of children to climb the guardrail.

Setting the handrail back does narrow the width available to pedestrians but in general the width is a minimum of 1800mm, enabling 2 to 3 people to pass comfortably.

Section showing the raked baluster set back from the catacomb edge



Section showing the 2 terrace levels of the catacombs



The balusters will be stainless steel flats, wider at their base and tapering to their top and presenting their narrow edge to the catacomb front walls. They will be topped by a continuous steel hand rail and connected by strained stainless steel cables.

5. Improving the setting of the cemetery lodge through railings removal and resurfacing;

The rear of the Lodge (as seen from within the cemetery) has a poor setting. Inappropriate modern simple railings atop a low brick wall encompass the building's curtilage. In former days the Lodge archway formed the main entrance to the cemetery, which is not currently possible. This arrangement also impinges upon the war memorial, funnelling pedestrian through a tight alleyway on to Warstone Lane. It is proposed to remove the wall and railing and resurface the whole area with a combination of Breedon gravel and resin bonded surfacing. The lodge archway will once again be able to be used for pedestrian entry into the cemetery and in particular for marching ceremonies of remembrance, and with an unimpeded, improved view of the war memorial and lodge building from the rear.



Photo showing the cramped area in front of the war memorial and the poor setting of the Lodge archway physically separated from the actual cemetery.



Sketch showing how the removal of the railings and wall will once again focus the drive on the Lodge and lend the area a sense of space and connection with the building.

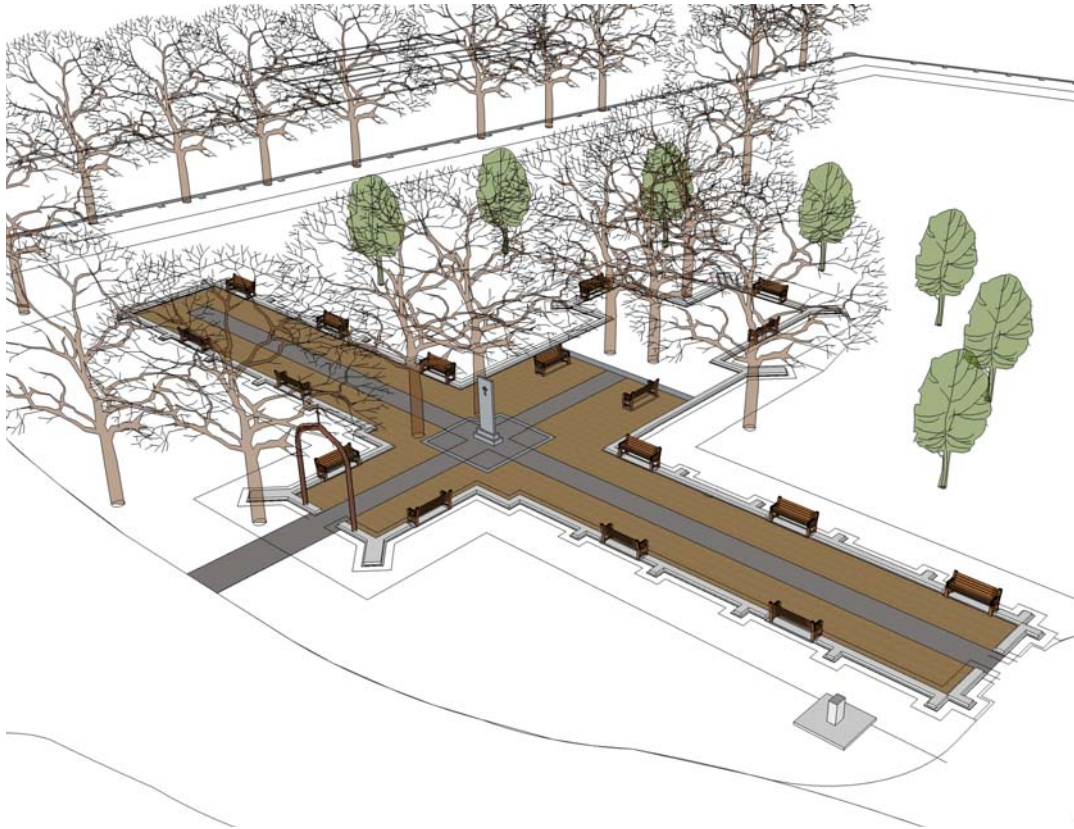
6. Creating a new Garden of Memory and Reflection

There is currently no trace of the former chapel, which was called St. Michael and all Angels, as it was demolished in 1958 after suffering some bomb damage in the war.



Historical artists image of St. Michael and all Angels showing the now demolished church sited above the catacombs. Note the church's main arched portico.

The area is consequently free from burial plots though there are underground catacomb chambers. In more recent years it has become a garden area with lawn, ornamental shrubs, trees and some seating. The proposal involves retracing the outline of the chapel on the ground plane with a low raised stone plinth, areas of paving and showing the rhythm of the windows with seating.



3D image of proposed interpretative footprint showing seating, paved pathways, gravel infill areas, retained trees and new tree planting.

Central to the design is a tall memorial stone on a low stone pedestal, engraved with historical images and descriptions. The former front entrance archway is replicated in size and scale by a new Corten steel arch. The muted natural shade of the steel will not jar with the natural and peaceful surroundings. The arch can also be seen from key locations within the site even from the Icknield Road drive, drawing visitors to the garden and giving them a sense of understanding about the historical heritage and site layout.



3D image of archway and central memorial stone as viewed from the driveway above the catacomb steps

7. Tree management, including planting and removal.

The proposals include for:

1. Protection and retention of existing trees
2. new tree planting to screen unsightly buildings;
3. felling in the central catacomb circle to reimagine the original clear setting;
4. felling of densely planted and self-set specimens near the proposed chapel footprint;
5. felling of any trees with poor structural or physiological condition.

Please see the accompanying Tree Constraints plans.

Tree species for planting

- *Cercis siliquastrum*, Judas Tree
Introduced from the Eastern Mediterranean in the 16th century, this small and highly floriferous tree (some flowers grow directly from the trunk or older branches), with conspicuous seed pods, has long been a favourite in the UK. Its name reflects the legend that it was the tree on which Judas hanged himself. Thus, it has often found a place in graveyards.



Cercis siliquastrum, Judas Tree

- *Taxus baccata* 'Fastigiata', fastigiated Yew
Loudon, in his *On Laying Out Cemeteries*, recommended the planting of, 'fastigate, conical dark needle-leaved evergreens', in many parts of a cemetery, partly because they did not spread so far and did not leave as much leaf litter as deciduous trees, and partly because, 'the cemeteries of the ancients were characterised by the cypress'. The fastigate yew was found in Ireland in 1780. Since that time, it has thrived in gardens, parks – and churchyards – in Britain, valued for its striking presence and ease of management.



Group of *Taxus baccata* 'Fastigiata' in a churchyard

- *Ulmus glabra* 'Camperdownii', Camperdown elm

Loudon highly recommended the weeping elm, *Ulmus montana pendula* (now known as *Ulmus glabra* 'Horizontalis') for planting in a cemetery, because of its gracefulness and its weeping habit, which was suitable in association with a monument. This tree has, however, suffered the same fate as so many other elms. The smaller, weeping elm, *Ulmus glabra* 'Camperdownii', the Camperdown elm seem to have survived, perhaps because they rarely reach more than 4 metres high. Thus, they are below the flight of the beetle which is responsible for killing our elms. It is one of the few small, weeping trees, which is striking in habit (rather than just a large 'mushroom' in appearance), and it is worth planting, not only because it becomes a picturesque, tree, but also to remind people what elm leaves and seeds look like. As testament to the relative robustness of this elm, Key Hill Cemetery has a specimen, which is in reasonable health, despite its having been burnt in the recent past.



Ulmus glabra 'Camperdownii'

Design Detail - Key Hill Cemetery

1. Resurfacing of pathways

The existing paths are largely gravel surfaced, with some tarmac sections. The paths above the northern Catacombs have been undermined by self-set trees and years of compaction; these are to be rebuilt with a bound macadam layer topped with buff coloured bonded gravel.



Photo of pathway above the northern Catacombs showing patches of deep potholes possibly caused by the removal of self-set trees.



Photo of main drive leading down towards Icknield St showing ruts beside the cobble drainage strips on either side.

2. Improvements to drainage by installation of soakaways

There are 2 severe areas of ponding on the main paths that require draining to restore visitor access throughout the site. As with the historical drainage gulleys at Warstone Lane, investigations show that the gulleys are not interconnected but rather each drain in to separate small soakaways or perhaps even into the underlying sand bed of the sites. The porosity has obviously suffered over years of leaf sediment and soil and new soakaways are required. They will be located under the path network to avoid burial plots and hand dug to avoid damage to structural tree roots.



Photo of flooded path junction. The drains here require the construction of a new soakaway.

3. Renovation of catacomb stonework;

Works to the catacomb walls are proposed for aesthetic, structural & safety reasons. The works will retain and reinstate original features, remove self-set vegetation and repoint. Methods of restoration will be in keeping with the original materials.



Photo showing how vegetation is undermining part of the catacomb structure. Some critical tree removals had already taken place when this photo was taken.

4. Replace with a more attractive safety balustrade above the catacombs

The balustrade proposal at Key Hill Cemetery is much simpler than at Warstone Lane because:

- It replaces an unattractive non original feature
- the views of the Catacombs are experienced from much closer and therefore the balustrade is often not even seen from below

The new barrier will be of a traditional, metal, 5 bar, 'Estate' railing design and will follow the existing line to help avoid issues of foundations clashing with buried structures, burials and tree roots.



Existing unattractive scaffold bar and metal strap balustrade on the upper level



Photo looking from below

Example of proposed estate railing, solid bar & painted.



5. Tree & vegetation clearance & management

Key Hill's London Planes create a very special ambiance to this cemetery and when the bluebells are out in late Spring the cemetery looks magical.

There is an area of much younger trees that would benefit the site from felling, and these are situated in front of and behind the main war memorial on the upper terrace. Trees here have created an overshadowed area, which would otherwise be an attractive open glade presenting the memorial at its best.

Access

Warstone Lane

Points of access to the Warstone Lane cemetery will change slightly, improving access:

- The corner entrance on Vyse Street, which was made perhaps 20-30 years ago, will be blocked off when the line of the historical railings is reinstated.
- The central Vyse Street entrance will have the step removed to provide a level access to facilitate wheel chairs.
- From Warstone Lane discussions are taking place with the lease holder to reopen the entrance through the Lodge arch; this is a ramped access rather than the existing stepped entrance slightly down the hill.

Generally

Access improvements within Warstone Lane and Key Hill Cemeteries include:

- Pathway resurfacing throughout Warstone Lane
- Pathway resurfacing at Key Hill to particularly poor rutted sections
- Draining of areas of ponding
- New & improved replacement safety balustrades to the catacombs, including handrails to stepped sections

Appendix 5: Jewellery Quarter Cemeteries Risk Register

Serial	Description	Likelihood	Impact	Grade	Action	Managed by
1.	Difficulty recruiting and retaining appropriately skilled staff for Project Manager and Activities Manager roles	Low	High	Low	Control – The project has a high profile and is in an attractive area in which to work and as such is likely to attract suitable candidates. Recent experience of the JQ Townscape Heritage programme, another HLF project, also suggests that this will not be a problem. In the short-term, BCC staff will ensure that this does not cause delays to the project.	BCC Regeneration Manager
2.	Delay in appointing staff to posts causing delayed spend and activity	Low	Medium	Tolerable	Control – The procurement process will start as soon as possible – job descriptions have already been prepared and agreed with HLF as part of the grant submission. Again, in the event of any delays, the Project Lead will ensure that this does not cause any unnecessary delays to the project by allocating short-term resources. The programme has some flexibility to increase support to the programme if needed, e.g. increased staff hours. There is an opportunity for synergy with the other HLF projects in the area (JQ TH and	BCC Regeneration Manager
3.	Unforeseen costs or condition of structures resulting in costs coming in higher than anticipated	Low	High	Low	Control – All aspects of the project from feasibility to design for the Stage II submission have been carried out in conjunction with HLF advice and guidance and a number of detailed technical surveys have been carried out as part of this process. If tenders reveal increased costs then we will discuss a potential increase in support from funders (or a phased approach) whilst exploring other funding options, such as Local Growth Fund, Business Improvement District or other Town and Country Planning 1990 Section 106 funding.	BCC Regeneration Manager
4.	Significant Stakeholder opposition to the project	Low	Medium	Tolerable	Control – All stakeholders have been consulted as part of ongoing developments of all phases of the project. Stakeholders have forwarded positive support for the project. Continued communication will be maintained with stakeholders to manage expectations throughout the delivery of the scheme.	BCC Regeneration Manager
5.	Not meeting spend / delivery projections of the main funding bodies which will expose the project to risk of losing the available budget for the project.	Low	High	Severe	Control – Project Lead to maintain communication with funding bodies, especially the HLF monitor and mentor, reporting on any change in project spend or delivery. A robust project delivery plan will be agreed with HLF in order to mitigate any risk of slippage in project delivery timescales. The programme has a degree of flexibility built-in to allow for delays to be caught up.	BCC Regeneration Manager

6.	Cost increase/time overrun of delivery	Low	Severe	Severe	A specialist project manager will be appointed to manage the capital works and will report directly to the Regeneration Manager in Planning and Regeneration. Extensive work and detailed technical surveys have already been carried out and Acivico will provide cost consultancy services as part of the design team. The Regeneration Manager will report to the Project Team on progress of the project against the KPIs throughout the delivery of the scheme. Any variance to the cost milestones and overall timescales of the delivery phase will be reported to the relevant board with recommendations. A robust cost assessment and delivery schedule for the scheme will be agreed with the construction partner(s) before implementation.	BCC Regeneration Manager
7.	Non-compliance with funding grant conditions leading to loss of funding or clawback	Low	Severe	Severe	<p>A robust design and programme has been developed in conjunction with HLF. Regular claims and updates are planned with the respective funding bodies, keeping them informed of the any changes to the planned programme. HLF has also appointed someone to carry out project management monitoring of the delivery phase and a mentor to provide advice and guidance with regard to the activity plan.</p> <p>The design team has extensive experience of delivering this type of project across a range of different funding programme.</p>	BCC Regeneration Manager

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Jewellery Quarter Cemeteries: Heritage Lottery Fund Grant
Directorate	Economy
Service Area	P&R Planning And Development
Type	New/Proposed Function
EA Summary	This EA sets out the equalities implications of accepting a grant from the Heritage Lottery Fund (HLF) for the renovation and improvement of Warstone Lane and Key Hill Cemeteries (the Jewellery Quarter Cemeteries).
Reference Number	EA001251
Task Group Manager	Russell.D.Poulton@birmingham.gov.uk
Task Group Member	
Date Approved	2016-06-17 01:00:00 +0100
Senior Officer	Waheed.nazir@birmingham.gov.uk
Quality Control Officer	Richard.Woodland@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 Function.

2 Overall Purpose

2.1 What the Activity is for

<p>What is the purpose of this Function and expected outcomes?</p>	<p>BCC (Planning and Regeneration) submitted a Stage II application to the Heritage Lottery Fund (HLF) in September 2015 and was successful in getting an offer of grant funding of 1,387,300 towards total costs of just over 2m. An initial Equality Analysis was carried as part of the Cabinet approval to bid for the funding and this EA covers the implications of accepting the grant offer.</p> <p>The grant will facilitate the renovation, improvement and conservation of the historic Jewellery Quarter Cemeteries (Warstone Lane and Key Hill). In particular, the project will reinstate, restore and secure as much as possible of the two cemeteries' lost, damaged and vulnerable built fabric, including the former railings that enclosed Warstone Lane. Where lost structures, such as the cemetery chapels, cannot be reinstated, imaginative interpretative techniques will be used to evoke their former presence and give visitors a sense of their original grandeur.</p> <p>At both cemeteries, work will be undertaken to repair and improve drainage and pathways to improve access for all users, particularly for wheelchair and buggy users. All of this will enable BCC to better manage the two cemeteries and 10-year Management and Maintenance plans have been prepared for both sites.</p> <p>The two cemeteries, along with St Paul's, are the only green open spaces in the JQ and the natural habitats will be protected and enhanced to create more welcoming places, with improved physical access, safety and comfort. This will also strengthen the sense of place for residents and businesses in the area as well as providing opportunities to learn about the the heritage of the area. particularly given the increase in the population of the JQ. All of this aims to change the perception of the cemeteries, so that they will once be seen as urban public parks and become a destination in their own right as places to enjoy and learn about the city's heritage.</p> <p>The physical works will be complemented by an Activity Plan, setting out a programme of events and activities covering 5 key elements: volunteering, training, learning (school groups and family activities), interpretation and community engagement. This was developed in consultation with numerous different groups, including the JQ Development Trust, Historic England and the general public. An Activity Manager will be recruited to develop this further, helping to get more people more actively engaged in conservation and volunteering, especially from groups not normally likely to visit heritage attractions. A HLF monitor has been appointed to assist and advice on this aspect of the project.</p> <p>The project also complements other investment in heritage in the JQ, such as the JQ Townscape Heritage programme and Coffin Works (both supported by HLF) and the other museums such as the Museum of the JQ and JW Evans. By working collaboratively, they will provide more reasons for people to visit the JQ, stay longer and contribute to the local economy.</p>
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Analysis on Initial Assessment

The JQ Cemeteries project and this project in particular has been developed over a number of years in partnership with a number of key stakeholders and different groups. The aim is to make the area safer and more attractive, improving one of Birmingham's important heritage assets and in doing so, attracting more and diverse people to the JQ. In terms of impact, the improved pathways and drainage in particular will make the sites accessible to people with mobility issues. The Activity Plan specifically focuses on increasing participation and engagement across as diverse a group as possible, so that people have plenty of opportunities to volunteer, develop new skills and learn about Birmingham's heritage. This is in addition to providing enhance greenspace in an area with a growing population and limited open space.

Improvements to the JQ Cemeteries will contribute to equality of opportunity for all by improving access and promoting an important cultural asset. However, as much of the work will focus on access improvements then the scheme will have a disproportionately positive impact on people with disabilities. As such a further analysis covering the needs of people will need to be undertaken.

A Steering Group will oversee development and implementation of the project and there will be ongoing engagement and publicity of the various activities as the project progresses.

3.1 Disability

3.1.1 Disability - Differential Impact

Disability	Relevant
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3.1.2 Disability - Impact

Describe how the Function meets the needs of Individuals with a disability?	Part of the project involves improving the pathways and drainage in the two cemeteries which assists in improving access to and within the sites. Currently the paths are worn and uneven and not easy to negotiate for anyone with mobility issues. The paths will be relaid with better drainage and cleared of obstructive vegetation to make it more attractive and accessible.
Do you have evidence to support the assessment?	No
Do you plan to collect any evidence?	Yes
What evidence will be collected and when?	The use and access to and from the cemeteries will be monitored as part of the overall HLF project.
Have you received any other feedback about the Function in meeting the needs of Individuals with a disability?	No
You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?	No

3.1.3 Disability - Consultation

Have you obtained the views of Individuals with a disability on the impact of the Function?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals with a disability?	Yes
If so, how did you obtain these views?	As part of the development of the project and during the planning process. Further and more specific engagement will take place as the Activity Plan is developed further.
Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?	No

3.1.4 Disability - Additional Work

Do you need any more information to complete the assessment?	No
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Please explain how individuals may be impacted.	By enhancing the physical access to the JQ cemeteries by improving the entrances, paths and drainage but also through the Activity Plan, through which targeted activities will be developed to increase the reach of the project, through a range of opportunities, such as research and interpretative information and volunteering.
Please explain how.	Through specific engagement opportunities and involving different groups in developing more accessible information. There will also be wider opportunities for collaborative work across the JQ, involving for example, the Ruskin Mill Trust.
Is there any more work you feel is necessary to complete the assessment?	No
Do you think that the Function has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?	Yes
Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	Yes
Do you think that the Function will take account of disabilities even if it means treating Individuals with a disability more favourably?	Yes
Do you think that the Function could assist Individuals with a disability to participate more?	Yes
Do you think that the Function could assist in promoting positive attitudes to Individuals with a disability?	Yes

3.2 Concluding Statement on Full Assessment

The JQ Cemeteries project and this project in particular has been developed over a number of years in partnership with a number of key stakeholders and different groups. The aim is to make the area safer and more attractive, improving one of Birmingham's important heritage assets and in doing so, attracting more and diverse people to the JQ. In terms of impact, the improved pathways and drainage in particular will make the sites accessible to people with mobility issues. The Activity Plan specifically focuses on increasing participation and engagement across as diverse a group as possible, so that people have plenty of opportunities to volunteer, develop new skills and learn about Birmingham's heritage. This is in addition to providing enhance greenspace in an area with a growing population and limited open space.

Improvements to the JQ Cemeteries will contribute to equality of opportunity for all by improving access and promoting an important cultural asset. In particular by addressing access issues the scheme will remove some of the barriers and obstacles that prevent the involvement of people with disabilities. An Activity Plan is being developed which will set out the engagement activities that need to take place in order to increase involvement from all groups whilst also providing an important tool for monitoring usage and participation.

A Steering Group will oversee development and implementation of the project and there will be ongoing engagement and publicity of the various activities as the project progresses.

4 Review Date

31/03/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	STRATEGIC DIRECTOR OF ECONOMY
Date of Decision:	28th JUNE 2016
SUBJECT:	SUPPORTING SMALL AND MEDIUM-SIZED ENTERPRISES- A TENDER STRATEGY FOR ESTABLISHING THE BIRMINGHAM MUNICIPAL HOUSING TRUST DYNAMIC PURCHASING SYSTEM (P0303)
Key Decision: Yes	Relevant Forward Plan Ref: 001462/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Councillor Peter Griffiths, Cabinet Member for Housing and Homes and Councillor Majid Mahmood, Cabinet Member for Value for Money and Efficiency
Relevant O&S Chairman:	Councillor Victoria Quinn, Chair of the Housing and Homes Overview and Scrutiny Committee and Councillor Mohammed Aikhlaq, Chair of the Corporate Resources and Governance Overview and Scrutiny Committee
Wards affected:	All

1. Purpose of report:
<p>1.1 To provide details of the tender strategy and process for the establishment of a regional collaborative Dynamic Purchasing System (DPS) for the Birmingham Housing Municipal Trust (BMHT) to build new homes on designated small sites (up to 15 units) for a four year period commencing on 1st November 2016. This DPS is aimed at supporting small and medium sized house-builders located in and around Birmingham and will also be available to other local authorities in the West Midlands Combined Authority area and also adjacent authorities wishing to use it.</p> <p>1.2 To set out the preferred procurement routes available for future BMHT schemes based upon their size and/or contract value.</p>

2. Decision(s) recommended:

That Cabinet:

- 2.1 Approves the strategy and the commencement of tendering activity for the provision of a regional collaborative DPS for the procurement of construction contractors for the Birmingham Housing Municipal Trust (BMHT) to build new homes for social housing and/or outright sale on designated small sites (up to 15 units) in accordance with the requirements and approach outlined in Section 5 of this report.
- 2.2 Delegates authority to the Strategic Director for Economy in conjunction with the Assistant Director of Procurement, the Strategic Director of Finance and Legal (or their delegate) and the City Solicitor (or their delegate) to appoint providers onto the DPS following completion of the pre-qualification tendering process
- 2.3 Delegates authority to the Strategic Director of Economy, in conjunction with the Assistant Director of Procurement, the Strategic Director of Finance (or their delegate) and the City Solicitor (or their delegate) to appoint, as and when required, new providers onto the DPS where they meet the selection criteria set by the Council.
- 2.4 Approves the future procurement routes for BMHT schemes as set out in 5.7.

Lead Contact Officer(s):	Steve Dallaway, Development Manager, Housing Development, Planning and Regeneration, Economy Directorate
Telephone No: E-mail address:	0121 303 3344 steve.dallaway@birmingham.gov.uk
Additional Officer(s):	Debbie Husler, Head of Procurement, Corporate Resources Directorate
Telephone No: E-mail address:	0121 303 0017 debbie.husler@birmingham.gov.uk

3. Consultation

3.1	<u>Internal</u>
3.1.1	Officers from Legal and Democratic Services, Finance and Corporate Procurement have been involved in the preparation of this report.
3.1.2	The Acting Strategic Director of Place has been consulted on this report and is in agreement with the recommendations.
3.2	<u>External</u>
3.2.1	Acivico Ltd is currently delivering a number of BMHT schemes and has been consulted and is in agreement with the recommendations in the report.
3.2.2	Arcadis LLP and Capita Property Ltd, currently provide Lead Consultant/Technical Advice for the BMHT programme have input into the tender strategy and their representatives will be part of the tender evaluation panel to provide technical support.
3.2.3	In order to stimulate the market and encourage small and medium-sized companies to tender for this opportunity, the Council will engage with both the National Federation of Builders (NFB) and SMEs that have previously indicated a wish to provide these services to the Council and the wider West Midlands area.
3.2.4	Other Local Authorities within both the West Midlands Combined Authority and several from the wider Midlands area have been advised of the proposals to create a Dynamic Purchasing System arrangement and are keen to be offered the opportunity to use this for similar schemes.

4.	Compliance Issues:
4.1	<u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u>
4.1.1	<p>The development of new homes for a growing city is a key objective of the Council Business Plan and Budget 2016+. The development of new affordable housing within the City is in accordance with a number of the Council's key priorities, including:</p> <p><u>A fair city</u> - to tackle inequality and deprivation, promote social cohesion across all communities in Birmingham, and ensure dignity, in particular for our elderly and safeguarding for children – by providing new affordable homes, apprenticeships and bursary programme placements.</p> <p><u>A prosperous city</u> - to lay the foundations for a prosperous City, built on an inclusive economy – by stimulating the construction industry through the Council's housing building programme.</p> <p><u>A democratic city</u> - to involve local people and communities in the future of their local area and their Public Services – by consulting communities about proposals for new development and ensure that new homes meet local needs and localised targeting of training, education and employment initiatives to complement the house-building programme.</p>
4.1.2	<p><u>Birmingham Business Charter for Social Responsibility (BB4CSR)</u></p> <p>Compliance with the BB4CSR is a mandatory requirement that will form part of the conditions of this contract. Tenderers will submit an action plan with their tender that will be evaluated in accordance with 5.5.4.2 and the action plan of the successful tenderer will be implemented and monitored during the contract period.</p>

4.2 Financial Implications

- 4.2.1 The DPS will not commit the Council to any particular level of spend until individual contracts are awarded. Spend will be met from the BMHT capital programme as part of the HRA Business Plan that is approved annually by City Council, subject to any changes that arise in national policy on the provision of social housing by local authorities.
- 4.2.2 The estimated spend through this DPS is £10m per annum for the duration of the DPS as a part of the overall BMHT programme within the HRA capital programme.
- 4.2.3 The costs of the administration of the DPS will be met from within the approved annual staffing and operational budgets of the service.

4.3 Legal Implications

- 4.3.1 As the Housing Authority, the relevant legal powers relating to the discharge of the Council's statutory function to provide for its housing need are contained in Section 9 of the Housing Act 1985.

4.3.2 Pre-Procurement Duty under the Public Service (Social Value) Act 2012

The service being procured aims to improve the economic, social and environmental well-being of the residents of Birmingham by way of the provision of affordable social housing to meet local needs and to support housing growth across the city. 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. Consideration also included how this procurement exercise might improve the social and economic well-being of the city and this will be achieved by assessing social value at the evaluation stage and through adoption of the Birmingham Business Charter for Social Responsibility principles.

4.3.3 Information Management

This contract relies on information relating to buildings. This therefore means that there are no significant information management issues to be addressed.

4.4 Public Sector Equality Duty

- 4.4.1 There are currently around 25,000 people on the Council's waiting list for affordable housing. Many of these people live in overcrowded conditions across the housing sector. Evidence from allocating properties previously developed under the BMHT banner has revealed the extent of this problem, many families being allocated from accommodation that was too small for their needs.
- 4.4.2 Through the BMHT programme, the Council provides homes that reflect the Strategic Housing Market Assessment for Birmingham with an emphasis on 2 bedroom houses and 4+ bedroom houses. Whilst there is a clear driver for family homes (and these make up the majority of the new development programme) the programme also looks to meet other needs, such as people without children and elderly residents who wish to down-size from under-occupied homes. Local need, site restrictions and financial viability are taken into account when determining the exact mix of homes and typologies to build on each site.

4.4.3 The BMHT Delivery Plan for 2015-20 included an Equality Impact Analysis and was agreed by Cabinet in December 2014 which operates city-wide. It includes areas where different cultural requirements will need to be reflected in the design of the homes provided. Feedback from previous schemes delivered has been utilised and these will be used in developing the schemes outlined within the BMHT Delivery Plan. New property archetypes need careful consideration in terms of construction affordability and value for money and have now been refined into the BMHT Standard House Types catalogue. The Council's house building programme represents a unique opportunity to break the mould of repetitive market house types and meet the specific needs of its diverse population.

5. Relevant background/chronology of key events:

5.1 Background and Service Requirements

5.1.1 On 8th December 2014, Cabinet agreed to a 5 year development programme for the Council's new build programme comprising over 2,000 new homes for a period from 2015 to 2020.

5.1.2 The award of a BMHT Contractor Framework Agreement 2012-15 was approved on 5th April 2012 by the former Cabinet Committee (Property) and following a one-year extension that was built into this agreement, expired on 31st March 2016. Nine contractors were awarded framework agreements against the following lots:

Lot 1	For either rented or outright sale dwellings only
Lot 2	For cross subsidy mixed tenure schemes
Lot 3	For large scale mixed tenure schemes which cover a number of phases over a number of years

Each Lot was further split into sub-lots to cater for the different sizes of schemes required. A maximum of 6 contractors were selected for each band.

There have not been any procurement exercises for housing development undertaken since the expiry of the framework agreement in March 2016, however new sites are currently being developed up to a planning application stage in order for them to come forward for Cabinet approval in Autumn 2016.

5.1.3 The previous framework agreement has been successful over the 4 year period for the procurement of BMHT schemes. However, as the housing market has recovered following the 2008 downturn, many of the framework contractors have been now pursuing work elsewhere. Consultation with these larger contractors has indicated that a number of these firms would not tender for BMHT schemes of a lower value or size. As a consequence, a framework agreement for lower value and size schemes is required to attract smaller companies with the capacity to undertake this work and who can deliver value for money by having lower operating costs.

5.1.4 The cost of construction continues to rise, placing additional pressure on the Council to ensure value for money is obtained on delivering its house-building programme. Schemes with a small number of units are the greatest challenge due to the associated costs of site set-up and often have site specific issues to address such as topography, land contamination and protecting and retaining mature trees. Larger contractors have greater overheads and higher profit margins set by their executive boards and are increasingly not tendering for these smaller schemes as these do not fit with their corporate strategy. These types of organisations are looking for larger sites or programmes of work to make best use of their resources and maximise their buying power.

5.1.5 The development of larger BMHT schemes will be undertaken via a competition exercise called off a framework agreement such as Constructing West Midlands (CWM) or the Homes and Communities Agency Delivery Partner Panel (DPP) or full OJEU process as appropriate and will be subject to further reporting for each specific project in line with the Council's governance. This is set out in 5.7 of this report.

5.2 Outcomes Expected

5.2.1 The following outcomes are anticipated as a result of the proposed procurement process to be carried out:

- Efficiencies realised by reducing the number of full tendering exercises to be carried out.
- Greater value for money opportunities through updated pricing and contractual arrangements
- Full visibility of spend against this category in the Council and an integrated contract management activity to realise value through efficiencies and improvements.
- Attractive to small, local firms who wish to build homes for the Council
- Provide a value for money way for delivering smaller schemes
- Reduced risk in the engagement of contractors
- Consistency in the implementation and delivery of works
- Manage the supply chain and contract packaging to support local contractors and suppliers
- Continue with the existing work already carried out by contractor's commitment to support local people in obtaining employment and apprenticeship opportunities including the inclusion as a contract condition for the payment of Building Birmingham Scholarship Levy
- Social value outcomes relevant and proportionate to the housing development scheme being procured

5.3 Market Analysis

5.3.1 The construction market is mature and well established with contractors ranging from small and medium enterprises up to large multi - national organisations. Market consultation has indicated that although larger organisation have the opportunity, it is unlikely that they will tender for this contract. Further details of the market analysis are in paragraphs 5.1.3 and 5.1.4

5.4 Procurement Options

5.4.1 Tender each contract on an individual basis – There are benefits as prices will reflect current market conditions and the latest corporate requirements can be included for each tender exercise. However, these benefits are outweighed by the risk of increased prices as market conditions change, consistency in delivery and the time and resources required would not be prudent use of Council funds or be an attractive proposition for potential suppliers.

5.4.2 Tender for a contractor to deliver the remainder of the Capital Programme – There are 4 years remaining for the delivery of the capital programme for housing development. This option has been discounted on the basis that this option could only be delivered by a larger organisation who would not be interested in the smaller schemes for the reasons stated in 5.1.3 and 5.1.4.

5.4.3 Tender for a framework agreement for Birmingham only – There are benefits as prices will reflect current market conditions and the latest corporate requirements can be included. However, there are more benefits from opening up the framework agreement to other public sector bodies than by tendering on a Birmingham only basis. These benefits are detailed below in 5.4.4.

5.4.4 Tender for a DPS with the Council acting as lead authority – a DPS is an entirely electronic procurement approach for setting up and maintaining an ‘approved list’ of contractors and suppliers. A DPS is set up using the restricted procedure under the Public Contract Regulations 2015 (PCR 2015) and further in accordance with Regulation 34 of the PCR 2015. The benefits include increased purchasing power, better collaboration and shared knowledge between authorities, reduced tendering time and resources for both authorities and suppliers. This is the recommended option to tender for a DPS, available for access to other public sector bodies, primarily in the West Midlands region.

5.4.5 Opt into a collaborative framework agreement. The following framework agreements are in place that may be suitable to use:

- Constructing West Midlands (or its replacement)
- Homes and Communities Agency Delivery Partner Panel (DPP)
- SCAPE
- Northern Housing Consortium

Although these are suitable to use, the framework providers are all large organisations and the same issues as stated in paragraph 5.1.3 would result if this option were proposed, therefore it is rejected as the sole procurement methodology. Also, this option would not offer the opportunity for small, local house-building firms to tender for schemes which they have the capacity to undertake and which the Council wishes to support.

5.4.6 Tender for a contract to cover the entire 5 year capital programme – there are benefits to awarding a contract to one organisation such as economies of scale, consistency and programme management. However, this option has been discounted as large organisations that may have the capacity and project management skills to undertake the programme are not interested in schemes of the size required as evidenced recently when tenders have been sought. They are being selective in the schemes they are interested in tendering for and therefore there would be a significant risk to the delivery of the programme with this option. Smaller companies do not have the capacity or organisational ability to manage a programme of this size.

5.5 Procurement Approach

5.5.1 Duration and Advertising Route

The DPS will be for a period of four years and a call for competition will be advertised in the Official Journal of the European Journal, Contracts Finder and on the www.finditinbirmingham.com website stating that a DPS is to be established.

5.5.2 Procurement Route

The requirement will be to set up a DPS following the restricted procedure with Birmingham City Council acting as a central purchasing body for other public sector bodies in the West Midlands. A rebate will be paid by the suppliers for any non-BCC spend through the new DPS. The DPS will operate as an ‘open system’ in that new suppliers can at any time during its 4 year duration apply to join the DPS. The DPS is a two-stage process. Firstly, at the initial set up stage (PQQ), all suppliers who meet the

selection criteria and are not excluded must be admitted to the DPS. Individual contracts are awarded during the second stage. In this stage, all suppliers on the DPS (or the relevant category or Lot within the DPS) are invited to bid for the specific contract. Submitted bids at stage 2 will be considered in accordance with the restricted procedure and evaluated against the award criteria set out in the OJEU contract notice and supplemented by more precise criteria in the specific Invitation to Tender (ITT)

Using the DPS procedure will give SMEs and new entrants the opportunity to tender for the Council's housing development procurement exercises where previously they were excluded.

5.5.3 Scope and Specification

5.5.3.1 The DPS will be tendered by lots as follows and will reflect the ability of each organisation to satisfy the financial capacity and risk management criteria for the level of contract value it is bidding for :

Lot No.	Indicative No. of Properties**	Method of Award	Indicative Contract Value
1	2-3	Further competition	Up to £600,000
2	4-8	Further competition	£500,000 - £1,600,000
3	9-15	Further competition	£1,000,000 – £3m*

* Note that the EU works threshold is currently £4.3m

** assumptions reflect different types of properties being planned eg. from one bedroom flats to 4/5 bedroom houses

Tenderers may bid for all lots, subject to meeting the specified criteria.

5.5.4 Tender Structure (Including Evaluation and Selection Criteria)

The structure of the tender will be as follows:

- Stage One – Pre- Qualification Stage (PQQ) and entry on to DPS Approved Supplier List
- Stage Two – Further Competition Exercise (procuring under the DPS)
- Stage Three– Scheme-Specific Contract Award (award of call-off contract using a JCT building contract)

5.5.4.1 PQQ Stage

The PQQ will require tenderers to complete a pre-qualification questionnaire which requires the following to be fully answered. The documents will be available electronically for new entrant suppliers to access for the duration of the DPS of 4 years. Suppliers whose submissions have been rejected at any stage will also have the opportunity to modify their return if their circumstances have changed.

Pass / Fail

- Supplier Information
- Grounds for Mandatory Exclusion
- Grounds for Discretionary Exclusion (Part 1 and Part 2)
- Economic and Financial Standing
- Technical and Professional Ability

- Additional Selection Questions
 - Environmental Management
 - Insurances
 - Compliance to Equality Duties
 - Health & Safety
 - Sign up to the Birmingham Business Charter for Social Responsibility
 - Experience and Competence
 - References

Tenderers that pass the selection criteria will be admitted to the DPS and entitled to submit bids at the Invitation to Tender stage.

5.5.4.2 Invitation to Tender Stage

Individual procurement exercises will be undertaken for specific projects using the following evaluation criteria of 30% quality, 20% social value and 50% price. These ratios were established having due regard to the corporate document 'Advice and Guidance on Evaluating Tenders'.

Quality (30%)

Criteria	Overall Weighting	Sub-Weighting
Project Specific Criteria	100%	20%
Design Quality & Specification		10%
Management of Programme		25%
Organisational Management & Resources		20%
Health & Safety		25%

Tenderers who score less than 60% of the quality threshold i.e. a score of 300 out of a maximum quality score of 500 may not take any further part in the process.

The ITT will set out that interviews may be required to understand and to clarify any questions or concerns arising from the written evaluation stage.

Social Value (20%)

Criteria	Overall Weighting	Sub-Weighting
Local Employment	100%	25%
Buy Birmingham First		20%
Partners in Communities		20%
Good Employer		15%
Green and Sustainable		10%
Ethical Procurement		10%

Tenderers will be expected to submit their proposals on how they intend to deliver social value. Responses will be scored against a pre-determined evaluation model and evaluated in accordance with their submission.

Tenderers who score less than 40% of the social value threshold i.e. a score of 200 out of a maximum social value score of 500 may not take any further part in the process.

Pricing (50%)

Tenderers will be expected to price against a pre-determined specification for each project

Combined Price/Quality/Social Value Evaluation

The evaluation process will result in comparative price, quality and social value scores for each tenderer. The maximum quality score will be awarded to the bid that demonstrates the highest for quality, the maximum price score will be awarded to the lowest acceptable price and similarly the maximum social value score will be awarded to the bid that demonstrates the highest social value. Other tenderers will be scored in proportion to the maximum scores in order to assess value for money. The weighted scores will be added together to determine the successful bid.

5.5.5 Evaluation Team

The evaluation of the written quality responses and the further bidding process will be undertaken by officers from the Economy Directorate, representatives from Lead Consultant/Technical Advisors and supported by Corporate Procurement Services

5.5.6 Allocation of Work

Individual contract awards from this DPS will be the subject of future Full Business Case reports that will be approved by the relevant decision maker.

5.6.1 Risk

The CPS approach is to follow the Council Risk Management Methodology and the Category Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for housing developments has been jointly produced and owned by CPS and BMHT with arrangements being put in place to ensure operational risks are mitigated.

5.6.2 Indicative Implementation Plan

Cabinet Approval (Strategy)	28 th June 2016
OJEU Notice Issued	22nd July 2016
Clarification Period	25th July to 19 th August 2016
PQQ Deadline Submission	26th August 2016
Evaluation Period	30th August to 16 th September 2016
Delegated DPS entry confirmed	13th October 2016
DPS Award	17th October 2016
DPS commences	1st November 2016

5.6.3 Service Delivery Management

5.6.3.1 Contract Management

The contract will be managed operationally by the Head of Housing Development and commercially by the Contract Manager – Contract Management Team, Corporate Procurement Services.

5.6.3.2 Performance Measurement

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Key performance indicators for the delivery of individual contracts will be included

in the documentation for each Further Competition exercise.

5.7 Future Procurement Routes for the BMHT Delivery Plan

The DPS will complement other proposed procurement routes for the BMHT delivery plan. The most appropriate route will be selected dependent upon the size, value and complexity of the scheme to be developed. These routes are set out below:

Contract Value	Proposed Procurement Routes
Up to £500,000	DPS or non-OJEU procurement process
£500k to £1m	DPS, CWM or non-OJEU procurement process
£1m to £4.3m	DPS (up to £3m) CWM, HCA Deliver Partner Panel or non-OJEU procurement process
Above £4.3m	CWM, HCA DPP or OJEU procurement process

6. Evaluation of alternative option(s):

6.1 The procurement options appraisal is set out in paragraph 5.4.

7. Reasons for Decision(s):

- 7.1 To enable the tendering process to commence for a regional collaborative Dynamic Purchasing System for housing development.
- 7.2 To enable further reports outlining specific sites for BMHT development to come forward in due course.

Signatures:

Date:

.....
Cllr Majid Mahmood
Cabinet Member for Value for Money and Efficiency

.....
Cllr Peter Griffiths
Cabinet Member for Housing and Homes

.....
Waheed Nazir
Acting Strategic Director of Economy

List of Background Documents used to compile this Report:

1. Cabinet 8th December 2014 - Approved BMHT Delivery Plan 2015-2020.

List of Appendices accompanying this Report (if any):

None

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	STRATEGIC DIRECTOR OF ECONOMY
Date of Decision:	28 June 2016
SUBJECT:	TRANSITION REGIONS TOWARDS INDUSTRIAL SYMBIOSIS (TRIS) INTERREG PROJECT
Key Decision: Yes	Relevant Forward Plan Ref: 001663/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s) or Relevant Executive Member for Local Services:	Cllr Lisa Trickett, Cabinet Member for Clean Streets, Recycling and Environment
Relevant O&S Chairman:	Cllr John Cotton, Health, Wellbeing & the Environment
Wards affected:	All

1. Purpose of report:
1.1 To provide updated information about the Interreg TRIS project and to seek approval to accept Interreg funding.

2. Decision(s) recommended:
That Cabinet:-
2.1 Accepts the Interreg funding of £1.45m to support the Transition Regions towards Industrial Symbiosis (TRIS) project.
2.2 Approves Birmingham City Council acting as Accountable Body for this project.
2.3 Authorises the City Solicitor to negotiate, execute, seal and complete all necessary agreements and documentation to give effect to the above recommendations
2.4 To approve the use of staff time from Sustainability as match for the project (15% match required)

Lead Contact Officer(s):	Jacqueline Homan, Head of Sustainability
Telephone No: E-mail address:	07833 059273 jackie.homan@birmingham.gov.uk

3. Consultation
<p>3.1 <u>Internal</u></p> <p>There has been discussion of the project with the Strategic Director of the Place Directorate, and colleagues in Waste Management Services through the Waste Strategy Programme Board.</p> <p>3.2 <u>External</u></p> <p>The Green Commission's (a cross-sector partnership chaired by BCC) Energy and Resources and Green Growth Roundtable groups have been involved in communication about the project. We are working closely with international Synergies on the project; they are one of the project partners.</p>
4. Compliance Issues:
<p>4.1 <u>Are the recommended decisions consistent with the Council's policies, plans and strategies?</u></p> <p>Yes. The proposals are compliant with the reduce, reuse and recycle ambitions of the City Council as well as with the work of the Green Commission. The project will also support TP13, 14 and 15 in the Sustainability section of the Birmingham Development Plan. The project also supports the Council Business Plan and Budget 2016+ priority 'A Prosperous City', particularly:</p> <p>a) Business: Businesses will be growing and new ones starting up; industrial symbiosis is a proven technique to support economic growth and resource efficiency of all business in the supply chain.</p> <p>b) Sustainability: Birmingham will be more environmentally sustainable through the support for the circular economy¹ and more efficient use of resources.</p> <p>4.2 <u>Financial Implications</u> <u>(Will decisions be carried out within existing finance and Resources?)</u></p> <p>The project is 85% funded. The remaining 15% of the financing required will be achieved through contribution of staff time from the Sustainability Team. It is anticipated that the costs of the Council participating in the TRIS project will be in the region of £280k revenue funding into the City Council to pay for staff time, sub-contracting and travel and subsistence. This is over a five year period and will be funded by the Interreg grant. The funding will require delivery of outputs described in 5.5 and 5.6.</p>

¹ A circular economy is one that is restorative and regenerative by design, and which aims to keep products, components and materials at their highest utility and value at all times, distinguishing between technical and biological cycles (Ellen MacArthur Foundation).

As Lead Partner on the project, Birmingham City Council will receive all the funding from Interreg (£1,450,000) and will redistribute it across the partnership based on the pre-agreed allocation. A partnership agreement will be put in place between the project partners outlining their responsibilities to the project and implications for lack of performance; a draft has been supplied by Interreg for this purpose. The Interreg offer letter contains the following clause:

“In case a project partner does not comply with its obligations as agreed upon in this agreement and the relevant annexes, the concerned project partner shall be the sole responsible for any liabilities, damages and costs, resulting from the non-compliance.”

4.3 Legal Implications

Under the general power of competence per Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in this report and they are within the boundaries and limits of the general power of competence Section 2 and 4 of the Localism Act 2011.

4.4 Public Sector Equality Duty (see separate guidance note)

The Initial Equality Analysis is attached as Appendix 2. No negative equality impacts have been identified.

5. **Relevant background/chronology of key events:**

- 5.1 Birmingham has ambition to take a more sustainable approach to waste, with a particular focus on reduction, reuse and recycling. The ambition also runs through the work and strategies of the Green Commission and also through the Birmingham Development Plan. One way that this can be achieved is through ensuring that we support a 'circular economy approach, a key part of which is industrial symbiosis (most simply described as the mechanism by which the waste products from one part of the supply chain can become the resources for another, thereby diverting significant material from landfill, incineration or other waste disposal requirements).
- 5.2 In December 2015, the European Commission released its Circular Economy Package. This sets out targets and strategic direction for waste reduction, recycling, reuse and disposal:
- A common EU target for recycling 65% of municipal waste by 2030;
 - A common EU target for recycling 75% of packaging waste by 2030;
 - A binding landfill target to reduce landfill to maximum of 10% of all waste by 2030;
 - A ban on landfilling of separately collected waste;
 - Promotion of economic instruments to discourage landfilling ;
 - Simplified and improved definitions and harmonised calculation methods for recycling rates throughout the EU;
 - **Concrete measures to promote re-use and stimulate industrial symbiosis - turning one industry's by-product into another industry's raw material;**
 - Economic incentives for producers to put greener products on the market and support recovery and recycling schemes (e.g. for packaging, batteries, electric and electronic equipment, vehicles)

5.3 Much of this work coincides with the development of BCC's waste vision document, as well as the procurement of the new disposal contract. We have worked with an environmental engineering consultancy (Ricardo) to understand some of the potential solutions, some of which we are able to implement through facilitation and sharing best practice. One of these areas links to industrial symbiosis (referred to above) whereby we can not only reduce waste but also improve Small Medium Enterprises (SME) competitiveness through reduced costs.

5.4 Interreg Europe funding offered one of the best funding routes to develop this work. Supported by the European Regional Development Fund, it aims to 'offer opportunities for regional and local public authorities across Europe to share ideas and experience on public policy in practice, therefore improving strategies for their citizens and communities'. More information can be found at <http://www.interregeurope.eu/>.

5.5 However, despite the acknowledged advantages, Industrial Symbiosis (IS) is not yet fully widespread. The aim of the TRIS project is to facilitate a systemic uptake of IS in 5 European regions, supporting policy makers to increase the competitiveness of their SMEs by introducing IS practices. To do so, TRIS consortium will:

- Raise awareness of IS and its economic and environmental benefits
- Build a cooperation culture in the stakeholder groups (including SMEs and policy actors)
- Standardize IS practices in regional/ Local Enterprise Partnership (LEP) policy instruments
- Launch tangible initiatives in the regions: reaching out to SMEs, supporting their business with new IS cases/projects, preventing industrial waste production, testing new governance models
- Bringing IS to a higher position in the European political agenda

5.6 The high level aims of the TRIS project will be realised in a number of tangible outputs:

- The establishment of local stakeholder groups (IS Labs) which will share project outputs and develop local activity. There will be six meetings during the course of the project.
- Five (one for each region) interregional thematic workshops will be held to explore good practice. Funding is available to take local stakeholders in order to share knowledge.
- Study visits will be offered as part of the interregional workshops; delegates can go and see what is happening 'on the ground' to support their own work on industrial symbiosis.
- Staff exchanges for junior staff to be able to go and spend up to 5 working days in another partner organisation in a different region.

The outputs will be monitored by the project steering committee, to be established at the project kick-off meeting.

- 5.7 Birmingham City Council is a member of Climate KIC (Knowledge and Innovation communities). This project concept was developed in association with other city/ regional partners that also belong to the European-funded Climate KIC partnership. Partners include:
- Birmingham City Council (working closely with International Synergies, a Kings Norton based company and global leaders in industrial symbiosis, and Innovation Birmingham)
 - IFKA Public Benefit Nonprofit Limited for the Development of Industry (Hungary)
 - EmiliaRomagna Region (Italy)
 - Energy Agency for Southeast Sweden
 - Valencia Region (Spain)
- 5.8 In terms of project management, the following arrangements will be in place:
- Budget. The arrangements for distributing budget between partners will be agreed at the kick-off meeting, and will be consistent with recommendations from Interreg
 - As mentioned in Section 4.2, there will be a partnership agreement signed between all the partners to agree what they need to do as part of meeting the project requirements, and the consequences to them if these conditions are not met. A model agreement has been received from Interreg and will be reviewed by Legal Services.
 - There is a low risk of clawback. The Sustainability Team at BCC has significant experience in successful management of European projects. Measures will be put in place at the kick-off meeting (including the establishment of a steering committee) to ensure that this risk is minimised. Further, the Sustainability team will monitor the project, and its milestones, to ensure that we are complying with administrative and budgetary requirements from the funding body.
 - There will need to be some sub-contracting to bring in expertise around industrial symbiosis methodologies. This work will be tendered through Find it in Birmingham and will be compliant with BCC's procurement governance arrangements.

6. Evaluation of alternative option(s):

- 6.1 To not accept the grant and to fund the development of industrial symbiosis activity from BCC revenues. This is unlikely given the current budget pressures.
- 6.2 Rely on the market to realise the opportunity without support. There is a possibility that this might happen to a limited extent but would not be as extensive, or as quick to happen, without support.
- 6.3 To do nothing. This would set back movement towards the city's carbon reduction target of 60% by 2027. It would also mean that the city was not moving as quickly towards delivery of the targets set out in the European Commission's Circular Economy Package.

7. Reasons for Decision(s):

- 7.1 To support the strategic ambition in the new waste strategy, the Carbon Roadmap and the Birmingham Development Plan
- 7.2 To support the city in delivering on the ambitions laid out in the circular economy package

7.3. To support Birmingham's SME community and improve its competitiveness through cost reduction and resource efficiency.

Signatures

Date

Councillor Lisa Trickett,
Cabinet Member for Clean
Streets, Recycling and
Environment

Waheed Nazir
Strategic Director of Economy

List of Background Documents used to compile this Report:

European Commissions Circular Economy Package
Draft Waste Vision Document
Green Commission Vision and Roadmap
Birmingham Development Plan

List of Appendices accompanying this Report (if any):

1. Equality Analysis EA001211
2. Full business case
- 3.
- 4.
- 5.

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality 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.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Transition Regions Towards Industrial Symbiosis
Directorate	Corporate Resources - RETIRED USE ECONOMY
Service Area	Equalities And Human Resources
Type	New/Proposed Policy
EA Summary	This is a project funded by the European-funding body, Interreg. Birmingham City Council will be the lead partner on the project and, as a result, will be accepting the full grant and then redistributing to partners. The value of the grant is 1.8m. The purpose of the project is to find innovative ways, and good practice, to reduce waste.
Reference Number	EA001211
Task Group Manager	Derrick.R.Taylor@birmingham.gov.uk
Task Group Member	
Date Approved	2016-03-03 00:00:00 +0000
Senior Officer	jackie.homan@birmingham.gov.uk
Quality Control Officer	richard.rees@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Policy and expected outcomes?	The project has the aim of reducing waste in Birmingham; this is in line with the new waste strategy and the Green Commission.
---	--

For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Analysis on Initial Assessment

The overall aim of the project is to improve the environment in Birmingham, reduce waste, reduce carbon and increase SME competitiveness. There are no individual groups that will be adversely or particularly positively affected - the benefits will accrue for all citizens in Birmingham. As a result, there is no anticipated need for a Full Equality Assessment.

3 Concluding Statement on Full Assessment

As noted in the previous section, the widespread (and non-discriminatory) positive benefits from a better approach to industrial symbiosis means that we do not anticipate a full Equality Impact Assessment. We have set the review date one year ahead.

4 Review Date

31/03/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

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Full Business Case (FBC)			
1. General Information			
Directorate	Economy	Portfolio/Committee	Clean Streets, Recycling and the Environment
Project Title	TRIS	Project Code	To follow
Project Description	<p>Concept</p> <p>Resource Efficiency and SME competitiveness are fundamental to the EU agenda to create the conditions for smart, sustainable and inclusive growth. They enable the development of strong and resilient regional economies, which help to increase employment and reduce poverty. Inefficient resource use by Europe's SMEs has been identified by the European Commission as a clear market failure creating additional and unnecessary costs that constrain growth, contribute to greenhouse gas (GHG) emissions, and further exploit scarce natural resources (European Resource Efficiency Platform, 2014, Manifesto and Policy Recommendations. 31 March). Successful Industrial Symbiosis keeps resources circulating in the economy but the product, process, technology and procurement changes necessary are often complex for SMEs. Industrial symbiosis addresses this market failure by connecting traditionally separate industries through facilitation, thus enabling them to divert wasted by-products and resources into productive and value-added uses elsewhere in the economy. There is a growing market for industrial symbiosis across Europe, supported by the recent high-level European Resource Efficiency Platform (EREP) recommendation (cfr. EREP Manifesto) that EU and Member States should foster IS by promoting a pan-European network of Industrial Symbiosis initiatives. A DG Environment study indicates that pan-European Industrial Symbiosis would generate €3Billion in additional sales and cost savings for Europe, alongside substantial environmental benefits (Economic Analysis of Resource Efficiency Policies: Final Report, 2011, COWI for DG Environment). Industrial symbiosis has been proven to deliver wide-ranging benefits, from resource efficiency to eco-innovation. Facilitated Industrial symbiosis brings together producers and users of underutilized resources (including materials, water, energy, logistics) with technological innovators to foster demand-led innovation (i.e., innovation that responds to the needs of the market).</p> <p>Improving Resource-efficient economy policies is a key theme within the Interreg Europe programme and the efficient use of resources is</p>		

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critical to SME profitability and long term resilience. Industrial symbiosis techniques provide SMEs with the tools to address their use of materials, helping to reduce input costs and the cost of waste disposal. This has a direct impact on SME profitability and competitiveness. The TRIS project allows the sharing of best practice in industrial symbiosis between European regions, thereby accelerating improvements in resource efficiency and competitiveness. It provides learning and knowledge exchange for policy makers and public bodies to inform them of the appropriate incentives and environment to accelerate the uptake of industrial symbiosis and a more circular economy.

Partners

Birmingham City Council is a member of Climate KIC. This project concept was developed in association with other city/ regional partners that also belong to the European-funded Climate KIC partnership.

Partners include:

1. Birmingham City Council (Lead Partner)
2. International Synergies (a Kings Norton based company and global leaders in industrial symbiosis and Innovation Birmingham)
3. IFKA Public Benefit Nonprofit Limited for the Development of Industry (Hungary)
4. Emilia Romagna Region (Italy)
5. Energy Agency for Southeast Sweden
6. Valencia Region (Spain)

Previous collaboration

Birmingham City Council has collaborated extensively with international Synergies on a number of activities (including Climate KIC, the new waste vision, the G7 Summit on industrial symbiosis held in Birmingham and in relation to Green Commission activities). We have also worked with most of the regional organisations mentioned (the only exception being the Energy Agency for SE Sweden) through previous Climate KIC activity, although not on the theme of industrial symbiosis).

Project Need

Birmingham has ambition to become a zero waste city; this is the ambition being articulated through the city's new waste vision. The ambition also runs through the work and strategies of the Green Commission and also through the Birmingham Development Plan. One way that this can be achieved is through ensuring that we support a

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'circular economy' approach , a key part of which is industrial symbiosis (most simply described as the mechanism by which the waste products from one part of the supply chain can become the resources for another, thereby diverting significant material from landfill, incineration or other waste disposal requirements).

In December 2015, the European Commission released its Circular Economy Package. This sets out targets and strategic direction in regard to waste reduction, recycling, reuse and disposal:

- A common EU target for recycling 65% of municipal waste by 2030;
- A common EU target for recycling 75% of packaging waste by 2030;
- A binding landfill target to reduce landfill to maximum of 10% of all waste by 2030;
- A ban on landfilling of separately collected waste;
- Promotion of economic instruments to discourage landfilling ;
- Simplified and improved definitions and harmonised calculation methods for recycling rates throughout the EU;
- **Concrete measures to promote re-use and stimulate industrial symbiosis - turning one industry's by-product into another industry's raw material;**
- Economic incentives for producers to put greener products on the market and support recovery and recycling schemes (e.g. for packaging, batteries, electric and electronic equipment, vehicles)

Much of this work coincides with ambitions being developed in relation to BCC's new waste vision, as well as the procurement of the new disposal contract. We have worked with an environmental engineering consultancy (Ricardo) to understand some of the potential solutions, some of which we are able to implement through facilitation and sharing best practice. One of these areas links to industrial symbiosis (referred to above) whereby we can not only reduce waste but also improve SME competitiveness through reduced costs.

The thematic focus

However, despite the acknowledged advantages, Industrial Symbiosis (IS) is not yet fully widespread. The aim of the TRIS project is to facilitate a systemic uptake of IS in 5 European regions, supporting policy makers to increase the competitiveness of their SMEs by introducing industrial symbiosis practices. To do so, TRIS consortium

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	<p>will:</p> <ul style="list-style-type: none"> • Raise awareness of industrial symbiosis and its economic and environmental benefits • Build a cooperation culture in the stakeholder groups (including SMEs and policy actors) • Standardise industrial symbiosis practices in regional/ LEP policy instruments • Launch tangible initiatives in the regions: reaching out to SMEs, supporting their business with new industrial symbiosis cases/projects, preventing industrial waste production, testing new governance models • Bring industrial symbiosis to a higher position in the European political agenda. <p><u>Project Objectives</u></p> <p>The overall objective of TRIS is to support the partnering public authorities and related bodies to increase resource efficiency and the competitiveness of their SMEs, and productive systems at large (being SME a portion up to 99% of the EU entrepreneurial fabric), by introducing Industrial Symbiosis (IS) practices. This will be achieved through the following</p> <ol style="list-style-type: none"> 1. Improvement of the regional policies addressing: <ul style="list-style-type: none"> • production and management of industrial waste, • efficient production processes, • access to innovative technologies and production techniques, • launch of new business strands and penetration of new markets. 2. Identifying the enabling elements and the obstacles for such an environment to become long lasting and embed them in, or remove them from, the appropriate policy instruments. 3. Reaching out and engaging with the actors that can drive the changes and/or be impacted by them and maintain them, interconnected in a structured network.
<p>Links to Corporate and Service Outcomes</p>	<p>Supports the Council Business Plan and Budget 2016+ priority 'A Prosperous City' , particularly:</p> <ul style="list-style-type: none"> • Business: Businesses will be growing and new ones starting up; industrial symbiosis is a proven technique to support economic growth and resource efficiency of all business in the supply chain. • Strategic Policy Birmingham will be more environmentally sustainable through the support for the circular economy and

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	<p>more efficient use of resources.</p> <p>The project also directly supports:</p> <ul style="list-style-type: none"> • The Green Commission's Carbon Roadmap • The objectives and ambitions of the new waste vision • The Birmingham Development Plan (especially TP13-15 in the section on Sustainability). 		
Project Definition Document Approved by	<i>Cllr Lisa Trickett and Waheed Nazir</i>	Date of Approval	22 nd April 2016
Benefits Quantification- Impact on Outcomes	Measure		Impact
	Regional Action Plan		This will be the main product from the TRIS project and will form the end of the first phase of the project. It will be built on all the practical activity and best practice observed during the first three years and will form a bespoke policy tool to move each region forward in relation to its resource efficiency agenda.
	Industrial Symbiosis "IS Labs"		An "IS-Lab" (essentially a stakeholder group) is created in each region, where input from the interregional learning activities is presented and used to develop locally relevant 'bite-sized' activities. All activities at the core of the mutual learning will be either discussed with or/and reported to the IS-Labs afterwards. Six meetings in each region are foreseen.
	Study visits		These will involve mainly junior staff in an internship of up to 5 working days in a partner organisation of a different region. This provides a real learning opportunity to see what is happening in different European regions in relation to industrial symbiosis and the circular economy.

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	Interregional workshops	Partners and IS-labs' members will present their most promising activities, addressing 5 themes: policy and regulation; awareness raising; financial schemes & business models; tools to improve the capacity of SMEs to use industrial symbiosis; and, engagement and creation of a trusted local network.
	Site visits	Coupled with the interregional workshops are site visits. About 30 people (partners and stakeholders) are expected to visit 6 outstanding examples of industrial symbiosis. The actors involved - SMEs, public authorities, consultants, etc. - will be interviewed to spot risks and success factors. Assessment of replicability will be performed at regional level.
Project Deliverables	<p>The following deliverables have been collectively agreed by the project consortium:</p> <ul style="list-style-type: none"> • Local meetings: local IS-labs set up in each location with a minimum of 10 individuals; letters of commitments signed by each members; IS-labs will meet and work at least 6 times each semester • Communication plan prepared and updated annually; website launched in year 1 and updated quarterly; visual identity of the project prepared; poster, brochures, leaflet: on the project, on IS basic concept, on technical themes • Public dissemination events: 2 at EU level organised by Eurisa, 2 per location organised by partners in Phase 1; one final event organised in Phase 2 • Media coverage across the regions (press, TV, radio, web etc.) • Regional reports on the good practices analysed, assessed and shortlisted • 10 peer review meetings organised -> review reports prepared • 6 study visits organised (involving in average 25 participants each) • 5 Interregional workshops carried out, and reported, each on a specific theme (min 30 participants) • 5 to 10 staff exchanges occurred and reported • 5 regional action plans drawn, through an iterative process, presented and disseminated at EU and local level. 	
Scope	<p>The project will extend across the GBS LEP, providing opportunities for policy development (and funding support through ESIF) to support the mainstreaming of industrial symbiosis as an approach to improved resource efficiency.</p>	

APPENDIX

Scope exclusions	
Dependencies on other projects or activities	The project will need to comply with the funding rules and regulations set out by Interreg Europe. It will also need to align closely with the work of the new waste vision and will inform the work of the Green Commission and delivery of the Birmingham Development Plan going forward.
Achievability	<p>The Sustainability Team has an excellent track record of managing and coordinating complex European funded and national projects and complying with grant funding requirements.</p> <p>The Sustainability has delivered 7 European Projects to date (to completion – we are working on a number of others) and understands the stringent requirements that need to be observed in order to claim funding. We have developed knowledge and skills in financial reporting. Further, in this project, we are supported by International Synergies, who also have extensive experience in transnational project delivery.</p> <p>The TRIS project is enhancing the work of the new waste vision by supporting policy and funding (through ESIF) for increased resource efficiency amongst our businesses, and training in the tools to enable this for policy makers. As indicated in the first section of this business case, there has been some history of collaborative working amongst the partners identified in the project previously.</p>
Project Manager	Jacqueline Homan Sustainability and Science City Manager jackie.homan@birmingham.gov.uk / 07833 059273
Budget Holder	Jacqueline Homan Sustainability and Science City Manager jackie.homan@birmingham.gov.uk / 07833 059273
Sponsor	Anne Shaw Assistant Director Transport and Connectivity Economy anne.shaw@birmigham.gov.uk / 0121 303 6467
Project Accountant	Michele Garrison Finance Manager Development & Culture michele.garrison@birmingham.gov.uk / 0121 303 3817
Project Board Members	Jacqueline Homan – Sustainability and Science City Manager
Head of City Finance (HoCF)	
	Date of HoCF Approval:

APPENDIX

2. Budget Summary (Detailed workings should also be supplied)							
	Voyager Code	Financial Year (2016-17)	Financial Year (2017-18)	Financial Year (2018-19)	Financial Year (2019-20)	Financial Year (2020-21)	Totals
Revenue Costs	TBA	£ (in '000s)					
Expenditure:							
BCC staff costs		31.9	43	44	44	31.8	194.7
Travel Costs		3	4.5	5	5	4	21.5
Subcontractors		0	8.4	10	10	10	38.4
Other (office admin)		5.5	5.5	5.5	5.5	5.5	27.5
Totals		40.4	61.4	64.5	64.5	51.3	282.1
Funded By:	RPXPP						
BCC Revenue budget (15%)		6	9.2	9.7	9.7	7.7	42.3
Interreg Funding (85%)		34.4	52.2	54.8	54.8	43.6	239.8
Totals		40.4	61.4	64.5	64.5	51.3	282.1
Overall Project cost (including partners spend)		342.1	434.5	566.7	48.5	60.7	1452.8
Planned Start date for delivery of the project	July 2016		Planned Date of Technical completion				June 2021

APPENDIX

3. Checklist of Documents Supporting the FBC		
Item	Mandatory attachment	Number attached
Financial Case and Plan		
<ul style="list-style-type: none"> Detailed workings in support of the above Budget Summary (as necessary) 	Mandatory	
<ul style="list-style-type: none"> Statement of required resource (people, equipment, accommodation) – append a spreadsheet or other document 	Mandatory	
<ul style="list-style-type: none"> Whole Lifecycle Costing analysis (as necessary) 	n/a	
<ul style="list-style-type: none"> Milestone Dates/ Project Critical Path (set up in Voyager or attached in a spreadsheet) 	Mandatory	
<ul style="list-style-type: none"> Partnership Funding Proposal 		
<ul style="list-style-type: none"> Specific Funding (Grant) outline 		
Project Development products		
<ul style="list-style-type: none"> Populated Issues and Risks register 	Mandatory	
<ul style="list-style-type: none"> Stakeholder Analysis 	Mandatory	
<ul style="list-style-type: none"> Technical Feasibility Assessments 		
<ul style="list-style-type: none"> Partnership Agreement 		
<ul style="list-style-type: none"> Non-Financial Benefits 		
Other Attachments (list as appropriate)		
<ul style="list-style-type: none"> 		
<ul style="list-style-type: none"> 		
<ul style="list-style-type: none"> 		

APPENDIX

Annex 1 – Risk and Issues assessment

Please identify any significant risks and their impact on the project. Assess the probability of their occurrence and describe possible remedial actions.

Risk Description	Impact	Probability	Remedial Actions
Lack of take up in the project from SMEs	H	L	In working with International Synergies we are confident that there will be a high level of take up and interest from the opportunities that come from the TRIS project as they already have extensive networks of businesses that they support through their National Industrial Symbiosis Programme (NISP). We will also work with other business organisations (such as Chambers of Commerce) to ensure that dissemination is as widespread as possible.
Deliverables not achieved	H	L	Birmingham City Council is Lead partner on the project and has extensive experience in delivery of transnational projects and programmes. We will ensure that a consortium agreement is put in place between partners so that everyone knows what their responsibility is to the project.
Change of project personnel	M	H	Over the five year time period of the project, it is likely that there will be some changes of personnel. The consortium agreement will make it clear what the project expects from the member organisation in this case, but loss of expertise and knowledge can be problematic.
Insufficient capacity to deliver against the project objectives	M	L	Contingency has been included in the inclusion of a sub-contracting budget in order to provide support for the project team on some of the more technical elements of the project.
Lack of take-up of the project learning	L	M	It is important that the learning from this project is an iterative process and feeds back into development of strategy and decision-making in the partner organisations and that the project does not sit in isolation. In order to minimise this, the work from the project will be as inclusive as possible and dissemination will be done widely.
Clawback of funding for either non-compliance with grant conditions or ineligible spend for both BCC and the	H	L	Birmingham City Council is Lead partner on the project and has extensive experience in delivery of transnational projects and

APPENDIX

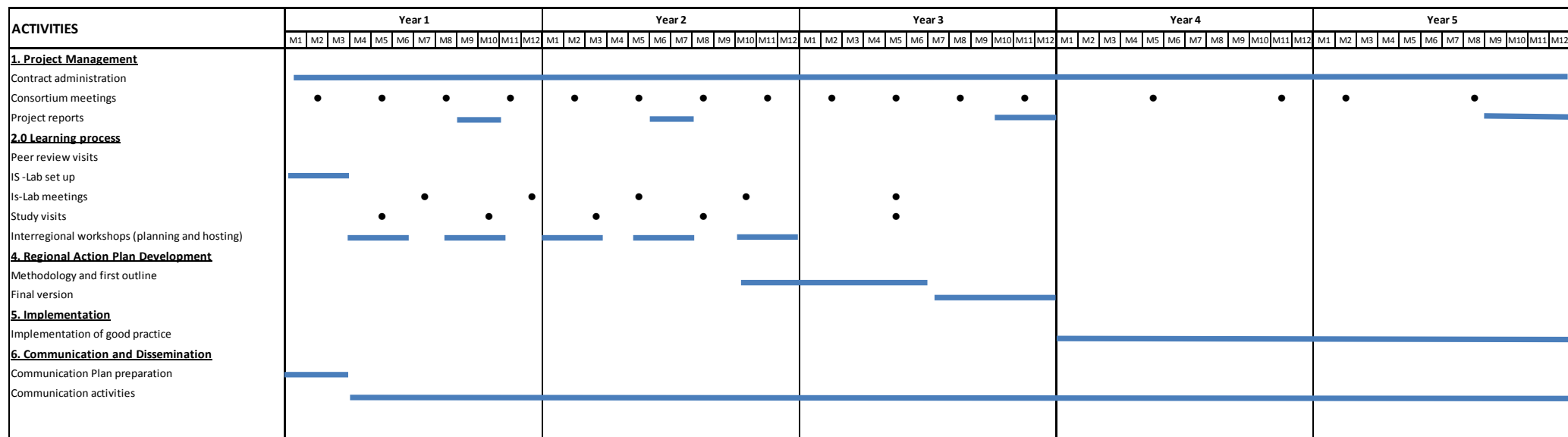
regional partners.			<p>programmes. We will ensure that a consortium agreement is put in place between partners so that everyone knows what their responsibility is to the project. Regular partner meetings will address expenditure to ensure spend relates to planned activities and is within budget, is actual and eligible. Grant agreement states, "the lead partner and/or the programme authorities may impose corrective measure which have to be implemented by the concerned partner. Those corrective measures can lead to the exclusion of any ineligible expenditure and to the request for repayment of all or part of the concerned subsidy." Each partner will be solely responsible for any non-compliance of the agreement.</p>
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APPENDIX

Annex 2 – Stakeholder Matrix

Stakeholder Group	Role / Influence
Cabinet Member for Clean Streets, Recycling and the Environment (portfolio owner)	Sponsor the project,
BCC Councillors	Scrutinise Sustainability team projects
Green Commission	Will assist in delivery of the project and dissemination of outcomes, particularly through the 'Resources' theme.
Climate KIC	Working with the Climate KIC on a similar project (Public Procurement of Innovation Network, also hosted at BCC).
Social media networks	Social media networks for Green Birmingham and Birmingham Science City will be interested in this project
Interreg	As project funders, there will be responsibility for supporting the dissemination of project outcomes and recommendations.
European Commission	Interested in relation to potential future funding of Industrial Symbiosis projects, as well as for policy
BCC services	Planning and Waste Management Services will be particularly important/ interested in this project as it moves forwards
Birmingham / West Midlands online communities re digital, green, energy, consumer groups	Potential participants in user groups
Birmingham residents, the public	Raise awareness of entrepreneurial activity through press articles, YouTube videos etc.
Birmingham Chamber of Commerce	Dissemination of project opportunities through networks
Birmingham SMEs	Potential service users, potential project participants
GBS LEP	The project will inform decisions made for ESIF funding as well as having an impact on SME growth

Project Gantt Chart



BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	Strategic Director for People
Date of Decision:	28th June 2016
SUBJECT:	STRATEGY AND PROCUREMENT PROCESS FOR THE PROVISION OF EARLY YEARS SERVICES
Key Decision: Yes	Relevant Forward Plan Ref: 001644/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr Majid Mahmood – Value for Money & Efficiency Cllr Paulette Hamilton - Health and Social Care Cllr Brigid Jones – Children, Families & Schools
Relevant O&S Chairman:	Cllr Mohammed Aikhlaq- Corporate Resources & Governance Cllr John Cotton – Health, Wellbeing and the Environment Cllr Susan Barnett – Schools, Children & Families
Wards affected:	All

1. Purpose of report:	
1.1	This report seeks approval to commence a procurement process for a new integrated health and wellbeing service to support children and families during their Early Years. Delivery of this new integrated offer is a key component of the Children's Improvement Plan.
1.2	This report provides details of the work to date that has been undertaken to test and confirm the new integrated service model to include consultation, market engagement and procurement options appraisal.
1.3	This report provides details of the tender strategy and procurement process to be followed for the provision of an Early Years Health and Wellbeing Service from September 2017 for a period of five years with a possible extension for a further two years subject to satisfactory performance and budget availability.

2. Decision(s) recommended:	
That Cabinet:	
2.1	Approves the commencement of a procurement process to secure a delivery partner(s) for the redesigned Early Years Health and Wellbeing Offer as outlined in paragraphs 5.10 and 5.20.
2.2	Delegates authority to the Cabinet Member, Value for Money and Efficiency jointly with the Strategic Director for People following the procurement process to award a contract for a period of five years commencing 1 st September 2017 with the suppliers recommended with the option to extend for a further two years subject to satisfactory performance and budget availability.

Lead Contact Officer(s):	Pip Mayo – Head of Service, Commissioning Centre of Excellence
Telephone No:	0121 303 1022
E-mail address:	Pip.Mayo@birmingham.gov.uk
Lead Contact Officer(s):	John Denley – Assistant Director, Commissioning Centre of Excellence
Telephone No:	0121 303 6130
E-mail address:	John.Denley@birmingham.gov.uk

3. Consultation

3.1 Internal

The recommissioning of Early Years Services is governed by the Early Years Project Board which is chaired by the Service Director for Commissioning from the People Directorate. The Board includes senior representatives from Public Health, Education, Children's Social Care, Legal, Finance, Procurement and HR. The Board have been fully consulted on the proposals for recommissioning and are in support of them.

The Children's Joint Commissioning Board have received regular updates on the recommissioning proposals and support the principles.

Staff working in Early Years services, including Children's Centres, have been consulted as part of the development of these proposals both via the formal consultation process and specially convened forum events. A regular dialogue has also been maintained with the Unions.

Officers from Finance, Legal Services and Procurement have been involved in the preparation of this report.

3.2 External

The proposals for recommissioning the redesigned Early Years Health and Wellbeing offer have been the subject of considerable consultation. The outcomes of consultation have helped to shape the proposals.

A period of formal consultation was held between the 30th November 2015 and the 28th February 2016. This consultation received a high level of engagement with 3428 responses being secured. 1428 of these responses were from parents of children aged 4 or under. 333 were from Early Years professionals. The remaining 1667 were from parents of older children, other professionals or interested persons.

The outcomes of consultation showed a high level of support to redesign the way Early Years services are delivered to create a more targeted and integrated Health and Wellbeing Offer. Respondents were also keen to see a flexible model of service delivery which could respond to local needs and work across a range of locations valued and used by families with young children.

In addition to the formal period of consultation the views of key stakeholders have been secured via a range of means. Presentations have been given to a wide range of forums including Clinical Commissioning Groups (CCGs), the Early Years Forum, the Early Help and Safeguarding Board and the Nursery and Primary Heads Forums.

Providers have been invited to participate in the development of the service specification with around 400 stakeholders being invited to attend one of 4 design workshops.

A parents group has been convened and has met to discuss in more detail key elements of the proposals. The feedback from this group has helped to shape the service specification in key respects, reaffirming the localised delivery model and need for flexibility in terms of hours of operation.

Through the external consultation a high level of support for the recommissioning proposals has been secured.

A second period of consultation will be held as part of the procurement once the detail of the intended new model is known. This second period of consultation will ensure that the

council complies with its duties to consult on planned changes to specific services or employment terms and conditions.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The recommendation contained within this report is consistent with:

4.1.1. Council Business Plan and Budget 2016+

The services referred to within this report are key to the delivery of the Council Business Plan and Budget 2016+.

Recommissioning services into an integrated service model will support the creation of a more cost effective service model by reducing duplication. This will enable the services to be delivered within a reduced financial envelope without compromising the offer to children and families.

The new integrated service offer will support delivery of the Council's priorities as set out below:

- A strong economy
- Safety and Opportunity for all children
- A great future for young people
- Thriving local communities
- A healthy, happy city
- A modern council

The proposals within this report support the delivery of The Council Business Plan, improving health and wellbeing outcomes for children and families.

The remodelling of key Early Years Services to create a more integrated service model was highlighted as a key priority for action within the Children's Improvement Plan. The proposals contained within this report represent a key step in delivering this priority and support the Council's journey of improvement in relation to Children's Services.

4.1.2. Future Council

The recommendations made in this report support delivery of the Council's Future Council programme by helping to prevent family breakdown and by helping to create healthy, independent and resilient families and communities.

The proposals contained within this report are in line with the design principles for the Council's Future Operating Model promoting an integrated and collaborative service model.

Council projects. A key principle within the recommissioned model is a focus on services rather than buildings. As part of the tendering process due consideration will be given to the future use of assets in line with wider Council objectives.

4.1.3. Birmingham Business Charter for Social Responsibility

Compliance with the Birmingham Business Charter for Social Responsibility is a mandatory requirement that will form part of the conditions of this contract. Tenderers will submit an action plan with their tender that will be evaluated in accordance with the tender assessment framework. The action plan of the successful tenderer will be implemented and monitored during the contract period.

The Birmingham Living Wage will apply to this contract and those tendering for the new contract will be required to confirm that all providers within the system will pay their employees at this rate or above.

The provision of apprenticeships and employment opportunities for local people will be a key requirement within the new contract. Those tendering for the contract will be required to detail how they intend to engage local parents to help deliver the new model in exchange for training and employment opportunities e.g. via the development of an Early Years Apprenticeship LEVY.

4.2. Financial Implications

4.2.1 It is proposed that an indicative maximum contract value of £34m per year is included in the documentation. The maximum contract value would be £170m for the initial five years with a potential of a two year extension up to the value of £68 million. This value includes budgets for Public Health services for 0-5 year olds, Early Years services including Children's Centres, and some related services. It excludes Early Education provision through Schools and Private, Voluntary, and Independent providers and central support services for this provision. It takes into account the savings targets set out in the Council Business Plan and Budget 2016+. The calculation assumes that there will be no direct provision by the City Council of services covered by the contract.

4.2.2 The funding for this commission will be provided mainly from the Public Health Grant. The Government has already announced reductions in the Public Health Grant in future years. However, the funding of Early Years can be accommodated within these reduced amounts. The Government is planning a consultation on the future approach to the full local retention of Business Rates including the consolidation of funding streams such as the Public Health Grant within the new system. The implications of this change for any particular service will need to be considered as part of the future priorities and financial planning of the Council as a whole. A small element is also funded from Direct Schools Grant subject to continued agreement of Schools Forum. The tendering process will be managed within existing resources by the Commissioning Centre for Excellence located within the People Directorate.

4.2.3 The contract documentation will provide for the possible future reduction in budget allocated to these services either because of reductions in Government grant or other reductions in funding which the Council may need to manage.

4.2.4 There are likely to be transition costs associated with the change to a new Early Years system. These include costs associated with changes to the staffing and building use associated with these services. The initial expectation is that there will be no additional costs to the Council above the indicative maximum value above arising from these issues.

4.3 Legal Implications

The Council has a number of statutory duties in relation to the provision of services to children and families.

Childcare Act 2006 - The Council has a statutory duty under Section 5A of the Childcare Act 2006 (as amended by the Apprenticeships, Skills, Children and Learning Act 2009) to provide, so far as reasonably practicable, a sufficient Children's Centre Offer to meet local need and to make arrangements to secure that early childhood services in their area are provided in an integrated manner which is calculated to facilitate access to those services, and maximise the benefit of those services to parents, prospective parents and young children (Section 3(2)).

Health and Social Care Act 2012 – Transferred the responsibility for Public Health from the NHS to local authorities from April 2013. The Council therefore has a statutory duty to improve population health and wellbeing and ensure provision of the Healthy Child Programme. To support this the Health Visiting contract was transferred to the local authority in October 2015 and the Council become responsible for ensuring that the 5 mandated health visitor contacts are delivered to every child.

TUPE Legislation - This contract will fall under the TUPE legislation where the outcomes of procurement mean that employees will move from one provider to another. There is the potential that this will include BCC staff.

4.4 Public Sector Equality Duty

The Public Sector Equality Duty was introduced in April 2011 and covers age, disability, gender reassignment, pregnancy and maternity, race, religion, gender and sexual orientation. The Duty also covers marriage and civil partnerships. The Council must have regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

A stage 1 Equality Assessment has been completed which has concluded that due consideration needs to be given throughout the recommissioning and procurement exercise to ensure that protected groups are not disadvantaged. A full stage 2 Equality Assessment will be completed as part of the procurement exercise. **(Appendix C)**

5. **Relevant background / chronology of key events:**

5.1. In December 2013 the People Directorate published 'Integrated Transformation – Our Strategy for Improving Services for Children and Young People in Birmingham'. The review of early years services, children's centres and family support services was

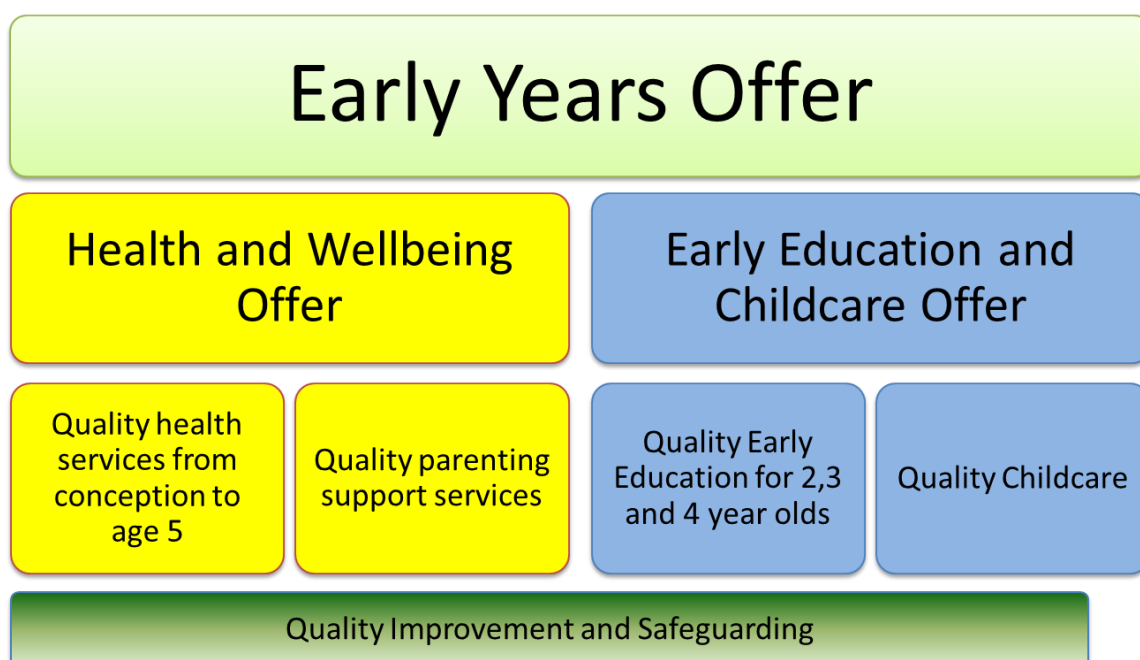
highlighted as a key priority for action within this strategy and the associated action plan.

5.2 Early Years Services provide support to families from the point a child is conceived up until they start school at the age of 5. Early Years Services provide support to children and families to help them to reach a good level of development by the time they start school.

5.3 In 2014 a review of Early Years Services was launched with 3 main criteria

- Improve education and health outcomes
- Reduce child poverty
- Close the inequality gap in terms of education and life chances

As an outcome of the review a new model for delivering Early Years Services to children and families was developed as shown below. The elements of the central service related to early education and childcare are not in scope.



The review noted that the Early Education and Childcare Offer is funded via the Dedicated Schools Grant (DSG) the use of which is underpinned by the national school funding regulations and, therefore, highly restricted and regulated. The services that comprise in this part of the offer to include Nursery Schools are therefore not included in scope for the new commission.

By contrast the review identified that considerable potential existed to remodel the services which comprised the Health and Wellbeing Offer to create a more coherent and integrated service offer. At present the 76 distinct services comprise this part of the offer are provided via a complex arrangement of separate contracts, SLAs and agreements with the consequence that the services are difficult to navigate and outcomes for children and families are inconsistent. In preparation for this report work has already been undertaken to ensure that the end dates for these agreements are coterminous with the start date for the new contract. Further details of these services have been included at **Appendix D** of this report, but in summary comprise:

The 60 Childrens Centres operating within Birmingham as summarised below:

	Number
Attached to LA maintained nursery school	17
Attached to LA maintained school (without nursery)	3
Attached to Academy	8
Directly delivered by Birmingham City Council	24
Private, Voluntary or Independently managed	8
Total	60

Pregnancy and Breastfeeding Support Services provided via a commission from the voluntary sector (Gateway and Health Exchange).

Parenting support services provided both directly by Birmingham City Council (Foundation Years Parenting Support) and via a commission from the voluntary sector (Homestart).

In addition to these direct delivery contracts there is also a central support function which provides administrative and management support to children's centres, early education and child-care. This central support function is provided by Birmingham City Council. The elements of the central service related to children's centres are deemed to be in scope for commissioning as part of the new integrated Health and Well-Being Offer.

- 5.4 A Business Case for Change further developed the proposal to commission the Early Years Health and Wellbeing Offer. The Business Case recommended that the Council commission the in scope services into a single system to create:
- A more targeted model of service delivery be developed to ensure that additional support is provided to those families who need it the most.
 - A new model focused on services and outcomes for children and families rather than buildings.
 - A more integrated model of service delivery be developed with system leadership being provided by a lead organisation(s).
- 5.5 On the 29th June 2015 Cabinet approved the commencement of consultation to seek the views of citizens and stakeholders on the proposal to:
- Recommission Early Years Health and Wellbeing Services as a single integrated system
 - Tender for a lead organisation to provide system leadership to the new integrated delivery model.
 - Fully integrate health visiting services into the remodelled service.
 - Cabinet also gave approval to consult on whether a number of area based lots should be created within the tendering process.
- 5.6 In October 2015 Public Health services for babies and children up to age 5 including health visiting transferred to the Local Authority from the NHS. This further cemented the opportunities for integration. It was agreed via the Cabinet Report of the 29th June 2015

to include the health visiting and associated services in scope for remodelling alongside those highlighted at 5.3 above. Further details of these services is included at **Appendix D**.

5.7 In November 2015 a 90 day period of formal consultation commenced to secure the views of citizens and stakeholders to the main proposals in relation to:

- Remodelling services into a single integrated system under the management of a lead organisation.
- Redefining the service offer to target services better at those children and families who need them most.
- Rethinking the service model to deliver services into the places that children and families use most often.
- Recommissioning a service model focused on outcomes for children and families.

A high level of support for the direction of travel was secured through the consultation.

5.8 In April 2016 a scoping exercise was undertaken to identify potential procurement options. An evaluation of the options was undertaken with the support of Corporate Procurement and with input from Legal Services, Health, Education and Social Care. The options appraisal was complex and multi-staged. In the first stage of options appraisal the panel showed a preference for delivering the new integrated service via a Joint Venture Partnership with a health provider. However when this option was tested further concerns were identified in relation to the options deliverability. Soft market testing indicated that a number of potential partners were present and that selection of one partner over another without a due competitive process could leave the Council open to legal challenge. It was further recognised that the formal processes surrounding the creation of a Joint Venture Partnership could be extremely time consuming and could compromise as a consequence the delivery date of September 2017 for the new service offer to be in place.

5.9 Following a second stage of option appraisal it was assessed that the most appropriate way of commissioning the integrated system is to adopt a single lead organisation approach. This would mean that the Council would go out to tender to secure a lead organisation who would be responsible for delivering the Early Years Health and Wellbeing Service to citizens at a local level. This could be a single organisation, or two or more organisations may come together to form a formal consortium. The lead organisation would need to demonstrate that it can work with a range of partners within formalised partnership arrangements to deliver all components of the specified service.

5.10 The lead organisation model is being recommended as it will enable services to be delivered in a more integrated way to children and families. Bringing the services together under one lead organisation will ease access and help to create coherent and well managed journey for families. Additionally, the tender process will help to ensure that value for money is secured for the Council through the competitive process.

5.11 It should be noted that through the process Birmingham City Council will no longer be a direct provider of children's centres.

5.12 The outcomes of recent consultation and the options appraisal have been considered alongside information about the needs of children and families, the legislative and policy context and current performance information to form a Commissioning Strategy. This is attached at **Appendix A** of this report. The Commissioning Strategy uses this information and presents a new model for delivering Early Years Health and Wellbeing Services. Within this new model the services currently delivered by Children's Centres, the Health Visiting service and a range of parenting support services will be drawn together to create a new integrated service offer which combines these elements.

- 5.13 The new proposed service model has been created with reference to the needs of the child and their family. The level of service proposed within the new model will be based on the level of presenting need. This means that a core universal offer will be in place for everyone to access and additional services will be provided to those who are identified as requiring them. The proposed service would be delivered by multi-skilled teams. The locations for service delivery would be determined with reference to the needs and preferences of local children and families. A system leader would have responsibility for co-ordinating the new service offer which would be delivered by a partnership of providers. The proposed new service model has been further translated into an outline service specification which is attached at **Appendix B** of this report.
- 5.14 It is proposed that the tender opportunity will be advertised in the Official Journal of the European Union, Contracts Finder and Finditinbirmingham. It is proposed to utilise Section 7 of the The Public Contract Regulations 2015, referred to as the Light Touch Regime, within the procurement . This procurement method has been selected to promote maximum innovation within the commissioning approach whilst still ensuring effective governance and transparency.

A process of competition with negotiation under a number of stage steps as set out below:

Pre-Qualification Stage to secure expressions of interest from potential lead organisations and draw up shortlist of potential providers	July 2016
Issue of formal invitations to tender to shortlist	September 2016
Return of tenders and initial evaluation	December 2016
Negotiation and Final Tender Evaluation	February 2017
Second Stage Consultation	March 2017
Contract Award Decision	May 2017
Service Commencement	September 2017

A staged approach will enable the supply chain of the lead organisation to be configured as the process progresses and weaker organisations are discounted.

- 5.15 It is proposed that in the assessment of the tender there will be a split of 30% Price, 10% Social Value and 60% quality.

Mandatory Criteria	Weighting %	Sub-Criteria	Weighting %
Price	30%	N/A	N/A
Quality	60%	Method Statement	20%
		Outcomes based delivery	20%
		Diversity competence	20%
		Performance Management & Validation	10%
		Infrastructure	10%
		Safeguarding	20%
Social Value	10%	Local Employment	20%
		Buy Birmingham First	20%
		Partners in Communities	20%
		Good Employer	20%
		Green and Sustainable	10%
		Ethical Procurement	10%
	100%		

- 5.16 Throughout the procurement process there will be a high level of dialogue with potential providers to ensure that the proposal meets the key requirements in terms of outcomes for children and can be mobilised without excessive costs or delays. Consideration will be given within this to the use of current assets such as buildings. Care will be taken to ensure that the successful tender builds upon existing good practice.
- 5.17 At the award stage a detailed mobilisation/transition plan will be required to be produced by the new provider given the size and complexity of the current system.
- 5.18 The contract to be tendered will be for a period of 5 years from the 1st September 2017. Subject to satisfactory performance and budget availability an option to extend for a further period of 2 years is also proposed. A break clause will be inserted after 3 years to protect the Council in case there is a significant change in national policy or central funding. In addition the contract document will provide for possible future reductions in budget allocated to these services because of reductions in Government grant or other reductions in funding which the Council may need to manage.
- 5.19 The contract will run on a fixed fee model with payments being triggered by satisfactory delivery of specified targets. The outcomes required from the new contract are detailed in the service specification document attached at **Appendix B** of this report. To promote innovation in service design key performance indicators will be confirmed through the tender negotiation process. Where appropriate some elements of payment by results may be included into the final contracting model.
- 5.20 The contract will be managed by a senior officer from the Commissioning Centre for Excellence within the People Directorate. Contract issues will be managed within the Governance structure of the Children's Joint Commissioning Board.

6.	Evaluation of alternative option(s):
6.1	Decommission Services – The Council has duties to provide Early Years services, decommissioning them would place us in breach of these and would have a hugely negative impact on citizens. This option is not considered viable.
6.2	Extend current service model – The current service model has been comprehensively reviewed and does not deliver consistent outcomes to children and families. The current service model is not cost effective and cannot be delivered within the available budget. This option is not considered viable.
6.3	Tender for a Health Visiting Partner and tender for other partners in parallel - The development of an integrated service model is key to the vision and central to the delivery of the required outcomes for children and families. Procuring separate contracts will not enable the benefits of integration to be realised and is not considered viable
6.4	Tender for a Health Visiting Partner then work to fill in the gaps - The development of an integrated service model is key to the vision and central to the delivery of the required outcomes for children and families. Procuring separate contracts will not enable the benefits of integration to be realised and is not considered viable.
6.5	Invite tenders from the open market for 3 or more organisations – Splitting the tender into 3 or more lots based on geography was felt to have limitations in terms of responsiveness to changing local need, failing to recognise fully the high level of geographical mobility within Birmingham. This option was therefore discounted.
6.6	Create a Partnership via a Joint Venture or Strategic Contract Agreement for Health Visiting Partner.– This option was considered to have considerable potential however was discounted as detailed above (5.9) due to concerns about procurement challenge and deliverability.

7.	Reasons for Decisions (s):
7.1	To enable the Council to tender for a redesigned Early Years Health and Wellbeing service.

Signatures	<u>Date</u>
Councillor Majid Mahmood (Value for Money and Efficiency)
Councillor Paulette Hamilton (Health and Social Care)
Councillor Brigid Jones (Children, Families & School)
Peter Hay Strategic Director for People

List of Background Documents used to compile this Report:
Cabinet Report Commissioning Option for Consultation 29 th June 2015 Early Years Health and Wellbeing Consultation Outcome Report Early Years Health and Wellbeing Procurement Options Analysis Early Years Health and Wellbeing Services Needs Analysis

List of Appendices accompanying this Report (if any):
Appendix A Early Years Health and Wellbeing Commissioning Strategy Appendix B Outline service specification Appendix C Equality Analysis Appendix D Details of Services in Scope

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People Directorate
Early Years Health and Wellbeing Offer
Commissioning Strategy

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Section One: Introduction

This Commissioning Strategy sets out Birmingham City Council's plans for securing, specifying and monitoring services to meet the health and wellbeing needs of children and their families during their early years.

The strategy details how we intend to commission the services that will provide excellent outcomes for children and families in Birmingham. It describes how to best use the available resources and information in order to improve the outcomes achieved from the Early Years Health and Wellbeing offer in the most efficient, equitable and sustainable way:

- Commissioning is more than just about simply buying services. It is about understanding local need and designing services that meet those needs
- Commissioning is focussed upon providing value for money; this increases the overall impact of our expenditure and generates the confidence of our council taxpayers
- Commissioning includes a number of key activities; a needs analysis, service design, procurement (the buying of goods and services), the monitoring of contracts, the development of strategic relationships with suppliers and the development of local organisations or businesses to compete for procurement opportunities

In November 2015 Birmingham City Council set out its vision for Birmingham in 2020. The vision was grounded in partnership, innovation, and the empowerment of citizens to achieve outcomes and their goals with our values and behaviours at the heart of everything we do. Our broad goals are to



ensure that children and families thrive. This sits at the heart of our new vision and the provision of support to enable them to be resilient, healthy, safe and happy is a key priority.

This Early Years Health and Wellbeing Commissioning Strategy is a key document which sets out clearly for all who have an interest in Early Years Services, our vision for the future. It contains:

- A statement about the purpose and the commitments of the commissioning agencies in relation to meeting the needs of children and their families during their early years
- An analysis of relevant legislation, guidance and policy that frame the context within which Early Years Services must be delivered
- An analysis of the needs of children and their families during their early years, and how these are likely to change in future
- Information about the current market of Early Years Services and a statement about their strengths and limitations to meet needs and deliver excellent outcomes for children and families during their early years
- A review of relevant research and good practice on services to meet the needs of the relevant population
- Details of the service offer required in the future and information about how these services will be commissioned
- Information about the outcomes we want for our children and families along with information about how we will monitor these

This Commissioning Strategy is a key document for current potential providers of early years services in Birmingham. The document will enable providers to consider if they would like to play a part in delivering services in the future and to start the process of planning to tender to deliver the new Early Years Health and Wellbeing Offer.

Statement of Purpose and Commitment

Every parent wants the best for their children. We want to support this by providing every child living in Birmingham with an equal chance to have a really good start in life. Birmingham City Council feels this will be achieved if every child has a good level of development when they start school. Early Years Services are provided to support parents from the time a child is conceived up until the age of 5. How well a child does in their early years has a huge impact on how they do in the rest of their lives.

The commissioning of a new service model to meet the health and wellbeing needs of children and families during their Early Years is part of a major transformation programme to rethink the way that we deliver all early years services in Birmingham. This broader transformation programme considers not just health and wellbeing but also early education and childcare. The overarching aims of the transformation programme are to:

- Increase the number of children assessed as having reached a good level of development by the time they start school
- Ensure every child has an equal chance to have a good start in life by tackling the inconsistencies between outcomes for different children
- Ensure that children are protected from significant harm and their development and wellbeing are promoted.

- Promote take up of Early Education Services

A vision for a new Early Years Offer has been developed which draws together key services for the benefit of children and families as illustrated below



This commissioning strategy sets out our plans for delivering the Early Years Health and Wellbeing Offer. As such it sets out how we intend to deliver services in the future that are currently delivered through:

- Children's centre services
- Health visiting
- Parenting support services
- Pregnancy and breastfeeding support services

The purpose of this commissioning will be to enable our vision to provide every child living in Birmingham with an equal chance to have a really good start in life and to reach a good level of development by the time they start school. More specifically, this commissioning strategy sets out how we will develop the Early Years Health and Wellbeing Offer to deliver the following outcomes which we feel are key to fulfilling our vision:

- Increasing the percentage of children who are developing well and are ready for school
- Increasing the number of parents in work or training
- Increasing the number of children who develop age appropriate speech, language and communication
- Increasing the number of children who have age appropriate personal social and emotional development
- Parents have knowledge of, and apply good parenting
- Improved parental emotional health and wellbeing
- Reduced smoking during pregnancy and parenthood
- Increasing the number of children who are a healthy weight
- Increasing breastfeeding rates at birth and 6 weeks

- children are protected from significant harm and their development and wellbeing are promoted

Key to the delivery of our statement vision is our commitment to safeguard children and ensure that all children are protected from harm and to promote equality by ensuring that the improvements secured through the new service offer benefit all children.

Section Two: Understanding our current performance

The contents of this Commissioning Strategy and the proposals it contains to address the health and wellbeing needs of children and families during their early years has been informed by a baseline review of our current performance against our stated outcomes.

Good Level of Development (GLD)

Citywide performance

Supporting children to reach a Good Level of Development by the time they start school is at the core of our vision for the new Early Years Health and Wellbeing Offer.

The Department for Education (DfE) define children as having reached a GLD at the end of the Early Years Foundation Stage (EYFS) if they achieve at least the expected level in:

- The Early Learning Goals in the prime areas of learning (Communication and Language, Physical Development, Personal, Social and Emotional Development) and
- The Early Learning Goals in the specific areas of Mathematics and Literacy

Nationally the [EYFS Profile results for 2015](#) show that 66% of children achieved a good level of development at the end of Reception. Nationally performance is improving with an additional 6% of children reaching this level in 2015 compared to 2014. This means that an extra 38,600 children nationally achieved the expected standard by the time they started school. Nationally the gap between the lowest and highest attaining children has also decreased.

In Birmingham 62% of children achieved a good level of development at the end of Reception in 2015. This is on a par with Core Cities but 4% below the national average.

Birmingham's early years performance has also improved across recent years however our rate of improvement is slightly below the national rate of improvement for both the attainment levels of all children and the gap between the highest and lowest attaining children.

The opportunity for us to further improve our overall performance is significant as Birmingham is currently ranked 123 out of the 152 English councils.

Notably however our performance in relation to the attainment levels of children known to be eligible for free school meals have been consistently above the national average. Our performance is also above that of other core cities.

Table 1 - EYFSP All Pupils achieving at least expected level of attainment in all prime areas of learning by Free School meal eligibility

	Pupils known to be eligible for free school meals			All other pupils			All pupils		
Year	2013	2014	2015	2013	2014	2015	2013	2014	2015
England	36	45	51	55	64	69	52	60	66
Core Cities	36	43	50	54	61	65	49	56	62
Birmingham	39	47	53	54	61	65	50	56	62

This data highlights a need for Birmingham to build on the strong starting point to accelerate improvement in performance to ensure that the outcomes we want for children and families match or exceed national average.

District level performance

Birmingham is an extremely large city with a high level of diversity and a population of 1,118,285.

Birmingham's early years performance is variable across districts. Children's outcomes vary across the districts from 57% of children achieving a good level of development in Hodge Hill, compared with 76% in Sutton.

The increase in the proportion of children achieving a good level of development between 2013 and 2015 also varies across the districts, from 9.3% in Hodge Hill to 15.7% in Erdington.

As a general trend children living in the most deprived areas of Birmingham are the least likely to achieve a good level of development by the time they start school. It is notable however that this correlation is not entirely reliable and there are areas where deprivation levels cannot be used to accurately predict attainment levels. This is likely to be related to the needs of individual children, families and communities and the quality of local service provision.

Our over-riding priority in re-commissioning the new Early Years Health and Wellbeing Offer is to reduce the inconsistency in outcomes that is evident for children across Birmingham so that every child has an equal chance of the best possible start in life.

Table 2: Foundation stage results by district

% children achieving a GLD	2013	2014	2015	Increase 2013-15
Edgbaston	53.4%	60.8%	65.0%	11.6%
Erdington	45.6%	53.6%	61.3%	15.7%
Hall Green	49.2%	56.6%	61.7%	12.5%
Hodge Hill	47.9%	53.6%	57.3%	9.3%
Ladywood	48.0%	54.6%	59.2%	11.1%
Northfield	49.2%	56.1%	64.1%	15.0%
Perry Barr	47.1%	55.6%	61.3%	14.2%
Selly Oak	53.2%	58.8%	64.1%	10.9%
Sutton Coldfield	63.2%	69.8%	76.3%	13.1%
Yardley	50.5%	54.8%	60.8%	10.3%
Total	49.60%	56.40%	61.90%	12.30%

Good Start in Life

In Section One of this document we set out the outcomes that are key to ensuring that all children have an equal chance of the best possible start in life. Our current performance in relation to delivering these outcomes is shown below:

Table 3 Comparison against National and Core Cities for key issues

Key issues		National	Core cities	Birmingham
Infant mortality (per 1,000 births; 2013)		3.8	3.73	7.5
Excess weight Year 0 - school (2014)	Under Weight	1.0%	0.9%	1.5%
	Healthy Weight	76.5%	76.0%	75.2%
	Overweight	9.5%	13.1%	11.9%
	Obese	23.3%	9.9%	11.3%
	Over and Obese	22.5%	23.1%	23.3%
Breastfeeding (6-8 weeks; 2015)		43.80%	47.05%	52.20%
Hospital emergency admissions (per 10,000 children 0-14)		112.16	128.7	102.2
Low birth weight (% of all births; 2013)		7.4	7.7	9.5

Infant mortality

Birmingham has the third highest rate of infant mortality of all England's councils, at 7.5 per 1,000 live births in 2013. The national picture is of steadily reducing rate, as is the picture for the statistical neighbours group as a whole and for most of the core cities. This pattern does not pertain in Birmingham where the picture is of rises and falls year on year.

Excess weight

The proportion of children in reception year who are obese or overweight has changed very little nationally or in Birmingham since 2007, remaining at just under a quarter. Birmingham performs similarly to both the other core cities and to its statistical neighbours.

National Child Measurement Programme (NCMP) data for 2013/14 shows that in Birmingham almost one in four children in Reception is overweight or obese (boys 23.7% and girls 22.8%).

Within Birmingham there is some variation in obese, over weight and underweight children between districts (table 7). Northfield, Hodge Hill, Erdington, Perry Barr and Ladywood districts all have above city levels of obese and overweight children. Ladywood, Hall Green, Hodge Hill and to a lesser extent Yardley districts have above average levels of underweight children.

Breastfeeding – birth and 6-8 weeks

The rate of initiation of breastfeeding in Birmingham is low, 62.3% compared with the national average of 74%. However mothers in Birmingham are more likely than average to continue breastfeeding at 6-8 weeks than those in other core cities except Bristol, and of the 72 councils with results Birmingham had the 14th highest rate of breastfeeding at 6-8 weeks in 2014. Within the city rates of breastfeeding are highest in Hall Green and Ladywood districts.

Hospital emergency admissions - unintentional and deliberate injuries

Data for emergency hospital admissions for unintentional and deliberate injuries is available for all children under 14, not specifically for children under five. The rate per 10,000 children has fallen in Birmingham and it is now lower than the other core cities. The crude statistics for A&E attendances for 0 to 4 year olds is 561.8 per 1,000 for Birmingham compared to 510.8 nationally.

Low birth weight

Nationally, the proportion of children born with a low birth weight remained at 7% between 2011 and 2013, the latest period for which figures are available for. In Birmingham, the proportion has gone up and down over the last five years, but remains significantly higher than the national average. Across the city the rate is highest in Hall Green and lowest in Sutton, which is the only area with a lower than national rate.

Low birth weight is linked to increased infant mortality; in 2011 36.5 deaths per 1,000 births occurred in babies with a low birth weight compared to 1.4 amongst babies with a normal birth weight (over 2,500g). In addition low birth weight is also linked to higher instances of motor and social developmental problems with longer term impacts.

The data confirms that in line with our performance against the GLD attainment our current performance against all other key outcomes is poor.

Early Education Entitlement:

The value of early education in providing children with opportunities to learn, play and develop well is clear. Uptake of early education is a key indicator of how well we are currently doing in supporting our children to access the services that they are both eligible for and would benefit from.

Table 4 shows the take up of Early Education Entitlement for 2 year olds across Birmingham's 10 districts. With the exception of Hall Green district, they are all below the Department for Education target.

Table 4

% of 2 year olds in Funded Early Education - Good or Excellent (OFSTED)				
	2013	2014	2015	Change 2014-2015
Birmingham	-	65.00	69.00	4.00
Statistical Neighbours	-	59.00	81.00	22.00
Rest of Core Cities	-	64.86	83.43	18.57
England	-	71.00	85.00	14.00

Table 5

% of 3/4 year olds in Funded Early Education - Good or Excellent (OFSTED)				
	2013	2014	2015	Change 2014-2015
Birmingham	-	74.00	82.00	8.00
Statistical Neighbours	-	70.70	82.20	9.50
Rest of Core Cities	-	76.29	86.57	11.43
England	-	76.00	85.00	9.00

There is a strong body of evidence to support the impact of children accessing their early education entitlement for as long as possible. Many children are entitled to an early education place from either January or April of the year of their third birthday. If those children access an early education place at the earliest time possible, they receive a four or five term early education entitlement. At present, too few Birmingham children benefit from these longer opportunities and it is a key priority for us to increase numbers accessing early education from the term after their third birthday, or in the case of vulnerable two-year olds, the term after their second birthday.

Section Three: Overview of Legislation and Policy Context

Key to the development of our Early Years Health and Wellbeing Offer is an understanding of both the legislative and policy context within which it is located.

Legislative Context

The Council holds a number of key duties in relation to early years services which will need to be complied with and delivered through the newly commissioned service model.

Childcare Act 2006: as outlined in the Sure Start Children's Centres statutory guidance 2013

Section 5A: Arrangements to be made by local authorities so that there are sufficient children's centres, so far as reasonably practicable to meet local need.

Section 1: To make arrangements to secure that early childhood services in their area are provided in an integrated manner to facilitate access to services, and maximise the benefit of those services to parents, prospective parents and young children

The Children's Centres Statutory Guidance 2013 defines a children's centre as a place or a group of places which is managed by or on behalf of, or under arrangements with, the local authority with a view to providing integrated early childhood services and activities for children.

It follows from the statutory definition of a children's centre that children's centres are as much about making appropriate and integrated services available, as it is about providing premises in particular geographical areas.

The core purpose of children's centres is described as "To improve outcomes for young children and their families, with a particular focus on families in greatest need of support in order to reduce inequalities in: child development and school readiness; parenting aspirations, self-esteem and parenting skills; and child and family health and life chances".

Early childhood services are defined as:

- early years provision (early education and childcare)
- social services functions of the local authority relating to young children, parents and prospective parents
- health services relating to young children, parents and prospective parents
- training and employment services to assist parents or prospective parents

- information and advice services for parents and prospective parents

A children's centre should make available universal and targeted early childhood services either by providing the services at the centre itself or by providing advice and assistance to parents (mothers and fathers) and prospective parents in accessing services provided elsewhere. Local authorities must ensure that children's centres provide some activities for young children on site. Children's Act Section 5A (4)(c)

Apprenticeship, Skills, Children and Learning Act 2009

The Act in the main is an amending act and has 13 parts which include:

- Arrangements for apprenticeships, including release of employees for study/training;
- Local authority functions regarding commissioning learning and skills for 16-19 year olds and up to 25 for those with learning difficulty/disability assessment, including provision of transport to learning establishments;
- Arrangements to promote cooperation to improve the wellbeing of children, including safeguarding targets, and arrangements for children's centres and early childhood services.

Health and Social Care Act 2012

The Health and Social Care Act 2012 transferred the responsibility for Public Health from the NHS to local authorities from April 2013. The Council therefore has a statutory duty to improve population health and wellbeing and ensure provision of the Healthy Child Programme. To support this the Health Visiting contract was transferred to the local authority in October 2015 and the Council become responsible for ensuring that the 5 mandated health visitor contacts are delivered to every child.

Statutory Framework for the Early Years Foundation Stage (2014)

The Framework for the Early Year Foundation Stage (EYFS) became effective in September 2014, covering all children from birth to until they are 5 years old). It sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe. It promotes teaching and learning to ensure children's 'school readiness' and gives children the broad range of knowledge and skills that provide the right foundation for good future progress through school and life. This framework is mandatory for all early years providers (from September 2014). It covers learning and development requirements, as well as safeguarding and welfare requirements (both via section 39(1)(a) of the Childcare Act 2006).

A progress check for all children is required, when they are between age 2 and 3. From this practitioners must provide a short written summary to parents and/or carers of their child's development in the primary areas. This summary identifies a child's strengths and areas where progress is less than expected. The framework document also states what actions to take where more significant concerns or other educational need is identified. The framework also details safeguarding and welfare requirements.

Special educational needs and disability code of practice: 0 to 25 years

Chapter 5 of the code of practice explains the action early years providers should take to meet their duties in relation to identifying and supporting all children with special educational needs (SEN), whether or not they have an Education, Health and Care (EHC) plan.

All early years providers are required to have arrangements in place to identify and support children with SEN or disabilities and to promote equality of opportunity for children in their care. These requirements are set out in the EYFS framework.

Starting early

When a child is very young, or SEN is first identified, families need to know that the great majority of children and young people with SEN or disabilities, with the right support, can find work, be supported to live independently, and participate in their community. Health workers, social workers, early years providers and schools should encourage these ambitions right from the start. They should seek to understand the interests, strengths and motivations of children and young people and use this as a basis for planning support around them

Children's Act 1989 & 2004

Local authorities have overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. This includes specific duties in relation to children in need and children suffering, or likely to suffer, significant harm, regardless of where they are found, under sections 17 and 47 of the Children Act 1989. Whilst local authorities play a lead role, safeguarding children and protecting them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play

Children and Families Act 2014

The Children and Families Act 2014 seeks to improve services for vulnerable children and support strong families. It underpins wider reforms to ensure that all children and young people can succeed, no matter what their background. The changes to the law to give greater protection to vulnerable children, better support for children whose parents are separating, a new system to help children with special educational needs and disabilities, and help for parents to balance work and family life.

Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

Additional Equality Act provisions came into force in April 2011:

- positive action - recruitment and promotion
- public sector Equality Duty (see section below)

The Public Sector Equality Duty

The public sector equality duty is made up of a general equality duty which is supported by specific duties. The general equality duty requires the Council to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act;
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not share it

The Council is able to demonstrate understanding of the effect of its policies and practices on people with different protected characteristics by carrying out Equality Analyses on all aspects of the development of the new offer.

Public Services (Social Value) Act 2012

The Public Services (Social Value) Act 2012 places a duty on Local Authorities at the pre-procurement phase of procuring services to consider how what is being procured might improve the economic, social and environmental wellbeing of an area and how the authority might secure that improvement in the procurement process itself. There is also a requirement that authorities consider whether to consult on these matters. In essence it is about factoring in 'social value'.

National Policy Context

United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child is the most complete statement of children's rights ever produced and is the most widely-ratified international human rights treaty in history. The Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Marmot review

The Marmot review is an independent review commissioned with the purpose of identifying the most effective evidence based strategies for reducing health inequalities in England from 2010. The key messages of the review included:

- Health inequalities result from social inequalities. Action on health inequalities requires action across all the social determinants of health
- Focusing solely on the most disadvantaged will not reduce health inequalities sufficiently
- To reduce the steepness of the social gradient in health, actions must be universal, but with a scale and intensity that is proportionate to the level of disadvantage
- Reducing health inequalities will require action on six policy objectives, including:
 - Give every child the best start in life
 - Enable all children young people and adults to maximise their capabilities and have control over their lives
 - Ensure healthy standard of living for all
 - Create and develop healthy and sustainable places and communities

Public Health Outcomes Framework

The Public Health Outcomes Framework *Healthy lives, healthy people: Improving outcomes and supporting transparency* sets out a vision for public health, desired outcomes and the indicators that will help us understand how well public health is being improved and protected. The extensive list of indicators includes the health issues reflected in the outcomes for the Early Years Health and Wellbeing Offer – low birth weight, low incidence of breast feeding and excess weight in children.

Healthy Child Programme (HCP)

The HCP is a public health programme for children, young people and families, which focuses on early intervention and prevention. It offers a programme of screening tests, immunisations, developmental reviews, information and guidance on parenting and healthy choices. Due to its universal reach the HCP aims to identify families who need additional support or are at risk of poor health outcomes.

The recommended standard for the delivery of the HCP depends on services for children and families being fully integrated. If effectively implemented, in terms of overall aims, the HCP should lead to:

- Strong parent-child attachment and positive parenting, resulting in better social and emotional well-being in children
- Care that helps to keep children healthy and safe
- Healthy eating and increased activity, leading to a reduction in obesity
- Increased rates of initiation and continuation of breastfeeding
- Readiness for school and improved learning
- Identification of factors that could influence health and well-being in families
- Better short- and long-term outcomes for children who are at risk of social exclusion

A core element of the programme is the delivery of commissioned service provision through a HCP Team. This team is described as being a single provider, multiple providers, or a partnership arrangement that can involve a number of agencies: "A cross-locality, multi-disciplinary team delivering the HCP across a range of settings: primary care, education, the community, secure accommodation for children and young people."

Health Visitor Implementation Plan

The Health Visitor Implementation Plan set out a call to action to expand and strengthen health visiting services. The Plan defined the health visiting service that all families can expect to access. The service defined availability across a range of convenient local settings, including Sure Start Children's Centres, and health centres, as well as through home visits. The service offer also called for better integration at a local level with health visiting working alongside children's centres, family support teams and other related functions.

Local Policy:

A city with 2020 vision

With a developing vision for how it will look in the year 2020. The council is changing, it is transforming what it does and how it does it in response to the changing needs of citizens and because there is a need to adapt to not having the money to do all the things that have been done previously.

The vision for your future council is based on the fundamental ideals of prosperity, fairness and democracy, and, within that, to have a strong economy; safety and opportunity for all children; a great future for young people; thriving local communities; a healthy and happy population; and a modern council.

Early priorities include keeping the children's and education improvement plans on track and successfully concluding the work set for the council by the Birmingham Independent Improvement Panel.

The proposals for change are divided into six key themes which aim to better meet citizens' needs, make substantial savings and improve our performance. They include:

- **Prevent family breakdown** – seeking to support disadvantaged families through a range of interventions so their children can thrive
- **Sustainable neighbourhoods** – creating an environment which is more sustainable, reduces costs and is better for the health and wellbeing of residents

Birmingham Health and Wellbeing Strategy

The vision of the strategy is:

“Birmingham is a City that sets the health and wellbeing of its most vulnerable citizens as its most important priority. In order to improve the health and wellbeing of all residents, Birmingham has built an integrated health and social care system that is both resilient and sustainable.”

The aims of the strategy are to:

- Improve the health and wellbeing of our most vulnerable adults and children in need
- Improve the resilience of our health and care system
- Improve the health and wellbeing of our children.

Early Help Strategy:

The Strategy for Early Help comprises a range of interventions broader than that which early years covers, but its 6 main principles are still applicable to this commissioning process. They are:

- It is everyone's responsibility
- Wherever possible all children and families' needs will be met by universal services
- Listen to children and families and treat them as partners
- Understand the needs of the child and young person and ensure their welfare is the main priority
- All services that work with children and adults must work together to deliver early help
- Early help resources will be deployed based on an understanding of the needs of children, young people and families

The strategy seeks to ensure all services are commissioning within the “Right Service Right Time Framework”.

Improvement Plan for Early Help and Children's Social Care (2015-2017):

The plan's primary purpose is to ensure children are protected from significant harm and their development and wellbeing are promoted. It contains outcomes across several relevant work areas, which while focused on the full age range of children still applies to the early years services to be commissioned.

Safeguarding Children

The Commissioning Centre of Excellence, in partnership with the Birmingham Safeguarding Children Board has developed a S11 safeguarding checklist to be completed by all contracted providers of services for children and families.

S11 Children Act 2004 places a duty upon the Council and other named organisations to make arrangements to ensure that in discharging their functions the Council and the named organisations have regard to the need to safeguard and promote the welfare of children. The Chair of the Birmingham Safeguarding Children Boards (BSCB) has a statutory duty under S14A of the Children Act 2004 to publish an annual report on the effectiveness of child safeguarding and promoting welfare of children in the local area.

Contracted providers of services for children and families shall comply with the statutory guidance Working Together to Safeguard Children published March 2015 (or as amended by any future guidance or statute) and shall have in place such arrangements that reflect the importance of safeguarding and promoting the welfare of children as specified by the guidance. In particular it shall comply with the requirements set out in Chapter 2, paragraph 4 of the guidance.

The Service Providers will carry out and submit to the Council each year a self-assessment, together with supporting evidence detailing:

- the arrangements they have in place ensure the safeguarding and promotion of the welfare of children; and
- how well the Service Provider has safeguarded and promoted the welfare of children over the year.

The Council may also inspect the Service Providers' processes in connection with safeguarding and the promotion of welfare of children.

The Service Providers will work with the Council and the BSCB to develop an action plan to address any issues concerning their ability to safeguard children as identified upon review of the Service Providers self-assessment.

Birmingham Domestic Abuse Strategy 2016-20

Domestic abuse profoundly affects many young children's lives in the city. This new strategy seeks to strengthen city-wide prevention of abuse and seeks to reach individuals and families earlier in their experience of abuse, before the abuse escalates and before the harm to children shapes their future lives.

The strategy will focus, not just on the specialist services that we need, but on the need for all agencies, particularly those working with young families, to develop their understanding of domestic abuse, coercion and control and know how to respond earlier and more effectively.

Birmingham Education Services Delivery & Improvement Plan 2016/17

This is a one-year plan, focussing on the quality of education, the safeguarding of children, extending opportunities for vulnerable children and harnessing exceptional leadership across and beyond the educational system. The plan recognises Birmingham City Council's (BCC's) role as a champion for all of Birmingham's children, young people and their families and sets out how BCC will provide education leadership by influencing, shaping and partnering.

The Education Services Delivery Plan includes a specific Early Years Service Plan that outlines key priorities and performance measures for the existing Early Years Service. While some elements of the existing Early Years Service will be re-commissioned through the Health and Well-Being offer, key elements will be retained by the Council in relation to early education and childcare.

Birmingham Skills Investment Plan

This plan tackles the long-standing issue of low skills in Birmingham by ensuring people of all ages are equipped with the skills they need to secure sustainable and well-paid jobs. Developed in conjunction with partners, the Birmingham Skills Investment Plan sets out the challenges relating to low skills and unemployment in the city and how these will be addressed in the long-term.

Birmingham Childhood Obesity Strategy

This strategy describes the strategic objectives needed to reduce childhood obesity during the first decade of life; a target set by the Birmingham Health and Wellbeing Board as part of the 2013/14 Health and Wellbeing Strategy. The board have prioritised action to tackle childhood obesity in recognition of the increasing prevalence in Birmingham as well as the clear need for a Citywide, multifaceted solution to this complex problem.

Birmingham Business Charter for Social Responsibility

This Charter is a set of guiding principles to which Birmingham City Council (BCC) will adhere to and to which it will invite its contracted suppliers, the wider business community, other public sector bodies (including schools), and third sector organisations (including grant recipients), to adopt. Charter signatories will consider and describe how they can improve the economic, social and environmental well-being of Birmingham that result from their activities. This includes indirect outcomes through commissioning and procurement.

Charter signatories will commit to the principles below, either by fully adopting the Charter at the time of signature or alternatively making a commitment to full adoption within a clear timetable.

Future commissioning and contracting decisions will take account of the principles of this charter and it forms part of the terms of BCC contracts. All the principles and policies of the Charter will be mandatory for organisations with individual contracts or grants over £200,000 per annum and for those that have aggregate annual contracts or grants above £500,000. Contracts and grants below these thresholds have aspects of the Charter that are mandatory and aspects that are voluntary. Charter Principles:

- Local Employment
- Buy Birmingham First
- Partners in Communities
- Good Employer
- Green and Sustainable
- Ethical Procurement

Living Wage Policy

Birmingham City Council has implemented the Living Wage, as part of a Business Charter for Social Responsibility, for Council employees and the promotion of this amongst Birmingham businesses.

The Living Wage Policy ensures that people working on behalf of the Council are paid the same minimum rate as if they worked directly for the Council. We also believe that since our procurement policies mean that more of them will be Birmingham residents, putting more money into those

people's pockets will help local shops and businesses, creating a virtuous spiral that can treble its value to the local economy.

The Living Wage within the UK (excluding London) is currently £8.25 per hour. This rate is higher than the national living wage introduced by central government in April 2016.

Section Four: The Current Market

The new Early Years Health and Wellbeing Offer is being created by remodelling existing services to deliver improved outcomes for children and families.

The following services form part of the current service map and will be in scope for remodelling in line with the proposals contained within this Commissioning Strategy.

- Children's Centre Services and the management and support infrastructure
- Health Visiting and Family Nurse Partnerships
- Parenting support services
- Pregnancy and breastfeeding support services

The tables below describe the current set of early years health and wellbeing services which are in scope of the new offer.

Central Early Years Team	
Current Provider	Birmingham City Council
Aim of service	To provide central support, management and leadership to the network of Early Years Services to include Childrens Centres
Target Group	Providers of Early Years Services
How service is organised/delivered	<p>The central support services provide strategic management and delivery of sufficient Children's Centres and Early Education Entitlement (EEE) places, and ensuring those places are good quality. The services include:</p> <ul style="list-style-type: none"> • Strategic oversight and support • Managing corporate funded places for vulnerable children • Support, advice and challenge alongside business support processes to private, voluntary and independent providers and schools • Day to day delivery of the EEE strategy, systems and processes for commissioned places • Safeguarding support and guidance and overseeing of processes • Commissioning support access to services for special educational needs and disabled children and providing support, advice and guidance • Overview of early years workforce qualification status; and IT support
Service usage/engagement	The service supports 60 children's centres and over 2000 childcare and early education providers.

Children's Centre services (a) Children's Centres																	
Current Provider	Birmingham City Council, Private, Voluntary and Independent sector																
Aim of service	To improve outcomes for young children and their families, with a particular focus on the most disadvantaged families. To reduce inequalities in child development and school readiness by improving parenting aspirations, self-esteem parenting skills and child and family health and life chances.																
Target Group	Children's centres work with children and families from minus nine months to five years. Children's Centre Services however target support to children under the age of 3 and promoting take up of the Early Education Entitlement for 2 year olds and 3 and 4 year olds.																
How service is organised/delivered	Birmingham currently has 60 Children's Centres which are organised across the city into sixteen localities via a hub and spoke arrangement. There are currently 40 hub centres and 20 satellites. Each locality is required to submit a delivery plan for its children's centres that respond to three key outcomes: 1. <i>Improve education and health outcomes</i> 2. <i>Reduce child poverty</i> 3. <i>Close the inequality gap in terms of education and life chances.</i>																
	<table><tr><th>Responsibility</th><th>Number</th></tr><tr><td>Attached to LA maintained nursery school</td><td>17</td></tr><tr><td>Attached to LA maintained school (without nursery)</td><td>3</td></tr><tr><td>Attached to Academy</td><td>8</td></tr><tr><td>Managed directly by Local Authority</td><td>24</td></tr><tr><td>Private, Voluntary or Independently managed</td><td>8</td></tr><tr><td>Total</td><td>60</td></tr></table>			Responsibility	Number	Attached to LA maintained nursery school	17	Attached to LA maintained school (without nursery)	3	Attached to Academy	8	Managed directly by Local Authority	24	Private, Voluntary or Independently managed	8	Total	60
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	There is a varied range of co-location and service integration arrangements across the existing children's centre sites. For example:																
	11 of the existing children's centres are integrated in single staff teams operating within nursery school settings.																
	13 children's centres currently house Children's Social Care family support and Safeguarding teams; 3 of these are in integrated children's centres on school sites.																
Day-care is provided within 37 children's centre sites, 10 of which are BCC run day nurseries with the remaining 27 PVI nurseries.																	
Children's Centre services are also regularly delivered out of a further 13 sites.																	
Service usage/engagement	Engagement	Total	Percentage														
	Registered under 5s	71,576	83.3%														
	Seen under 5s	40,382	47%														
	Registered under 3s	39,367	76.7%														
	Seen under 3s	30,149	58.7%														

Case studies	<p>63 child and family case studies were submitted from children's centres across the city. Analysis of the studies identified that:</p> <ul style="list-style-type: none"> • All of the centres offer a varied menu of support for children and parents which is inconsistent? across the city • Multi-agency working is embedded across the city • Support is provided to parents who are experiencing and managing complex issues including domestic abuse, NRPF, parental or child disability, parental mental health, children on statutory plans, LAC teenage parents, historic child sexual abuse. • Increased attendance at core group and child protection conferences <p>Underpinning the activity is an understanding of the importance of relationship building for both initial engagement of parents and then sustaining the engagement as support is provided.</p>
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Health Visiting	
Current Provider	Birmingham Community Healthcare NHS Foundation Trust
Aim of service	The aim of the service is to provide a universal health visiting service which gives more families valuable help and support. By working with, and supporting families during the crucial early years of a child's life, health visitors have a profound impact on the lifelong health and wellbeing of young children and their families.
Target Group	All children 0 - 5
How service is organised/delivered	<p>Health visitors are organised across 19 Health Visiting Teams in Birmingham. These teams consist of Health Visitors, Community Nursery Nurses and Support Workers. There are currently 274 Health Visitors. They deliver these services from a range of venues including Children's Centres, Health Centres, GP surgeries and via home visits.</p> <p>The health visiting service provides a universal offer to all children which consists of 5 mandated contacts. These are the antenatal health promotion visits, new baby review, 6-8 week assessment, one year assessment and 2-2.5 year old review.</p> <p>The majority of work undertaken by the health visiting services however is working with families identified as needing additional support at either the universal plus or universal partnership plus levels</p> <p>The packages of care a family may receive at the universal partnership plus includes help with:</p> <ul style="list-style-type: none"> • Sleep problems • Children with developmental delay and disability • Behaviour management • Minor illness and prescribing • Accident prevention • Families living in hostels and refugees • Family nutrition and healthy weight • Preterm babies • Maternal mental health • Breastfeeding • Speech and language delay

	<ul style="list-style-type: none"> School readiness <p>The health visiting service work with families with a variety of complex needs. This will involve working with a variety of partners and agencies. Where a child has significant developmental or medical needs the health visitor is key in the multidisciplinary approach to meeting the family's needs.</p>																										
Service usage/engagement	<p>The number of visits required by health visiting teams across the city is shown in table 5. Despite the scale of the challenge, the vast majority of new born infants receive a visit soon after birth. However a minority do not receive a visit and this is an area for further improvement. Equally keeping children engaged with health visiting services for 12 month and 2.5 year visits is another area where progress needs to be continued. Both of these will help identify issues during a child's early years and enable the most appropriate assistance to be provided to ensure that all children gain the best start in life.</p> <table border="1"> <thead> <tr> <th colspan="2">Health Visiting 2014/15</th></tr> </thead> <tbody> <tr> <td>14 day visits</td><td>2014/15</td></tr> <tr> <td>Total number of infants who turned 30 days in the year</td><td>16208</td></tr> <tr> <td>New birth visit within 14 days</td><td>79%</td></tr> <tr> <td>New birth visit after 14 days</td><td>15%</td></tr> <tr> <td>No Visit</td><td>6%</td></tr> <tr> <td>12 Month Visit</td><td>2014/15</td></tr> <tr> <td>Total number of children turning 12 months in the year</td><td>17103</td></tr> <tr> <td>% having visit at 12 Months</td><td>60%</td></tr> <tr> <td>% having visit by 15 months</td><td>71%</td></tr> <tr> <td>2 and Half year Visit</td><td>2014/15</td></tr> <tr> <td>Total number of children aged 2.5 years, in the year</td><td>17450</td></tr> <tr> <td>% receiving visit</td><td>62%</td></tr> </tbody> </table> <p>Source: Public Health 2015</p>	Health Visiting 2014/15		14 day visits	2014/15	Total number of infants who turned 30 days in the year	16208	New birth visit within 14 days	79%	New birth visit after 14 days	15%	No Visit	6%	12 Month Visit	2014/15	Total number of children turning 12 months in the year	17103	% having visit at 12 Months	60%	% having visit by 15 months	71%	2 and Half year Visit	2014/15	Total number of children aged 2.5 years, in the year	17450	% receiving visit	62%
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Performance/Quality	<p>A report by England's Chief Inspector of Hospitals, Professor Sir Mike Richards, has judged the quality of care provided by Birmingham Community Healthcare as 'good'.</p> <p>The Care Quality Commission (CQC) inspection, which took place between 23 and 27 June, found the Trust was well led, effective, responsive, caring and safe, rating the trust as 'good' overall.</p>																										

Family Nurse Partnership	
Current Provider	Birmingham Community Healthcare NHS Foundation Trust
Aim of service	<p>The FNP is a preventive programme which aims to enable first time young parents to:</p> <ul style="list-style-type: none"> improve their pregnancy outcomes so that their baby has the best start in life improve their child's health and development by developing their parenting knowledge and skills

	improve parents' economic self-sufficiency, by helping them to achieve their aspirations (such as employment or returning to education)
How service is organised/delivered	The Family Nurse Partnership is a maternal and early year's public health programme, which is targeted at teenage parents. It comprises of a programme of structured home visits which are delivered by highly trained nurses and start in early pregnancy, continuing until the child's second birthday. There are 21 family nurses based in 4 teams across the city. Referrals predominantly come from midwives.
Service usage/engagement	The service is commissioned to deliver support for 520 young parents per year.

Pregnancy Outreach Workers (POWs)	
Current Provider	Gateway Family Services
Aim of service	The aim of the service is to improve the health outcomes of both mother and baby by increasing engagement with antenatal services.
How service is organised/delivered	The Pregnancy Outreach Worker (POWs) service works with women who are identified as having a social risk. The main source of referrals for this service is midwifery. Additional support of this nature improves women's mental health, which in turn has a positive impact on the child. Pregnancy Outreach Workers deal with issues including: isolation, poor housing, domestic abuse, past or present mental health issues, missing antenatal appointments and problems linked to being new to the country. There are seventeen FTE POWs in Birmingham who predominantly deliver their services via home visits.
Service usage/engagement	This service is commissioned to work with 400 women per year.
Performance/Quality	The service continues to achieve contracted outputs and outcomes.

Breastfeeding Peer Support service	
Current Provider	Health Exchange
Aim of service	Breastfeeding peer support aims to improve breastfeeding initiation rates and 6-8 week breastfeeding rates.
How service is organised/delivered	Evidence shows that breastfeeding promotes health and prevents disease in both the short and long term for both infants and mothers. One advantage this service offers is that the supporter will often have experiences similar to those women being supported and comes from the same community. Breastfeeding support services are delivered through hospitals; Heartlands, Birmingham Women's Hospital and Sandwell and Birmingham. There are presently twenty-one FTE posts providing this service.
Service usage/engagement	The service works with 1000 women per year.
Performance/Quality	The service continues to achieve contracted outputs and outcomes.

Healthy Start Vitamin co-ordination	
Current Provider	Birmingham Community Healthcare NHS Foundation Trust
Aim of service	Healthy Start is a UK-wide government scheme which aims to improve the health of pregnant women and families on benefits or low income.
How service is organised/delivered	Growing children, especially those not eating a varied diet, often don't get enough vitamin A, C and especially vitamin D. Given the UK climate, the geographical position of Birmingham, the ethnic mix of the population, the high proportion of women who cover most of their skin when outdoors, and

	<p>the low number of dietary sources of vitamin D, the only practical way to tackle vitamin D deficiency is through supplementation.</p> <p>Families are provided with vouchers to spend on cow's milk, fresh or frozen fruit and vegetables and infant formula milk. It also provides pregnant women, new mothers and young children on the scheme with free Healthy Start vitamins.</p> <p>In Birmingham, Public Health currently fund universal free distribution of Healthy Start Tablets for all women who are pregnant and up to the baby's first birthday, and Healthy Start vitamin drops for children under 4 years old, living in Birmingham. Healthy Start Vitamins are provided via Children's Centres, Pharmacies, Health Visitors and Midwives, amongst other locations.</p>
Service usage/engagement	All pregnant women.
Performance/Quality	The service continues to achieve contracted outputs and outcomes.

Startwell	
Current Provider	Birmingham Community Healthcare NHS Foundation Trust & Billesley Primary School
Aim of service	Startwell is an award programme that has 3 levels that will enable settings to make and embed changes in their practice to ensure that children have opportunities to participate and learn about healthy eating and physical development.
How service is organised/delivered	<p>The Startwell programme offers a range of support that has been designed to improve the knowledge, skills and confidence of early years professionals, and is tailored to each early years settings.</p> <p>Settings will receive support from Children's Centres and Startwell consultants to work towards the Startwell programme and achieve level 1 of the award. Training and resources will be provided to settings to support them. Startwell will be discussed regularly at locality early years network meetings.</p>

Parenting Support services: Foundation Years Parenting Support	
Current Provider	Birmingham City Council
Aim of service	The aim of the service is to improve parenting skills.
How service is organised/delivered	<p>The Foundation Years Parenting Support Team work to deliver and support delivery of a range of evidence based early year's interventions. The services include:</p> <ul style="list-style-type: none"> • Delivery and support for a range of speech, language and communications activities within the early years setting and in family homes on a one to one and group basis; • Targeted parenting support, in particular delivery of the Incredible Years Parenting programme; • Training and support to practitioners to deliver high quality parenting support programmes; and <p>Targeted support to groups not engaged with local services, for example, families of prisoners.</p>

Home Visiting Service	
Current Provider	Home-Start
Aim of service	To provide support to isolated families where there is at least one child aged under 5

How service is organised/delivered	<p>There are currently six home-visiting services provided by Home-Start which are commissioned by the Council. The service supports families with at least one child under 5. Referrals are received from a range of professionals. Families can self-refer.</p> <p>Trained parent volunteers offer 1-1 home-visiting support to families, including:</p> <ul style="list-style-type: none"> • Advising families about how to maintain a safe home environment • How to manage children's behaviour • Developing parenting skills • Promoting healthy lifestyles <p>These projects attract additional funding from NHS, by fund raising and by some small commissions from other service providers (Children's Centres).</p>					
Service usage/engagement	2015/16 April - September	Families	Children	Home Visits	Child Protection Plans	
	Bartley Green & Quinton	45	113	514	5	
	Birmingham North West	37	51	88	7	
	Castle Vale	24	153	122	13	
	Cole Valley	72	150	118	6	
	Stockland Green	150	315	286	17	
	Northfield	53	71	193	15	
Performance/Quality	The services consistently over achieve against contracted outputs and outcomes.					

Early Years Short Breaks	
Current Provider	KIDS
Aim of service	<p>The aim of the service is</p> <ul style="list-style-type: none"> • To build capacity within Children's Centres to support children with a disability or complex need, • 2 To provide time limited support to Children's Centres to develop inclusive services children with a disability or complex need. • Provision of specialist short breaks for children with a disability.
How service is organised/delivered	<p>The Early Years Short Breaks service is delivered in Children's Centres and at the provider's base in Wylde Green.</p> <p>Early Years Short Breaks is integral to holistic packages of specialised support for babies and very young children with highly complex needs, their siblings and their parents/carers. It is not available from any other provider in the city. The on-site short break provision is all about coordinated multiagency work with specialist health and education services and leading towards transitions either into universal settings or into specialised settings according to individual profile of needs of children.</p>
Service usage/engagement	The babies and children who access the Short Breaks service are some of the most vulnerable children in the city because of their age and the complexity of their needs, and, for some, the complexity of their family circumstances as

	well. All of the children require a range of specialised education and health services according to their individual profile of needs.
Performance/Quality	The service continues to achieve contracted outputs and outcomes.

Pre-school Playgroups and stay and play (unregistered settings)	
Current Provider	various
Aim of service	To provide access to play opportunities for children whose parents are less likely to require childcare.
How service is organised/delivered	There are approximately 250 *unregistered playgroups and stay and play sessions across the city. Previously the Council has commissioned the Pre-School Learning Alliance to provide support to these settings but this was decommissioned in 2015. The groups are often parent organised and led and are run from a range of community venues including some children's centres. *unregistered because the frequency of the provision falls below Ofsted thresholds.
Service usage/engagement	Whilst accurate data is unavailable it is likely that several thousand children regularly access this provision, especially under 2s.
Performance/Quality	Data unavailable

Strengths and Limitations of the Current Service Map

Birmingham's Early Years Sector is well established, with a number of providers having delivered services for a number of years. The quality of the current services is generally good and the level of complaints about services low.

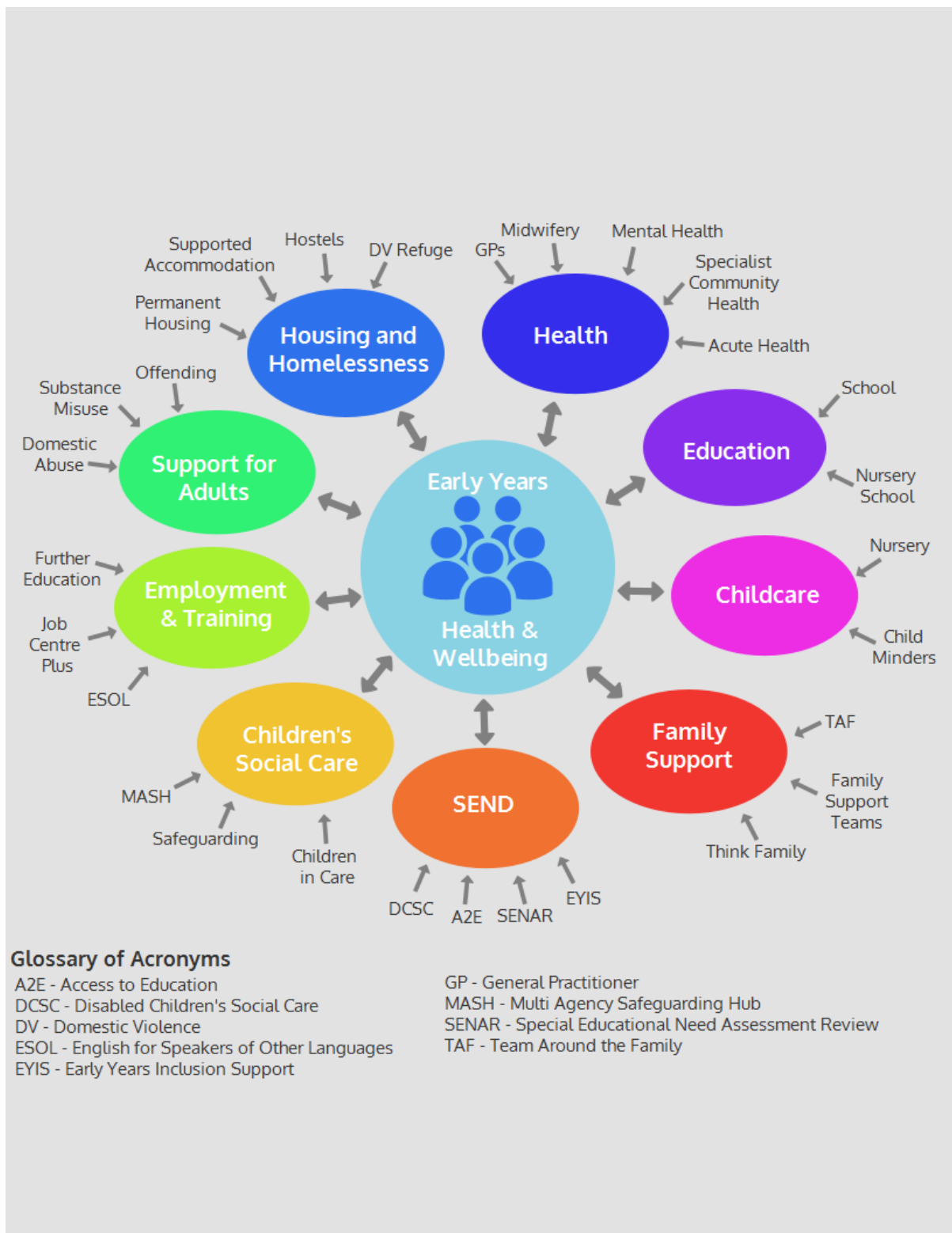
The service uptake figures show that whilst many children do access the services that are available a significant percentage do not. This highlights potential problems with the accessibility and reaches of current services and could indicate that some of our most vulnerable preschool children are missing essential services.

The review of services provided above also reveals that there is a considerable overlap between the aims and target groups supported. This indicates that there is likely to be a high level of duplication between services which is not efficient and can be confusing for children and families to navigate.

The above service descriptions do not show the diversity of working arrangements that exist at a local level and the variance in practice quality. In some areas health visiting services and children's social care teams have already co-located with children's centres on education sites to provide a fully integrated model, in other areas practice is still disconnected and referral links are poor. This has led to an inconsistency in terms of the service offer and delivery which in turn has contributed to the inequality of outcomes for children and families during their Early Years.

The Current Service Map in Context

The range of current services operate as part of a broader model of inter-agency working arrangements with children's social care, early years and primary education, health services including midwifery services and Think Family, and providers of services for adults affected by domestic abuse, substance misuse, mental health, housing and homelessness and offending.



Wider service engagement

The new Early Years Health and Wellbeing Offer will form part of the early years system placed within the broader landscape of universal, targeted and statutory services that are essential to keep children and families safe and healthy. At its core, it will be a requirement of the service specification that the new offer fully exploits all opportunities to co-ordinate, collaborate and integrate with early education and child-care in order to create a coherent and effective early years system. It will also

be a requirement of the service specification that the new offer engages with a wider range of health partners, Children's Social Care, Job Centre Plus, and a range of adult lifestyle services.

Early Years and Childcare

The Childcare Act 2006 places a duty on the Local Authority to ensure sufficient, affordable, high quality childcare provision is available to parents in employment and training. The BCC Early Years and Childcare (EYCC) Service is responsible for providing support to improve the quality of early years and childcare provision ensuring that statutory requirements as outlined in the Early Years Foundation Stage Framework that includes best practice in safeguarding are met. Furthermore, the service commissions partner organisations to offer additional identified support for settings, and also manages the implementation of Nursery Education Funding from Central Government.

Currently there are over 2000 Private, Voluntary and Independent (PVI) early years and child care settings. The team of EYCC Early Years Consultants (EYC) work closely with the settings and provide statutory support, advice and challenge to improve and maintain and monitor quality in settings where the Ofsted rating is either "requires improvement" or "inadequate".

Early Education Entitlement

All three and four-year olds, and 2 year olds who meet specific criteria, are entitled to 15 hours of free early education per week for 38 weeks of the year. Childcare providers who are rated Good or Outstanding by Ofsted automatically become eligible to offer early education entitlement places on behalf of the local authority. Childcare settings that are rated as satisfactory are required to work with the local authority to improve standards and can provide places whilst doing so, with an expectation of improving standards at the time of the next inspection. Inadequate providers will not be able to offer early education entitlement funded places. Places will only be offered for 2 year old eligible children in settings rated good or outstanding by Ofsted, and in those rated as satisfactory only in areas where there are insufficient places. This is in recognition that it is only good quality childcare provision that has a positive impact on a young child's outcomes. There will be a role to support childcare providers in implementing the introduction of the 2 year old checks, a new requirement within the revised EYFS for nurseries, pre-schools and child-minders to give parents a short written summary of their child's progress around the age of two..

Early Years Inclusion Support

The Early Years Inclusion Support teams (the Early Support Service and the Area SENCO Team) are specialised teaching teams with responsibility to ensure babies, young and pre-school children with special educational needs and/or disabilities (SEND) receive timely assessment, early educational support for their complex learning and developmental needs, and coordinated multiagency (TAC) support, either at home or in the local settings they attend.

Intervention is delivered in accordance with the principles of the Early Support Programme and graduated approach outlined in the Special Educational Needs and Disability Code of Practice 0-25 (Department for Education and Department of Health January 2015). The early educational support leads towards school placement and, where necessary, includes statutory EHC needs assessment working closely with Educational Psychology, SENAR and other A2E and health teams as required. The teams work in liaison with DCSC, Health Visiting and family support teams to ensure that children and families are appropriately supported and to ensure children are safeguarded within the principles of the Early Help strategy and 'Right Service Right Time' framework.

Access to Education (A2E)

Access to Education works within the Local Authority as one integrated organisation bringing together those teams working to support children and young people with additional educational

needs; Communication/Autism (CAT), Education Psychology, Physical Difficulties Support, Pupil & School Support and Sensory Support.

Health Services

Alongside the inclusion of health visiting, breastfeeding peer support and family support services (including pregnancy) as key partners in the new offer it is expected that there will be closer working with other health services. This will be especially with G.P.s and midwifery services but also other health service providers such as adult and children mental health services, specialist community health services and acute health providers such as Birmingham Children's hospital.

Children's Social Care

The Council's top priority is protecting and promoting the welfare of Birmingham's children. The Improvement Plan for Early Help and Children's Social Care (2015 to 2017) describes the ongoing progress made over the last 2 years for which the current health and wellbeing services make a significant contribution:

- better assessing children's needs when they are referred for help through improved screening and purposeful partnership working with MASH.
- taking a third more referrals about children needing help from October to December 2014 when compared to the same period in 2013 as a result of our work with partners to tackle unidentified risk. Partners support the achievement of actions required for statutory and other plans.
- delivering Think Family (DCLG troubled families programme) targets.
- agreeing a multi-agency Early Help Strategy with partners, alongside a new multi-agency agreement about levels of need for children – Right Service, Right Time.

Table 6

Vulnerable Children under 5 by Current Address

rate per '000 children under 5

District	Rate/'000	Count
Edgbaston	14.3	95
Erdington	18.0	141
Hall Green	8.8	89
Hodge Hill	8.8	115
Ladywood	12.8	148
Northfield	18.0	134
Perry Barr	9.4	81
Selly Oak	19.2	126
Sutton Coldfield	6.7	34
Yardley	11.5	103
Total	12.4	1066

Source: BCC January 2016

Think Family

Birmingham's Think Family programme helping troubled families (table 6) and the number of vulnerable children (table 7) highlights the scale of referral to universal plus and more intensive services for under 5s. The Think Family data focuses on issues associated with the under 5, rather than whole family issues and is a snapshot over the last year, while the vulnerable children is a combination of all children currently known to Children's services.

Table 7**Think Family Interventions with Under 5s (Apr15-Mar16)**

Area	Under 5s (Count)	Under 5s as proportion of all
Edgbaston	67	6%
Erdington	159	9%
Hall Green	48	7%
Hodge Hill	106	9%
Ladywood	139	7%
Northfield	136	8%
Perry Barr	72	7%
Selly Oak	69	10%
Sutton Coldfield	15	6%
Yardley	90	6%
City	903	7%

source: BCC Think Family programme 2016

Employment and Training

There is a duty for Jobcentre Plus, as a relevant partner, to work together with the Council in the arrangements for improving the well-being of young children and securing integrated early childhood services. Through links to Jobcentre Plus parents are able to access employment support and advice; improve their skills, employment prospects and financial situation; for example, through local skills and training providers, voluntary organisations and volunteering, debt advice and other services, depending on the needs of their communities. Local authorities should give consideration to the local childcare market and to their duty to secure sufficient childcare, as far as is reasonably practicable, for working parents or parents who are studying or training for employment.

Support services for vulnerable parents

Adults' behaviours and health can be directly harmful to the health and wellbeing of children. Parents who are experiencing domestic abuse, have poor mental health, are misusing alcohol and drugs require support to address these issues to improve their own health and safety but also to improve the life chances of their children. There are a range of services available to support parents which early years health and wellbeing services must be connected to, or able to refer to as needed. The Council commissions services for substance misuse treatment, parents and children affected by substance misuse, support for adults experiencing mental ill health.

Homelessness and Housing Support

Securing and maintaining suitable and affordable housing is a key concern for many families living in Birmingham. The absence of a stable and secure base to raise a family within can have a significant impact on the outcomes that children achieve. Currently there is a strong correlation between poor outcomes for children and areas of high social housing stock in Birmingham which points to a potential need to strengthen the Early Years offer into these areas and work more closely with housing providers.

Similarly families living in temporary accommodation either because they have experienced homelessness or because they have newly arrived into the country are amongst the most disadvantaged in the city. Many are required to move regularly and at short notice to retain accommodation, this compromises their ability to maintain links with key universal and specialist

services which may become too far to travel to as a consequence. It is critical that the providers of Early Years Services work proactively with families in this position to ensure that they do not lose links to essential services.

Section Five: What have children and families told us are important to them during their early years?

Outcomes for children and families are at the heart of our ambition for an excellent Early Years Health and Wellbeing Offer.

Key to the development of this Commissioning Strategy has been securing an understanding of the perspective of parents with children in their Early Years to ensure that our new service offer is relevant and appropriate to their needs and service preferences.

To secure views from all stakeholders a 90 day period of consultation was held from 30 November 2015 until 28 February 2016. The consultation documentation was made available to all Birmingham Citizens via Beheard and circulated via social media, local stakeholder groups, interested parties and Children's Centres.

The consultation received 3428 completed questionnaires of those 1428 were from parents of children aged 4 or under and expectant parents.

The consultation secured the views of parents in response to a number of key questions. Their responses are summarised below:

- ***Our vision is to provide every child with an equal chance to have a really good start in life. To what extent do you agree with this vision?***

87% of parents with children in their early years indicated they agreed/strongly agreed with this vision. Some parents voiced concerns about positive discrimination initiatives which they felt could disadvantage some children who did not fall within specified target groups.

To realise this vision training for staff around autism and disabilities and improved understanding and support for children with difficulties/disabilities was cited by parents as important.

Some parents expressed concerns about the potential impact of service cuts or closures on our ability to deliver the vision.

- ***To what extent do you agree or disagree, with our proposals for a 'Universal Offer'***

68% of parents with young children agreed or strongly agreed with this statement. Parents supported a strong 'Universal Offer' to complement targeted service delivery.

- ***To what extent do you agree, or disagree, with the proposal to have 'universal plus' services targeted at children who need more support***

For parents of younger children 73% agreed. There was a general consensus that people who needed support should receive it. Some however did not want this to be at the expense

of those who would like more help but were not assessed as requiring it or were considered to be doing well.

To what extent do you agree, or disagree, with the Council's proposals to have a 'single system' with a lead agency?

68% of parents with young children supported this proposal. Some parents felt however that the task could be too big for one agency to manage and would simply add bureaucracy. There was strong support from parents for services to be delivered in their community by local services.

- **To what extent do you agree, or disagree, with the Council's proposal to support local self-help services run by families for families?**

61% of parents supported the development of parent led groups recognising that they could provide valuable additional support and help particularly for those who were isolated or first time parents. However, there was concern that a peer led only group may disseminate poor advice or information and safeguarding issues would not be identified. Some parents expressed reluctance in leading such a service because they did not want the responsibility and stated that they may be uncomfortable if support was not available for them.

To what extent do you agree, or disagree with the Council's proposal to deliver services in places that children and families use most regularly?

78% of parents were in favour of this and agreed that access should be made as easy as possible by utilising local services and community venues. It was suggested that children centres were vital community hubs and maybe best placed to house other services. Additional utilisation of other settings such as GP surgeries was welcomed. Settings must be safe, accessible and well-advertised.

Health and Wellbeing Services

The following services ranked in the top three most important services from the listed services:

- High quality advice and information to children and families
- Help for children and families to access Early Years Services
- A range of services to meet the needs of local children
- The least important services were identified as advertising of local Early Years services and support for the development of local self-help services run by families for families.

Children's centres were consistently cited as being valued, supportive and already working in partnership with other services to offer a holistic and whole family approach. Parents suggested that children centres could offer the opportunity to bring services together in one place.

In addition to the formal consultation a series of focus group sessions have been held with interested parents and the following supplementary information about what is important to a parent/expectant parent was secured:

- The importance on parents wellbeing of meeting and socialising with other parents

- Children's centres were again referred to as being beneficial for both the contact and support it provides – it is felt to be a safe and secure environment
- Children's centres allows for greater integration and for parents and children's to mix with people from all backgrounds and cultures which is important and doesn't always happen in parents/community groups
- Some more resources should be aimed at the health and wellbeing of parents. If support is given to parents, particularly mothers, to help main a healthier life style and lose any weight gained by pregnancy by being able to attend exercise classes during and after pregnancy. Maintaining the health of parents is paramount to the health of their children.
- The need to ensure there are a spread of parent led groups across the City, it is highly likely that these groups will run in the more affluent parts of Birmingham and not in the areas that need them the most
- If money was to be spent on training etc. for the parents running the groups would this make financial sense? Some parents may be doing this for a short period of time before they return to work/take up work. Therefore, would parent groups actually save money?
- If services are targeted parents may be more reluctant to attend in fear of being judged as a bad parent
- Clear support for retaining what's working well
- Opportunities to involve parents more in running elements of the Early Years offer supported by professionals

Section Six: Needs analysis

An early years offer is being developed focusing on the health and wellbeing of children and parents. A needs assessment has been conducted to provide part of the evidence base in shaping that offer.

The analysis uses data on the demographics of Birmingham and population projections to give a picture of the potential demand for service both now and in the future.

It also provides information about the factors for the child, family and community they live in that are evidenced to impact on the outcomes that a child achieves to inform how services should be organised and targeted in the future.

Section Seven: Drivers for Commissioning

The previous sections provide an array of information and data to arrive at a range of drivers to inform and influence the commissioning of the Early Years Health and Wellbeing Offer. These are:

- Improving outcomes for children and families
- Increasing parents resilience, skills and employability

- For services to be delivered with the child by the parent supported by professionals
- Improving inclusivity and diversity
- The level of cost prevention offered by client groups
- Demand for services from different cohorts of parents and communities
- Addressing inconsistencies in service provision
- Seeking added social value from contracted spend
- Relevance to and delivering the city's priorities

One of the Council's broad goals, as listed in section one, is safety and opportunity for all children:

- Every child having a fantastic childhood and the best preparation for adult life. Children will benefit from an integrated, inclusive early years and health service, and be well prepared to start formal education.
- Families and children receiving targeted help as early as possible to overcome whatever issues are in their way and, if needed, with a team of great social workers and specialists to help the child and their family further.
- Preventing family breakdown. We seek to support disadvantaged families through a range of interventions so that their children can thrive. We want to target support to families so that where they are struggling we can help them to improve their parenting skills so that children are safer and can thrive. Working in this way will help reduce conflict within families and the need for children to come into care. We also want to ensure that we support adults into work through providing appropriate support and advice, underpinned by sufficient, quality, flexible and affordable child-care

Managing Demand

To pursue the vision and to better meet the changing needs of the city, we are improving our understanding of what drives the current and future demand for services, with a view to reducing that demand and reducing spend.

For example we need to:

- Intervene earlier to prevent the need for more expensive services later
- Consider whether others are better placed than the Council to deliver more effective and more cost-effective services
- Look at ways of working together, either in terms of Council departments or across a range of agencies, to improve services outcomes and reduce costs
- Encourage self-service where this is appropriate, particularly where this enables appropriate action to be taken more promptly
- Actively plan to avoid unnecessary service pressures and support people to be more independent
- Provide better access and reduce multiple contacts – getting it right first time

Section Eight: Commissioning Intentions

The options considered for future commissioning of a new health and wellbeing offer need to ensure that resources are directed to those children and families most vulnerable and in need. The offer we make to parents and families must be clear and easily understood and must be:

- To create a service model, which puts children at the heart and parents at the helm
- To create a service model which is well connected to local communities, which utilises and builds upon community capacity and assets and reflects well local issues and need
- To create an integrated service model within which services work in collaborative partnership for the benefit of children and families
- To create an inclusive service model, which promotes access for all children and families to the universal services available to them
- To create a preventative service model which identifies and responds to needs at the earliest opportunity and builds resilient families able to grow and thrive without the need for statutory support services.
- To create a targeted service model which ensures that the level of resources a receives is in line with their level of need and which works proactively to promote take up of services by the most vulnerable and hard to reach groups.
- An accessible service model which is valued by children and families and operates in locations children and families use the most and at times to promote choice and maximum service uptake
- To create a service model which is focused on and delivers real outcomes for children and families, ensuring that no child is lost to the system either during their Early Years or in transition to the broader network of support services.
- To create a service model which reflects good practice at a local and national level, ensures compliance with relevant professional, technical and legal guidance and promotes innovation
- To create a service model which is sustainable and cost effective, which reduces duplication, maximises resources for direct delivery and provides financial stability for service providers within the constraints of the available budget.

In determining the best arrangements locally to meet local needs, value for money and the ability to improve outcomes for all children and families, especially families in greatest need of support, should be important guiding considerations. Birmingham City Council is intending to commission organisations that have a track record of supporting children and families and achieving sustainable outcomes.

A Proposed Set of Outcomes and Measures for the Early Years Health & Wellbeing Offer

Introduction

The assessment of need for an integrated Health & Wellbeing Offer in an Early Years system is presented in Section 6 of the Commissioning Strategy. It is clear that we need to influence family health and wellbeing to improve Children's outcomes. The assessment reviews the influence of three broad areas on the child's Health & Wellbeing and development of physical/social/emotional/intellectual capabilities in readiness for a life of learning. These are:

- a) The family's economic circumstances, including the impact of worklessness and low income

- b) An environment that nurtures the child's physical, social, and emotional development through relationships with adults, especially parents, and opportunities to socialise with other children; and
- c) Adequate opportunity for structured play and learning to develop intellectual skills, especially communication

This proposed set of outcomes draws upon the work of the UCL Institute of Health Equity following the Marmot review¹ and The Children & Young People Health Outcome Forum². The outcomes are grouped to reflect the three broad areas of influence outlined.

The Vision and Overarching Outcome

The vision for the Early Years is "To give every child in Birmingham an equal chance to have the best start in life so they can achieve their full potential". The overarching outcome that best reflects this is one that captures an aspiration for children to be ready for their life of learning. In essence this is a measure that captures their readiness for school (**Outcome Area 1**). It is important to recognise that achieving this is dependent upon the successful implementation of the full Early Years System model, including the Early Education Entitlement offer - and the access of children who have, or are likely to have, special educational needs and /or disability to this and social and early educational inclusion in their local communities.

The Early Years System Outcomes

Outcomes, by their very nature, are not the same as service outputs and can be achieved by the efforts of a number of contributors. Hence it would be difficult to hold the Early Years System responsible for a beneficial change in family's economic situation but there are opportunities which can be used to assist a family towards that goal and this should be identified in the local offer made to families in partnership with other more responsible agencies or employers. This is the basis upon which **Outcome Area 2** is included.

However there are some areas of activity of the Early Years System that can be very influential in delivering the aim and vision and Outcome Area 1. These areas have been influential in shaping the remaining nine Outcome Areas.

Outcome Areas 3 & 4 are concerned with the development of the communication, social, and emotional skills of children during their Early Years. The measures are a mix of the currently available and the potential for measurement by the introduction of a 3.5 year assessment.

Outcome Areas 5 & 6 reflect the importance of children's' relationships with parents and the influence of these relationships have on Outcome Areas 3 & 4.

Outcome Areas 7, 8, 9, & 10 reflect the importance of what happens around the child in the womb and the home. **Outcome Areas 7, 8, & 9** are important factors in pregnancy and the new born period while outcome Areas 7 and 10 are important throughout the Early Years period.

Low birth weight (**Outcome Area 8**) is a serious issue that is discussed in more detail in the assessment of need but it increases the threat to survival in the perinatal and infant periods. However the role that the Early Years system could expect to play in first pregnancies is very limited.

¹ Marmot, M. (2010) *Fair Society Healthy Lives, The Marmot Review*;

² Report of the Children and Young People's Health Outcomes Forum *Children and Young People's Health Outcomes Strategy (2012)*

However there are opportunities to work with parents of first born children, especially if that child had a low birth weight, to reduce the influence of known parental behaviours on this in subsequent pregnancies. Hence the outcome measure is related to non-first born babies.

Safeguarding (**Outcome Area 11**) is an important golden thread of the contribution that the Early Years system makes to the Early Help & Safeguarding System. Improving outcomes in this area is dependent upon a number of partnering arrangements and the focus of other assurance systems of the Birmingham Safeguarding Children Board. Hence the outcome described here reflects a very specific measure to link into that assurance framework. Safeguarding has a separate section in the service specification which details the expectations on the provider.

	Outcome area	Measureable Outcomes for the Early Years System	Measures Proposed
1	Early learning	Children are developing well and are ready for school.	<ul style="list-style-type: none"> A. Early Years Foundation Stage (EYFS) Good level of development overall B. An increasing proportion of 2, 3 and 4 year old children are accessing the flexible free entitlement to EEE across the city
2	Low income households with under fives	<ul style="list-style-type: none"> 1. Parents are improving their basic skills, particularly in literacy and numeracy 2. Parents are working without the need for additional benefits 	<ul style="list-style-type: none"> C. Proportion of 2 yr olds eligible for targeted Early Education Entitlement
3	Communication/speech and language development	<ul style="list-style-type: none"> 3. Children are developing age appropriate comprehension of spoken and written language. 4. Children are building age appropriate use of spoken and written language. 	<ul style="list-style-type: none"> D. EYFS Communication Strand Good level of development for 4/5 year olds E. ASQ measure and EYFS Communication Strand from integrated two year check F. ASQ measure and EYFS Communication Strand from proposed integrated three and a half year check.
4	Personal social and emotional development	<ul style="list-style-type: none"> 5. Children have age appropriate self-management and self-control 6. Children are engaging in age appropriate play 	<ul style="list-style-type: none"> G. EYFS PSE Strand Good level of development for 4/5 year olds H. ASQ measure and EYFS PSE Strand from integrated two year check I. ASQ measure and EYFS PSE Strand from

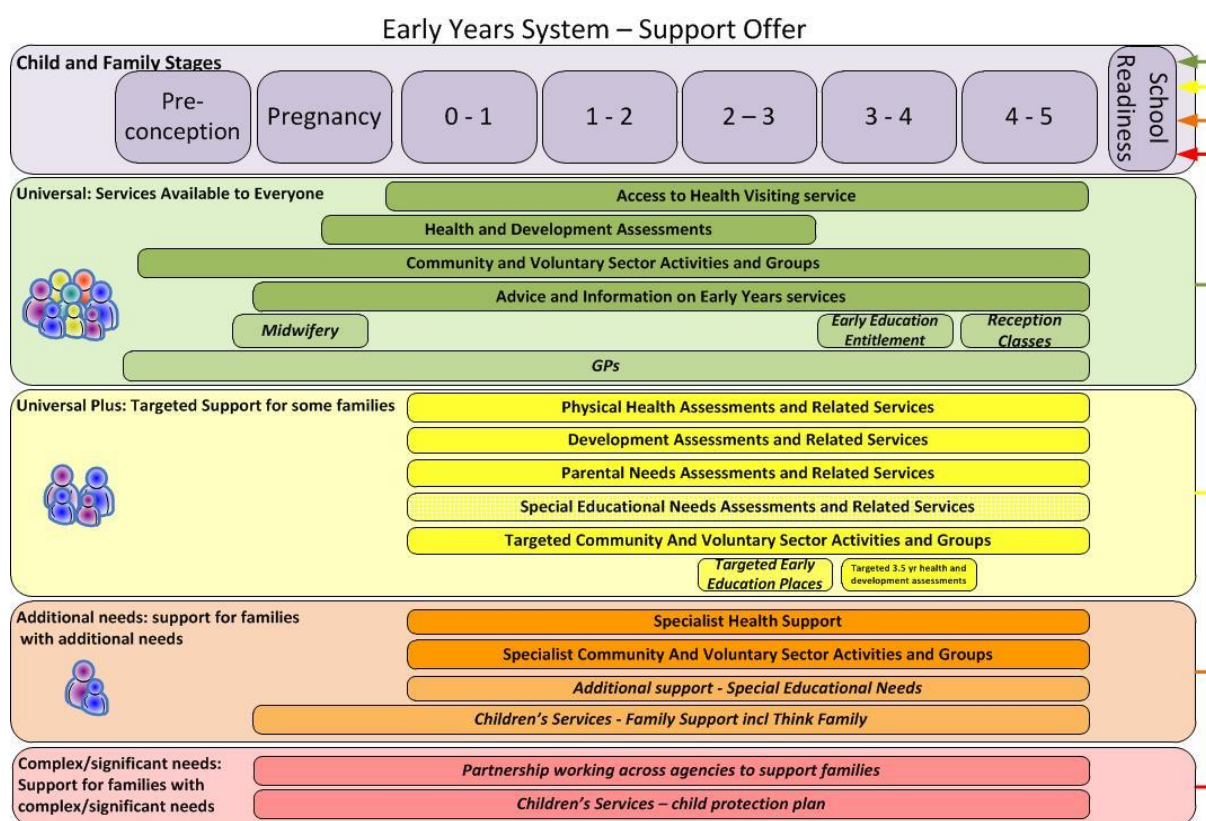
			proposed integrated three and a half year check
5	Parenting	<p>7. Parents are increasing their knowledge and application of good parenting</p> <p>8. Parents are regularly engaging positively with their children</p> <p>9. Improved parental responsiveness and secure parent-child attachment</p> <p>10. Parents are setting and reinforcing boundaries</p> <p>11. Parents are regularly talking to their child using a wide range of words and sentence structures, including songs, poems and rhymes</p> <p>12. Parents are reading to their child every day</p>	<p>J. Attachment assessment at 6-8 weeks</p> <p>K. ASQ:SE at 2.5 yr assessment</p> <p>L. Parenting Daily Hassles questionnaire</p>
6	Parental mental well-being	<p>13. Parents have good mental wellbeing</p> <p>14. Parents are experiencing lower levels of stress in their home and in their lives</p>	<p>M. Whooley questions as recommended by NICE</p> <p>N. Use of Edinburgh postnatal depression scale following Whooley questions</p> <p>O. Use of Parenting Daily Hassles questionnaire in families identifying difficulties.</p>
7	Smoking in pregnancy and childhood	<p>15. Children are born to mothers who don't smoke</p> <p>16. Children live in smoke free homes</p>	<p>P. Smoking at delivery</p> <p>Q. Smoke-free home at birth and at the 2.5 year check – health visitor collection</p>
8	Low birthweight	17. Non first born children are born at a healthy weight	R. Non first born children weighing <2.5kg at birth
9	Breastfeeding	18. Children are breastfed at birth and at 6-8 weeks	S. Breastfeeding audit data at birth and 6/8 weeks
10	Excess weight of children	19. Children are a healthy weight	<p>T. 2 ½ year assessment height and weight (BMI) measurement</p> <p>U. Child measurement programme BMI at Reception year</p>

11	Safeguarding	20. Children are protected from significant harm and their development and wellbeing are promoted	The Locality Early Years Offer submits a Section 175 audit to the Safeguarding Children Board annually Attendance at CP conferences.
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The model for a Whole System Approach

Integrated

The offer aims to provide a 'joined up' integrated service, bringing together health, education and social care so parents can have one point of contact rather than having to access a range of organisations. It will work closely with other services which help children and families such as GPs, hospitals, schools as well as voluntary groups. In addition there will be clear links to programmes such as Think Family.



Evidence suggests that the following universal services (i.e. available to all families who wish to make use of them) make a difference to children and families, when delivered in an integrated manner:

- High quality, inclusive, early learning and childcare
- Information and activities for families
- Adult learning and employment support
- Integrated child and family health services

Targeted

There will be targeted support for some families who have identified needs that may require an intensive or substantial package of support, but the concerns can be managed without the need for specialist or statutory intervention. This is premised on a universal service with paths for targeted support.

Delivered in the places children and families use the most

The new model will seek to provide access to services via a range of different venues in local communities. This will include children's centres, health centres, schools, community venues and other places which families can easily access and feel comfortable in using.

Responsive to the needs of local communities

While most services will be provided city-wide there will be local differences to ensure that services are responsive to issues which are more prevalent in some areas, or to meet the needs of different groups.

Maximisation of resources for direct services to children and families

The intended move away from a wholly building based service will allow for the available resource to be invested in direct work with children and families to maximise achieving positive outcomes.

Directorate for People
Commissioning Centre of Excellence
Early Years Health and Wellbeing Services
Service Specification

Purpose: To provide information about the scope, outcomes and operating requirements for the new Early Years Health and Wellbeing Service.

This service specification forms part of suite of documents. This service specification has been developed to enable us to deliver upon our stated commissioning intentions and to meet the needs of children and families living in Birmingham. As such it should be read in conjunction with the Early Years Health and Wellbeing Commissioning Strategy and Needs Analysis Documents.

1. Introduction and Context

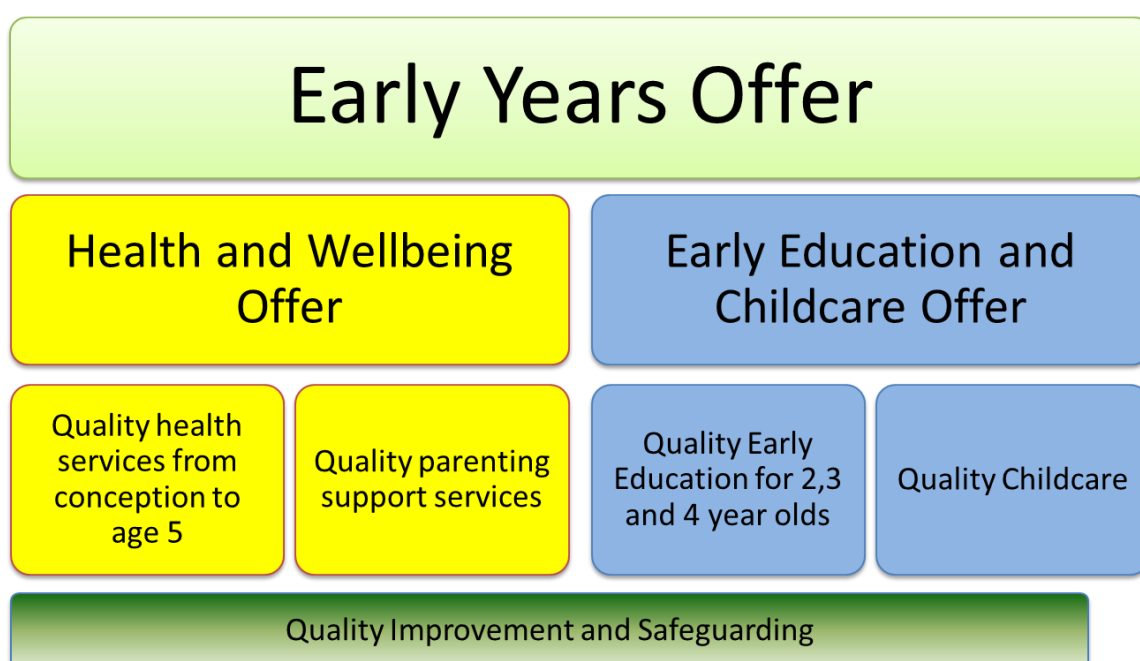
a) Background.

Early Years Services support families from the point that a child is conceived until they start school. High quality Early Years Services have been shown to be extremely important in helping children to develop well and learn the skills they need to be ready for school.

The value of Early Years Services in helping children and families to thrive and develop the resilience they need as they grow is well evidenced.

A review of Early Years Services in Birmingham identified a significant opportunity for services to be improved via the development of a more integrated and consistent service offer. Delivery of this new offer is a key priority within the Children's Improvement Plan.

The essential elements of our new service offer are shown below



Our new Early Years Offer is comprised of two interconnected components. Within the health and wellbeing component we want to provide children and families with the support they need to develop well, establish healthy lifestyles and become confident skilled parents. We want to complement this via the provision of a high quality Early Education and Childcare Offer to support early learning and provide families with accessible childcare provision.

We believe that this service offer will enable us to deliver upon our ambitious vision:

“To give every child in Birmingham an equal chance to have the best start in life so they can achieve their full potential”.

b) Scope

This service specification relates to the new Early Years Health and Wellbeing Offer. It sets out our future requirements for the integrated Early Years Health and Wellbeing Service providing information about

- How we wish to see health services delivered from the point a child is conceived until they start school
- How we want to work alongside parents to enable them to develop the skills, confidence, support networks and resilience to parent well and achieve financial independence and stability for their family.
- How we want to put the child and family at the centre of our new service offer and deliver flexible services that are able to respond well to changing need.

For clarity this service specification relates to the remodelling of the following services into a single integrated system.

- Health Visiting and Family Nurse Partnership
- Children's Centres
- Pregnancy and Breastfeeding Support Services
- Early Years parenting support services

A detailed list of current services in scope for remodelling has been provided at Appendix A to this specification.

This service specification does not cover the entire breadth of our new vision for Early Years Services as Early Education and Childcare services are not in scope. The specification does however set out our requirements for integration, collaboration and partnership working both within Early Years and with the broader system.

This service specification provides information about how we wish to see services provided to all children and families during their Early Years.

2.0 Aims and Objectives of the Early Years Health and Wellbeing Service

The Early Years Health and Wellbeing Service model described within this specification has been developed to enable us to deliver upon our vision:

“To give every child in Birmingham an equal chance to have the best start in life so they can achieve their full potential”.

Through the creation of a high quality service for every child that promotes healthy lifestyles, effective parenting and resilient families.

In our Commissioning Strategy we set out the following commissioning intentions, the delivery of which, are the key objectives for this service specification:

- ✓ To create a service model, which puts children at the heart and parents at the helm.

- ✓ To create a service model which is well connected to local communities, which utilises and builds upon community capacity and assets and reflects well local issues and need.
- ✓ To create an integrated service model within which services work in collaborative partnership for the benefit of children and families
- ✓ To create an inclusive service model, which promotes access for all children and families to the universal services available to them
- ✓ To create a preventative service model which identifies and responds to needs at the earliest opportunity and builds resilient families able to grow and thrive without the need for statutory support services.
- ✓ To create a targeted service model which ensures that the level of resources each service component receives is in line with their level of need and which works proactively to promote take up of services by the most vulnerable and hard to reach groups.
- ✓ An accessible service model which is valued by children and families and operates in locations children and families use the most and at times to promote choice and maximum service uptake
- ✓ To create a service model which is focused on and delivers real outcomes for children and families, ensuring that no child is lost to the system either during their early years or in transition to the broader network of support services.
- ✓ To create a service model which reflects good practice at a local and national level, ensures compliance with relevant professional, technical and legal guidance and promotes innovation
- ✓ To create a service model which is sustainable and cost effective, which reduces duplication, maximises resources for direct delivery and provides financial stability for service providers within the constraints of the available budget.

3.0 Outcomes

The vision for the Early Years is “To give every child in Birmingham an equal chance to have the best start in life so they can achieve their full potential”.

To reflect this vision we have developed an outcomes framework for the new service that is clustered around the following key areas:

- ✓ Reach and service uptake

Every child is engaged in the universal offer
 Every child is registered with GPs and Dentists
 Eligible 2 year olds are supported to access their Early Education Entitlement
 All 3 and 4 year olds are supported to access Early Education
 Children are transitioned effectively to primary school

✓ Child development

Children are developing well and are ready for school
Children are developing age appropriate comprehension of spoken and written language.
Children are building age appropriate use of spoken and written language
Children have age appropriate self-management and self-control
Children are engaging in age appropriate play

✓ Healthy Lifestyles

Children are born to mothers who don't smoke
Children live in smoke free homes
Non first born children are born at a healthy weight
Children are breastfed at birth and at 6 weeks
Children are a healthy weight

✓ Effective parenting:

Parents are increasing their knowledge and application of good parenting
Parents are regularly engaging positively with their children
Improved parental responsiveness and secure parent-child attachment
Parents are setting and reinforcing boundaries
Parents are regularly talking to their child using a wide range of words and sentence structures, including songs, poems and rhymes
Parents are reading to their child every day
Parents are improving their basic skills, particularly in literacy and numeracy (including ESOL).
Parents are working without the need for additional benefits
Parents have good mental wellbeing
Parents are experiencing lower levels of stress in their home and in their lives

✓ Safeguarding

All children are protected from significant harm and therefore welfare is promoted

Due consideration will need to be given to the delivery of these objectives within the forward service model and a comprehensive performance management framework will need to be developed and implemented to underpin service delivery and enable strategic reporting.

4.0 Legislative Requirements

This Early Years Health and Wellbeing Service will provide the current and any future required statutory duties of Birmingham City Council in respect of:

- ✓ **The Healthy Child Programme (HCP 0-5)** which is a programme that sets a framework for the delivery of universal and more targeted or progressive services. It supports a schedule of health and development reviews at key stages giving extra or targeted

support if need, risk factors or issues are identified. The HCP aims to support parents, promote child development, reduce inequalities, contribute to improved child health outcomes and health and wellbeing, ensuring that families at risk are identified at the earliest opportunity. There are five mandated universal health visiting assessments within the Healthy Child Programme, which are the antenatal health promoting visits, new baby review, 6-8 week assessment, one year assessment and an integrated 2 year old review (Using ASQ3 and ASQ SE).

- ✓ **Children's Centres Statutory Guidance 2013** which defines a Children's Centre as a place or a group of places where early childhood services are made available in an integrated way (either on site, or by providing advice and assistance on gaining access to services elsewhere); and at which activities for young children are provided. The core purpose of Children's Centres is described as "To improve outcomes for young children and their families, with a particular focus on families in greatest need of support in order to reduce inequalities in: child development and school readiness; parenting aspirations, self-esteem and parenting skills; and child and family health and life chances". The guidance also makes it clear that "children's centres are as much about making appropriate and integrated services available, as it is about providing premises in particular geographical areas" and in Birmingham we have virtual Children's Centres.

5.0 Service Eligibility and Access Arrangements

The Early Years Health and Wellbeing Service is available to all children and families living in Birmingham from the point that a child is conceived until they start school. The service will need to develop robust procedures and processes to ensure that all those eligible are engaged in services.

Due consideration must be given to ensuring that the service is accessible and appropriate to the diverse range of needs within Birmingham. Within this consideration will need to be given to groups with protected characteristics such as age, disability, gender reassignment, pregnancy and maternity, race, religion, gender and sexual orientation. The service provider will be required to set out how they will:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

Children and families who do not have a permanent residence in Birmingham, such as newly arriving families placed by the Home Office, those in temporary accommodation or those from travelling communities are eligible to receive service. The service will need to make arrangements to ensure that these children as well as other families who are new to the area with children aged between 0 - 5 are proactively engaged with services.

In line with the service objective to ensure effective integration the Early Years Health and Wellbeing Service will be required to work with children up until a successful transition to school has been secured. It is acknowledged that for some children and families this may mean that service delivery

extends beyond age 5. It is additionally an expectation of the new service that for some of the most vulnerable families contact will be maintained for a transitional period to ensure effective hand off.

The Early Years Health and Wellbeing Service will work in a family centred way and where it is beneficial to the broader family unit older siblings will be able to access services.

The Early Years Health and Wellbeing Service will offer a graded response which relates the level of service received to the level of need, in line with the Right Service Right Time Framework. More information about the services at the different levels is provided below, however this means that some components of the new service offer will be targeted and only available to those families assessed as requiring them.

Detailed service access criteria are not being specified within this document however service providers are required to establish and implement clear, transparent and consistent access criteria. These access criteria should be developed with reference to the Early Years Needs Analysis and should consider the needs of the child, parent and community. A robust assessment framework should be developed to complement the service access criteria which enables need to be identified and responded to at the earliest opportunity.

Additionally pathways will need to be established to enable children assessed by other partners such as Think Family teams or Children's Social Care to have access to the services that would be of benefit to them without the need for unnecessary additional assessment.

6.0 Service Description and Service Delivery

a) Service Description

In line with the vision, aims and objectives for the Early Years Health and Wellbeing Service a framework has been developed which describes the service as operating at 5 levels. These levels enable an alignment to be achieved with the Right Service Right Time Framework

Community – Connecting with communities is a key objective for the new service and consideration should be given to developing approaches which:

- Strengthen community and family resilience
- Promote co-production of services with communities and service users
- Develop intergenerational volunteering
- Create local employment opportunities through apprenticeship/trainee programmes
- Improve access to activities and services
- Support local childcare and early years settings in delivering high quality early learning
- Encourage innovation e.g Holiday Kitchen
- Maximise the use of community assets eg parks

- Engage locally based voluntary and community sector organisations in the delivery of services.

Universal: all families receive this service and this offers the opportunity for early identification of need, this would include:

- Undertaking the five mandated universal health visiting assessments within the Healthy Child Programme, which are the antenatal health promoting visits, new baby review, 6-8 week assessment, one year assessment and an integrated 2 year old review (Using ASQ3 and ASQ SE).
- Ensuring all families are registered with a GP and dentist
- Promoting 'school readiness', this includes cognitive development, communication and language, social and emotional development and physical health.
- Maximising the uptake of Healthy Start vitamin supplements both for women and children
- Implementation of the Startwell programme. The programme is based around 7 key messages to support early years settings, parents and health professionals to create a healthier environment for children and families and includes the nutritional and physical activity components.
- On-line advice and information, to include digital platforms.
- Engagement in the Bookstart programme to promote early language development.
- Universal groups, such as stay and plays, as a means to engage parents and to bring in those in need of extra support.
- Assessment/identification of need for all children and families, as necessary, across the offer
- Routine Breastfeeding support
- Routine Maternal mental health assessments
- Early identification of additional needs, with timely and appropriate access to specialist services through the Right Service, Right Time model.
- Early identification of children who have, or are likely to have, special educational needs and /or disability.

Universal plus: when a child and their family have needs that require support and interventions above and beyond normal universal services. This would include:

- Providing responsive support when families have problems or preventative interventions in response to predicted, assessed or expressed need.
- Undertaking a targeted 3.5 year health and development review (using ASQ3 and ASQ SE) for children who are not accessing Early Education Entitlement
- Facilitation of parent support groups and drop-ins.
- Provision of targeted groups for children, such as sensory/speech and language support
- Delivering targeted evidence based interventions e.g. Triple P, Incredible Years and the Solihull Approach, for those in need of support.
- Ensuring a family focus adopting a whole family approach and developing close partnership working with early intervention services for families, including the support of step up and step down transitions.
- Delivery of a Breastfeeding peer support service, using both paid and volunteer peer support workers – especially targeting those groups least likely to breastfeed.
- Giving rapid telephone response/access to clients during normal working hours. Families getting access to quicker health visiting advice means that they don't have to make use of another NHS service – such as GP consultations or treatment and care from Emergency Departments as frequently. This may include nurse prescribing.
- Support for families to access early education and good quality childcare
- Transition support; both from home to nursery/school and from nursery to school
- Identification of children eligible for targeted two year Early Education Entitlement and encouragement to families to access and take up this entitlement
- Identification and delivery of training and education opportunities for parents in local partnerships.
- Delivery and partnership with local delivery partners, specifically Job Centre Plus, of access to employment advice, support and opportunities
- Supporting antenatally for mothers with maternal mental health issues

Additional Needs: when a child and their family have needs that may require an intensive or substantial package of support. This would include:

- Support in partnership with local services to help families with additional needs that may require an intensive or substantial package of support eg where a child has a long term condition.
- Ensuring a family focus and close partnership working with Children's Social Care and BCC family support including step up and step down transitions.
- Ensuring a family focus, adopting a whole family approach and developing close partnership working with early intervention services for including the support of step up and step down transitions.
- Ensuring a family focus and close partnership working with universal and specialist services to provide holistic support for families of children with special educational needs and disability (SEND). This may include children with Education, Health and Care (EHC) plans.
- Support for families with complex needs, to include parental mental health issues or parental neurodevelopmental needs such as LD.
- Identification of children and families who would benefit from corporate childcare. The service will co-ordinate (but not provide) the corporate childcare.

Complex/significant Needs: when a child and their family have needs that are so significant that they need statutory social work intervention or highly specialist services. This would include:

- Supporting families where there is a child protection plan through close partnership working with Children's Social Care
- Ensuring a family focus, adopting a whole family approach and developing close partnership working with early intervention services for families with multiple and complex needs such as Think Family, including step up and step down transitions.
- Supporting families where there are children in need through close partnership working with Children's Social Care
- Ensuring a family focus and close partnership working with universal and specialist services to provide holistic support for families of children with complex special educational needs and disability (SEND). This may include children with Education, Health and Care (EHC) plans.

b)Service Delivery

The Early Years Health and Wellbeing Service is a city-wide service. However to reflect the objective of connecting with local communities the service delivery model should be designed to operate at a district level.

The district model is co-terminus with other interdependent services within the city for example Team around the Family panels (TAF) and the Birmingham Education Partnership (BEP).

The lead provider will be responsible for ensuring that the resource will be distributed according to the needs across the districts. Robust processes will need to be put in place to respond to changing need across the district delivery units. These procedures should cover both how support can be maintained to individual children and families when they move and how resources will be reallocated in the event of population change.

Within the delivery model consideration must be given to creating a service offer which operates across the full range of channels to include digital, telephone and face to face and includes a combination of one to one and group based support options.

The service provider will be required to ensure that universal services have sufficient reach to enable all families to access services. It is a clear expectation within this contract that a level of service delivery is provided to children and families in their own home. This should be complemented by the provision of services from a number of locations within each district.

Parents should be offered a choice of locations and times for visits which best deliver the outcomes, e.g. GP surgeries, community health services, the home, health centres, children's centres, libraries and other community settings. Locations, availability and opening times must meet the needs of families in their area (as per guidance), children and young family friendly, suitable for integrated delivery of services in both individual and group sessions and be conducive to flexible availability (e.g. early mornings, after school, evenings and weekends).

Services should be provided at a time to promote maximum access to children and families. Consideration must be given to the needs of working parents and parents with other caring responsibilities. Flexibility should be provided within the service model to ensure that services can be accessed between 8am and 8pm Monday to Friday, some options for weekend access should also be provided.

In the selection of operating locations and times the provider must consult with local communities to ensure that services are provided in locations that are relevant to children and families.

In the service map providers should seek to maximise choice for children and families by providing a range of access points.

Additional and targeted support services should be developed to reflect local need.

Due consideration should be given within the service model to identifying and responding to the needs of particularly mobile or transient groups such as families from travelling communities or families in temporary accommodation.

7.0 Workforce Issues

The workforce for the new service model should be developed to reflect the requirements of the new service. The level of skills, knowledge and experience that workers in the system should have should be related to the role that they are playing.

The Early Years Health and Wellbeing Service will be delivered by integrated teams with appropriate skill mix to reflect local need i.e. languages, cultural sensitivity and communication.

The workforce should be comprised of volunteers, apprentices or trainees working alongside paid staff. Within the paid workforce there should be qualified and unqualified staff.

An intergenerational model of volunteering should be developed to enable local parents and grandparents to support the delivery of services at a local level.

An apprenticeship or trainee scheme should also be developed to provide career pathways for local parents.

The additional support hours secured through volunteering and apprenticeships should be used to increase the level of universal support provided to children and families.

Effective systems for support, supervision, learning and development should be put in place to cover the entire workforce.

8.0 Engagement and Participation

The new Early Years Health and Wellbeing Service has been framed to put children, parents and families at the centre of service provision. Effective systems for consulting, engaging and involving children and families in the design of services will be key to this and due consideration should be given to securing the voice of the child and parent in the service design.

Additionally we want to put parents at the forefront of delivery, enabling them to develop the skills, resilience and social networks to parent effectively and with confidence. To achieve this we want to see robust plans for engaging parents in the management and delivery of services. Plans which utilise community resources and voluntary sector services as enablers are particularly welcomed.

9.0 Integration, Collaboration and Partnership

A key responsibility of the provider organisation is to create cohesiveness:

- Within the local Health and Wellbeing offer
- Across the broader Early Years Offer
- With the broader network of services

The service will be required to demonstrate strong partnerships and referral protocols with early education and childcare providers, nurseries and schools

The service will additionally be required to work in partnership with a wide range of health care providers (including mental health providers). In particular there will be a named Health Visitor for each GP practice (to include cross-boundary principles) and midwifery team, with an agreed schedule of regular contact meetings for collaborative service delivery. This will include linking to the pioneer for the sustainability transformation programme.

The service will work in partnership with Children's Social Care and the locality Family Support and Safeguarding Hubs and Troubled Families. In particular there will be partnership in regard to child protection (CP) planning, children in need planning, care plan reviews.

Strong links will need to be developed with services that support children with SEND to ensure that the needs of children with disabilities are proactively assessed and met. Active participation in Pre-School Liaison Groups (PSLG) will be required.

In addition to forming strong collaborative working across education, health and social care the new Early Years Health and Wellbeing Service will need to identify and maintain partnerships with a range of other providers to include those related to housing, employment, domestic violence etc.

10.0 Quality and Safeguarding

The delivery of consistently high quality services is central to our ambition to ensure that every child receives an equal chance of a good start in life. Robust processes to monitor and promote quality will need to be embedded into the new Early Years Health and Wellbeing Service alongside procedures to respond quickly where problems are identified.

The system lead will be responsible for complying with Ofsted inspection frameworks relating to children, young people and families, as well as any other external evaluation or audit arrangements (regulatory or otherwise). As all Ofsted inspections are unannounced, the Provider, any sub contracted providers and staff are expected to be familiar with such frameworks. The Service Provider will be required to contribute to any Ofsted inspections in regard to the core purpose of Children's Centres and achieve at least a "Good" rating (or equivalent in any new inspection framework) Safeguarding inspection as part of the single inspection framework and to any CQC review.

The Provider will ensure that it has appropriate clinical governance arrangements and procedures and will be required to demonstrate that these are consistently complied with across relevant parts of the service. Furthermore the Service Provider will be required to evidence that they are aware of relevant local and national practice standards and have plans in place to ensure compliance.

Key consideration should be given to compliance with Procedures and Codes of Practice as they relate to SEND and Safeguarding

The Early Years Health and Wellbeing Service will work in partnership with other key stakeholders to safeguard and protect babies (including unborn babies) and children from harm across Birmingham, by adopting the Early Help Strategy and working within the Right Service, Right Time framework. This includes:

- young people who are legally minors and who are parents.
- parents who are adults at risk of harm or whose ability to parent safely may be compromised by their own health and wellbeing needs

The service will work collaboratively to support children and young people in the child protection system, providing interventions for the child and family.

The service will ensure that policies and procedures relating to safeguarding of children are followed and staff undertake training appropriate for their professional role. This will include liaison and attendance at meetings with social care and other partners, advising other agencies and writing reports for court proceedings and providing witness evidence at court proceedings. This will include all processes covered by BCSB which will include LADO procedures, Ofsted notifications, Section 11 audit requirements, Team Around the Family meetings (TAF) and Multi-Agency Sexual Exploitation meetings (MASE), MARAC and DSL network.

The Provider will engage and support with Serious Case Reviews, support Internal Management Reviews and implement the recommendations arising from these and provide evidence of their implementation to the Designated Professional Team and the Birmingham Safeguarding Children Board as requested.

The provider will engage and support with the Child Death Overview Panel providing information and attendance at multi agency meeting and implementing the appropriate and relevant recommendations that are identified from the child deaths reviewed.

The provider will engage with Domestic Homicide Reviews (DHR) where appropriate.

All Staff engaged in the delivery of this service and who have direct contact with children and families must have the appropriate DBS / Barring Checks.

11.0 Systems and Record Keeping

Providers will ensure that robust systems are in place to meet the legal requirements of the Data Protection Act 1998 and the safeguarding of personal data at all times.

The Early Years Health and Wellbeing Service will operate a single shared electronic record which is part of information system to enable data collection to support the delivery, review and performance management of services.

The system needs to link into other electronic systems

In line with the above, BSCB data sharing agreement and following good practice guidance, the provider will have agreed data sharing protocols with partner agencies including other health care providers, education and early learning providers, children's social care and the police to enable effective holistic services to be provided to children and their families..

The Provider and its partners must ensure that there is at all times a secure and safe method of electronic data recording and transfer / exchange of information.

The Provider must be assured at all times that it has a robust security and back-up system to negate any risk to the loss of data or security breaches.

The Provider must ensure that any referred or transfer of information is not sent by paper, post or fax. All information and communications will be transmitted electronically, with the appropriate level of encryption

12. Contract Period and Terms

The contract to be tendered will be for a period of 5 years from the 1st September 2017. Subject to satisfactory performance and budget availability an option to extend for a further period of 2 years is also proposed. A break clause will be inserted after 3 years in case there is a significant change in national policy or central funding. In addition the contract document will provide for possible future reductions in budget allocated to these services because of reductions in Government grant or other reductions in funding which the Council may need to manage.

The contract will run on a fixed fee model with payments being triggered by satisfactory delivery of specified targets. The outcomes required from the new contract are detailed in this service specification. To promote innovation in service design key performance indicators will be confirmed through the tender negotiation process. Where appropriate some elements of payment by results may be included into the final contracting model.

Compliance with the Birmingham Business Charter for Social Responsibility is a mandatory requirement that will form part of the conditions of this contract. Tenderers will submit an action plan with their tender that will be evaluated in accordance with the tender assessment framework. The action plan of the successful tenderer will be implemented and monitored during the contract period.

The Birmingham Living Wage will apply to this contract and those tendering for the new contract will be required to confirm that all providers within the system will pay their employees at this rate or above.

The provision of apprenticeships and employment opportunities for local people will be a key requirement within the new contract. Those tendering for the contract will be required to detail how

they intend to engage local parents to help deliver the new model in exchange for training and employment opportunities.

This contract will fall under the TUPE legislation where the outcomes of procurement mean that employees will move from one provider to another.

The contract will be managed by a senior officer from the Commissioning Centre for Excellence within the People Directorate. Contract issues will be managed within the Governance structure of the Children's Joint Commissioning Board.

PROTOCOL

PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.

If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any
- 2 decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality 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.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Early Years Health And Wellbeing Procurement
Directorate	People
Service Area	Equalities And Human Resources
Type	New/Proposed Function
EA Summary	The procurement of the new Early Years Health and Wellbeing Offer is about to commence. This initial stage assessment focuses on the first stage of the process. The intention is for there to be regular reviews of the assessment as it progresses to implementation of the offer.
Reference Number	EA001328
Task Group Manager	john.freeman@birmingham.gov.uk
Task Group Member	
Senior Officer	Pip.mayo@Birmingham.Gov.UK
Quality Control Officer	kay.dhansey@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Function and expected outcomes?	<p>The commissioning of a new service model to meet the health and wellbeing needs of children and families during their Early Years is part of a major transformation programme to rethink the way that we deliver all Early Years Services in Birmingham. This broader transformation programme considers not just health and wellbeing but also early education and childcare. The overarching aims of the transformation programme are to:</p> <p>Increase the number of children assessed as having reached a good level of development by the time they start school</p> <p>Ensure every child has an equal chance to have a good start in life by tackling the inconsistencies between outcomes for different children</p> <p>Promote take up of Early Education Services</p>
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
<u>Comment</u> Provision of early years service is a statutory duty and the Council is committed to providing every child living in Birmingham with an equal chance to have a really good start in life through accessing the best services to meet the needs.	
	Yes
<u>Comment</u> Our vision is to provide every child living in Birmingham with an equal chance to have a really good start in life and to reach a good level of development by the time they start school	
A Prosperous City	Yes
<u>Comment</u> Access to the best possible services in a child's early years is crucial to them being ready for school and progressing through school and further education and gaining employment as adults.	
A Democratic City	Yes
<u>Comment</u> Children who have the best start in life are most likely to be active citizens engaging in the political and social life of Birmingham.	

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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<u>Comment</u> the procurement of the new Early Years health and Wellbeing Offer will, as it progresses, identify potential adverse impact on service users. We anticipate mitigation of this impact through detailed analysis which will be reviewed and amended as required.	
Will the policy have an impact on employees?	Yes
<u>Comment</u> the procurement of the new Early Years health and Wellbeing Offer will, as it progresses, identify potential adverse impact on existing staff. We anticipate mitigation of this impact through detailed analysis which will be reviewed and amended as required.	
Will the policy have an impact on wider community?	Yes
<u>Comment</u> the procurement of the new Early Years health and Wellbeing Offer will, as it progresses, identify potential adverse impact on the wider community where services are delivered. We anticipate mitigation of this impact through detailed analysis which will be reviewed and amended as required.	

2.3 Analysis on Initial Assessment

At this stage there will not be a full equality assessment. As the procurement process commenced a full assessment of all components of the new model - early years and health - will be subject to a full assessment which will be reviewed and analysed regularly.

3 Concluding Statement on Full Assessment

At this stage there is not be a requirement for a full assessment. As the procurement process commences the different components - early years and health - will be subject to a full assessment which will be reviewed and amended repeatedly. There has already been consultation with stakeholders and engagement with the sector market.

4 Review Date

01/08/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.

APPENDIX D - List of Current Contracts

Service	Provider
Early Years Short Breaks	KIDS
Vitamin Coordination Service - Vitamin Coordination	BCHC
Health Visiting	BCHC
Infant Feeding Service from NHSE to BCC	BCHC
Public Health Nutrition - Nutrition Training	BCHC
Public Health Nutrition - Startwell	BCHC
Stone Road Asylum Seeker Support nurse from NHSE to BCC	BCHC
Startwell - Physical Entitlement Programme	Billesley Primary School
Pregnancy Outreach Workers Services (Breastfeeding Peer Support)	Gateway Family Services
Breastfeeding Service	Health Exchange
Home visiting	Homestart
Receipt and Distribution of Healthy Start Vitamins	NHS Property Services
Purchase of the Healthy Start Vitamins	NHS Supply Chain
Bloomsbury Children's Centre	Bloomsbury Nursery School
Brearley Children's Centre	Brearley Nursery School
Lime Tree Children's Centre	Local Authority
Six Ways Children's Centre	Mansfield Green E-Act Primary Academy
Birchfield Children's Centre	Birmingham City Council
Cherry Tree Children's Centre	Birmingham City Council
Bertram Children's Centre	Birmingham City Council
Bordesley Village Children's Centre	Birmingham City Council
Golden Hillock Children's Centre	Birmingham City Council
Waverley at Bertram Children's Centre	Birmingham City Council
Bordesley Green East Children's Centre	Bordesley Green Nursery School
Castle Vale Children's Centre	Castle Vale Nursery School
Kitts Green and Shard End Children Centre	Birmingham City Council
Tame Valley Children's Centre	Birmingham City Council
Erdington Hall Children's Centre	Erdington Hall Primary School
Featherstone Children's Centre	Featherstone Nursery School
Pype Hayes Children's Centre	Gunter Primary School
Osborne Nursery and Children's Centre	Osborne Nursery School
Barney's Children's Centre	St Barnabas C of E Primary School
Fox Hollies Childrens Centre	Barnardos
Garretts Green Children's Centre	Garrets Green Nursery School
Oaklands Park Children's Centre	Birmingham City Council
Allens Croft Children's Centre	Allens Croft Nursery School
Chinnbrook Family & Community Project	Chinnbrook Family & Community Project
Maypole Children's Centre	Grendon and Billesley Nursery (PVI)
Rookery Children's Centre	Birmingham City Council
Sure Start Soho Children's Centre	Birmingham City Council
Kings Norton Nursery School and Camp Lane Childrens Centre	Kings Norton Nursery School

Reameadow Children's Centre	Local Authority
Kings Norton Children's Centre	Primrose Hill Community Project
Wychall Primary School, Children and Family Centre	Wychall School
Lillian de Lissa and Belgravia Children's Centre	Lillian De Lissa Nursery School
Ladywood Sure Start Children's Centre	Local Authority
St Thomas Children's Centre	Local Authority
Summerfield Children's Centre	Local Authority
Merrishaw Albert Bradbeer Children's Centre	Hollyhill Nursery School
Frankley Plus Children's Centre	Hollyhill Nursery School
Rubery Nursery and Children's Centre	Hollyhill Nursery School
Lakeside Children's Centre	Local Authority
Sundridge Children's Centre	Local Authority
Story Wood School and Children's Centre	Story Wood School
Four Dwellings Children's Centre	Local Authority
Keystone Children's Centre	Local Authority
Adderley Children's Centre	Adderley Nursery school
Highfield Children's Centre	Highfield Nursery School
Anthony Road Children Centre	Local Authority
Washwood Heath Children's Centre	Washwood Heath Nursery School
Doddington Green Children's Centre	Local Authority
Weoley Castle Children's Centre	Weoley Castle Nursery School
Park Road Children's Centre	Local Authority
SureStart Sparkbrook Children's Centre	Local Authority
Springfield Children's Centre	Springfield Project
Balsall Heath Childen's Centre	St Pauls Trust
Muath Children's Centre	Muath Trust
Anderton Park	Anderton Park Primary School
Bush Babies Nursery and Children's Centre	Bush Babies Nursery (PVI)
Four Oaks Children's Centre	Arthur Terry School
Holland House Infant School and Nursery	Holland House Infant School and Nursery
New Hall Primary and Children's Centre	New Hall Primary and Children's Centre
The Deanery CE Primary School and Children's Centre	The Deanery CE Primary School and Children's Centre
Druids Heath CC	Allens Croft Nursery School
Foundation Years Parenting Support	Birmingham City Council
Corporate Places	Birmingham City Council

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	STRATEGIC DIRECTOR, PEOPLE
Date of Decision:	28th June 2016
SUBJECT:	SCHOOLS' CAPITAL PROGRAMME 2016-17
Key Decision: Yes	Relevant Forward Plan Ref: 001126/2016
If not in the Forward Plan:(please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr John Clancy – Leader Cllr Brigid Jones - Cabinet Member, Children, Families & Schools Cllr Majid Mahmood - Cabinet Member, Value for Money and Efficiency
Relevant O&S Chairman:	Cllr Susan Barnett - Schools, Children and Families Cllr Mohammed Aikhlaq - Corporate Resources & Governance
Wards affected:	City Wide

- 1. Purpose of report:**
 - 1.1 To inform Cabinet of the latest Education Sufficiency Requirements.
 - 1.2 To update on progress of the delivery of Stages 1 to 3 of the Schools Capital Programme.
 - 1.3 To update on the implications of capital funding allocations for the delivery of Stage 4 of the Schools Capital Programme 2016-17 through which the Council will continue to meet its statutory duty to provide sufficient school places in safe and compliant school buildings.
 - 1.4 To seek approval to the Project Definition Document for the Stage 4 Basic Need and Capital Maintenance Programmes and the release of development funding.
 - 1.5 To seek approval to allocating £1.5m of Capital Receipts to supplement the Capital Maintenance resources (£1m) and support urgent IT investment in education systems (£0.5m). Initial clearance has been granted by the Capital Receipts Board on 29th February 2016.
- 2. Decision(s) recommended:**

That Cabinet:

 - 2.1 Notes the current requirements for school places to meet demographic growth across the City from 2016 as set out in Appendix 1, Education Sufficiency Requirements 2015-2020/21.
 - 2.2 Notes the progress on the delivery of Stages 1 to 3 of the Schools Capital Programme, as outlined in Appendix 2.
 - 2.3 Notes the anticipated requirements for Stage 4 of the Schools Capital Programme as outlined in Appendix 2.
 - 2.4 Approves the Project Definition Documents for the Stage 4 Basic Need (Appendix 3) and Capital Maintenance Programmes (Appendix 4) and the allocation of £37.15m confirmed capital funding for delivery of Stage 4 of the Schools Basic Need Programme and £13.22m confirmed capital funding for delivery of Stage 4 of the Capital Maintenance Programme, as detailed in Appendix 2.
 - 2.5 Approves the allocation of £3m of Basic Need Grant for Acivico and Edsi to develop Feasibility Studies, etc. in order to progress the Stage 4 Basic Need Programme to FBC stage.
 - 2.6 Approves the allocation of £1.5m of capital receipts to supplement funding for the Capital Maintenance Programme (£1m) and support urgent IT investment in education systems (£0.5m).
 - 2.7 Authorises the City Solicitor to negotiate, execute, seal and complete all necessary

documents to give effect to the above recommendations.

Lead Contact Officer(s): Jas Didially – Head of Education Infrastructure

Telephone No: 0121 303 8847

E-mail address: Jaswinder.Didially@birmingham.gov.uk

3. Consultation

3.1 Internal

The Council is required to meet its statutory duty to provide sufficient Early Years and school places in safe and compliant school buildings. The proposals contained within this report, together with the annual Education Sufficiency Requirements, have been shared with Ward Councillors and Executive Members and they support the proposals.

Officers in Legal Services and City Finance have been involved in the preparation of this report.

3.2 External

The requirements for sufficient Early Years and school places have been shared with Head Teacher representatives from Primary, Secondary and Special School Forums, representatives from the Early Years sector, Professional Associations and Trade Unions. A series of workshops sharing the Education Sufficiency Requirements were run during February 2015 to which all Schools, Accountable Bodies and Elected Members were invited. The outcomes of these workshops were the receipt of expressions of interest from interested schools to have either temporary or permanent expansions. Ongoing consultation has taken place with key external stakeholders in all projects within the Schools Capital Programme.

4. Compliance Issues

4.1 Are the recommended decisions consistent with the Council's Policies, Plans and Strategies?

The Schools Capital Programme 2016-17 is necessary for the Local Authority to meet its statutory duty to provide sufficient pupil places in safe and compliant Early Years settings and school buildings. City-wide Basic Need and Capital Maintenance programmes will support the Council Business Plan and Budget 2016+, particularly a Prosperous and a Fair City, by ensuring the provision of school places and safe, suitable school buildings, enabling children to benefit from education.

Projects have been developed and delivered to maximise alignment with local priorities, in particular to impact on developing skills, employment opportunities, public health and community cohesion.

Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of this contract for all contractors selected to deliver City-wide Basic Need and Capital Maintenance projects (including school led programmes) will be required to sign up to the principles of the Birmingham Business Charter for Social Responsibility (BBC4SR) which will form part of the conditions of the contract. Prior to contract award an action plan proportionate to the contract sum will be evaluated and agreed with them on how the Charter principles will be implemented and monitored during the contract period.

4.2 Financial Implications

- 4.2.1 The total capital funding for these schemes is contained within the approved Schools Capital Budget 2016/17. The programme will be funded in line with the existing resources set out in the Council's Business Plan and Budget 2016+. The programme is primarily funded from the Department for Education's Basic Need and Capital Maintenance grants. The £1.5m of Capital Receipts to supplement the Capital Maintenance resources (£1m) and support urgent IT investment in education systems (£0.5m) are from the sale of Council owned children's Homes.
- 4.2.2 In the event that capital resource availability for these purposes is changed, then the programme will be amended to reflect such changes through the existing quarterly review process with detailed approval to be sought through the appropriate governance procedures.
- 4.2.3 Progress on delivery of Stages 1 to 3 of the whole programme is reported in Appendix 2. In summary the programme reduced by £2.1m as the Hall Green project was removed as this requirement has been met by a Free School.
- 4.2.4 A financial model for Stage 4 Basic Need requirements is also set out in Appendix 2. The Stage 4 Basic Need investment will be £37.15m. The options and recommended approach are set out in the Project Definition Document (Appendix 3). Individual schools are not identified in the Project Definition Document for the stage 4 programme as they are in various stages of identification and development, with further changes likely as the landscape moves with free schools and changing patterns of migration. Individual schools will be identified at FBC stage.
- 4.2.5 Stage 4 also sets out a 2016/17 Capital Maintenance programme for schools of £7.22m plus £0.5m to implement urgent IT investment to ensure education systems are up to date and fit for purpose, as part of the Education Improvement Plan, with the options and approach for this set out in the Project Definition Document (Appendix 4). Key themes underpinning both the Basic Need and Capital Maintenance programmes are to ensure sufficient school places are provided and to reduce the risk of school closure resulting from asset failure.
- 4.2.6 In the 2015/16 accounts the capital expenditure incurred by schools from their delegated budgets was identified and in line with proper accounting practice this expenditure transferred to the City's capital ledger. £6m of this has been funded from the Capital Maintenance grant, in line with the Council Business Plan 2015+, and the balance funded from the schools delegated budget. A further £6m will be treated in the same way for 2016/17 again in line with the Council Business Plan and Budget 2016+ and explains why the total funding supporting Capital Maintenance in Stage 4 is £13.22m i.e. £7.22m in respect of the schools programme and £6m in line with Council Business plan requirements.
- 4.2.7 Schools that demonstrate experience and capacity in delivering their own capital schemes and agree to part fund the works will be able to submit a dual funding application.
- 4.2.8 Consequential revenue costs of additional staffing and any ongoing day to day repair and maintenance of the asset will be met by schools via the formulaic Dedicated Schools Grant.

4.3 Legal Implications

This report exercises legal powers which are contained within Section 14 of the Education Act 1996, section 22 of the School Standards and Framework Act 1998, by which the LA has a responsibility to provide places and maintain schools, this includes expenses relating to premises.

4.4 Public Sector Equality Duty

A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education and Skills Infrastructure's Education Development Plan and Schools' Capital Programme 2016–2017. The outcomes from consultation demonstrate that proposed capital developments support positive outcomes for children, young people, their families and carers. No negative impact on people with Protected Characteristics was identified. It was concluded that sufficiency of educational places and opportunities for all children and young people contributes to providing positive life chances, and supports a positive approach to Safeguarding in Birmingham: actively reducing the number of children and young people out of school helps to mitigate risk to their safety and wellbeing.

5. **Relevant background/chronology of key events:**

5.1 Background

The Education Development Plan (EDP) sits under the umbrella of the Birmingham Development Plan in order to integrate the development of the education infrastructure with the wider development and regeneration plans for the city. The EDP sets out the City's approach to developing the education and skills infrastructure to support the learning journey of each child. The EDP addresses how we will secure sufficient, sustainable education places to meet population growth, both in Early Years and School Age education settings. The plan also sets out how we will promote the full participation of all young people to acquire the skills that they need for further education, training and employment opportunities. The key purpose of the plan is to create the best possible education offer for all our young people.

5.2 The EDP is being implemented during a time of rapid growth in the early years and school age population. To date there have been 70 primary school expansions creating more than 14,000 additional primary school places in Birmingham in the first six phases of the Additional Primary Places Programme (stages 1 to 3) and 98% of those places made available are filled. The programme creates the physical capacity in advance, which is then filled on a year on year basis. Full details of the places created to date in Stages 2 and 3 are given on pages 47 to 52 of Appendix 1 Education Sufficiency Requirements 2015-2020/21 and an explanation of the different types of expansion is given on page 17 of the same document. There have been 26 expansions aligned to special schools (some schools have been expanded more than once) creating 769 additional places. In the context of significant changes to the landscape of education providers and the funding for education, the statutory duty for sufficient pupil places remains squarely with Birmingham City Council.

5.3 Pupil Numbers

Planning of medium to long-term requirements for additional early years, primary, secondary and special school places takes into account a number of factors such as birth rates, housing and migration patterns. However, the requirements for school places are subject to ongoing amendment both due to the unpredictable nature of some of these variables and as a result of Central Government Academy and Free Schools programmes.

5.4 In November 2013, the first iteration of Education Sufficiency requirements to 2019 were shared with elected members and key stakeholders based on a full review and refresh of

our Early Years and school place forecasts to reflect increased demographic growth. Schools were asked to express interest in expansion. Academies and Free Schools were invited to share their expansion intentions in order to support a co-ordinated approach for the provision of additional places and reduce the risk of over-provision and duplication.

- 5.5 Annual forecasts of school place requirements informed the second iteration of the Education Sufficiency Requirements 2014-19/20. As anticipated, requirements have changed significantly as a result of the combined impact of increased cohort growth (more children joining our schools than leaving them) and increased supply of school places (new places provided by Free Schools, additional places provided by schools that are their own admissions authorities and additional places provided through the BCC Basic Need programme). It remains a challenge to predict with certainty where and when places will be needed. Regular meetings are planned with the Free School and Academies department of the Education Funding Agency and the Regional Schools Commissioner to secure improved co-ordination of central government Free School proposals with BCC Basic Need proposals.
- 5.6 While the LA maintained schools portfolio has been reduced as a result of the Academies programme, the LA remains the single largest Accountable Body and Landlord for education in Birmingham and receives annual grant funding to fulfil its statutory duties in relation to the schools' estate. As at January 2016, Birmingham City Council maintained 295 schools, 202 of which are owned by the City Council, 7 are Voluntary Controlled, 65 are Voluntary Aided and 21 are Foundation Schools. At that time, the City was leasing a further 95 school assets to Academies at a peppercorn rent.
- 5.7 Update on Stage 3 and Funding for Future Stages
Stage 3 of the Schools Capital Programme, which totalled £39m and was approved by Cabinet in July 2015, identified the requirements to provide sufficient school places identified in the Education Sufficiency Requirements 2014-19 Edition 2 February 2015. Appendix 2 provides an update on the delivery of this programme against the anticipated requirements and proposed funding envelopes that were outlined in the Schools Capital Programme 2015-17 Cabinet Report in July 2015.
- 5.8 The 2017/18 Basic Need allocation is confirmed to be £15.05m and the 2018/19 Basic Need allocation is confirmed to be £40m. The Capital Maintenance Grant for 2017/18 is indicated to be £12.3m with an indication that the following years will be of the same value – subject to adjustment for further academy conversions.
- 5.9 Proposals for Stage 4
Requirements for Stage 4 of the capital programme have been modelled at high level based on the Education Sufficiency Requirements 2015 -2020/21 Edition 3 November 2015 and are set out in Appendix 2. The Basic Need (£37.15m) and Capital Maintenance (£7.22m) capital requirements will be reviewed and refined as forecasts are revised and as Academy and Free School proposals are confirmed.
- 5.10 It is expected that the large majority of the Basic Need requirements identified in the Project Definition Document (Appendix 3) will be met through planned expansions that provide places from Reception in order to maximise educational continuity. However, the impact of year-on-year cohort growth is leading to pressure for places in some parts of the City from years 1 to 6. There is an increased requirement to open additional classes across these year groups to ensure we meet our statutory duty to provide sufficient places. £37.15m has been proposed in Stage 4 to fund these requirements. Individual projects will be subject to approval through the Council's Gateway process, utilising a programme approach where appropriate.

- 5.11 The school capital programme is subject to the Council's Lean Review of its non-housing construction and building related services. The Lean Review was commissioned in order to develop processes for capital projects with the aim to unlock major blockages, which lead to delays and therefore major increases in cost. This approach has developed lean skills and collaboration between the partners involved in delivering these schemes i.e. Education Infrastructure, Birmingham Property Services, Corporate Procurement Services, Acivico and Construction West Midlands (CWM) framework contractors. The main principle of the lean process is to set a construction cost target based upon industry benchmark rates, with an expectation of achieving at least 20% savings through the introduction of lean delivery processes. In order to do this a number of projects have been identified to participate in a pilot scheme.
- 5.12 In line with the recommendations of the Lean Review, a Constructing West Midlands construction partner for the pilot schemes was selected via a mini-competition using approved criteria to achieve best value for money. The selected contractor is signed up to the principles of the Birmingham Business Charter for Social Responsibility and will work on individual action plans, proportionate to the contract sum, demonstrating how the principles of the Charter will be implemented with each school and the local community. These action plans will be agreed prior to the works order being placed.
- 5.13 Early indications are that savings will be realised in comparison with similar projects delivered earlier on in the programme, bearing in mind that buoyancy in the construction industry has resulted in much higher labour and material costs. An Alliance Board has been set up to monitor the ongoing impact of the lean review – an evaluation of the process will take place once the pilot scheme projects are complete and, if successful, will be rolled out to further projects.
- 5.14 As proprietor, the Council must fulfil responsibilities in relation to the health and safety and statutory compliance of the LA maintained schools portfolio. In addition, the City has contractual obligations in relation to schools rebuilt through major capital investment programmes (Public Private Partnerships 1 & 2 and Building Schools for the Future). The approach to managing obligations with regard to LA maintained schools is captured in the Schools Maintenance and Sustainability Strategy as set out in the EDP. The Schools Capital Maintenance Programme, which sits within the Schools Capital Programme 2016-17, addresses these issues through annual planned maintenance projects and reactive emergency repairs to LA maintained schools, with the exception of PFI operated schools. The maintenance grant funding that the city receives is not sufficient to meet the substantial backlog maintenance requirements across our schools estate and prioritisation of maintenance projects, based upon the risk of a maintenance issue resulting in school closure, is therefore necessary, along with leveraging of joint funding with schools wherever possible.
- 5.15 Under the £7.22m centrally managed Capital Maintenance Programme, the works identified in the Project Definition Document (Appendix 4) will be subject to approval through the Council's Gateway process. It is anticipated that the majority of the works will be under the Strategic Director's delegated authority threshold level, but will be subject to approval of a Full Business Case through the Council's Gateway process where appropriate. The works will be carried out using existing and approved contractor framework partners who will be project managed by Acivico, with the exception of school managed dual funding projects. Project implementation will be fully compliant with planning approval and building regulations as required. Officers from the Education & Skills Infrastructure team will work with Acivico to ensure that schemes are programmed with minimum disruption to schools. Both the Education & Skills Infrastructure team and Acivico have extensive experience of delivering capital maintenance projects in schools.

5.16 Annual Capital Maintenance allocations will be directed to implementation of the Schools Maintenance and Sustainability Strategy through a combination of planned preventative maintenance and reactive emergency repairs.

5.17 Key risks associated with the Schools Capital programme 2016-17 are detailed in the respective Project Definition Document for Basic Need (Appendix 3) and Capital Maintenance (Appendix 4).

5.18 Future Governance and reporting back

An annual report will be presented to Cabinet, updating Cabinet on progress/delivery/outcomes and to seek approval for future stages.

6. Evaluation of alternative option(s):

6.1 The option of delaying provision of permanent additional places and implementing temporary solutions would mean that affordability was easier to achieve in the short term but would ultimately lead to greater expense due to the fact that permanent places will be required to meet the sustained growth in the city.

6.2 The option of relaxing the LA commitment to providing school places within recommended travel distances would reduce risk of capital funding shortfalls but would increase the need for young people to travel further to attend school with the subsequent, documented risk of non-attendance and underachievement .

6.3 The option of reducing the maintenance programme to emergency repairs only would lead to increased risk of school closure from asset failure and would reduce the value for money that can be secured from the annual maintenance grant allocation through effective planned maintenance.

7. Reasons for Decision(s):

7.1 To support delivery of the Schools Capital Strategy as an integrated strand within the City's development and regeneration strategy, to maximise opportunities and prioritise resources to meet local needs, in order to improve outcomes for children, young people, their families and the wider community.

7.2 To fulfil the Council's statutory duty to provide sufficient, local, safe school places for all Birmingham young people.

Signatures:

Cllr John Clancy Date:
The Leader

Cllr Brigid Jones Date:
Cabinet Member for Children, Families and Schools

Cllr Majid Mahmood Date:
Cabinet Member for Value for Money and Efficiency

Peter Hay Date:
Strategic Director for People

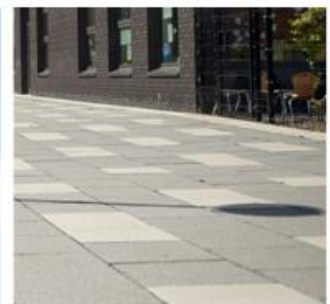
List of Background Documents used to compile this report:

1. Schools Capital programme 2012-14 Cabinet Report, January 2013
2. Schools Capital Programme 2013-2017 Cabinet Report March 2014
3. Schools Capital Programme 2015-2017 Cabinet Report July 2015
4. Education Sufficiency Requirements Edition 2, November 2014
5. Birmingham Development Plan
6. Council's Business Plan and Budget 2016+

List of Appendices accompanying this Report:

1. Education Sufficiency Requirements Edition 3 November 2015
2. Schools Capital Programme 2016-17 Requirements and Financial Model
3. Project Definition Document, Stage 4 Basic Need Programme
4. Project Definition Document, Stage 4 Capital Maintenance Programme

Report Version 18	Dated 03 June 2016
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Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2015 to 2020/21

Edition 3, – November 2015

Subject to further revisions in light of changing landscape

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Schools and providers are invited to submit an Expression of Interest to meet the Basic Need requirements identified within this document. The form can be found by visiting the web-link above or contacting us for a copy. *We are asking for feedback from stakeholders on this Edition via BeHeard with a link to an anonymous survey also on the same webpage.*

Timeline

Sufficiency Workshops	Expressions of Interest submitted	Evaluation and schools contacted
between 23 rd November to 7 th December 2015	by 19 th December 2015 or 8 th January 2016 for 2016 entry, and then onwards	w/c 25 th January 2016

Education Sufficiency Requirements 2015-2020/21

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Introduction

Mainstream Education Sufficiency Requirements 2015-2020/21

This document sets out:

- The number and location of additional mainstream primary and secondary school places we expect to require over the period 2015-2020/21
- Any changes we know about in the planned supply of school places
- Further details of information that sits behind our forecasts to help our partners understand the mainstream school places landscape

This is the third publication of this kind, updated annually and replacing the Education Sufficiency Requirements published in February 2015. It should be read in conjunction with the Birmingham Education Development Plan (EDP) which sets out the City's approach to developing our education infrastructure to support the education journey of each young person:

www.birmingham.gov.uk/edp

Separate publications will follow to cover the following education settings:

- Special Provision – providing places for young people with complex needs from 0-25.
- Nursery Provision – providing places for 2-4 year olds.
- Post-16 provision – providing places for young people aged 16-19 will be addressed in the 14-25 Strategic Commissioning Statement which sets out the provision and pathways we need to ensure all young people participate fully in education and training beyond age 16.

Growth and School Place Planning

Birmingham has a growing population of young people. The City Council has a statutory duty to ensure there are sufficient school places for all Birmingham children and young people. To meet this duty, we need to ensure sufficient school places are provided to meet local need without creating more places than are required. To do this really well, we need to reliably forecast how many school places we will require at the start of each year and for in-year admissions. We also need good visibility of where new school places will be provided by schools that expand independently of the Local Authority, such as Free Schools and Academies.

School Improvement

Our Basic Need programme is an essential strand of the City's wider school improvement strategy to deliver our ambition for every Birmingham child to benefit from a great education. If we do not have enough school places, children may not be able to find a local school place. On the other hand, having too many school places puts children in undersubscribed schools at a disadvantage and makes it exceptionally challenging for those schools to implement their rapid improvement

programmes. This is currently an issue in our secondary schools. So we have to make sure that new places we provide really do meet Basic Need and that we have enough surplus places for in-year admissions. We do not provide new places specifically to meet parental preference.

Partnerships

To date, there has been highly effective partnership work between the whole landscape of Birmingham schools and the Local Authority to respond to the growth in the school population. For example, by September 2015/16, 74 schools had undertaken the significant challenges of expanding the number of primary places offered. We are deeply appreciative of the hard work undertaken by schools, Governing Bodies and Trusts who work in partnership with the Local Authority to meet Basic Need.

It is exceptionally challenging to co-ordinate school place planning in a fast-changing education landscape where more schools have autonomy to increase the number of places they offer and where central government is delivering the Free Schools and Academies programmes. We are therefore working hard with partners from the Department for Education, the Regional Schools' Commissioner and our local Academy chains and Free School partners to secure the best possible co-ordination of additional and new school places to support Birmingham young people and their families.

Basic Need Strategy

An annual cycle of activity takes place to maintain sufficient school places to meet Basic Need, see Fig 1 below. This cycle forms part of our Basic Need Strategy (Appendix 1). Details of how we forecast school places can be found in Appendix 2.

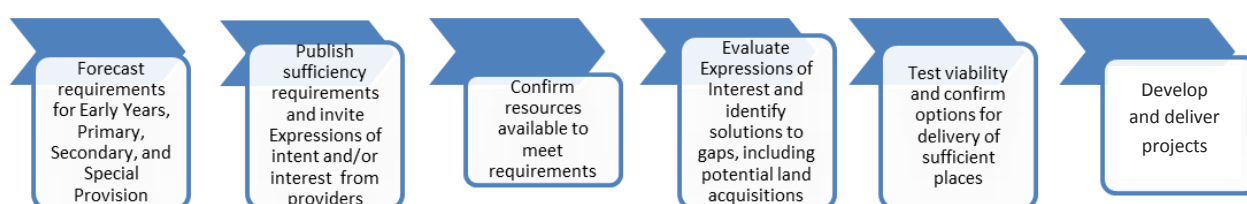


Fig 1: Annual cycle for meeting Basic Need in Birmingham

To deliver all of the places we need, some schools need to physically expand their buildings and require capital investment; these form part of our annual schools capital programme. For the majority of permanent school expansions, school organisation proposals are also progressed through statutory consultation processes. Admissions arrangements and the processes for administering admissions are closely linked to the school place planning process and there are therefore close working relationships between the respective Local Authority teams and all schools.

Key Messages for 2016 and beyond

Safeguarding

- It is a safeguarding priority to ensure that every child has a school place

Forecast

- 2014 Forecasts were reliable to 99% and 99.6% for Reception and Year 7 entry respectively.
- The reliability of forecasts will change as new places are created and patterns of parental preference change accordingly.

Sufficiency

- All cohorts of children are getting larger as they move through their education in Birmingham; this creates particular pressure in some of our primary schools where families may struggle to find a local school place, especially if arriving new into the city. The need for sufficient places is currently most acute in Year 2 and 3
- We require permanent expansions from Year 3 and further bulge classes across Years 1-6 in order to meet anticipated cohort growth and address current pressure from in-year admissions in the primary phase.
- We expect that in-year pressure in our primary years groups will continue and we therefore require further expansions to meet this growth.
- In most parts of the City, there will be more places in Year 7 than are needed for several years. We will consider reducing the intake in some schools to support stability and school improvement in undersubscribed schools.
- We will only support additional secondary school places in areas where there is a compelling argument for additional places based on lack of school places within a reasonable distance to meet local need.
- Requirements for future places are likely to change as sizes and locations of Free Schools are confirmed. We will only support Free School proposals that add to the quality and sustainability of the local education offer.

School Improvement

- School Improvement is at the heart of our approach to basic need; we want every child in Birmingham to benefit from a great education.
- We recognise the school improvement challenges for schools that expand. We will continue dialogue with school improvement colleagues and HMI to ensure there is no disadvantage to schools that take on the challenges of expansion. In particular, we will work with the Birmingham Education Partnership, BEP, to develop tools that enable expanding schools to demonstrate progress of pupils from point of entry. Support from HMI is highlighted on the following page.
- In areas where there is a lack of popular local school places but there remain vacancies in undersubscribed schools, it is our priority to secure rapid improvement so that all children have an equal chance of a great education. We will make best use of existing places and resources before supporting investment in school expansions or new schools.

Partnership; we ask all partners to

- Ensure additional places are provided where and when needed to support school improvement priorities
- Coordinate with the school place planning team on proposed changes to Admissions Numbers. We want all partners, especially where schools that are their own admissions authorities, to give sufficient notice of any plans to change the number of places they offer or their admissions arrangements so that we can co-ordinate our place planning
- Consider flexible expansion – providing new places across year groups to help meet pressures from cohort growth, rather than one class of 30. We have provided a summary of schemes implemented to date in Appendix 5
- Consider exploring age range changes, for example to create all-through provision, where this will meet Basic Need.
- Discuss appropriateness of opening year groups earlier to meet agreed demand in local areas if you school has been permanently expanded
- Work with us to identify the optimum location for new school places while appreciating that the demand and landscape can change rapidly.

We wish to express our gratitude and appreciation to all the schools and partners who have and continue to work with us on ensuring sufficient school places. We welcome interest at any time from any school wishing to assist in meeting demand for school places.

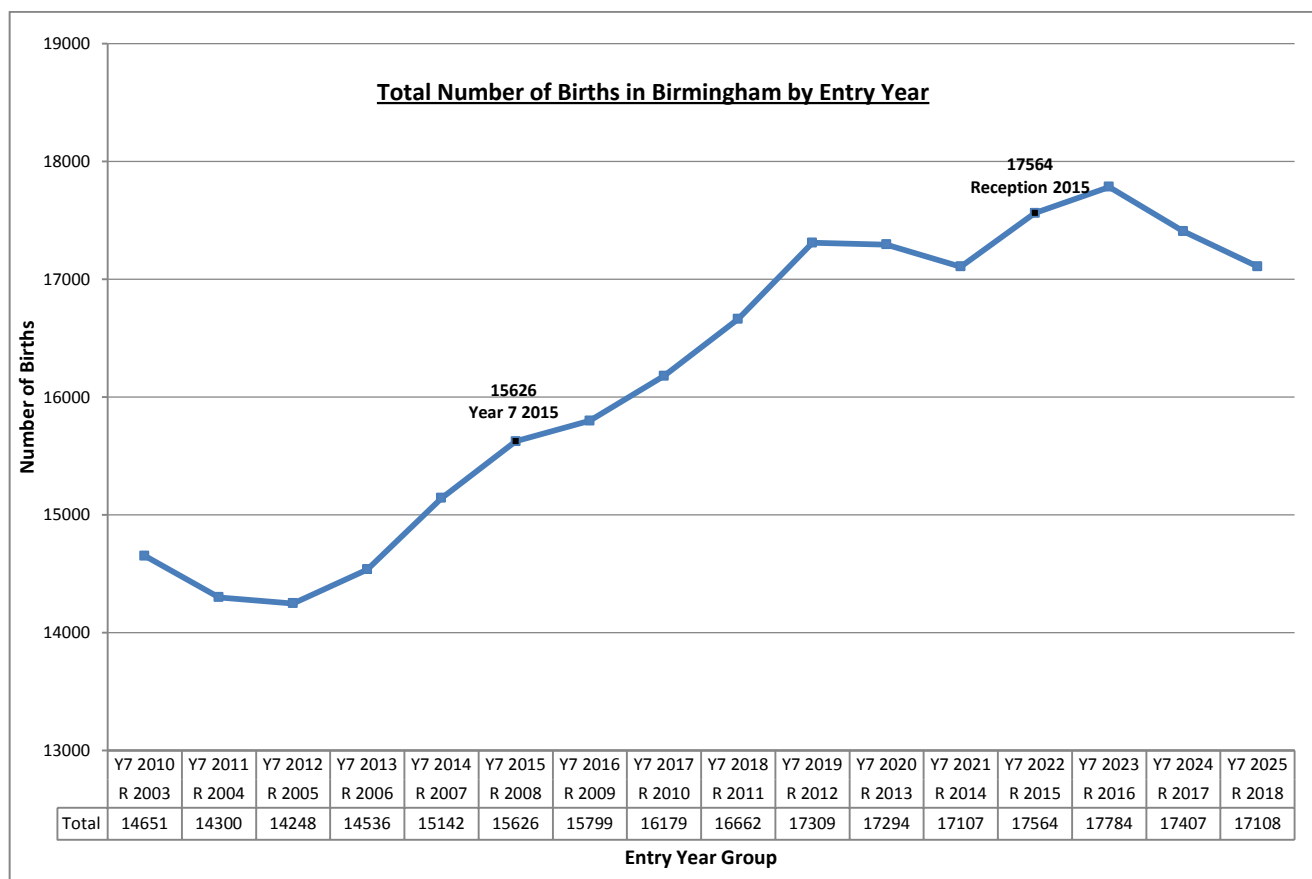
Supporting statement from Ofsted:

“Her Majesty’s Inspectors understand that a number of Birmingham schools are expanding to meet Basic Need. This can lead to high numbers of in-year admissions and at times will mean schools take on students who have not previously attended school in the UK and/or have increased numbers of students with high needs. We also recognise that there is an increased need for some primary schools to open classes part way through a school year and part way through a phase of education. The inspection framework makes it clear that our role is to evaluate the progress being made by students from their starting points. We will take into full consideration the specific context of schools expanding. It is a priority to ensure there are sufficient school places for every child to attend school and we recognise the commitment that schools demonstrate when supporting the City by expanding to meet Basic Need.”

Lorna Fitzjohn - Ofsted Regional Director, West Midlands

Growth Context: Birth Rate Increase and Cohort Growth in Birmingham

Over 12 years from 2000 to 2011, the numbers of children born annually in Birmingham increased by 25% as illustrated in Graph 1 below.



Graph 1: Total number of births in Birmingham by Year of School Entry. Source: ONS Live Birth Data reported annually

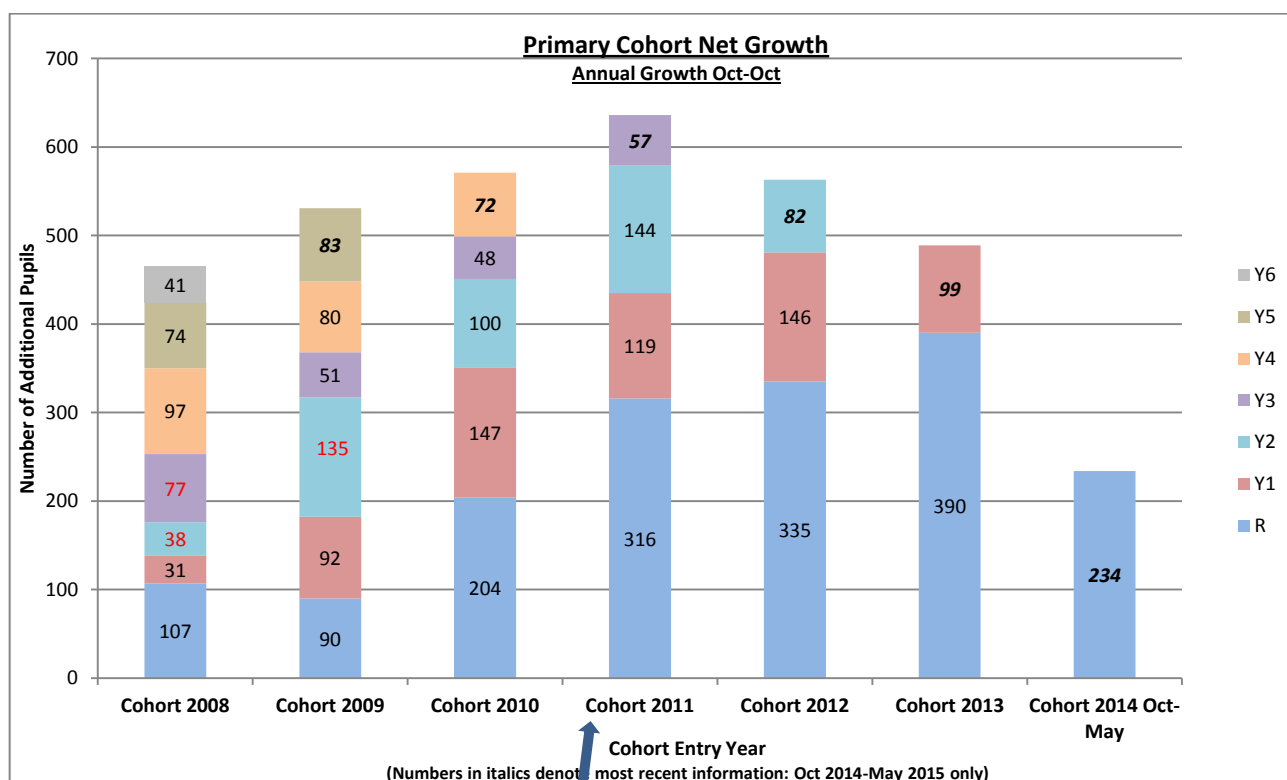
- Birth rate increase has already impacted on primary place planning and is now beginning to impact on our secondary school pupil numbers.
- It appears that birth rate increase is levelling. Latest information suggests the cohort of children born for Reception 2019 entry is continuing to follow a downward trend (early provisional estimate of 16,700 – 17,000 births for children entering Primary schools in 2019)

Primary Cohort Growth

In addition to sustained birth rate increase, most cohorts of children are increasing annually because more young people are moving into the city than leaving: this is particularly evident during Primary School years, suggesting that families with young children are attracted to Birmingham as a place to live.

We expect each primary cohort to grow by between 15 and 30 Forms of Entry (FE) (i.e. 450 – 900 places) between Reception and Year 6, with the majority of cohort growth concentrated from Reception to Year 2.

Recent patterns of cohort growth in mainstream schools in Birmingham are illustrated in Graph 2.



Graph 2: Primary Cohort Net Growth. Source: School Census Data reported termly. Latest census data received in full is May 2015

Supporting commentary on Graph 2

If we look at the cohort that started Reception in 2011: by the time they reached Year 1 they had grown by 316 pupils, they had grown a further 119 before they reached Year 2, a further 144 by the time they reached Year 3 and a further 57 by the end of Year 3 in May 2015. To date this is a total cohort growth of 636 pupils or over 21FE over 3.75 years. In successive years there has been more growth and this trend of growth looks set to continue.

Note: The latest data is up until May 2015 only and therefore we anticipate further growth to Oct 2015.

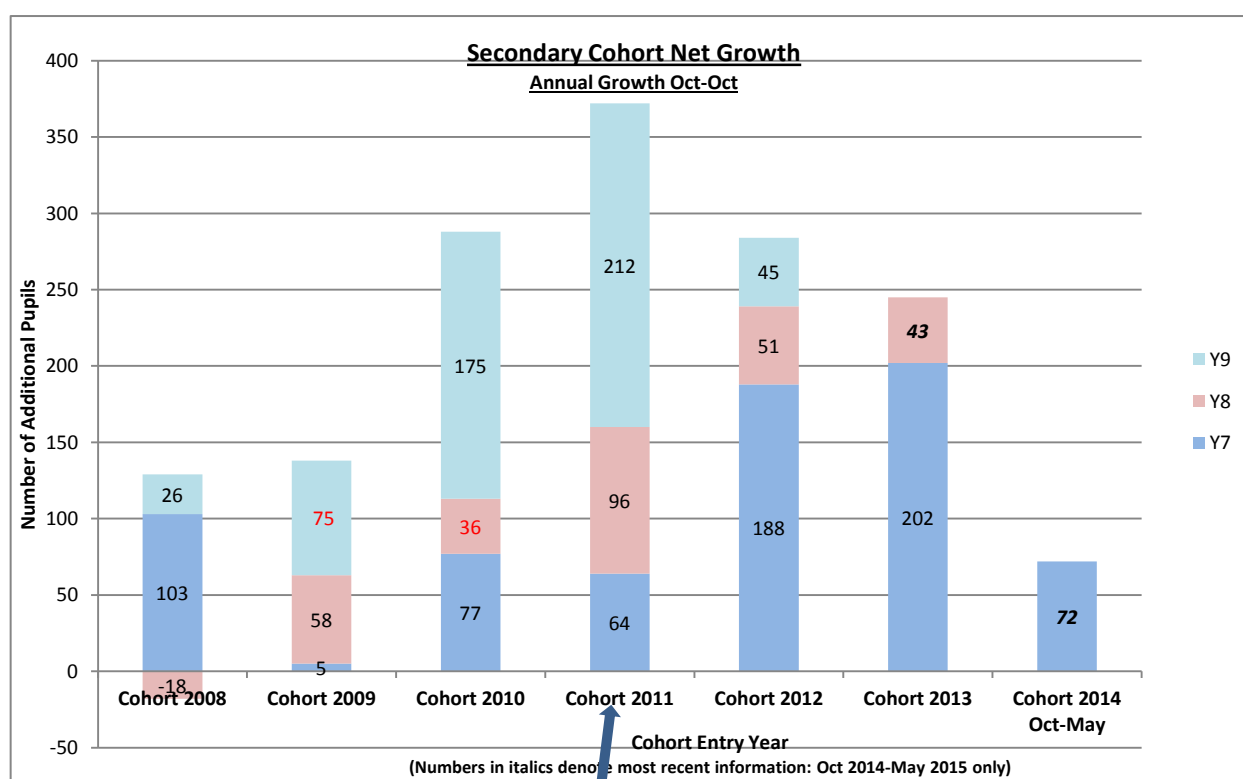
Table 1 below provides a summary of the total growth by cohort since 2008. The cohort starting in 2012 has grown by more pupils in the 3 years to date than the cohort of 2008 grew in full over a 7 year period.

Year Cohort	2008	2009	2010	2011	2012	2013	2014
Total Pupil Net Growth to May 2015	465 in <7 years	531 in <6 years	571 in <5 years	636 in <4 years	563 in <3 years	489 in <2 years	234 in 2 terms
FE equivalent	[15.5FE]	[17FE]	[19FE]	[21FE]	[19FE]	[16FE]	[8FE]

Table 1: Overview of Primary Cohort Net Growth since 2008. Source: School Census Data reported termly. Latest census data received in full is May 2015

Secondary Cohort Growth

Graph 3 illustrates the net growth to date of each secondary cohort since 2008:



Graph 3: Secondary Cohort Net Growth. Source: School Census Data reported termly. Latest census data received in full is May 2015

Supporting commentary on Graph 3

If we look at the cohort that started in Year 7 in 2011: by the time they reached Year 8 they had grown by 64 pupils, they had grown a further 96 before they reached Year 9 and a further 212 by the time that they reached Year 10 in 2014. This is a total cohort growth of 372 pupils or over 12 FE over 3 years. Secondary cohorts traditionally reduce in size during years 10 and 11.

Note: The latest data is up until May 2015 only and therefore we anticipate further growth to Oct 2015.

Secondary year groups, in particular years 7-9, show increases in cohort growth since 2010.

In 2013, for example, over 200 additional pupils had joined the Year 7 cohort in Birmingham by the time they entered Year 8 in 2014. (NB - Years 10 and 11 traditionally see a decrease in cohort size as schools are far less likely to take new students in during the GCSE phase).

Table 2 provides a summary of the total growth by cohort since 2008. It shows the increase in cohort growth over time. The cohort starting in 2009 has grown by 138 pupils over 3 years (years 7-9), whilst the cohort starting in 2013 has already grown by 245 pupils during 2 academic years (up to May 2015).

Year Cohort	2008	2009	2010	2011	2012	2013	2014
Total Pupil Net Growth across Y7-9 up to May 2015	111 in 3 years	138 in 3 years	288 in 3 years	372 in 3 years	284 in < 3 years	245 in < 2 years	72* in 2 terms
FE equivalent	[4FE]	[5FE]	[10FE]	[12.5FE]	[9.5FE]	[8FE]	[2.5FE]

Table 2: Overview of Secondary Cohort Net Growth since 2008. *Source: School Census Data reported termly. Latest census data received in full is May 2015*

*Whilst the growth in 2014 to date seems to show a lower rate of growth, the increase in pupils over the summer months is anticipated to increase this figure.

Mobility: In-Year and Cross-Border movement

The cohort growth figures paint a clear picture of the net change in the total numbers of students per year group. However, these numbers do not represent the actual numbers of children who move in and out of Birmingham schools during the year. As such, the figures do not provide a true picture of pupil mobility which is extremely high in a number of our schools. High mobility can present both challenges and opportunities and we are developing our work across Birmingham schools to share best practice and support provision for students arriving in-year.

As in every Local Authority, pupils living either side of the Birmingham boundary may attend school in Birmingham or in our neighbouring Authority schools. Appendix 7 provides details of the known movement of pupils into and out of the Local Authority area for their education. Preliminary analysis indicates that there is a general movement of pupils from western authorities into our area whereas our eastern borders sees pupils moving out of the area into neighbouring authorities.

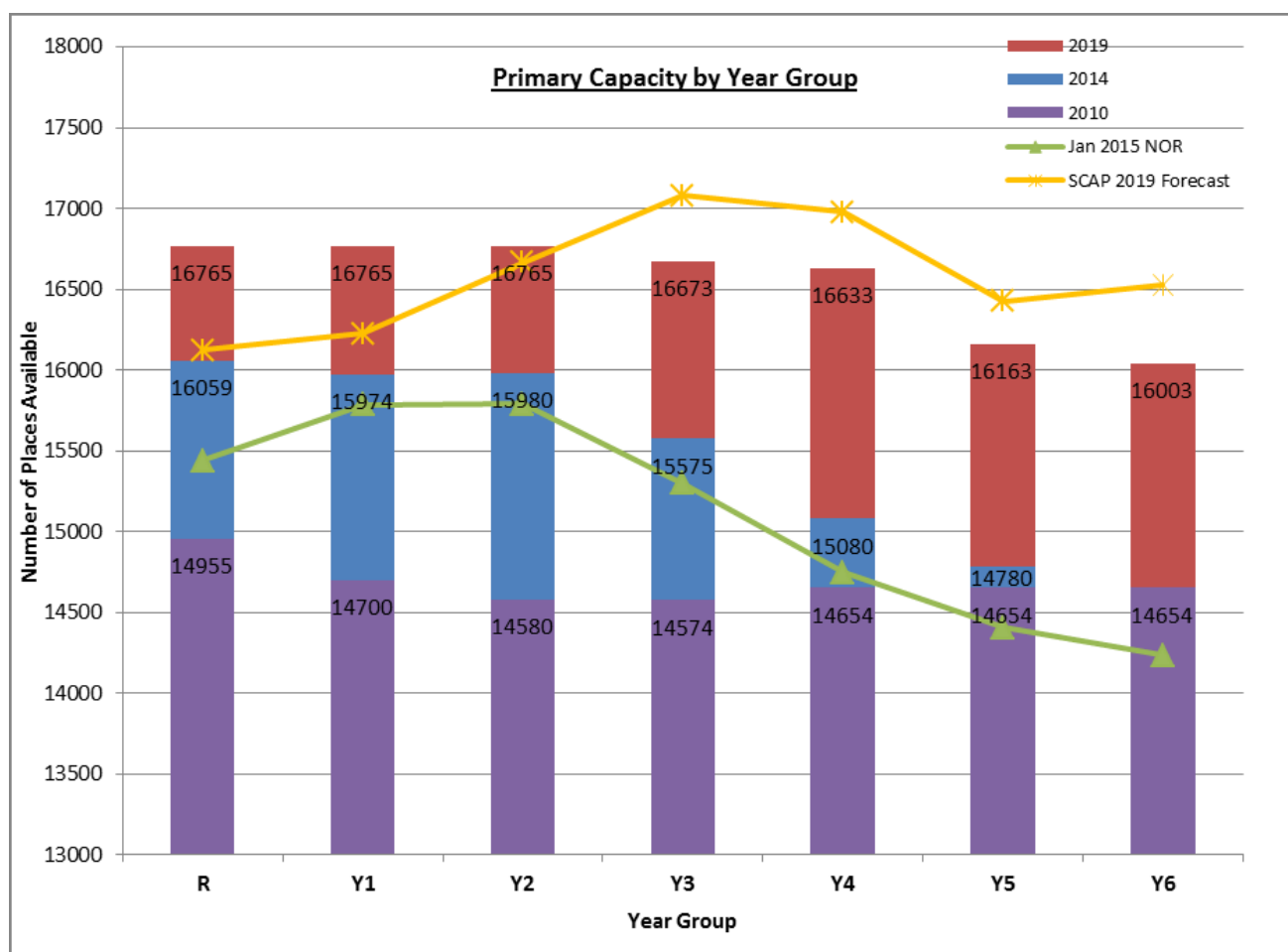
Supply vs Demand: Primary Phase

Context and Steps Taken to Date

- In Birmingham, we began to provide Additional Primary Places (APP) in 2010 in response to increased birth rates.
- In the primary sector the growth varies from area to area.
- We have provided the majority of APP through expansions of existing schools. This has been cost-effective to provide places where they are needed.
- Our asset survey work with schools has helped us make better use of existing space when we are creating additional places.

Current Challenges and Next Steps

- The peak year of entry to Primary schools at Reception age is 2016/2017, after which birth rates appear to be declining. We expect to make more use of flexible expansion so that we do not build permanent reception classes that will not be needed in the future. We are yet to see whether the housing growth and movement of families into the City will lead to further birth rate increases.
- We are short of places to meet cohort growth, which is spread out across the City (Map Set A). Growth in numbers is spread out across the City. We would like to maintain 3% surplus places to be sure we can meet demand during the year. We will require increased flexibility across our primary schools to create bulge expansions as particular year groups fill.
- As a next step we intend to work with the Birmingham Education Partnership on models for expansion that will best provide places for cohort growth while supporting system-wide school improvement. We would like to explore school-led collaborative models to meet Basic Need across a group of schools in a locality, in particular to respond to in-year admissions more flexibly and equitably.
- There is a specific challenge for us to know the confirmed size, location and opening date of approved Free Schools in time to factor these into our planning cycle. There is a risk that large new primary provision will create oversupply in local areas unless we can find creative ways such as admissions nodes to ensure the places serve areas of need.



Graph 4: Primary Capacity by Year Group at 2010, 2014 and 2019 and 2019 forecasts. Source: School Census Data Jan 2015, SCAP 2015 plus EdSI Capacity records

Supporting commentary on Graph 4

This graph provides information on the school estate capacity across Reception to Year 6 at 2010, 2014 and 2019 including approved free school provision, planned and approved expansions or known increased admission numbers from own admission authorities. This is marked against the actual Numbers on Roll reported at Schools Census in Jan 2015 and the 2019 forecast as provided to DFE in 2015.



This graph usefully shows the forecast demand and capacity across the entire City but this can mask the pressures that exist at local level, which vary considerably in different parts of the City. Additional places must be provided where they are needed and this is set out in the requirements to follow.

Supply vs Demand: Secondary Phase

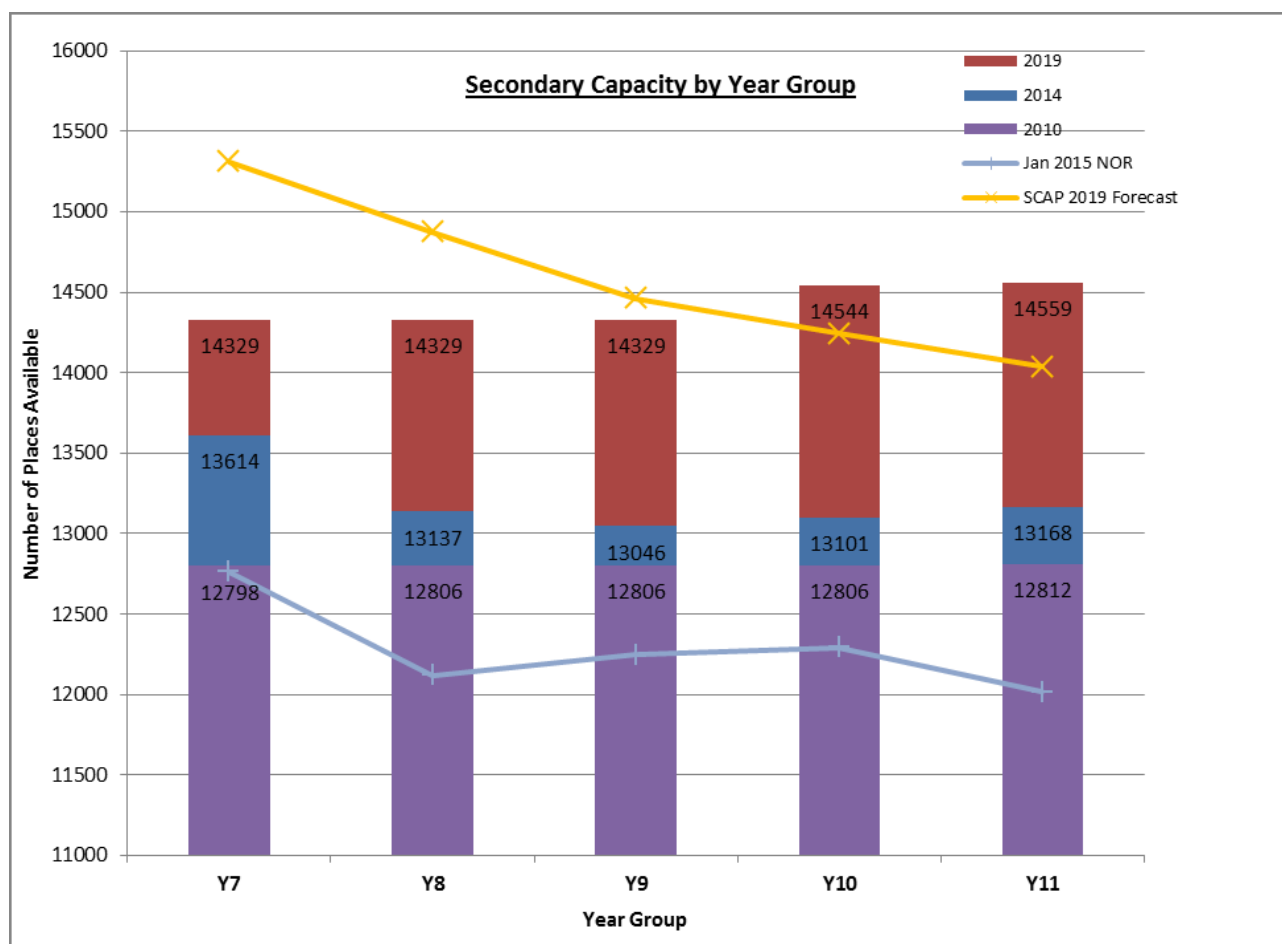
Context and Steps Taken to Date

- In the short term we have more school places than is currently required in our secondary schools. It is our priority to make use of existing school places and prioritise rapid improvement in our least popular schools, so that we give every Birmingham young person an equal chance of a great education.
- There are a number of local areas where pressure for places may be high. Additional Secondary Places (ASP) have been provided in some of these specific areas from 2014.
- The large majority of additional secondary school places provided in the city since 2010 have been created by new Free Schools and by schools that are their own admissions authorities, in advance of the growth in the secondary school population.
- We recognise that within the secondary cohort mobility for school places is high.
- Our asset survey work with schools will help us make better use of existing space when we are creating additional places.

Current Challenges and Next Steps

- We will only support expansion in areas where there is a compelling argument for additional places based on lack of local school places to meet local need and where we can demonstrate this will not negatively impact on outcomes for children in neighbouring schools.
- There is a significant risk of over-supply of year 7 places in some parts of the city for at least the next 2 years. Where appropriate, we will consider reducing the numbers of places in some schools as a temporary measure to aid stability and school improvement.
- In 2015 there were 1000 vacancies in year 7; this is a surplus of 7% and we are aiming to reduce this to no more than 3%.
- The priority across the City is to invest maximum resources and expertise in improving our least popular schools so that pupils attending those schools get a great education.
- Secondary pupils are forecast to increase each year 2016 until a peak is reached in 2023. We anticipate substantial appetite from our existing schools to meet needs for additional places so we may need very few new schools.
- There are particular areas where there may be pressure for local school places and lack of vacancies within a reasonable distance. Where this is the case in the short term, we will look to create small expansions to meet local need.
- We are asking all partners not to expand provision in the short term unless requested to meet specific local pressure. We are also asking partners to begin to plan expansions and new schools with us for places needed from 2018/2019.
- The number and location of additional secondary places we will need from 2018 changes as new places are created. We will keep sharing school census data and requesting information so we can update and share an emerging landscape.

- We anticipate that all of the surplus places in years 7-9 currently provided in our secondary schools will be needed over the next 2-4 years to meet the impending growth; after this time Graph 5 (below) illustrates the need for additional places in years 7-9 by 2019.



Graph 5: Secondary Capacity by Year Group at 2010, 2014 and 2019 forecasts. Source: School Census Data Jan 2015, SCAP 2015 plus EDSI Capacity records

Supporting commentary on Graph 5

This graph provides information on the school estate capacity across Reception to Year 6 at 2010, 2014 and 2019 including approved free school provision, planned and approved expansions or known increased admission numbers from own admission authorities...This is marked against the actual Numbers on Roll reported at Schools Census in Jan 2015 and the 2019 forecast as provided to DFE in 2015.



The graph demonstrates the requirement for additional secondary places at City level by looking at forecast vs current supply. While this shows where forecast demand for Year 7 places will exceed current supply if no further additional places were provided, the picture hides the fact that there are too many Year 7 places in some parts of the city and also masks some areas of local pressure.

Free Schools

While the Department for Education has announced that Birmingham is a priority area for Free School activity, the City's priority is to ensure that resources are managed as effectively as possible to get the best possible education for all of our children. Free Schools opened to date in the City are not always in areas where we need additional places. This has a negative impact on the stability and improvement of neighbouring schools and diverts valuable resources away from where they are most needed. In addition, the location, size and opening date of Free School proposals may change at short notice which makes it extremely difficult for us to plan effectively.

Although we have limited influence on decisions about Free Schools, we will oppose any proposed Free School that we consider will create places surplus to requirements. Conversely, where a proposal clearly aligns to basic need and will add to the quality and sustainability of the local education offer, we will actively partner with the Free School proposer to support identification of appropriate sites and admissions arrangements. We collaborate proactively with colleagues from the Department for Education and the Education Funding Agency to provide local place planning information for them to consider at an early stage in their assessment of Free School proposals.

Where the Local Authority identifies the need for a new school, there is now a requirement this will be created through the Free School programme and met through Local Authority funding and basic need grant funding.

Free Schools may be mainstream primary or secondary schools, Alternative Provision schools or Studio Schools which offer provision for young people aged 14-19 usually with one or more specific links to business / industry. A full list of Free Schools opened or approved to open in Birmingham is provided in Appendix 4.

Headline School Place Requirements in Birmingham 2015-2020/21

	Primary Phase R – Y6	Secondary Phase Y7 - Y11
2015/16	Continue to explore options to create additional capacity in certain areas of the City in years R – 6.	More places in Yr7 than required in the large majority of areas. Small numbers of additional places will be considered where there is a compelling case that there are no vacancies within reasonable distance to meet local need.
2016/17	Planned expansions already underway. More places required in hotspots to accommodate growth in Y1-6. Some further permanent Reception places needed to meet peak entry numbers.	
2017/18	Bulge/flexible classes across R-Y6 to meet temporary need will be required. No permanent Reception places required.	Growth in demand likely to exceed supply in more locations across the city so some permanent additional Y7 places will be required.
2018/19	Bulge/flexible classes across Y1-Y6 to meet temporary need will be required. No permanent Reception places required.	Additional capacity likely to be required in a number of areas as pupil numbers increase beyond capacity. We expect sufficient places will be provided by schools wishing to expand without the need for new schools.
2019 & beyond	Cohort growth remains a consideration together with local pressure in our primary sector.	Additional capacity likely to be required across the city in preparation for the peak of numbers in 2023, potential for a small number of new schools to be required

Types of Expansion: (FE means Form of Entry, or class; so 1FE = 30 places, 2FE = 60 places etc.)

Permanent Expansion creates permanent capacity to take additional pupils year on year.

It usually means expanding your school by 1FE (30 places) until every year group has increased by 1FE. A permanent expansion will start either in Reception, Year 3 or Year 7. Historically, permanent expansions have filled year-on-year, however it is our expectation moving forwards that permanently expanded schools may open classes in some year groups simultaneously when needed. Expansions can also be achieved by an age range change, for example secondary school lowering their age to become an all-through school and accommodate primary provision, or vice versa.

Bulge Expansion is an additional class starting in a specific year group which moves through the school.

A 1FE Bulge expansion starting in Year 2 would create 30 places in Year 2, moving into Year 3, 4, 5, 6 as the children move through the school. Once a bulge class has left, we would hope to negotiate a potential new bulge in a year group where there is a demand for additional places.

Temporary Expansion creates capacity (usually bulge class) on a temporary basis prior to a permanent solution.

Flexible Expansion creates additional places across a number of year groups where needed.

Schools implementing this model are developing a range of ways in which classes and intervention programmes are organised so that the class sizes are preserved while the school is able to offer places flexibly to meet demand, in particular for sibling places. The advantages of flexible expansion are that schools can offer places to siblings who are in different year groups. See Appendix 5 for examples of school models. We are also looking at the possibilities of adopting 'overfill' which has been used in a number of other Local Authorities, particularly in Key Stage 2 and upwards and in year groups 5&6 where opening a completely new class may be detrimental to schools at assessment time. This involves schools admitting over PAN but retaining class size.

New Schools where required will be Free Schools.

There is a continuing level of interest by Free School Proposers in the city. We are prioritising using our existing estate to create additional places in light of the growing knowledge we have on school assets, but we need to plan mindful of the potential need for new schools to meet need e.g. resulting from large housing developments.

Requirements by Phase and Type of Provision

Details of specific measures to provide mainstream school place requirements are included at Appendix 8 of this document.

Primary School Additional Place Requirements 2015-2018/19

Immediate Pressure 2015/16


There are key areas of the City which are currently experiencing high levels of in-year growth.

Key Priorities:

1. Ensure capacity for places is injected into year groups 2 and 3 quickly.
2. Ensure flexibility to manage cohort growth in all Primary age year groups R to 6.
3. Manage the timing of expansions to limit waiting list movement and reduce impact on improvement and finances.

We are targeting specific areas to create additional capacity. The following maps are split by year group to show in-year priority areas in relation to both ward and district boundaries.

Together with schools we have delivered a number of bulge and temporary class solutions to meet these pressures in previous years. This has successfully and flexibly created new places when and where needed.

 Please refer to Appendix 3A for supporting information on the projects delivered and planned from 2014. Map D1 & D2 show the location of existing schools offering primary provision and primary expansion projects.

 Map Set A which follows highlights current pressures across primary year groups during 2015/16.

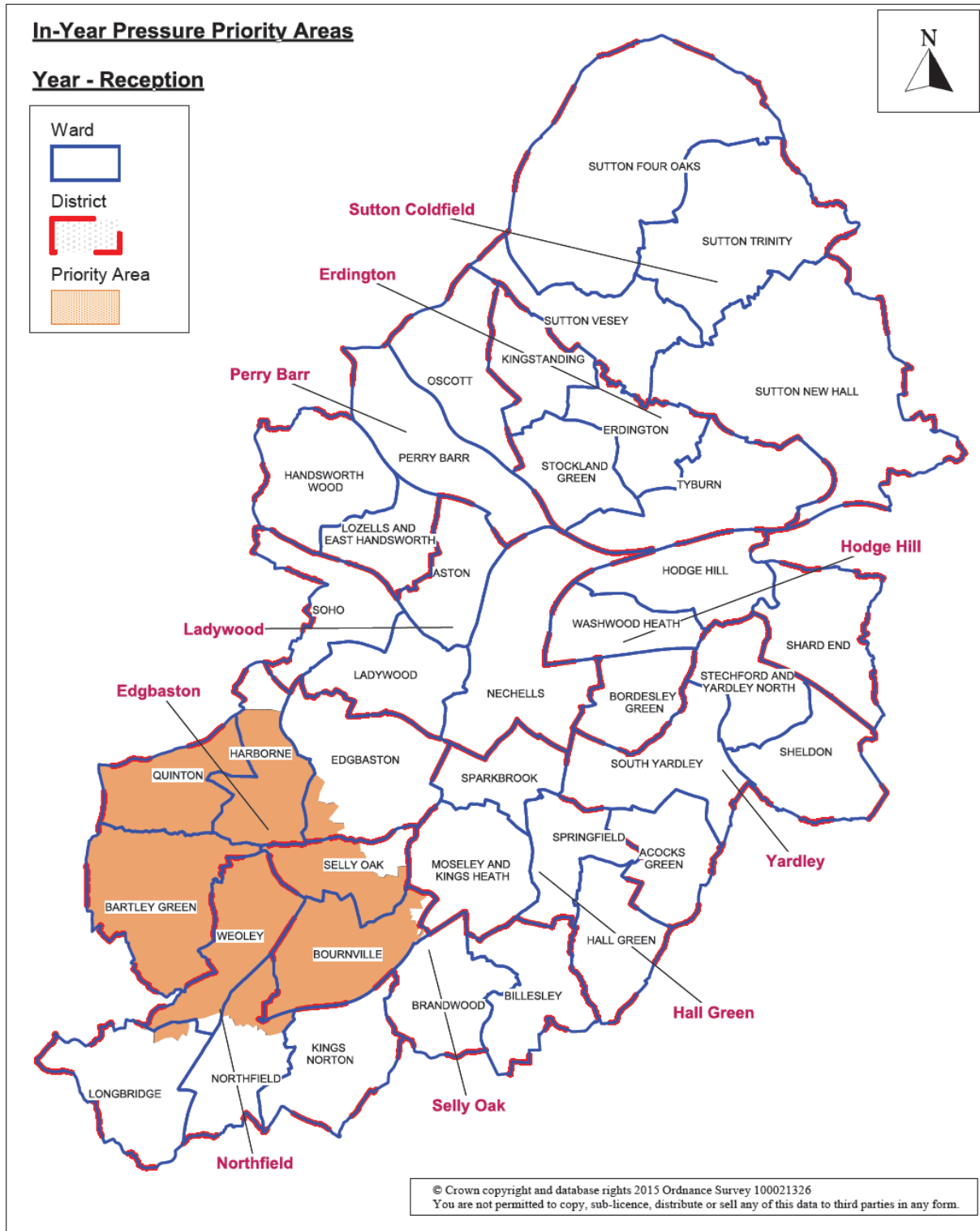
Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

MAP SET A: IN-YEAR PRESSURE

Map A1. Reception 2015/16 Pressure

MAP SET A

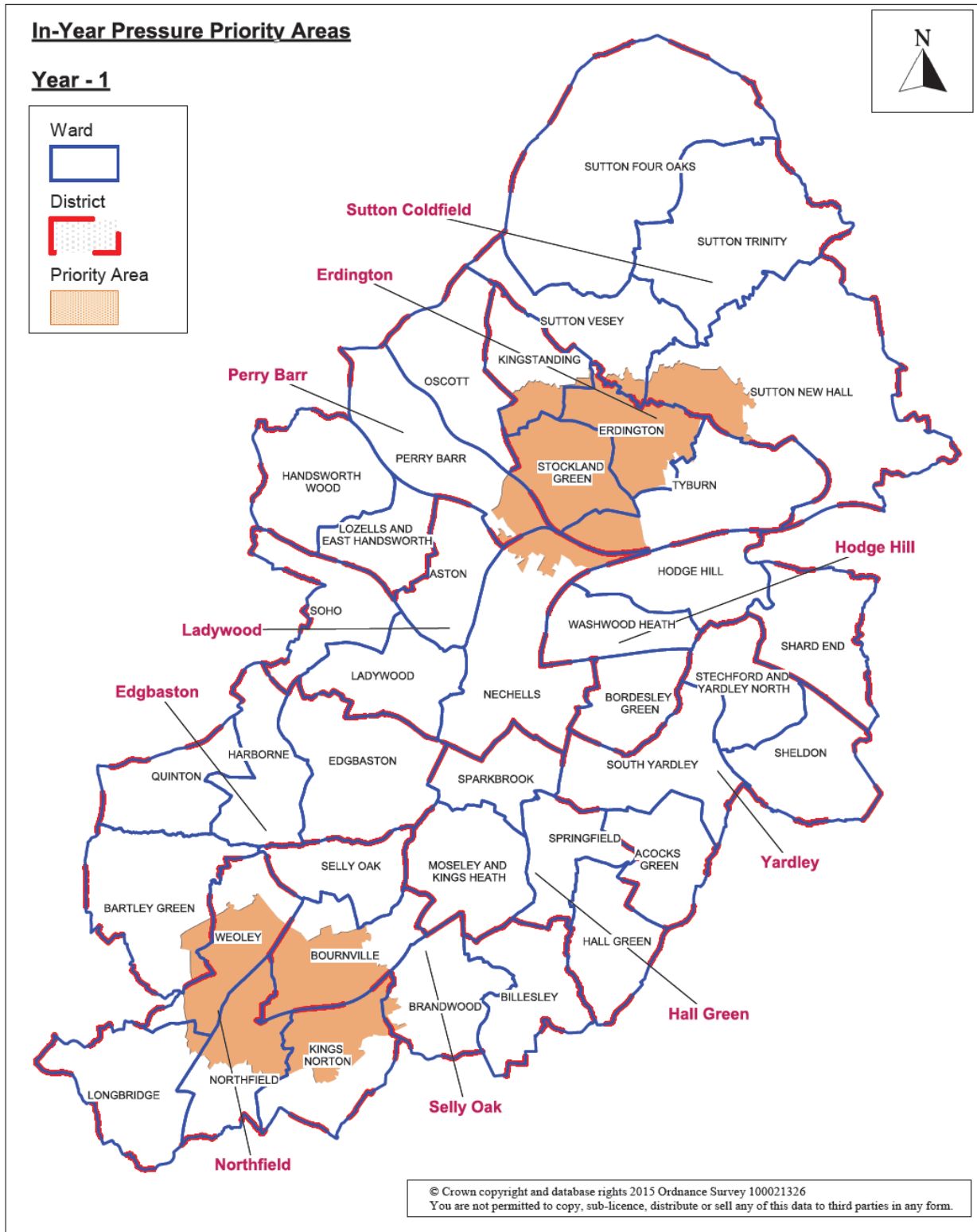


Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

Map A2. Year 1 2015/16 Pressure

MAP SET A

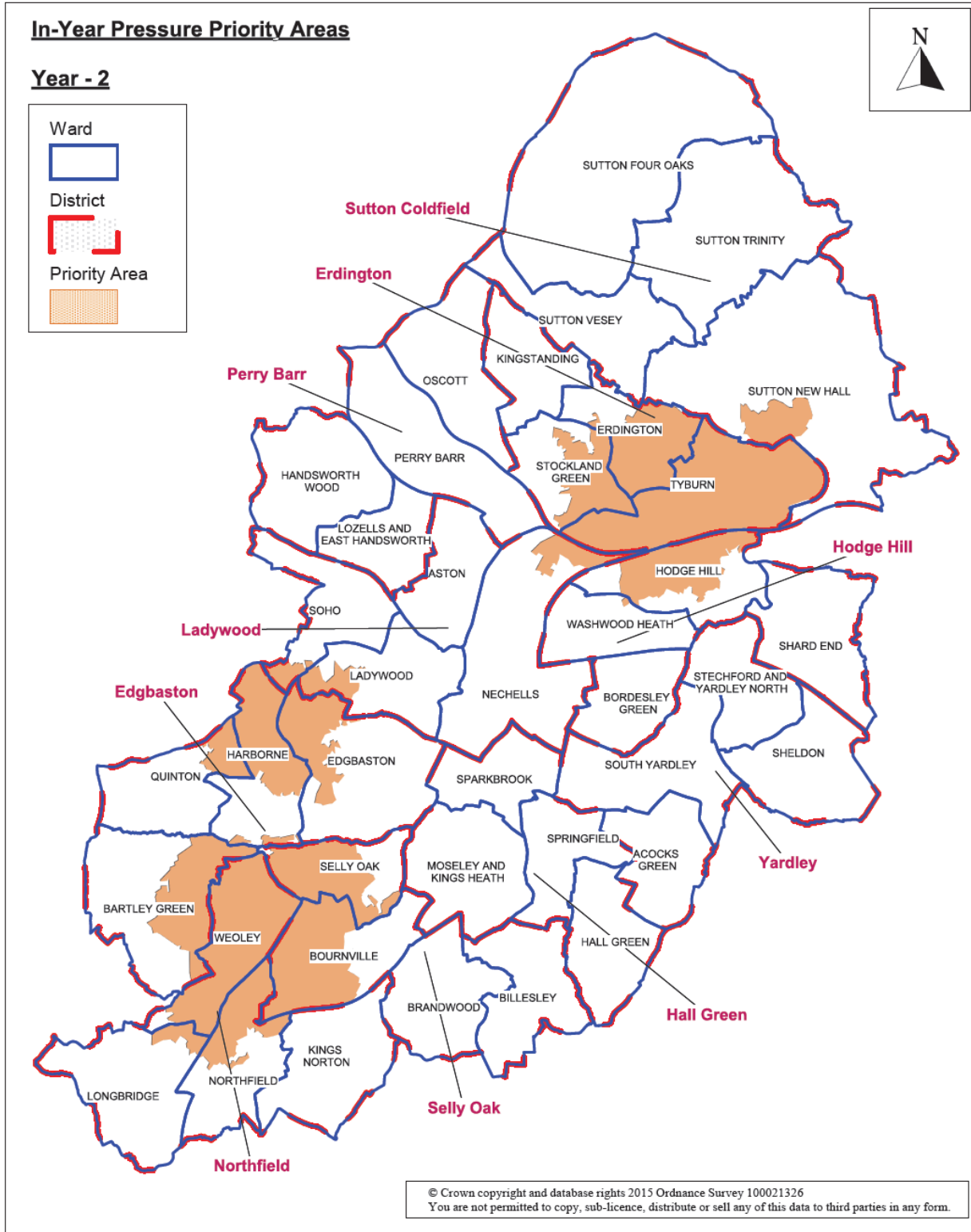


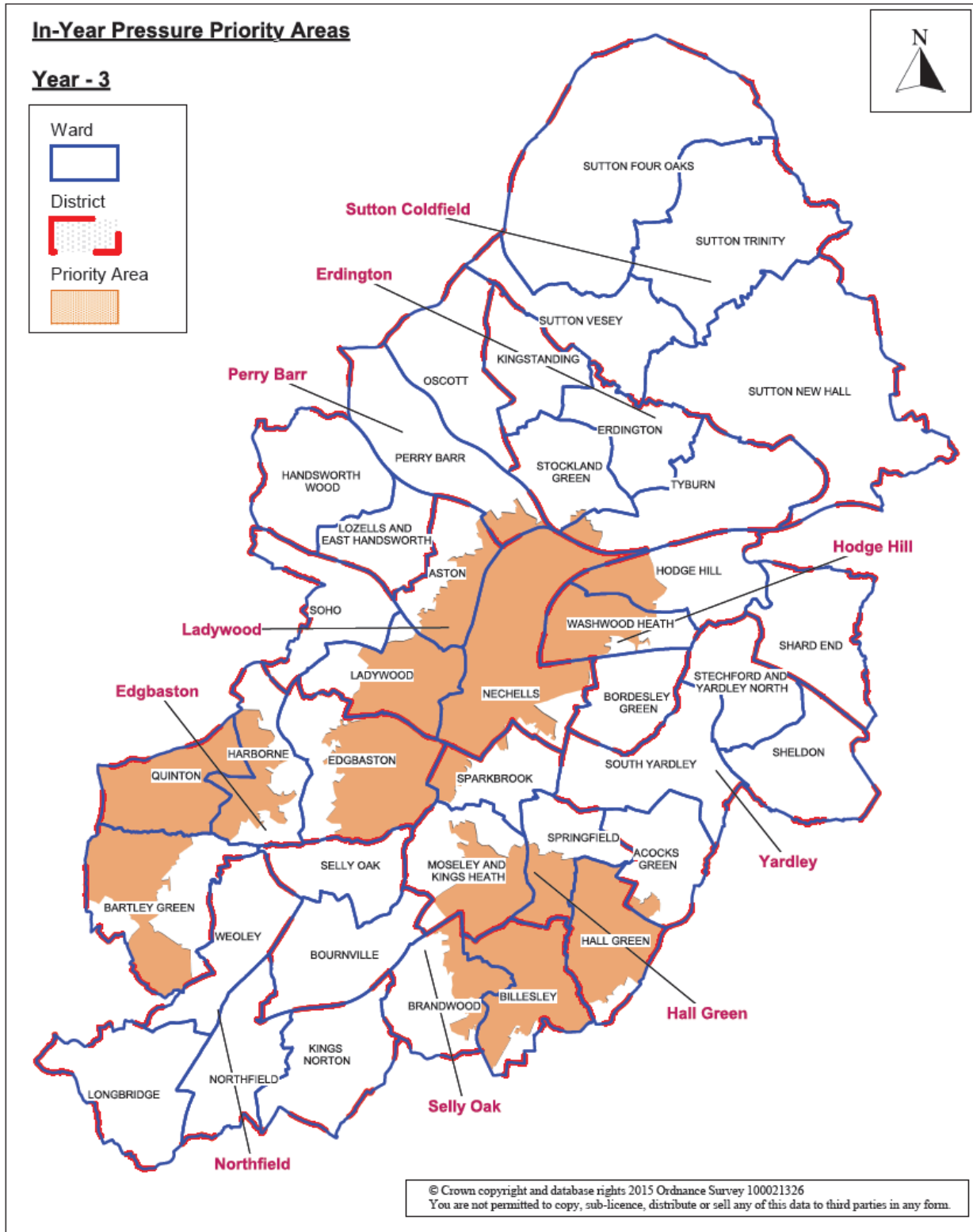
Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

Map A3. Year 2 2015/16 Pressure

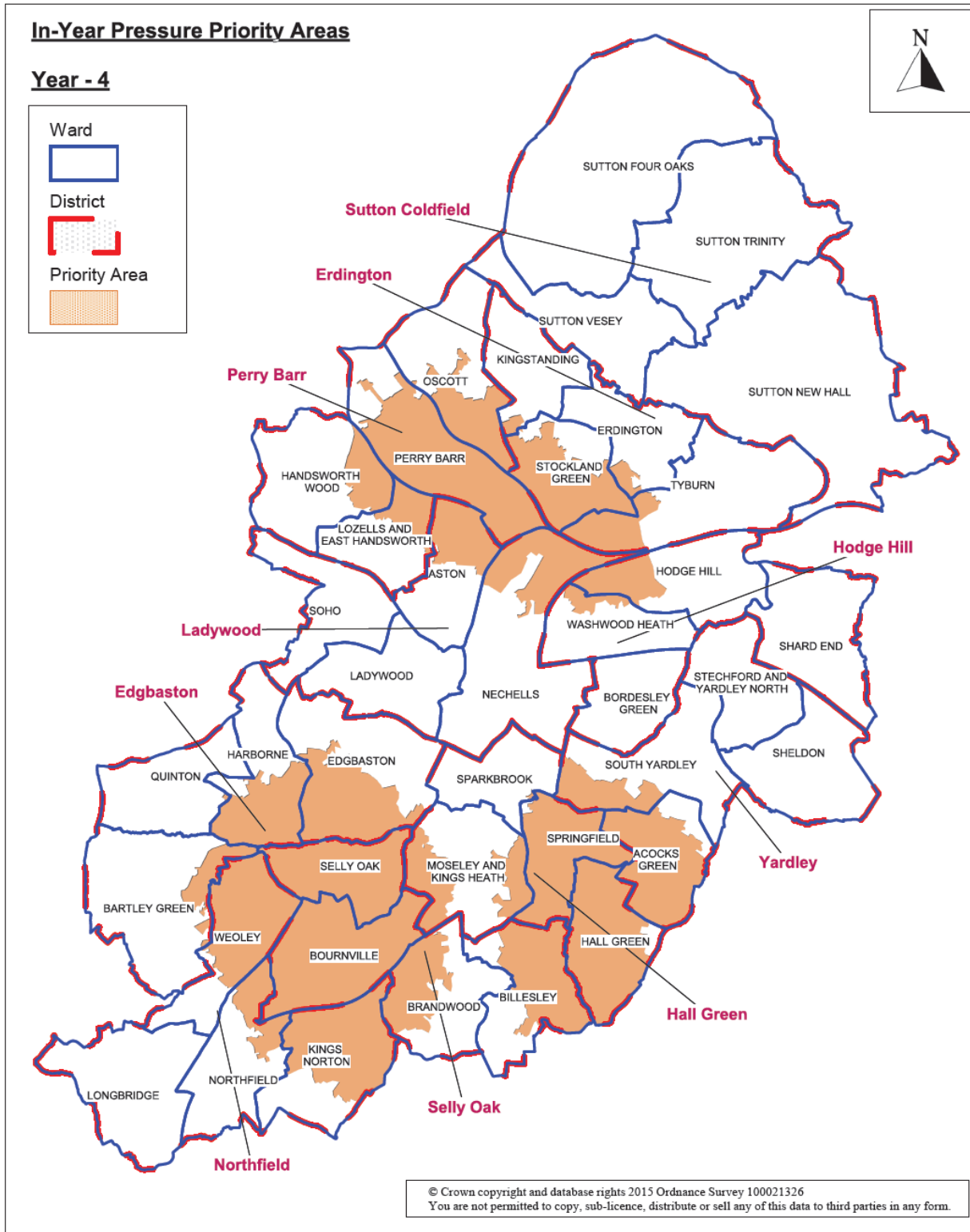
MAP SET A

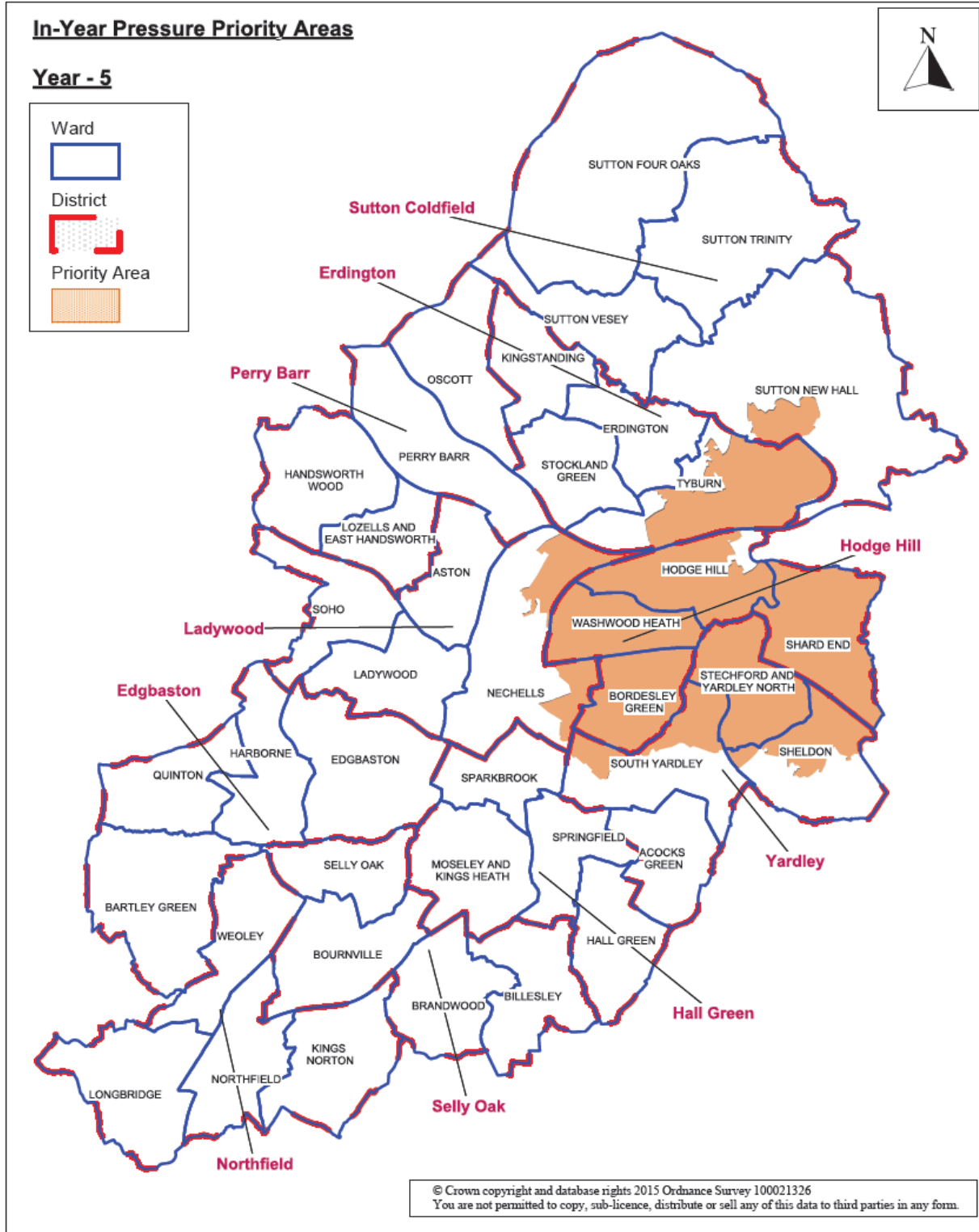




Map A5. Year 4 2015/16 Pressure

MAP SET A





Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

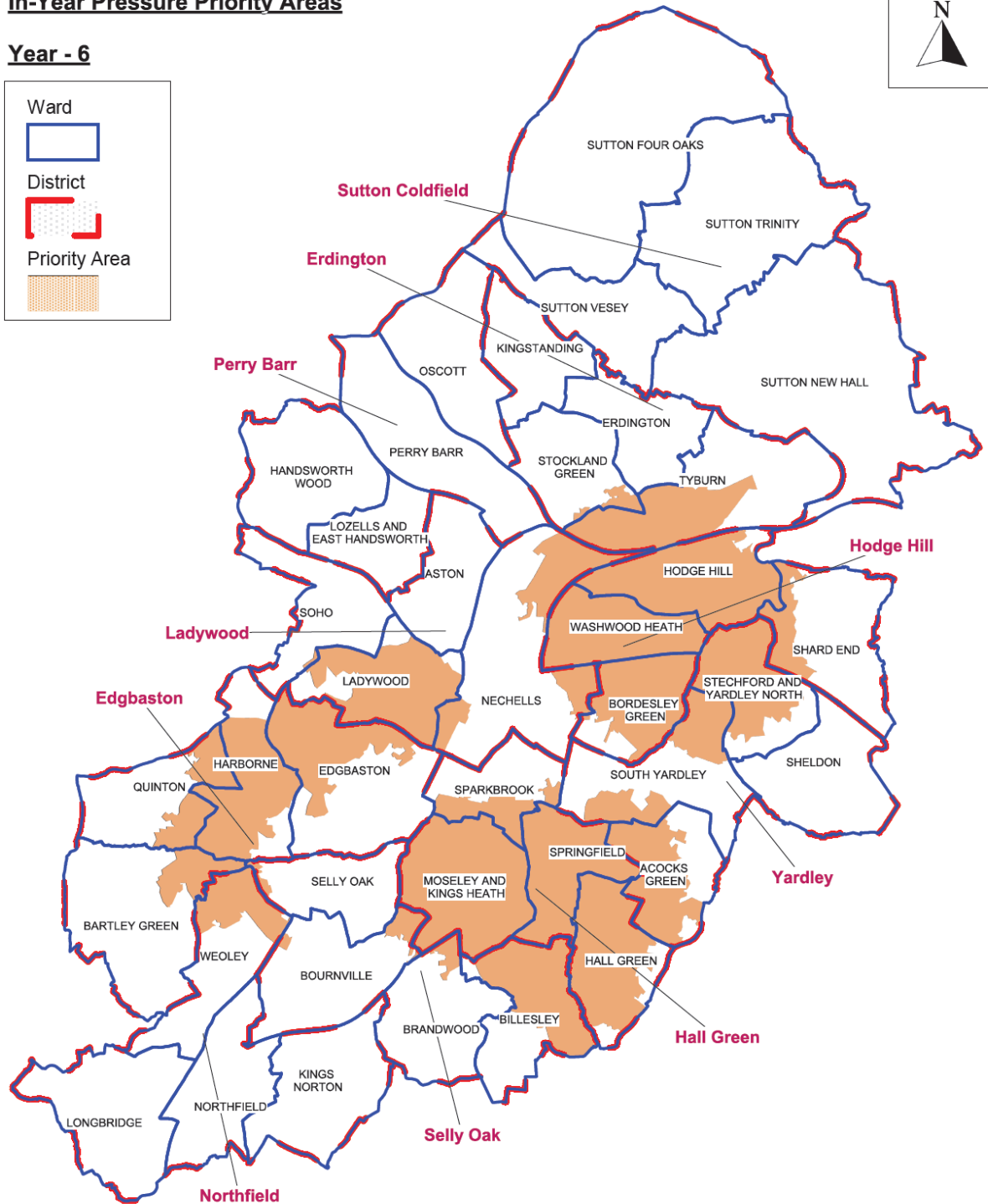
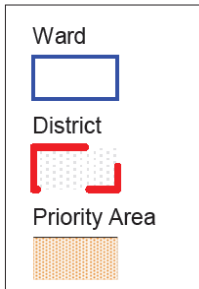
2016

Map A7. Year 6 2015/16 Pressure
Birmingham City Council

MAP SET A

In-Year Pressure Priority Areas


Year - 6




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Forecast Additional Primary Places 2016 to 2018/19

The City is set to continue to experience growth within primary aged pupils. The tables of requirements which follow and the associated maps demonstrate the change in pupil numbers we anticipate until 2018/19 at ward level.

 Please refer to Appendix 3A for supporting information on the projects delivered and planned. Map D1 & D2 show the location of existing schools offering primary provision and primary expansion projects.


 Map Set B shows forecast growth for Reception places between 2016 and 2018/19. The maps are correct as at November 2015 using the latest forecasting information submitted to DFE in Summer 2015 and the latest schools census at May 2015. See Appendix 6 for more guidance on how to read this set of maps.

We seek partners to help us provide expansions including;

- Year 3 Permanent provision to assist with in year growth in KS2 year groups.
- Temporary, Bulge and Flexible classes.
- Deploying and opening provision as needed avoiding critical school calendar events i.e. key stage assessment periods.
- Addressing over provision and to explore reuse, for example to accommodate a bulge in a younger year group where numbers are higher.

We highlight;

- Optimum size of expansion is 1FE.
- Where appropriate we will consider larger expansions or over-fill in older year groups.
- Free School Provision – we are working in partnership with the DFE to influence size, location and admissions policies of Free School provision to meet local need. Proposed free schools are tabled alongside our requirements so the Free School offer is recognised and change is possible to track.

 Requirements have been adjusted since the last publication. This is as a result of continued cohort growth into the City and a need to meet a 2.5% surplus capacity in order to sustain further cohort growth.

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

Projected Primary School Place Requirements 2016 to 2018/19 – please refer to Map Set B

City Requirements for Additional Primary Places

Year	Type	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	City
2016	Permanent ₁	4FE			9FE				13FE
	Bulge	8FE	9FE	6.5FE	3FE	9.5FE	5FE	3FE	44FE
2017	Permanent ₁	3FE							3FE
	Bulge	5FE	2FE	2FE	2FE	1FE			13FE
2018	Permanent ₁								-
	Bulge			1FE					1FE

₁ Likely to be met by a bulge in the first year followed by full works to achieve permanent expansion

CONFIRMED ADDITIONAL RECEPTION PLACES THROUGH FREE SCHOOL, PLANNED EXPANSION UNDER APP OR GROWTH BY OWN ADMISSION AUTHORITY ₁

Year	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley
2015		Yenton Primary +30 places bulge		Leigh Primary +1FE bulge	King Solomon +2FE (50% faith)	Cofton Primary +1FE ₃	St Mary's CE Primary +0.5FE		Maney Hill Primary +30 places bulge	Perry Beeches V +100 places
		St Margaret Mary's RC +15 places bulge		Guardian Angels Primary +30 places bulge	St George's CE Primary +1FE				Mere Green Primary +30 places bulge	St Thomas More RC Primary +30 places bulge
2016	Harborne Primary +2FE ₂	Yenton Primary +1FE ₁						Bournville School +2FE ₁	Maney Hill Primary +1FE ₁	
		Osborne Primary +1FE ₁							Mere Green Primary +1FE	
2017										

EFA APPROVED ADDITIONAL PLACES, LOCATIONS TO BE CONFIRMED OR IMPACT UNKNOWN, NOT TAKEN INTO ACCOUNT IN CAPACITY CALCULATIONS

2016			Olive +45 places across 2 nodes		Perry Beeches Primary I +100 places					Olive +30 places across 1 node
					Olive +15 places across 1 node					
2017							Perry Beeches VI +100 places			

₁ Pending School Organisation decision so not taken into account in capacity calculations.

₂ Awaiting build completion so not taken into account in capacity calculations.

₃ Originally expanded by own admission authority however now part of LA Basic Need programme; need still identified.

Ward/District Requirements 2016 – please refer to Map Set B

District	Ward	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Edgbaston t = temporary/ bulge p = permanent	Bartley Green		1FEt		1FEt			
	Edgbaston				1FEp			
	Harborne	1FEp	1FEt	1FEt		1FEt		
	Quinton							
	Total	1FEp	2FEt	1FEt	1FEp 1FEt	1FEt		
Erdington t = temporary/ bulge p = permanent	Erdington	1FEp		1FEt	1FEp 1FEt			
	Kingstanding	1FEt	1FEt					
	Stockland Green							
	Tyburn							
	Total	1FEp 2FEt	1FEt	1FEt	1FEp 1FEt			
Hall Green t = temporary/ bulge p = permanent	Hall Green	1FEp	1FEt		1FEp	1FEt		
	Moseley and Kings Heath							
	Sparkbrook				1FEt			
	Springfield						1FEt	
	Total	1FEp	1FEt		1FEp 1FEt	1FEt	1FEt	
Hodge Hill t = temporary/ bulge p = permanent	Bordesley Green		1FEt					1FEt
	Hodge Hill				1FEp	1FEt	1FEt	1FEt
	Shard End	1FEp 1FEt	1FEt	1FEt		1FEt		
	Washwood Heath				1FEp	1FEt		
	Total	1FEp 1FEt	2FEt	1FEt	2FEp	3FEt	1FEt	2FEt
Ladywood t = temporary/ bulge p = permanent	Aston			1FEt		1FEt	1FEt	
	Ladywood				1FEp	1FEt		
	Nechells			1FEt		1FEt	1FEt	1FEt
	Soho							
	Total			2FEt	1FEp	3FEt	2FEt	1FEt

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

District	Ward	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Northfield t = temporary/ bulge p = permanent	Kings Norton			1FEt				
	Longbridge		1FEt		1FEp			
	Northfield							
	Weoley						1FEt	
	Total		1FEt	1FEt	1FEp		1FEt	
Perry Barr t = temporary/ bulge p = permanent	Handsworth Wood	1FEt	1FEt					
	Lozells & East Handsworth				1FEp			
	Oscott							
	Perry Barr	1FEp 1FEt						
	Total	1FEp 1FEt	1FEt		1FEp			
Selly Oak t = temporary/ bulge p = permanent	Billesley							
	Bournville	1FEt	1FEt					
	Brandwood							
	Selly Oak	1FEt				1FEt		
	Total	2FEt	1FEt			1FEt		
Sutton Coldfield t = temporary/ bulge p = permanent	Sutton Four Oaks							
	Sutton New Hall			0.5FEt		0.5FEt		
	Sutton Trinity							
	Sutton Vesey							
	Total			0.5FEt		0.5FEt		
Yardley t = temporary/ bulge p = permanent	Acocks Green	1FEt						
	Sheldon	1FEp 1FEt						
	South Yardley				1FEp			
	Stechford and Yardley North							
	Total	1FEp 2FEt			1FEp			

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

District Requirements 2017 & 2018/19

t = temporary/bulge
p = permanent

District	Year	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Edgbaston	2017							
	2018							
Erdington	2017							
	2018							
Hall Green	2017							
	2018							
Hodge Hill	2017		1FEt					
	2018							
Ladywood	2017		1FEt	1FEt	1FEt			
	2018							
Northfield	2017	1FEt 1FEp			1FEt			
	2018							
Perry Barr	2017	1FEt 1FEp		1FEt		1FEt		
	2018			1FEt				
Selly Oak	2017	2FEt						
	2018							
Sutton Coldfield	2017	1FEt						
	2018							
Yardley	2017							
	2018							

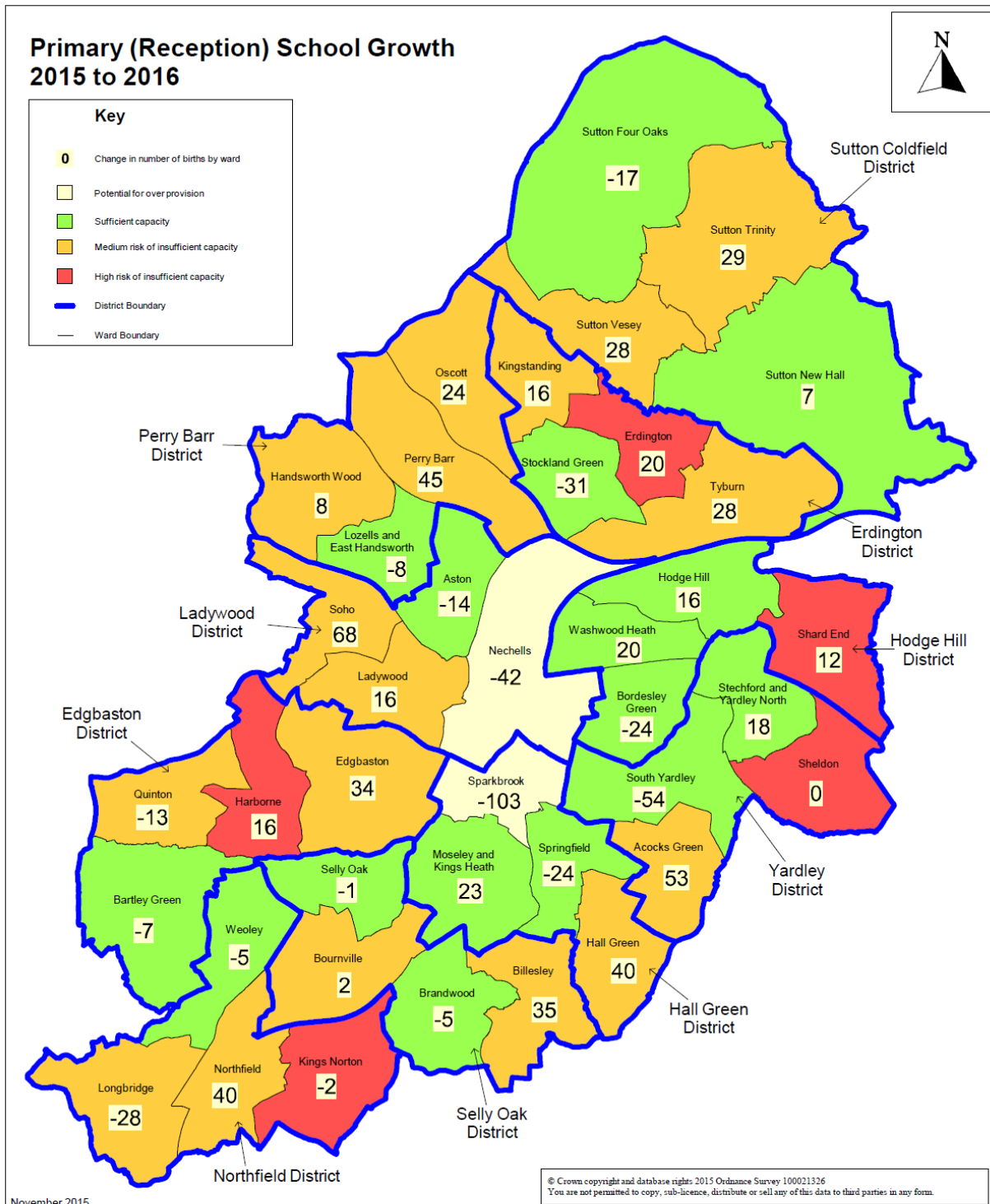
Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

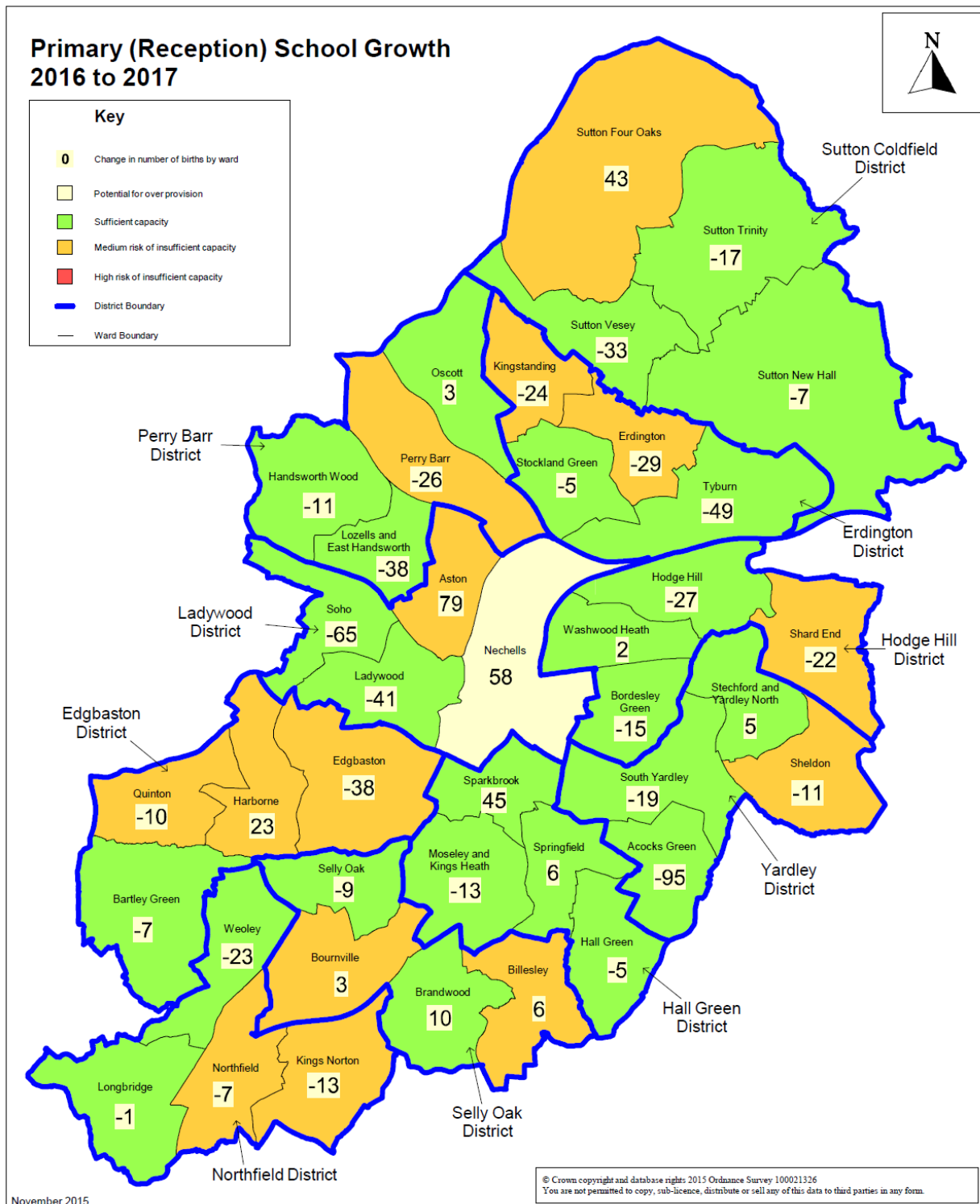
MAP SET B: RECEPTION GROWTH – please refer to Appendix 6 on how to read the maps

Map B1. Reception Entry 2016

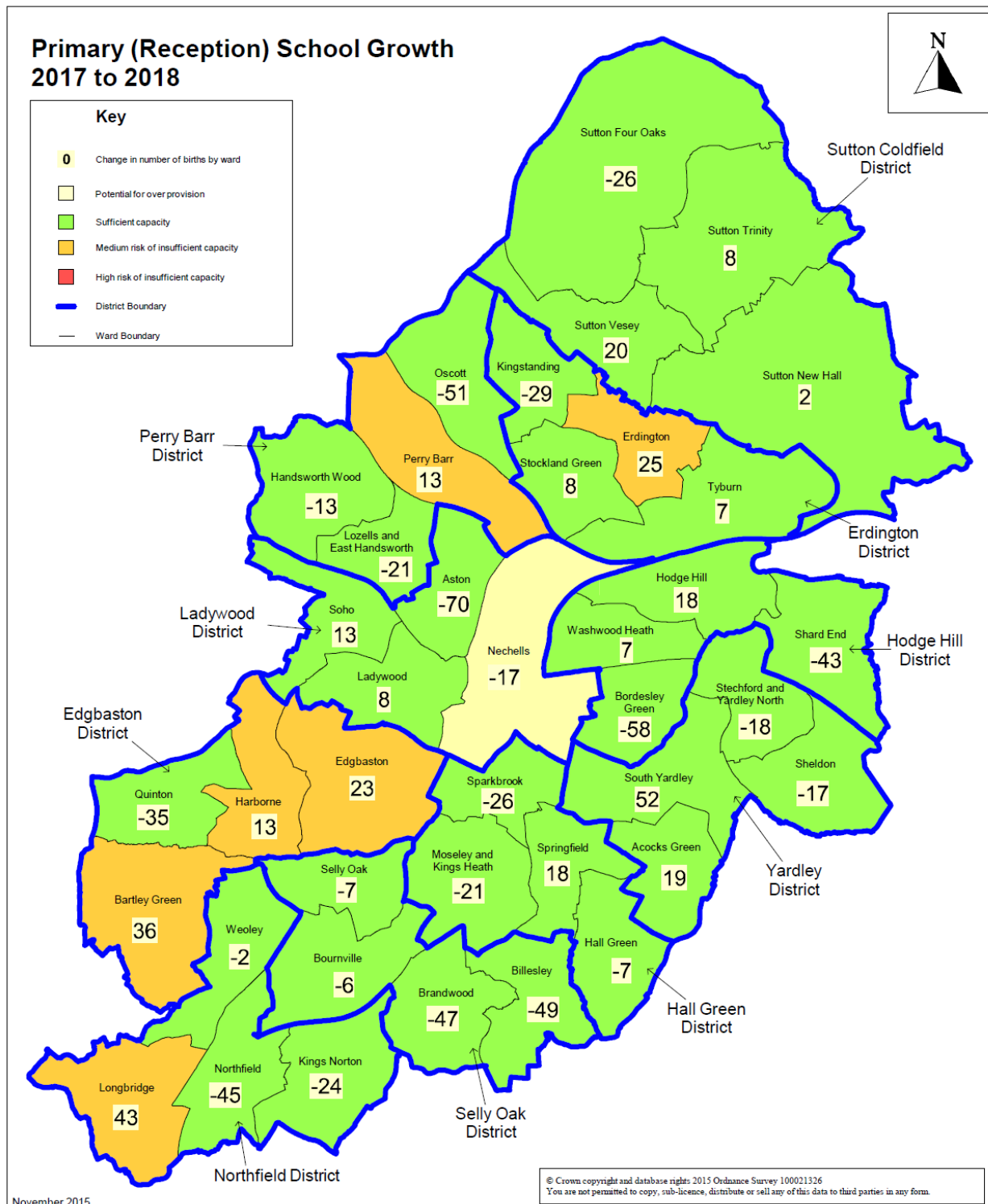
MAP SET B



Data Source: ONS Birth data. Subject to revision in light of coordinated admissions, Free Schools, and further growth analysis.



Data Source: ONS Birth data. Subject to revision in light of coordinated admissions, free schools, and further growth analysis.



Data Source: ONS Birth data. Subject to revision in light of coordinated admissions, free schools, and further growth analysis.

Secondary School Additional Place Requirements 2016-2020/21

The table for secondary requirements is presented at district level and year of entry into Secondary school. The Secondary maps (Map Set C) are a useful reference when reviewing the requirements.

We are asking all partner providers to;

- Assist and plan to meet demand for places through permanent expansions from 2018.
- Adopt a flexible and co-ordinated approach to support local pressures between now and 2018 : where necessary, in areas of over-provision, we will consider temporary or permanent decommissioning of places to support sustainability and school improvement.

We highlight;

- There is over-provision in the City at this time (7%) within our Secondary School age range against an optimum position of 2.5% unfilled surplus places. In some areas, the level of over-provision is significant.
- Recently, a number of partners who are their own admissions authority have increased admission limits adding to surplus provision. We are asking partners to wait until there are more children requiring secondary places before further increasing admissions numbers.
- At a city level there are enough places for pupils until we reach 2018; however, as pupil numbers increase in 2016 and 2017 there may be some local pockets of pressure which may require small increases in numbers of places offered to meet basic need. This will only be required where there are no vacancies within the locality to meet local need.
- Free School Provision: a number of approved free Schools are due to open and we are seeking regular updates from the Department for Education in order to confirm the timing, size and location of these proposals. We track and consider the approved Free Schools in our planning but have to consider that the timing, size and location are all subject to further changes sometimes extremely late in the planning cycle.



Please refer to Appendix 3B for supporting information on the projects delivered and planned. Map D3 & D4 show the location of existing schools offering secondary provision and secondary expansion projects.



See Maps Set C for forecast growth for 2016 through to 2020/21. The maps are correct as at November 2015 using the latest forecasting information submitted to DFE in Summer 2015 and the latest schools census at May 2015. These are subject to revision in light of coordinated admissions and Free School initiatives, as well as further growth analysis. See Appendix 6 for more guidance on how to read this set of maps.



Requirements have been adjusted since the last publication. This is as a result of continued over-provision in parts of the city alongside a picture of growth in schools that are their own admissions authority. We need to reduce surplus levels prior to creating any further additional places.

Projected Secondary School Place Requirements 2016 to 2020/21 – please refer to Map Set C

The table shows the District Requirements for additional permanent Year 7 places and also the number of potential pupils in the corresponding cohort of pupils (in BCC schools living in the city).

Year	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	City
2016	250 more potential pupils in the cohort										
2017	312 more potential pupils in the cohort (cumulative 562)										
											<2FE
2018	600 more additional pupils in the cohort (cumulative 1162)										
		1FE	2FE	3FE	2FE	1FE				2FE	11FE
2019	473 more additional pupils in the cohort (cumulative 1635)										
		2FE	2FE	3FE	2FE			1FE		3FE	13FE
2020	29 more additional pupils in the cohort (cumulative 1664)										
				1 FE	1 FE						2 FE
Areas of local pressure may arise requiring some flexibility of provision with admission numbers that could be accommodated by a number of schools providing a small number of additional places as required.											



The above table is subject to change as a result of changing patterns of parental preference, alterations to existing admission arrangements and introduction of new provision. It should be reviewed alongside the maps in Set C to identify specifically which parts of the district would benefit from additional provision.

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

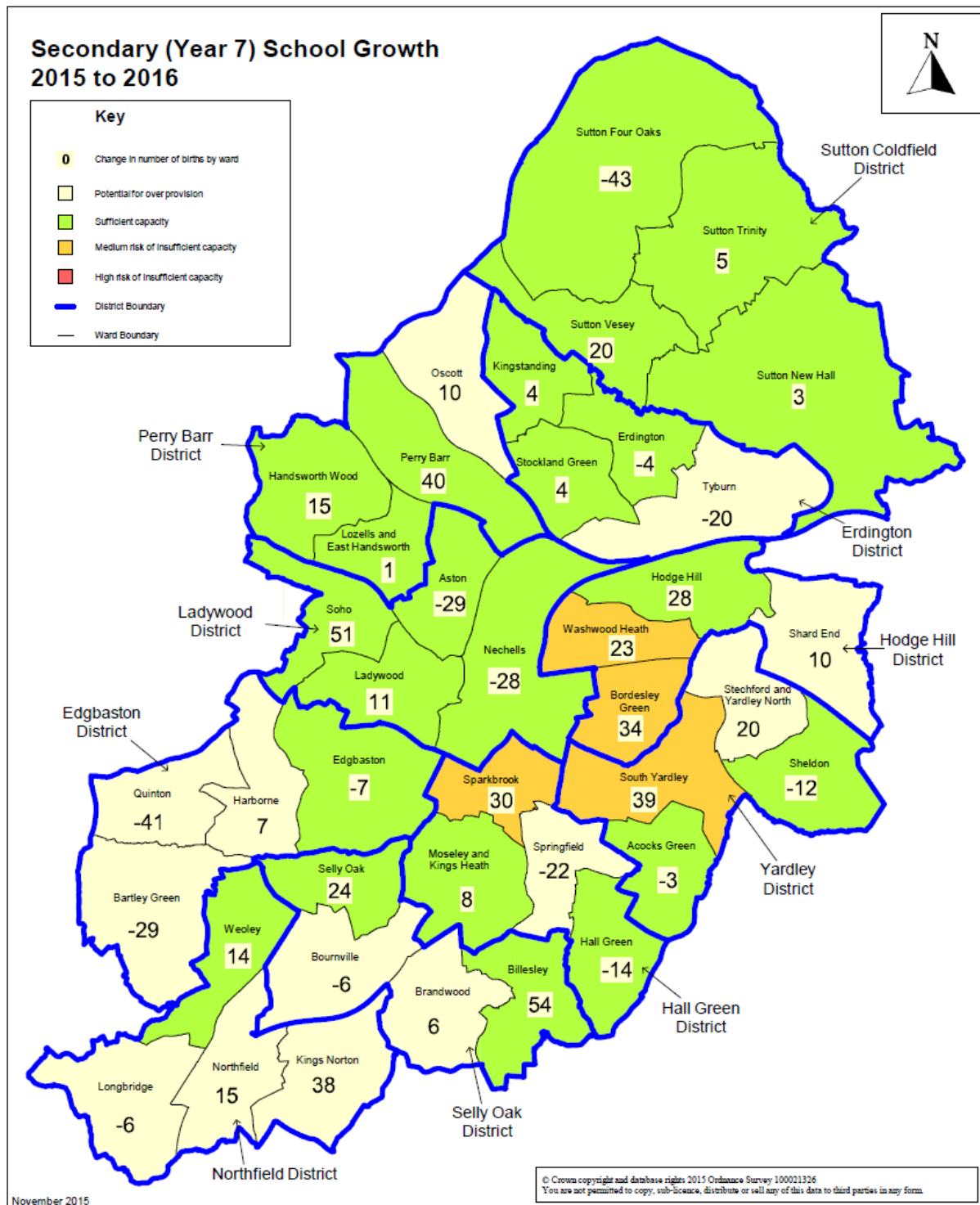
CONFIRMED PERMANENT ADDITIONAL Y7 PLACES THROUGH FREE SCHOOL, PLANNED EXPANSION UNDER ASP OR GROWTH BY OWN ADMISSION AUTHORITY										
Year	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley
2015			Uni. of Birm. +50 places across 2 nodes	Starbank +2 FE	Uni. of Birm. +25 places across 1 node		Eden Boys' +100 places	Uni. of Birm. +75 places across 1 node	Bishop Vesey's +32 places	Perry Beeches V +100 places
					King Solomon +3FE		Handsworth Wood Girls +10 places	Kings Norton Girls +10 places		Ninestiles +30 places
										Archbishop Ilsey +6 places
2016						Turves Green Boys' +25 places ₁				
2017									Plantsbrook + 1FE ₁	
EFA APPROVED ADDITIONAL PLACES, LOCATIONS TO BE CONFIRMED OR IMPACT UNKNOWN, NOT TAKEN INTO ACCOUNT IN CAPACITY CALCULATIONS										
2017							Perry Beeches VI +100 places			

₁ Being delivered under Priority Schools Building Programme, delivered by EFA

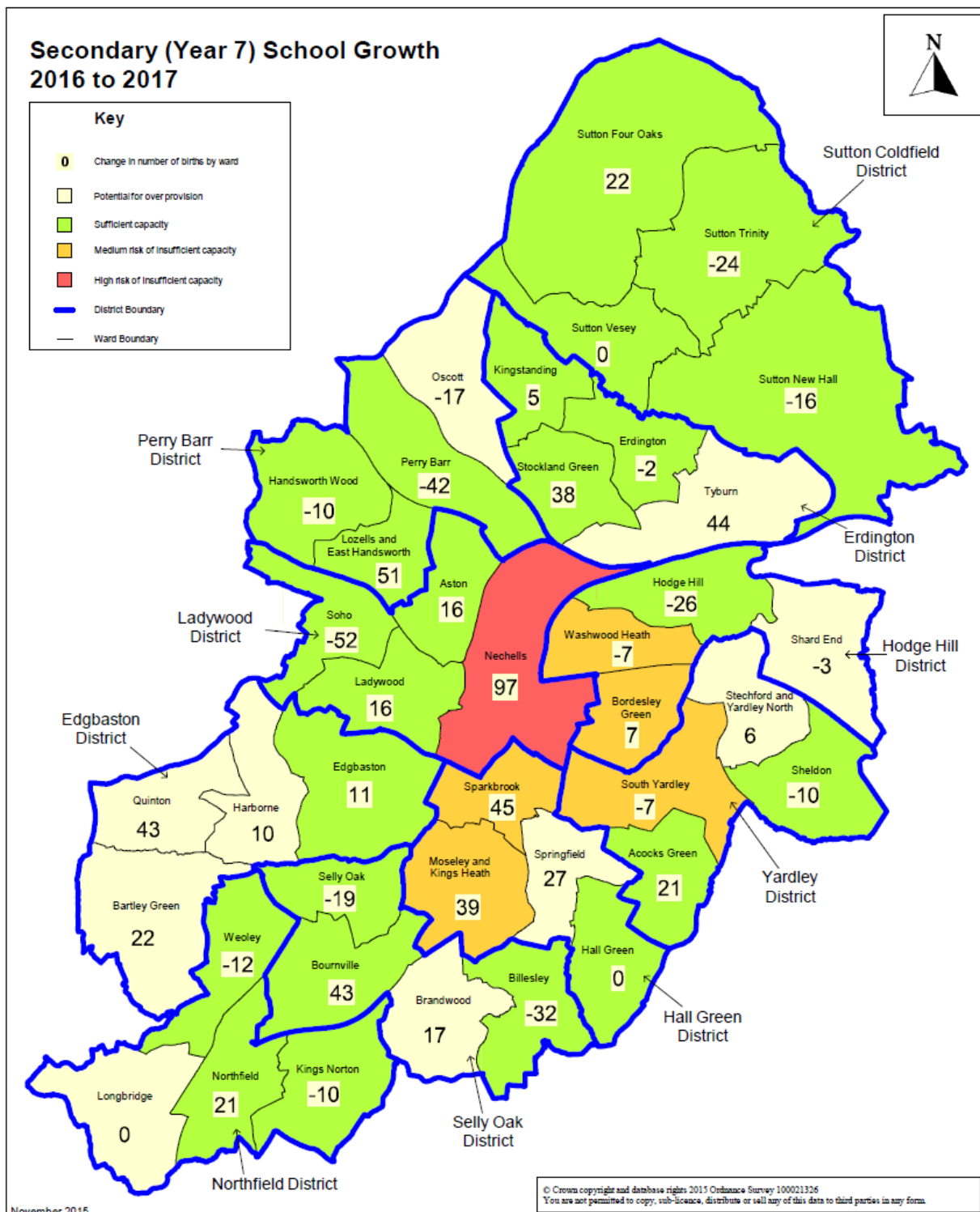
MAP SET C: YEAR 7 GROWTH – please refer to Appendix 6 on how to read the maps

Map C1. Year 7 2016

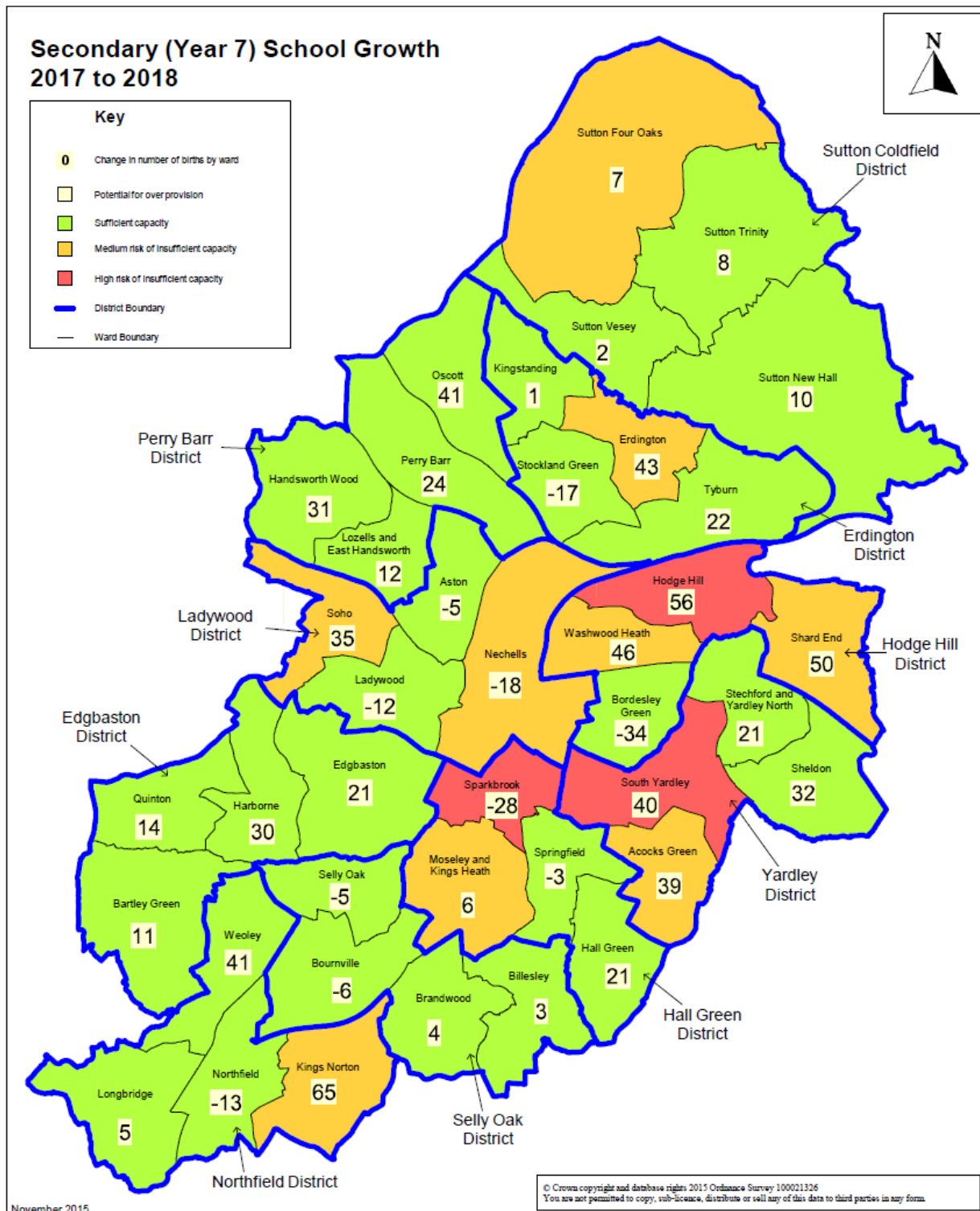
MAP SET C



Data Source: May 2015 Census. Subject to revision in light of coordinated admissions, new Free Schools, and further growth analysis.



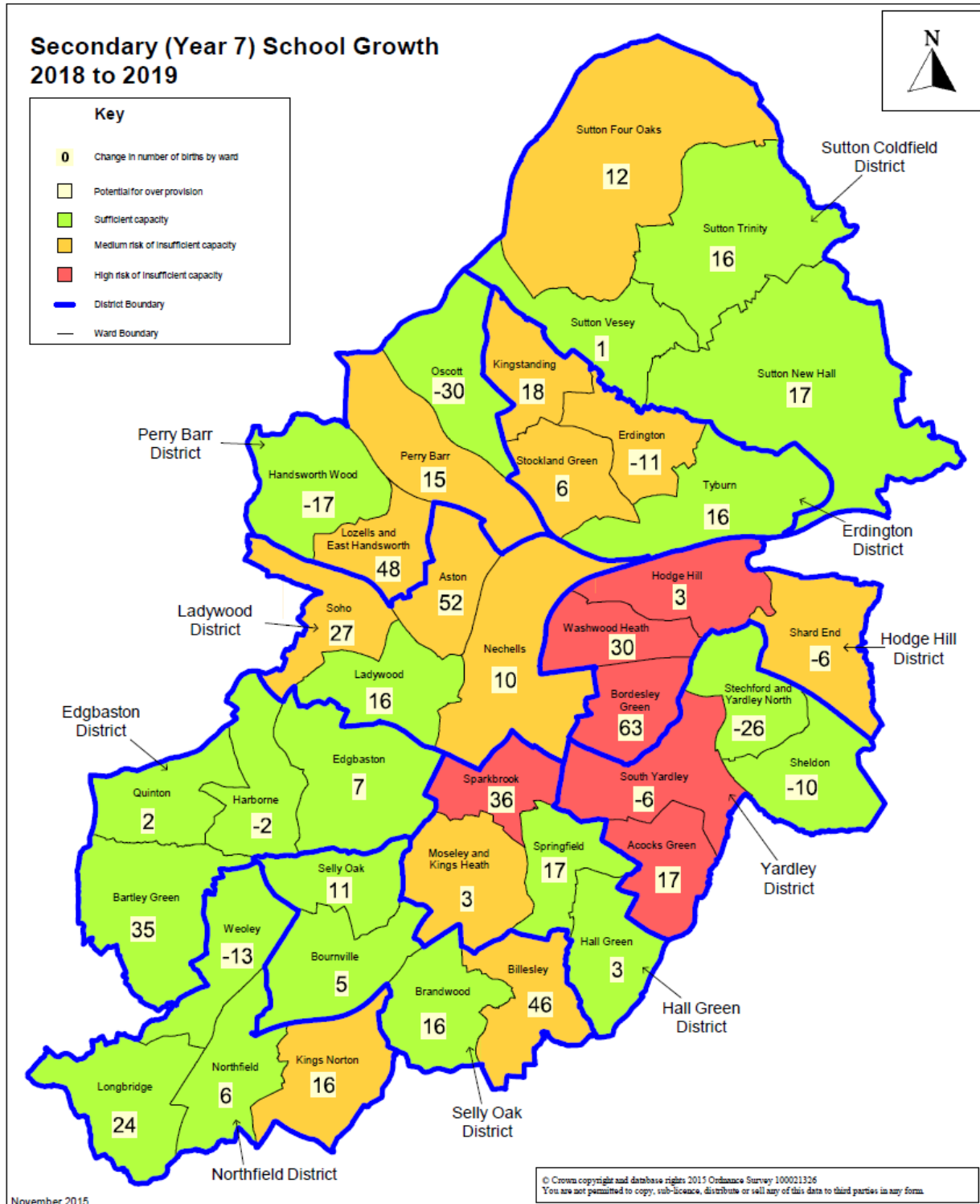
Data Source: May 2015 Census. Subject to revision in light of coordinated admissions, new Free Schools, and further growth analysis.



Data Source: May 2015 Census. Subject to revision in light of coordinated admissions, new Free Schools, and further growth analysis.

Map C4. Year 7 2019

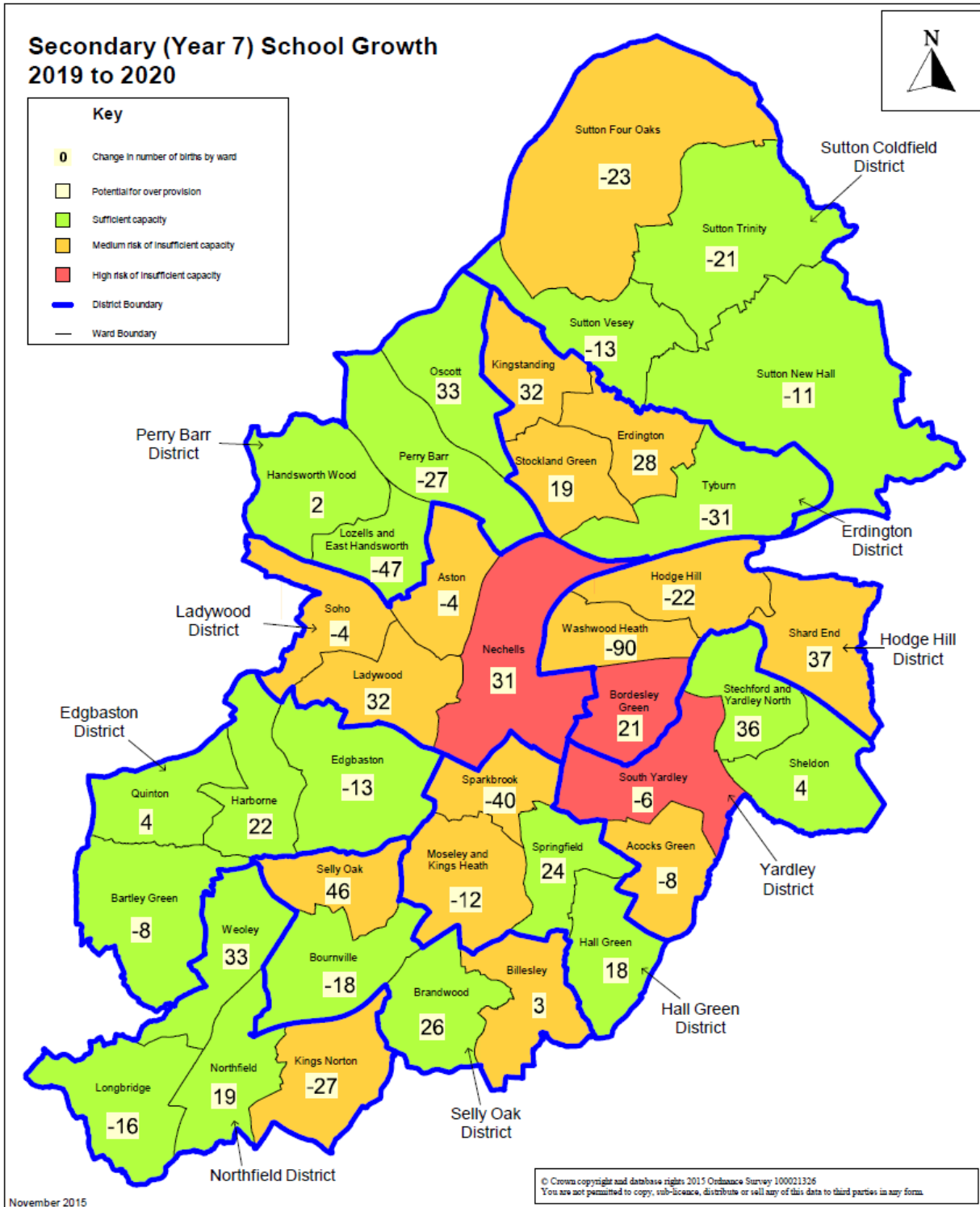
MAP SET C



Data Source: May 2015 Census. Subject to revision in light of coordinated admissions, new Free Schools, and further growth analysis.

Map C5. Year 7 2020

MAP SET C



Data Source: May 2015 Census. Subject to revision in light of coordinated admissions, new Free Schools, and further growth analysis.

Background Information

Appendix 1: Birmingham's Basic Need Strategy

Birmingham City Council has a statutory duty to provide sufficient school places to meet Basic Need. This involves ensuring that we increase the school places available so that families can be offered a school place within 2 miles from home for children under the age of 8 years and within 3 miles from home for older children. It is essential to plan for local areas to maintain a level of available places in order to accommodate children arriving during the school year without creating excess surplus places in local schools that cannot be filled.

Our strategy in Birmingham to meet Basic Need has 4 key strands:

- i) Make optimum use of existing space, buildings and sites to provide sufficient, suitable, high quality additional places where needed;
- ii) Work with Maintained Schools, Free Schools and Academies to meet Basic Need through co-ordinated expansion plans;
- iii) Allocate annual Basic Need Capital investment effectively and efficiently to areas where basic need requirements can only be met through either re-modelling, refurbishment or new-build projects, ensuring that the needs of our most vulnerable young people are prioritised and capital projects make best use of existing resources;
- iv) Identify alternative funding sources and models to deliver requirements including Section 106, school contributions, bidding opportunities, Local Co-ordinated Voluntary Aided Programme (LCVAP), Community Infrastructure Levy, future Basic Need allocations, diversion of other capital funding.

Whenever possible, additional places to meet Basic Need will be introduced at the start of a Phase i.e. in Reception and Year 7. However, the unpredictable nature and location of cohort growth means that it is necessary at times to implement reactive Basic Need measures and introduce additional classes during a phase of education in order to meet our statutory duty to provide sufficient places.

In the event that the supply of school places exceeds demand in an area to a degree that threatens the sustainability of local provision, the Local Authority will consider temporary or permanent decommissioning of places in order to support a sustainable, high quality local offer.

Placing Schools at the Heart of Meeting Basic Need

To place schools at the heart of meeting Basic Need in Birmingham, we will:

- i) Share requirements for additional places regularly with all school partners and Early Years Providers;
- ii) Invite Free Schools and schools that are their own admissions authority to share and co-ordinate their expansion intentions so that requirements can be modified to factor in new provision;
- iii) Invite schools and education providers to express interest in expanding their provision in order to identify optimum solutions to meeting Basic Need and, where necessary, identify projects for Basic Need capital investment;

- iv) Ask schools to work with the Local Authority to identify additional funding streams and alternative funding models to meet Basic Need.

Criteria for Expansion to meet Basic Need

Expressions of Interest in expansion from school partners will be evaluated against the following key criteria:

- i) Location in relation to Basic Need i.e. how well the additional places are located to meet growth and, in the case of Special School provision, whether the school is able to meet the needs of the additional young people requiring a Special School place
- ii) Standards in the school: it is expected that schools that expand will be Outstanding or Good*¹
- iii) The capacity of the school to provide suitable accommodation on the site, within existing space and within planning / buildability constraints; whether school has undertaken a BCC asset sufficiency survey
- iv) Popularity of the school
- v) Potential of any expansion to create overprovision or reduce diversity of provision in an area.*²

Process for Decommissioning of School Places

Given the complexity and range of specific local issues that will need to be considered in the event of the need to de-commission school places, a policy and process will be developed for consultation to be reviewed annually. The following criteria are likely to be key considerations:

- i) Potential of any decommissioning to leave children and families without the option of a local school place
- ii) Standards in the school
- iii) The implications for the school running costs of reducing pupil numbers, in particular in relation to fixed overheads such as PFI contract obligations
- iv) Popularity of the school

It should be noted that the Local Authority only has powers to decommission places in maintained schools. In the event that options appraisal for decommissioning of school places identifies the preferred option as an Academy, the Local Authority will in the first instance seek a negotiated solution with Academy partners in advance of implementing measures in maintained schools as an alternative, lower preference option.

¹ Where no solution to a requirement for additional places can be found that meets this criterion, consideration will be given to expansion solutions where a school can evidence sufficient leadership capacity and standards are improving towards good.

² At Jan 2015, 16% of our young people attending secondary school were in Girls' only settings, compared with 9% of Boys who attend Boys' only provision. This gap has reduced with more pupils attending Boys provision than in May 2013. Therefore, in order to maintain diversity of provision, the City will support a position to increase Boys' Only position to reach equitable provision, and will support expansion of Girls' Only provision only when matched by expansion of Boys' Only provision.

Appendix 2: School Place Planning Areas and Forecasting Methodology

Birmingham is a large City and for planning and governance purposes is divided into 10 districts and 40 Wards.

Each district is made up of 4 wards with 3 elected members from each Ward sitting on Birmingham City Council. Governance at Ward level is managed through Ward Committees which in turn feed into District Committees. Under the recently elected Labour administration, District Chairs have been elected to co-ordinate and deliver a range of services at local level.

While School Place Planning remains a city-wide strategy, our forecasting builds in a range of factors that influence demand for school places at Ward and District level, including:

- Birth rates (ONS actual births data)
- Conversion of birth rates to applications for Reception places (past 3 years)
- Conversion of Year 6 students to Year 7 applications most recent data having greatest relevance
- Demand for Birmingham school places from neighbouring / other Authorities (past 3 years)
- Cohort growth annually by year group (termly school census data over last 3 years)
- Parental preference (last 3 years admissions data)
- Housing growth (housing plans with outline or detailed planning permission or known to be under construction)
- Long term ONS projections for our City's population

Our annual school place forecasts of demand build in allowances for in-year growth that are adjusted every year to reflect the latest available school census data. In addition, we factor in additional places expected to be required as a result of new housing.

Primary Places are planned at Ward level with attention paid to super-output areas when identifying where increased demand is at its greatest.

Secondary Places are planned at District level. Data is first analysed at Ward level and then aggregated up to district level projections. There is a range of City-wide provision (grammar schools, faith schools) and this is factored into our projections through analysis of demand for City-wide provision by Ward.

The annual statutory school place analysis required by the DfE does not request any information related to special school provision. Despite this omission, Birmingham remains focused on this priority area. Forecasting of special school demand, although not reported to DfE remains a priority, is ongoing and of critical importance and will be addressed in a subsequent publication.

School Place Planning forecasting methodology used is reported annually to the DfE as part of the School Capacity Return (SCAP). Our forecast represents the best estimate of the number and location of places that will be needed if most recent patterns of parental preference, cohort growth, housing proposals and supply of places were to remain constant. Many of these variables change considerably from one year to the next,

sometimes with limited predictability. There is therefore always a level of expected variance between our forecasts and the actual demand. For example, it may be that the popularity of one or more schools in a particular area changes as a result of an OFSTED inspection; this will inevitably have an impact on parental preferences and may reduce or increase the likelihood of local parents attaining a school of first preference.

Ward and District boundaries are to an extent artificial lines in the context of school place planning as families living close to a border may be best served by schools in neighbouring Wards or Districts. While solutions to meeting Basic Need are not driven by these boundaries, we are able to assess how well we are meeting demand and parental preference at Ward and District level as a guide to the success of our Basic Need programme. If a need for additional places is identified in Ward A, this need may best be met by a school just over the border in Ward B.

Forecasting to meet anticipated cohort growth

In order to ensure we are able to provide places for the new children who will require a place at a Birmingham school, our forecasts for school places have built in the following 'in-year growth' allowances, based on the last 3 years pupils growth and analysis of the numbers on roll reported at School Census. For the purposes of the school place forecasts the growth across Wards is split proportionally based upon previous trend. *These allowances will be adjusted to reflect the latest information on in-year growth levels.*

Primary growth by year group:

R	1	2	3	4	5	6
208	221	107	89	58	73	83

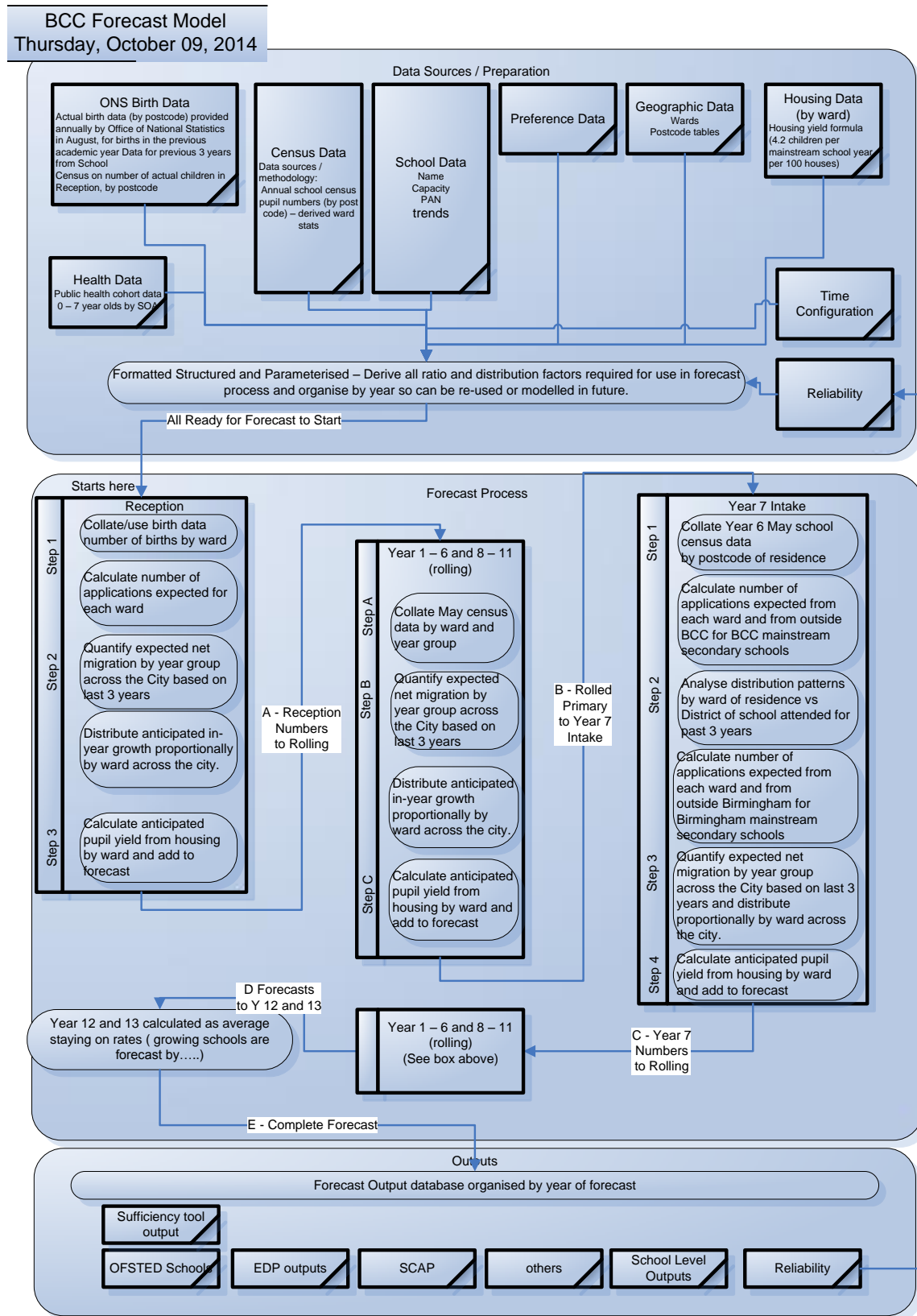
Secondary growth by year group (distributed in accordance with ward specific trends):

7	8	9	10	11
100	100	77	0	0

The changing and unpredictable nature of cohort growth means that our secondary forecasts for future years may change significantly. Trends already suggest an increase in growth which has been applied accordingly. We will feed in actual pupil cohorts rather than forecast growth for the Primary school cohorts that we expect to start Year 7.

Expected housing yield per Ward is subsequently calculated and added into the forecast numbers.

School Place Planning Process Flow



Appendix 3: Provision Delivered through Basic Need Programme

Appendix 3A: Additional Primary Place Provision Delivered and Planned 2015-2016

**School Basic Need projects underway through Additional Primary Places (APP) programme
2014/15 and 15/16**

Academic Year places start to be available	School name	Starting year group	Total places to be created R – Y6	Type of Expansion	Ward
2014/15	Rednal Hill Juniors	3	30	Permanent	Longbridge
2014/15	Lea Forest Academy	1	30	Temporary	Shard End
2014/15	Greenholm Academy	R	210	Permanent	Oscott
2014/15	Starbank All Through	R	630	Permanent	Bordesley Green
2014/15	Nonsuch Academy	3	30	Temporary	Bartley Green
2014/15	Rednal Hill Infants	R	30	Permanent	Longbridge
2014/15	Timberley Academy	R	210	Permanent	Shard End
2014/15	Billesley Academy	R	210	Permanent	Billesley
2014/15	St Josephs RC	R	210	Permanent	Sutton Trinity
2014/15	Paganel Primary	R	210	Permanent	Bartley Green
2014/15	Benson Primary	1	90	Temporary/Flexible	Soho
2014/15	St Barnabus CE	R	210	Permanent	Erdington
2014/15	Whitehouse Common	R	0 ₁	Permanent	Sutton Trinity
2015/16	Ward End Primary	R	0 ₁	Permanent	Ward End
2015/16	Benson Primary	5	30	Permanent	Soho
2015/16	Guardian Angels RC	R	30	Temporary	Shard End
2016/17	Harborne Primary	R	420	Permanent	Harborne
2015/16	Lahey Lane Primary	R	28	Permanent/Flexible	Acocks Green
2015/16	Maney Hill Primary	R	30	Temporary	Sutton Trinity
2015/16	Mere Green	R	30	Temporary	Sutton Four Oaks
2015/16	Yenton Primary	R	30	Temporary	Erdington
2015/16	New Hall Primary	1	75	Permanent/Flexible	Sutton Trinity
2015/16	St Clare's RC	3	15	Temporary/Flexible	Lozells & EH
2015/16	St Thomas More RC	R	105	Permanent	Sheldon
2015/16	St Margaret Marys	R	15	Temporary	Kingstanding
2015/16	St Marys CE	R	30	Temporary	Lozells & EH

Source: SCAP 2015

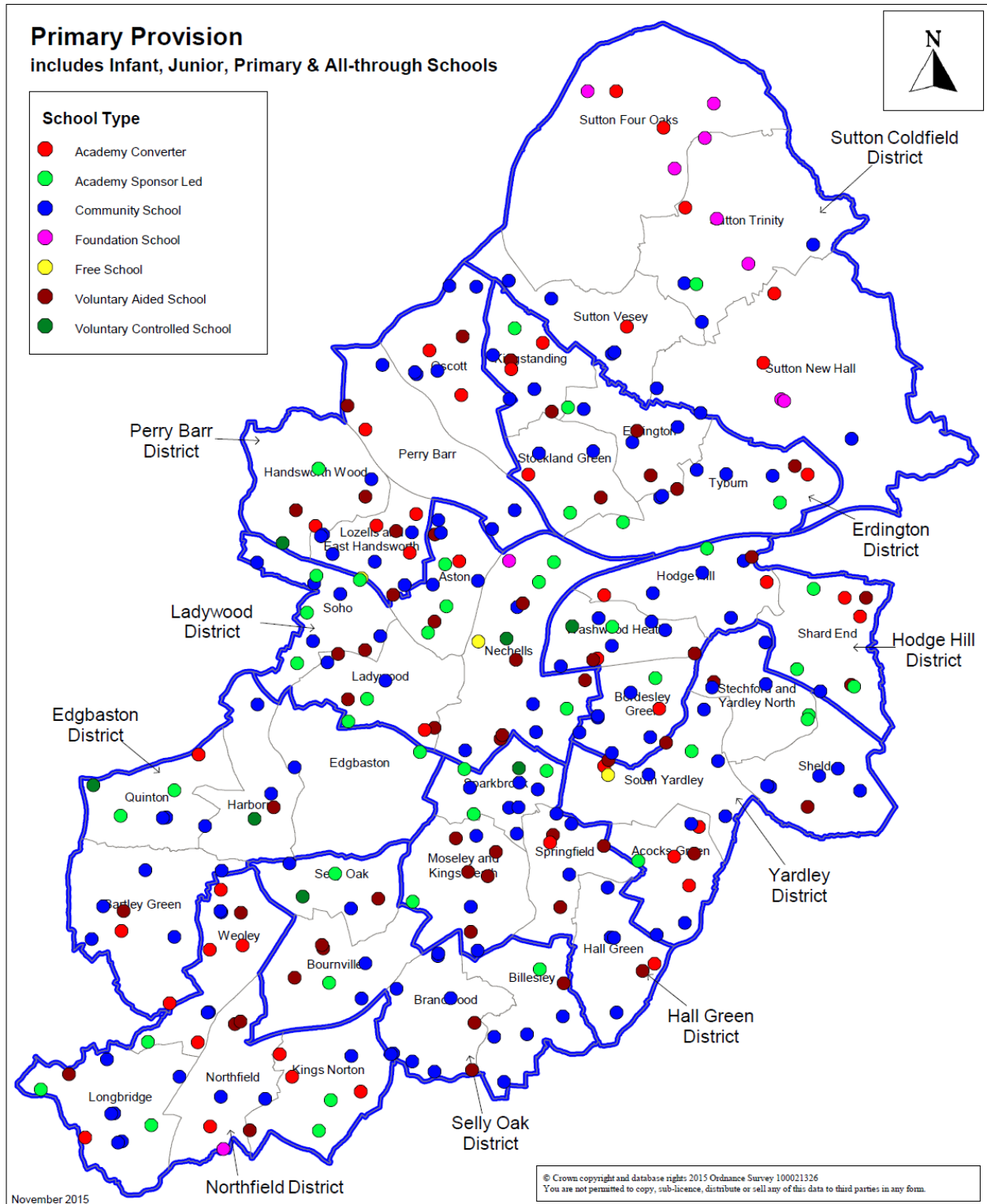
₁Replacement of accommodation.

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

Map D1. Primary Provision at Oct 2015

MAP SET D

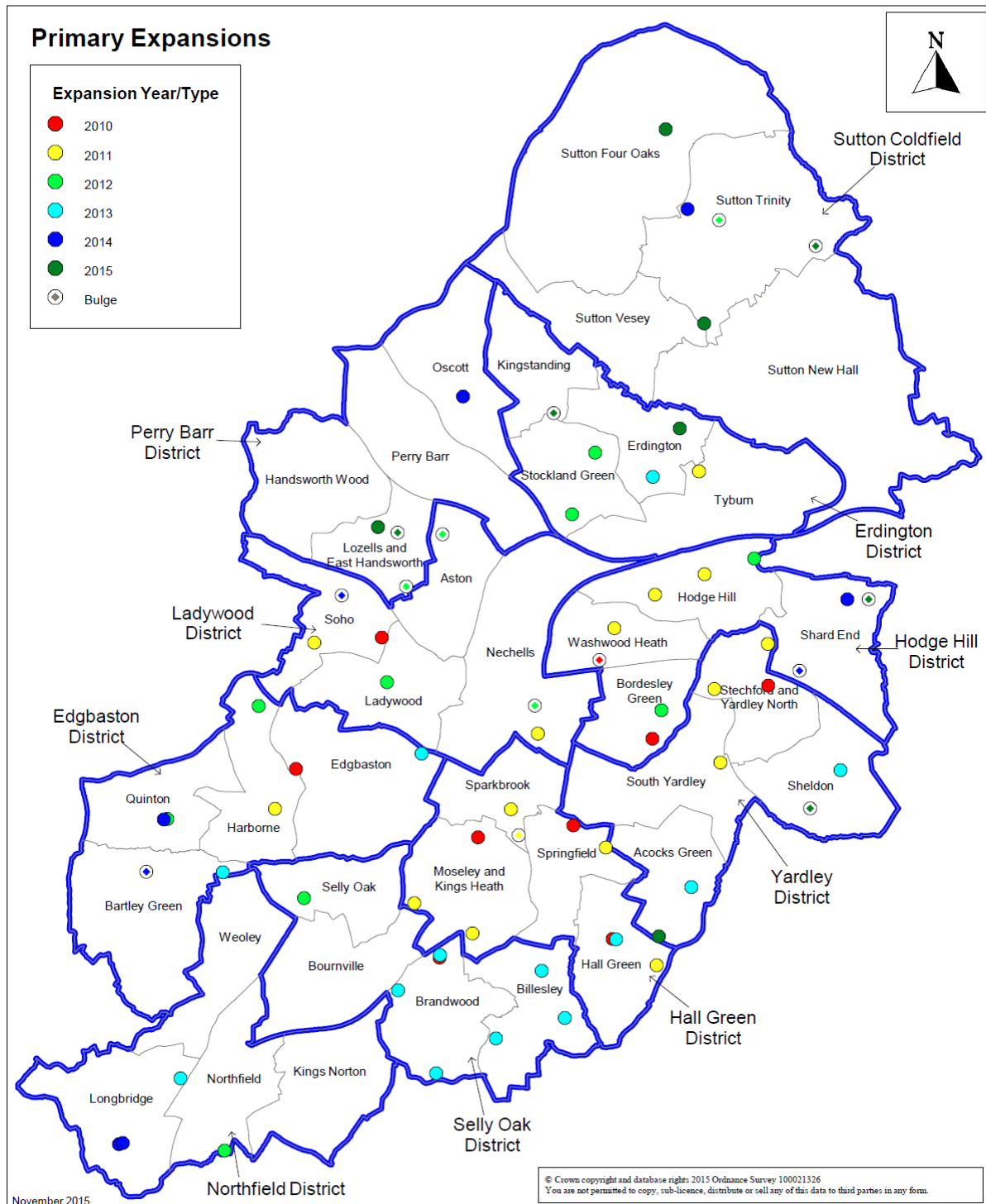


Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

Map D2. Additional Primary Place Programme – location of schools expanded, Sept 2015

MAP SET D



Will continue to be updated in light of new bulge expansions that open throughout 2015/16

Appendix 3B: Additional Secondary Place Provision Delivered and Planned 2015-2017/18

School Basic Need projects underway through Additional Secondary Places (ASP) programme 2014-17

Academic Year places start to be available	School name	Starting year group	Total places to be created Y7-11	Type of Expansion	Ward
2014/15	Starbank	7	900	Permanent	Bordesley Green
2014/15	Queensbridge	7	150	Permanent	Moseley & KH
2015/16	Bishop Walsh	7	25*	Temporary	Sutton New Hall
2015/16	John Willmott	7	15	Temporary	Sutton Trinity
2016/17	Turves Green Boys' ¹	7	125	Permanent	Northfield
2017/18	Plantsbrook ¹	7	150	Permanent	Sutton Trinity

Source: SCAP 2015

¹ This project is being completed under the Priority Schools Building Programme (PSBP) and managed through the Education Funding Agency (EFA).

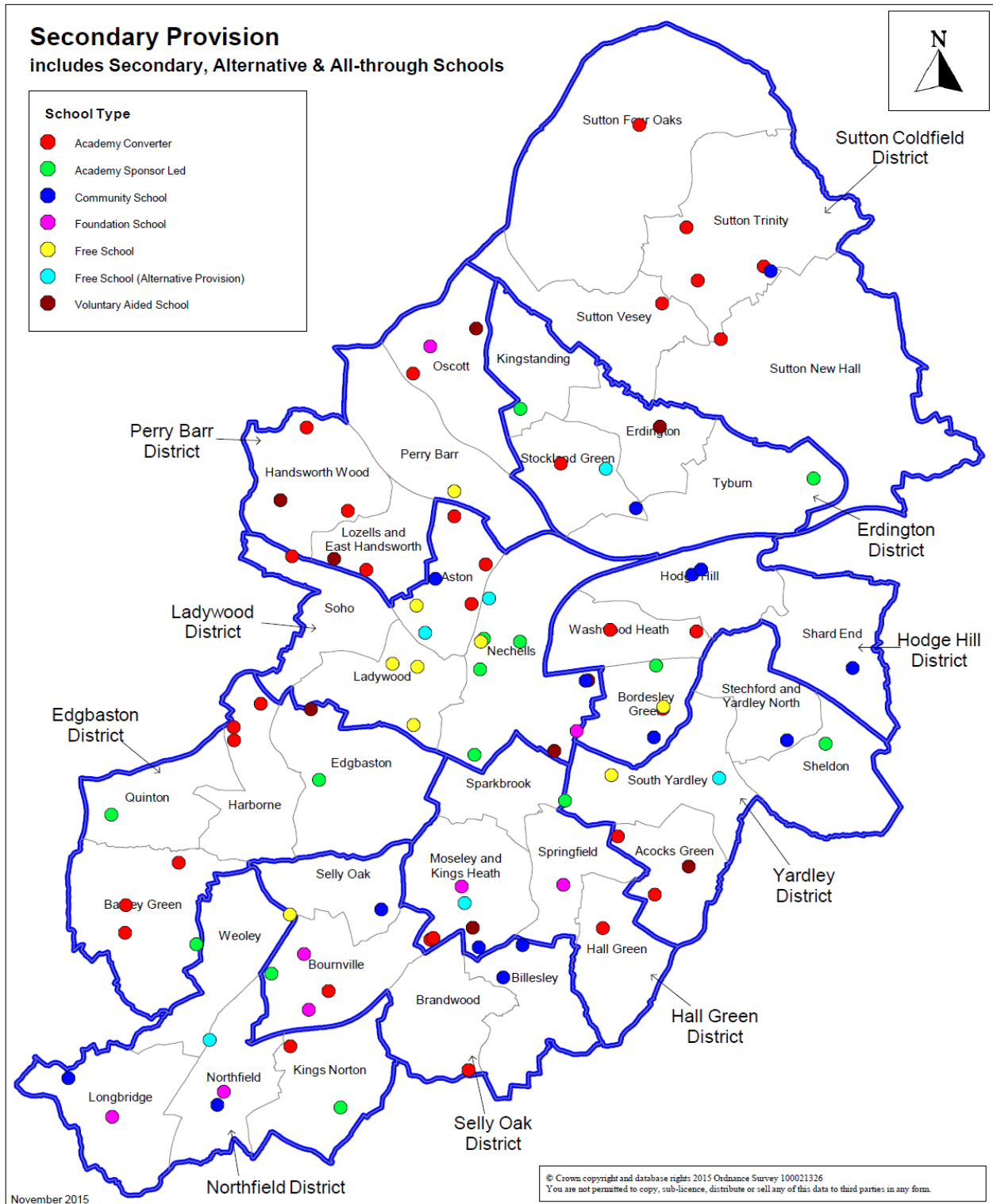
*10 of which have been opened due to Appeal

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

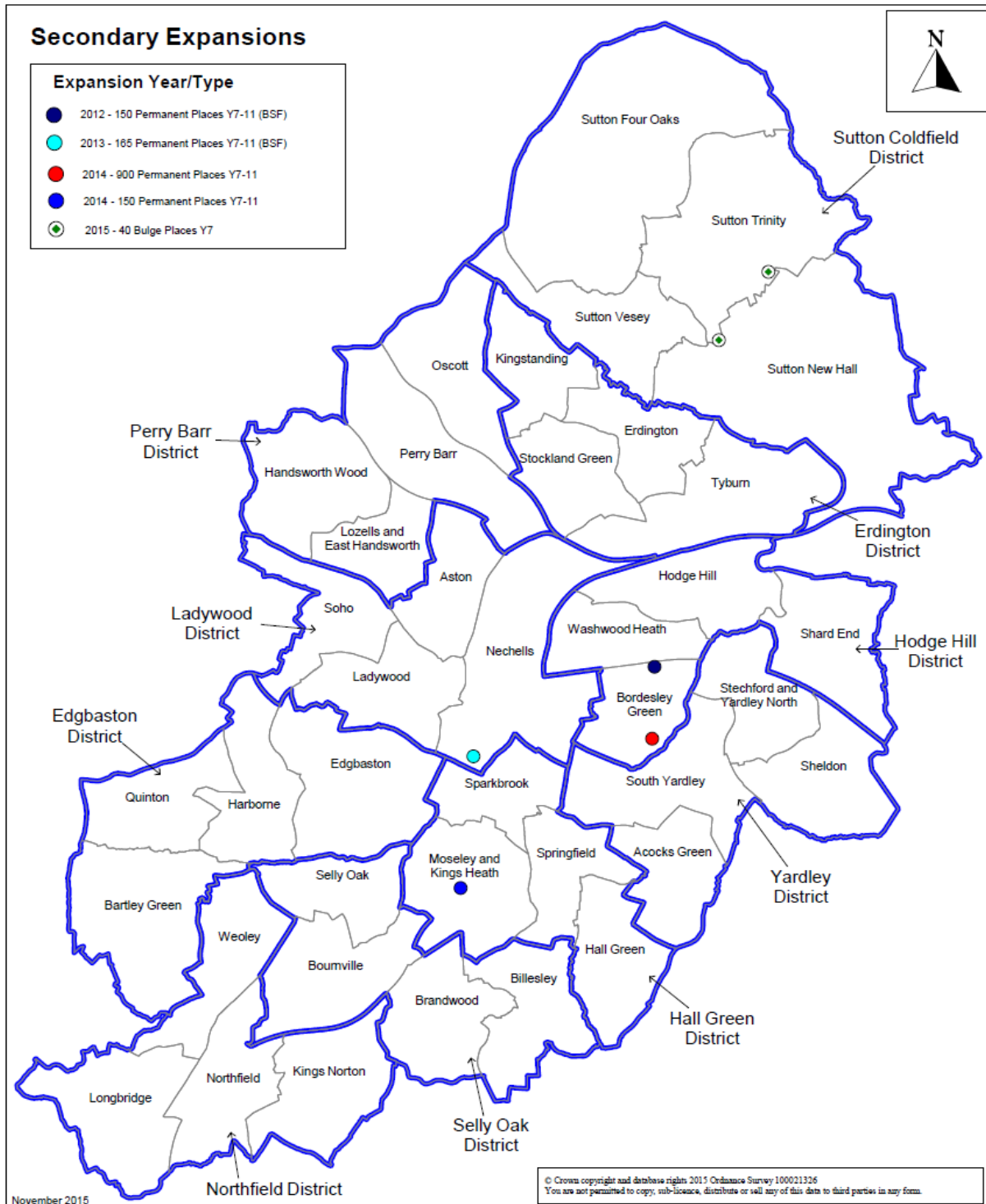
Map D3. Secondary Provision at Oct 2015

MAP SET D



Map D4. Additional Secondary Place Programme – location of schools expanded, Sept 2015

MAP SET D



Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

Appendix 4: List of Free Schools

List of Free Schools open and approved in Birmingham, by need and capacity with details on location when known.

Capacity planned for delivery for 2016 onwards is not included in capacity calculations. When provision is open requirements will change.

DfE Stage: O – Open, A – Approved, C – Closed, P – Proposed

Pupil Needs: M – Mainstream, A – Alternative

School Name	DfE	Opening Date	DfE Stage	Pupil Needs	Age	PAN	Capacity	Specialism/ Faith/Gender	Postcode	Ward/District
Nishkam Primary Free School	2032	01/09/2011	O	M	4-11	60	420	Sikh	B21 9SN	Soho/Ladywood
Nishkam High Free School	4004	01/09/2012	O	M	11-19	100	700	Sikh	B19 2LF	Aston/Ladywood
Perry Beeches II - The Free School	4002	01/09/2012	O	M	11-18	100	620 includes 120 sixth form		B3 1SE	Ladywood/ Ladywood
East Birmingham Network Academy	1105	17/09/2012	O	A	13-16	NA	90		B26 1AL	South Yardley/Yardley
Perry Beeches III - The Free School	4011	01/09/2013	O	M	11-18	100	620 includes 120 sixth form		B15 1LZ	Ladywood/ Ladywood
<i>Kajans Hospitality and Catering Studio School</i>	-	<i>01/09/2013</i>	<i>C</i>	<i>M</i>	<i>14-19</i>	<i>75</i>	<i>300</i>		<i>N/A</i>	<i>Aston/Ladywood</i>
Waverley Studio College	4010	01/09/2013	O	M	14-19	75	300		B9 5QA	Bordesley Green/Hodge Hill
St George's Academy	1108	01/09/2013	O	A	14-16	NA	110		B19 3JG	Aston/Ladywood
REACH Free School	1107	01/09/2013	O	A	11-16	NA	64		B14 7BB	Moseley & Kings Heath/Hall Green
Perry Beeches IV - The Free School	4016	01/09/2014	O	M	11-18	100	620 includes 120 sixth form		B1 3AA	Ladywood/ Ladywood
City United Ltd Academy	1109	01/09/2014	O	A	13-16	NA	50		B6 4EA	Nechells/ Ladywood

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

School Name	DfE	Opening Date	DfE Stage	Pupil Needs	Age	PAN	Capacity	Specialism/ Faith/Gender	Postcode	Ward/District
The University of Birmingham School	4014	01/09/2015	O	M	11-19	150 ₁	1150 includes 400 P-16		B29 6QU	Selly Oak/Selly Oak
Eden Boys' School	4021	01/09/2015	O	M	11-19	100	700 includes 200 sixth form	Islamic / Boys	B42 2SY	Perry Barr/ Perry Barr
King Solomon's International Business School	4020	01/09/2015	O	M	4-19	60 R-Y6, 90 Y7-11	1050 includes 180 sixth form	Christian	B7 4BB	Nechells/ Ladywood
Perry Beeches V - The Free School	4019	01/09/2015	O	M	4-19	100	1320 includes 120 sixth form		B10 0HJ	South Yardley/Yardley
East Birmingham Network Academy 2	1110	01/09/2015	O	A	13-16	NA	90		B23 6DE	Stockland Green/Erdington
The Joseph Lucas Centre for Learning	TBC	TBC	A	A	9-13	NA	50		tbc	tbc
The Edge Academy	1111	01/09/2015	O	A	11-16	NA	140		B31 2LQ	Northfield/ Northfield
Perry Beeches - The Primary School I	TBC	01/09/2016	A	M	4-11	100	700		tbc	Ladywood/ Ladywood
Olive Primary School	TBC	01/09/2016	A	M	4-11	100 ₂	700	Islamic	tbc	tbc
Perry Beeches VI - The Free School	TBC	01/09/2017	A	M	4-19	100	1320 includes 120 sixth form		tbc	Perry Barr/ Perry Barr
CUSEN Academy	TBC	01/09/2017	P	A	11-18	NA	95	Autistic S Con.	tbc	tbc
Eden Boys' School II	TBC	01/09/2018	P	M	11-19	100	800 includes 200 sixth form	Islamic / Boys	tbc	tbc
Olive Primary School II	TBC	01/09/2018	P	M	4-11	100	700	Islamic	tbc	tbc

₁Admissions policy based on 4 Nodes across Selly Oak/Hall Green (2)/Ladywood districts

₂Admissions policy based on 4 Nodes across Hall Green (2)/Ladywood/Yardley districts

Appendix 5: Flexible Expansions in Birmingham

Our definition of 'Flexible Expansion' is that it creates additional places across a number of year groups where needed. Schools implementing this model are developing a range of ways in which classes and intervention programmes are organised so that the class sizes are preserved while the school is able to offer places flexibly to meet demand, in particular for sibling places. We are likely to alter or add to this definition as new models are presented and keen to work with school partners to look at a number of options to meet cohort growth.

In line with our Basic Need requirements, a number of Birmingham schools have implemented flexible classes to date, details provided in the table below. Where expansions are in line with Basic Need requirements, additional revenue funding from the City's Growth Fund is made available to the school upfront in the first year for the agreed number of additional pupils (until pupils are captured on the subsequent census).

School Name	DFE	School Phase – Type	Current Capacity	Year of Opening	Offer	Description / Advantages
Ward End Primary	2108	Primary - Community	840 (4FE)	2013/14	50 pupils across Years 2-6	Taking an additional 50 pupils enabled the school to appoint an additional member of staff to work with small ability-based groups to enhance basic skills in reading writing and maths.
Billesley Primary	2072	Primary - Academy	630 (3FE)	2013/14	75 pupils across Years R-2	Whilst retaining class size, taking an additional 75 pupils enabled the school to appoint an additional member of staff to work with small ability-based groups.
Starbank School	2179	All-through - Community	1200 (6FE phased build)	2014/15	30 pupils across Years 2-6	Taking an additional 30 pupils enabled the school to appoint an additional member of staff to work with a 'new arrivals' group to provide additional support for EAL pupils.

Birmingham Mainstream Primary and Secondary Education Sufficiency Requirements

2016

School Name	DFE	School Phase – Type	Current Capacity	Year of Opening	Offer	Description / Advantages
Marlborough Juniors	2283	Juniors - Community	360 (3FE)	2015/16	30 pupils across Years 3-6 (9 in Y3-4, 6 in Y5-6)	The additional places will be phased in during the Autumn term in line with availability of accommodation and to support local KS2 need. Taking an additional 30 pupils enables the school to appoint an additional member of staff to work with small ability-based groups.
New Hall Primary	2469	Primary – Community	315 (1.5FE)	2015/16	75 pupils across Years 1-5 (15 in each)	This is a pilot model to monitor how the school fills as a result of a small local housing development. The transition from a 1.5FE to a 2FE would support the school financially and support curriculum delivery.
St Nicholas RC Primary	3403	Primary - Academy	210 (1FE)	2015/16	8 pupils across Years 3-6 (2 in each)	An informal admissions arrangement has been agreed with the school to enable them to take on siblings.
Lahey Lane Primary	2119	Primary - Community	378 (2FE)	2015/16	28 pupils across Years R-6 (4 in each)	The school have operated at 54/56 PAN to date due to the size of classrooms however the transition to a 2FE would support the school financially and support curriculum delivery. Accommodation is being managed.

Appendix 7: Understanding movement across Authority boundaries into and out of Birmingham

Currently there are different sources of information available that assist in providing a picture about the movement of pupils between Local Authority areas. The data is based on different time periods, has a different scope of age range and is specific to different processes but we are presenting it here for comparison via our mapping tool to establish a picture of movements inward and outward from the city.

Inward Movement: This is assessed by analysing school census. The census data details the home residence of every pupil attending a Birmingham school. It is therefore possible to see which of our Birmingham schools are most attended by pupils from areas outside of the city. The data covers all year groups but for comparison we have looked at the school information for just reception and Year 7 intakes. We can also demonstrate which out Authority areas send the highest proportions of pupils into Birmingham schools. See Map Set E, maps E1 and E2.

Outward movement: We have data for pupils applying for schools through their home authority where an offer is made for place at Reception and Year 7 entry to schools. While these applications may later change or not happen it does give a picture of pupil applications by home residence. We can therefore highlight which wards are receiving offers for places in out of City schools. See Map Set E, maps E3 and E4.

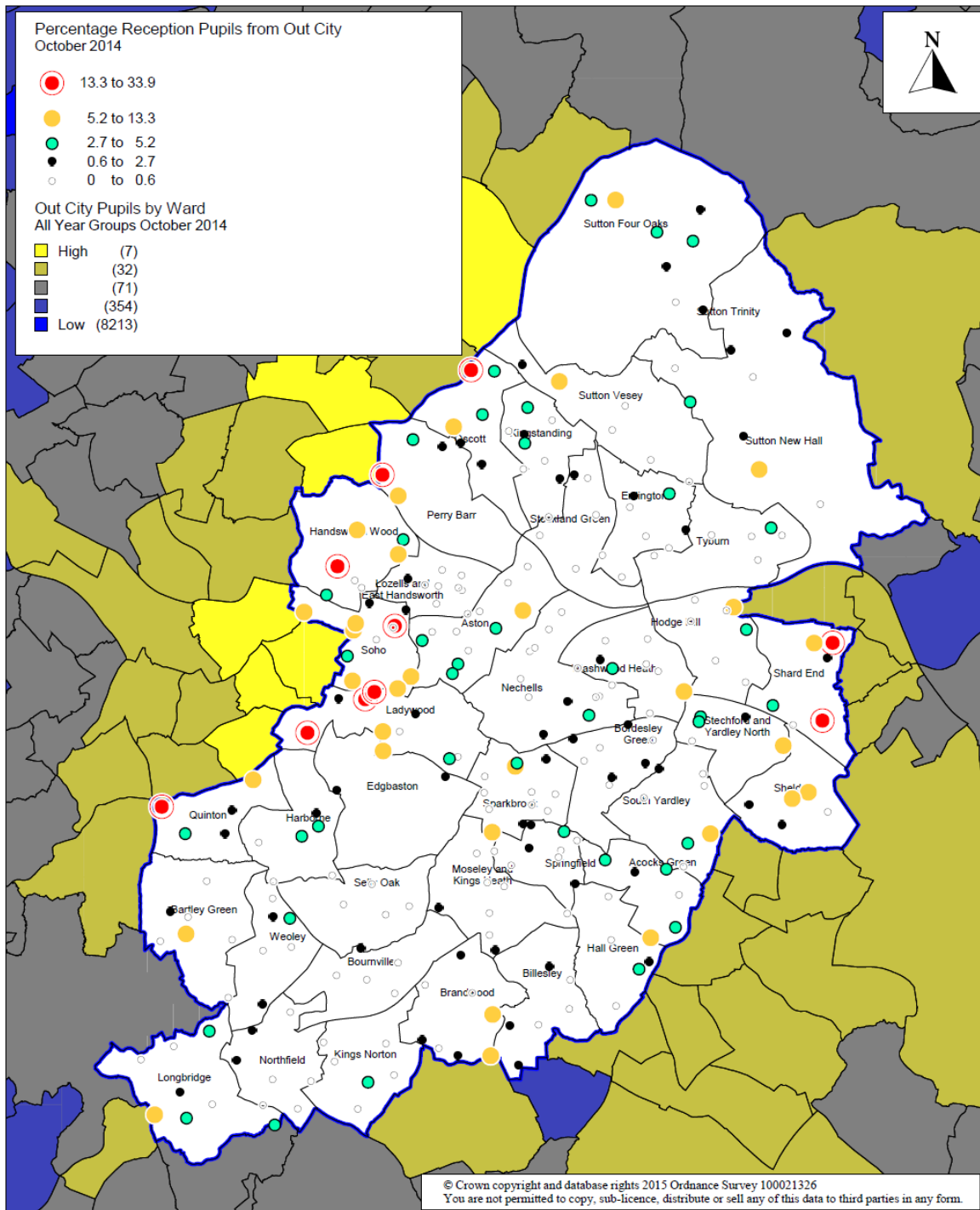
Key Points

- Secondary pupils are more mobile than counterparts in Primary school provision but both cohorts show movement inward and outward
- There is a general pattern of movement with pupils applying and moving into schools from the Western City boundary while pupils from Birmingham are applying into areas more frequently on our eastern boundary
- Greater numbers of pupils are moving inward on our Western Boundary.
- Greater numbers are moving outward by applying and receiving offers on our eastern boundary.
- Offer data analysed is for all offers made (including late applications).
- It is clear that schools on the outskirts of the city boundary are attracting pupils from over the border, particularly in Reception.
- Primary schools closest to the boundary are most affected by 'cross-border' applications whereas Secondary schools across the City attract out of City applications and movements are more likely to be linked to the popularity or type of offer at the school.

MAP SET E: Map E1: Inward Movement Maps for Reception

MAP SET E

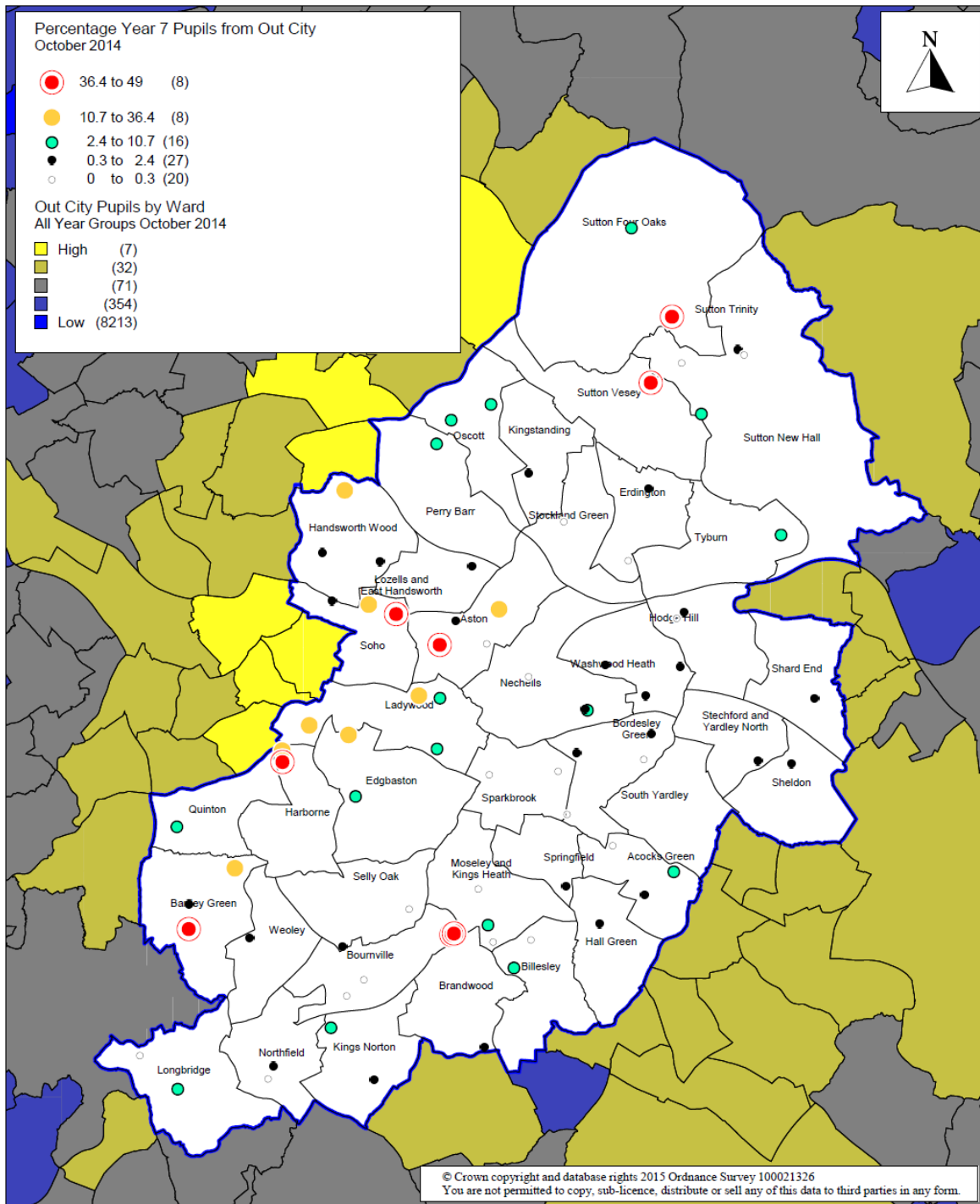
The following map show the schools receiving applications from out of City areas at Reception



Map E2: Inward Movement Maps for Year 7

MAP SET E

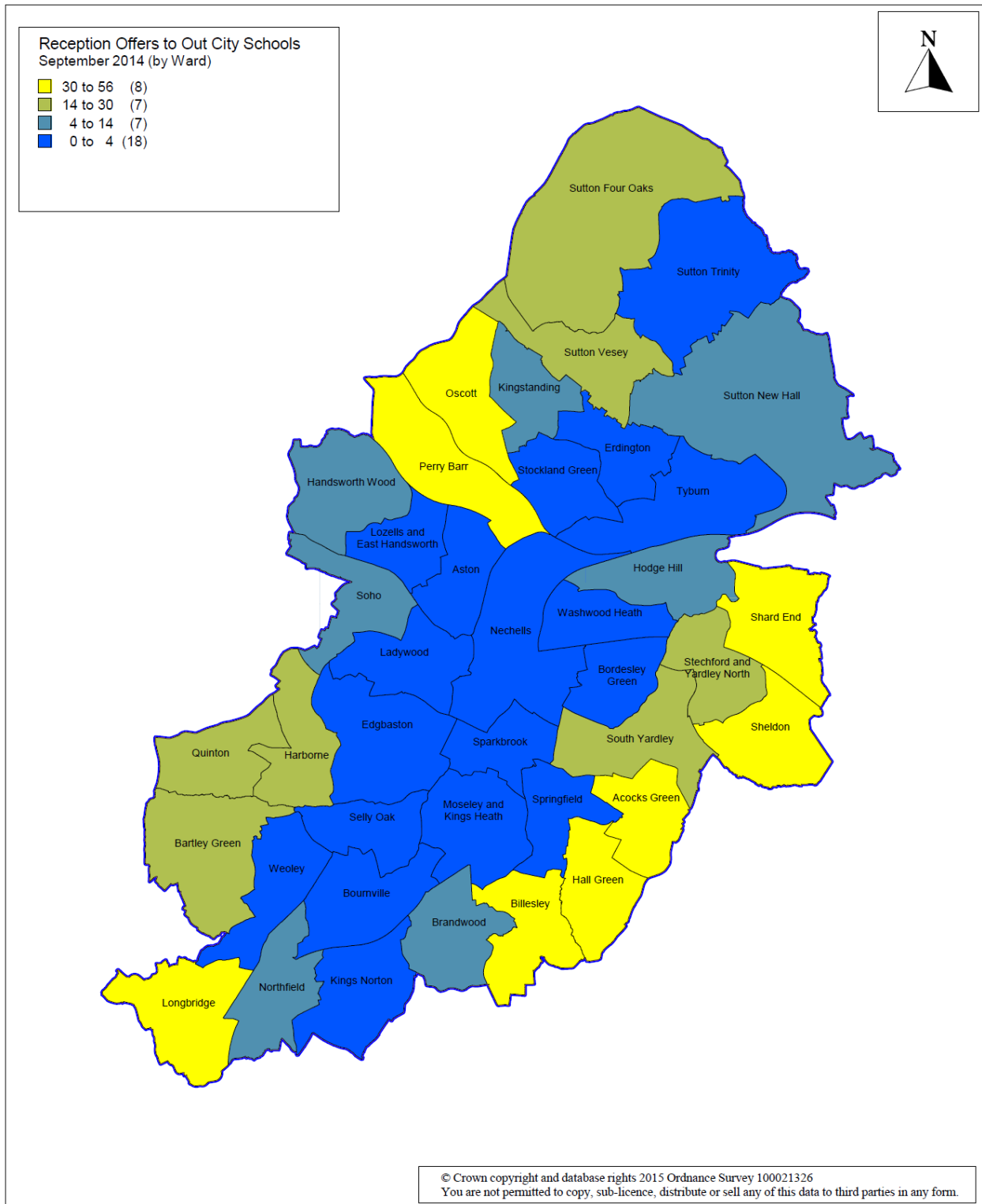
The following map show the schools receiving applications from out of City areas at Year 7



Map E3: Outward Movement Maps for Reception

MAP SET E

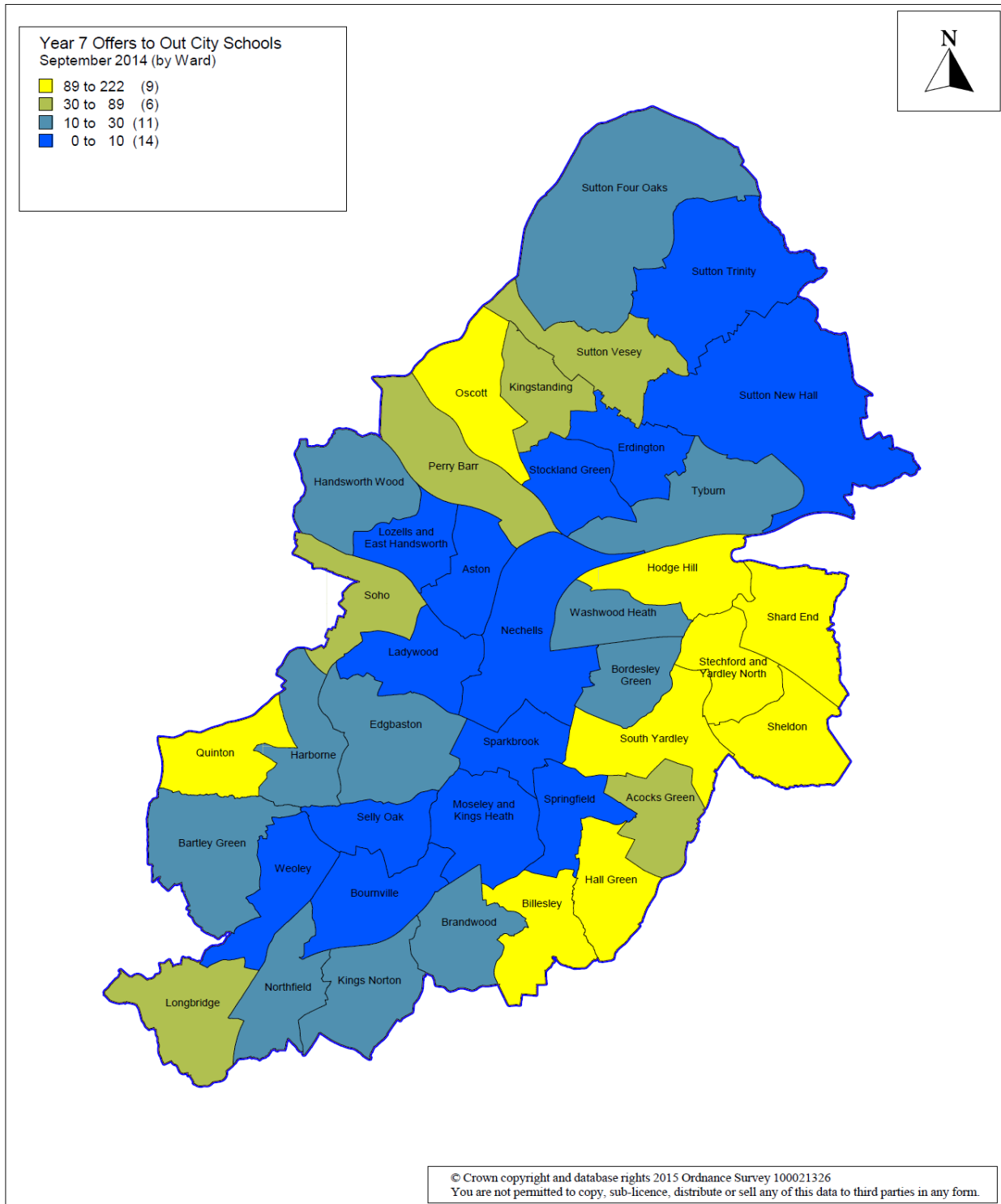
Pupils applying and being offered a place in out of City schools by Ward of residence



Map E4: Outward Movement Maps for Year 7

MAP SET E

Pupils applying and being offered a place in out of City schools by Ward of residence



Appendix 8A: Specific Measures to Provide Mainstream Primary School Place Requirements

a) Measures to increase permanent primary school provision to meet birth rate increase for 2016

i) Balance supply and demand:

- Expand provision by 1FE in a locality unless there is sufficient demand to accommodate a 2FE increase, in order to balance supply and demand aligned with our wider school improvement agenda
- Use a range of options i.e. permanent, temporary/bulge and flexible expansion models to meet demand

ii) Make optimum use of existing space:

- Maximise potential capacity within schools and city-owned assets to permanently expand primary provision
- Using asset survey information to proactively identify potential capacity in the existing estate.

iii) Co-ordinate expansions across all schools including those that are their own Admissions Authority:

- Invite schools that are their own Admissions Authority to share and co-ordinate intentions to expand in a timely manner in order for sufficiency requirements to be updated accordingly. Thank you to those who have submitted a return following the recent briefing
- Support schools that are their own Admissions Authority to attract direct capital investment from other sources (e.g. Education Funding Agency) for additional places to meet Basic Need, including identification of potential new sites
- Update and share changing requirements as new places are provided

iv) Schools Capital Programme:

- Invite expressions of interest from Primary or Secondary providers who wish to expand to provide additional primary places and would require a level of Basic Need capital investment from the Local Authority
- Identify sites for expansion of existing provision through refurbishment or new-build projects to meet Basic Need
- Seek to ensure provision at Key Stage 2 is maximised to meet peak pupil numbers

b) Measures to increase capacity in Reception – Y6 to meet cohort growth resulting from cohort growth in Birmingham

i) Make optimum use of existing space:

- Bring space provided in Additional Primary Place projects into use earlier than planned
- Reorganisation of teaching spaces and reconfiguration of space to improve how the school works

- Invite Expressions of Interest for schools to take an additional 30 students within existing space using one of the two models available: 'bulge' or 'flexible' class. We commit to sharing information around potential impacts on taking in-year classes through risk assessing potential waiting list movement
- Monitor Year 5 and 6 sufficiency and plan reactive measures if required to meet demand, potentially over-fill
- Where no internal space is available, use temporary accommodation solutions

Appendix 8B: Specific Measures to Provide Mainstream Secondary School Place Requirements

i) Balance supply and demand

- Where necessary consider permanent or temporary decommissioning in order to stabilise local offer

ii) Make optimum use of existing space:

- Maximise potential capacity within schools and City-owned assets to permanently expand secondary provision
- Using asset survey information to proactively identify potential capacity in the existing estate.

iii) Co-ordinate expansions across all schools including those that are their own Admissions Authority:

- Invite schools that are their own Admissions Authority to share and co-ordinate intentions to expand in a timely manner in order for sufficiency requirements to be updated accordingly
- Support schools that are their own Admissions Authority to attract direct capital investment from other sources (e.g. Education Funding Agency) for additional places to meet Basic Need, including identification of potential new sites
- Update and share changing requirements as new places are provided

iv) Schools' Capital Programme:

- Invite expressions of interest from Primary or Secondary providers who wish to expand to provide additional secondary places and would require a level of Basic Need capital investment from the Local Authority
- Identify sites for expansion of existing provision through refurbishment or new-build projects to meet Basic Need

Revision Updates

Date	Revised Version	Changes
Oct	1	Initial draft
Nov	2	Updates to context information
Nov	3	Initial requirements draft
Nov	4	Revisions of drafts
Nov	5	Map Inclusions in year
Nov	6	Refining and removal of sections to appendices
Nov	7	Senior officer review and refinement
Nov	8	Further minor edits and refinements
Nov	9	Release candidate 1 for approvals
Nov	10	Adjustments to Primary requirements tables – minor edits for acronyms, punctuation and layout
Nov	11	Date changes for dates of plan; changes to map set headings to align with order of doc. Edit of Free schools. Font change of headers for consistency.

Appendix 2: Schools Capital Programme 2016-17 Stages 1 - 4 Requirements and Financial Model.

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1. Financial Modelling Approach

The number of school places required may change during the development of options for the Schools Basic Need Capital programme as a result of Free Schools and Academy expansions and as a result of changes to net migration.

In order to deliver the Schools Capital Programme within available resource the following approach is taken:

Step 1: Requirements for each Stage

Define requirements for each stage of the capital programme:

- i) how many additional places are required in Special, Primary and Secondary schools to meet Basic Need
- ii) Priority maintenance requirements to prevent school closure

Step 2: Resources available for each Stage

Set out the confirmed funding for the delivery of the capital programme and identify how many of the requirements can be met from the available capital funding

Step 3: Affordability measures for each Stage

Quantify the requirements that must be found either through

- i) maximising use of existing space
- ii) identifying alternative funding sources (Section 106, school contributions, bidding opportunities, LCVAP, Community Infrastructure Levy, future Basic Need / Capital Maintenance allocations, capital receipts)

2. Basic Need Funding Allocations

The Basic Need funding allocations announced to date are:

Confirmed Basic Need Allocations			
2016/17 £,000	2017/18 £,000	2018/19 £,000	TOTAL £,000
49,318	15,052	40,054	104,424

3. Capital Maintenance Funding Allocations

The Capital Maintenance funding allocations announced to date are:

Capital Maintenance Allocations*			
2016/17 £,000	2017/18 £,000	2018/19 £,000	Total £,000
12,316**	12,316*	12,316*	36,948

* subject to change depending upon number of academy conversions

** confirmed

The sections below set out how we intend to deliver the requirements of each stage within the resource available. However, as independent decisions taken by Academies and Free Schools change the education landscape and as the development of preferred options clarifies the costs of each individual solution, there will be a degree of re-profiling within the funding available.

This is part of the annual update to Cabinet and covers

- i) Changes to requirements based on demographic analysis and updates regarding Academy and Free School expansions
- ii) Update on funding including any new funding streams or capital allocations
- iii) Modelling of requirements for the current and next stages of the capital programme
- iv) Update on solutions developed and any re-profiling of capital requirements within resources available
- v) Update on delivery against capital programme outputs

4. Basic Need High Level Summary of Total Programme Cost

Expenditure

Basic Need	Total cost to date as per July 2015 Cabinet Report £'000	Total cost to date as per June 2016 Cabinet Report £'000	Variance £'000	
Stages 1 & 2	122,578	120,456	(2,122)	See 4(a) below
Stage 3	39,000	39,000	0	
Total	161,578	159,456	(2,122)	

Resourcing

Basic Need	Total resource to date as per July 2015 Cabinet Report £'000	Total resource to date as per June 2016 Cabinet Report £'000	Variance £'000	
Stages 1 & 2	122,578	120,456	(2,122)	See 4(a) below
Stage 3	39,000	39,000	0	
Total	161,578	159,456	(2,122)	

- 4(a) The reduction in Stage 1 and 2 Basic Need costs and resourcing is due to the Hall Green project not proceeding as this need had been met by a Free School. £2.25m had previously been allowed for Hall Green in Stage 1 (APP4).

5. Capital Maintenance High Level Summary of Total Programme Cost

Expenditure

Capital Maintenance	Total cost to date as per July 2015 Cabinet Report £'000	Total cost to date as per June 2016 Cabinet Report £'000	Variance £'000	
Stages 1 & 2	53,155	57,610	4,455	See Note 5(a) below
Stage 3	18,000	14,700	(3,300)	See Note 5(b) below
Total	71,155	72,310	1,155	

Resourcing

Capital Maintenance	Total resource to date as per July 2015 Cabinet Report £'000	Total resource to date as per June 2016 Cabinet Report £'000	Variance £'000	
Stages 1 & 2	53,155	57,610	4,455	See Note 5(a) below
Stage 3	18,000	14,700	(3,300)	See Note 5(b) below
Total	71,155	72,310	1,155	

5(a) The increase in Stage 1 and 2 costs and resourcing is due to: -

- £5.23m capitalisation of spend directly incurred by schools
- Reduction of £0.7m for Elms Farm project being deferred from Stage 2 to Stage 4 due to the project being delayed as a result of the design not being progressed as planned, partially due to having to carry out works to a trial area first and partially due to slow progress in design.

5(b) The reduction in Stage 3 costs and resourcing is due to: -

- Transfer of £1m of forecast 2015/16 expenditure and £1.9m of forecast 2016/17 expenditure from Stage 3 to Stage 4 as commitments have not been incurred as expected (£1.55m asbestos works, £0.35m kitchen extract upgrades and £1m planned maintenance)
- Stirchley Primary (£300k in 2016/17) heating project has been deferred from Stage 3 to Stage 4 so that work can be undertaken outside of the heating season and Yardley Wood Primary (£120k in 2016/17) roofing project has been deferred from Stage 3 to Stage 4 in order to seek clarity regarding the prioritisation of this scheme

6. Stage 1 and 2 Programme Update

Stage 1 and 2 requirements and funding were reported to cabinet in July 2015. This section provides an update on how and why the requirements have changed and shows how these changes are being funded.

a. Stage 1 and 2 requirements

Stage 1 & 2 Programme Requirements	July 2015 Cabinet Report				June 2016 Cabinet Report				Variance in Total Position from July 2015
	Total £'000	2012-15 Outturn £'000	2015/16 projected £'000	2016/17 projected £'000	Revised total £'000	Actual 2012-15 £'000	2015/16 Outturn £'000	2016/17 projected £'000	
Additional Primary Places, APP Phases 1 - 5	65,934	42,153	18,601	5,180	63,465	42,153	13,063	8,249	-2,469
Special School Additional Places, SSAP, Phase 1 - 2	33,088	5,637	21,196	6,255	33,299	5,637	21,934	5,728	211
Additional Secondary Places, ASP Phase 1a – 1b	20,493	3,941	9,798	6,754	20,493	3,941	11,660	4,892	0
Demographic Growth Capital Funding 2013, LDD Provision 16-25	3,063	1,892	1,171		3,199	1,892	1,158	149	136
Additional Places Sub-Total	122,578	53,623	50,766	18,189	120,456	53,623	47,815	19,018	-2,122
Repayment in respect of existing land commitments	5,923		2,923	3,000	5,923	0	2,923	3,000	0
Early Years Capital	1,399	115	1,284		1,399	115	694	590	0
Capital Maintenance Programme	38,594	29,047	9,547		37,820	29,047	8,620	153	-774
Capitalisation of spend directly incurred by schools	14,561	14,561			19,790	14,561	5,229	0	5,229
Universal Infant Free School Meals	2,821	1,858	963		2,821	1,858	850	113	0
Total Requirement	185,876	99,204	65,483	21,189	188,209	99,204	66,131	22,874	2,333

b. Resource available for Stage 1 and 2 requirements

Resource for Stages 1 & 2	July 2015 Cabinet Report				June 2016 Cabinet Report				Variance in Total Position from July 2015	
	Total	2012-15 Resource Profile	2015/16 Resource Profile	2016/17 Resource Profile	Revised total	Actual 2012-15	2015/16 Outturn	2016/17 projected		
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Basic Need Budget 2012/13 cumulative position	69,597	65,145	4,452		69,597	65,145	4,452	0	0	School contributions reduced by £1m, as it is anticipated that the majority of schemes will be school led and will be paid for by a grant to the school, rather than receipt of a contribution from the school
Basic Need Allocation 2013/14 & 2014/15	21,916	4,312	17,604		21,916	4,312	17,604	0	0	
Basic Need Allocation 2015/16	37,390		19,201	18,189	36,268	0	19,883	16,385	-1,122	
Basic Need Allocation 2016/17	0				0	0	0	0	0	
Targeted Basic Need	3,493	890	2,603		3,493	890	2,603	0	0	
Demographic Growth Capital Funding	2,295	1,124	1,171		2,295	1,124	1,158	13	0	
Capital Receipts	2,100		2,100		2,100	0	2,100	0	0	
School contributions	3,356	2,054	1,302		2,347	2,054	167	126	-1,009	
Section 106	248	37	211		257	37	0	220	9	
Capital receipts to fund land commitments	5,922		2,922	3000	5,922	0	2,923	2,999	0	
Early Years 2 year old grant 2015/16	2,899	115	2,784		1,399	115	694	590	-1,500	
Capital Maintenance Grant 2013/14	11,526	11,526			11,526	11,526	0	0	0	
Capital Maintenance Grant 2014/15	10,497	2,681	7,816		10,497	2,681	7,816	0	0	
Capital Maintenance Grant 2015/16	2,352		2,352		3,079	0	652	2,427	727	
Prudential Borrowing	2,297	2,297			2,297	2,297	0	0	0	
Revenue Contribution (DRF)	8,566	8,566			13,795	8,566	5,229	0	5,229	
Universal Infant Free School Meals	2,267	1,304	963		2,267	1,304	850	113	0	
Total	186,721	100,051	65,481	21,189	189,055	100,051	66,131	22,873	2,334	

7. Stage 3 Programme Update:

Stage 3 requirements and funding were reported to cabinet in July 2015. This section provides an update on how and why the requirements have changed and shows how these changes are being funded.

a. Stage 3 requirements

Stage 3 Programme Requirements	July 2015 Cabinet Report				June 2016 Cabinet Report				Variance in Total Position from July 2015	
	Total	2012-15 Outturn	2015/16 projected	2016/17 projected	Revised total	Actual 2015/16	2016/17 projected	2017/18 projected		
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000		
Additional Primary Places, APP Phase 6	30,000		4,500	25,500	30,000	1,145	18,857	9,998	0	See Note 7(a)
Special School Additional Places, SSAP, Phase 3	9,000		1,800	7,200	9,000	149	5,122	3,729	0	See Note 7(a)
Additional Places Sub-Total	39,000	0	6,300	32,700	39,000	1,294	23,979	13,727	0	
Capital Maintenance Programme	12,000		5,409	6,591	8,700	3,953	4,747	0	-3,300	See Note 7(b)
Capitalisation of spend directly incurred by schools	6,000		6,000		6,000	6,000	0	0	0	
Total Requirement	57,000	0	17,709	39,291	53,700	11,247	28,726	13,727	-3,300	

7(a) The actual expenditure in 2015/16 and profiled 2016/17 expenditure is less than forecast in the July Cabinet Report due to delays in the programme as a result of undertaking a mini competition to procure a contractor following the Lean Review of the Capital Programme. The requirement for pupil places in these years is being met on a temporary basis where required. A class base was/will be provided on a temporary basis at Maney Hill Primary School, Mere Green Primary School, Yenton Primary School and Osborne Primary School, to take the initial class.

7(b) Capital Maintenance Programme expenditure is less than forecast in the July Cabinet Report due to transfer of £1m of forecast 2015/16 expenditure and £1.9m of forecast 2016/17 expenditure from Stage 3 to Stage 4 as commitments have not been incurred as expected (£1.55m asbestos works, £0.35m kitchen extract upgrades and £1m planned maintenance) together with Stirchley Primary (£300k in 2016/17) heating project being deferred from Stage 3 to Stage 4 so that work can be undertaken outside of the heating season and Yardley Wood Primary (£120k in 2016/17) roofing project being deferred from Stage 3 to Stage 4 in order to seek clarity regarding the prioritisation of this scheme.

b. Resource available for Stage 3 requirements

Resource for Stage 3	July 2015 Cabinet Report				June 2016 Cabinet Report				Variance in Total Position from July 2015	
	Total	2012-15 Resource Profile	2015/16 Resource Profile	2016/17 Resource Profile	Revised total	Actual 2015/16	2016/17 projected	2017/18 projected		
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Basic Need Allocation 2015/16	9,578		6,300	3,278	8,578	1,294	7,284	0	-1,000	See Note 7(a)
Basic Need Allocation 2016/17	29,422			29,422	30,341	0	16,614	13,727	919	See Note 7(a)
Section 106	0				81	0	81	0	81	See Note 7(a)
Capital Maintenance Grant 2015/16	10,407		10,288	119	9,679	9,679	0	0	-728	See Note 7(b)
Capital Maintenance Grant 2016/17	5,981			5,981	4,409	255	4,154	0	-1,572	See Note 7(b)
Early Years grant in support of capital maintenance	500		500		500	0	500	0	0	
School contributions in support of capital maintenance	1,112		621	491	112	19	93	0	-1,000	See Note 7(b)
Total	57,000	0	17,709	39,291	53,700	11,247	28,726	13,727	-3,300	

7(a) APP6 and SSAP 3 resource in 2015/16 was less than forecast in the July Cabinet Report as a result of delays in the programme due to difficulties in identifying schools for expansion and a contractor to deliver the programme. As such the funding has been re profiled across 2016/17 and 2017/18.

7(b) Capital Maintenance Programme resource is £3.3m less than forecast in the July Cabinet Report due to transfer of £1m of forecast 2015/16 expenditure and £1.9m of forecast 2016/17 expenditure from Stage 3 to Stage 4 as commitments have not been incurred as expected (£1.55m asbestos works, £0.35m kitchen extract upgrades and £1m planned maintenance) together with Stirchley Primary (£300k in 2016/17) heating project being deferred from Stage 3 to Stage 4 so that work can be undertaken outside of the heating season and Yardley Wood Primary (£120k in 2016/17) roofing project being deferred from Stage 3 to Stage 4 in order to seek clarity regarding the prioritisation of this scheme.

Stage 4 Capital Programme Requirements:

Stage 4 Programme Requirements	June 2016 Cabinet Report				
	Revised total	Actual 2015/16	2016/17 projected	2017/18 projected	2018/19 projected
	£'000	£'000	£'000	£'000	£'000
Additional Primary Places, APP Phase 7	26,000	174	5,129	19,697	1,000
Special School Additional Places, SSAP, Phase 4	8,652	0	3,730	4,922	0
Additional Secondary Places, ASP Phase 2	2,500	0	500	2,000	0
Additional Places Sub-Total	37,152	174	9,359	26,619	1,000
Early Years Capital	0	0	0	0	0
Capital Maintenance Programme	7,220	128	4,280	2,812	0
Education IT Investment	500	0	500	0	0
Capitalisation of spend directly incurred by schools	6,000	0	6,000	0	0
Total Requirement	50,872	302	20,139	29,431	1,000

8. Resource available for Stage 4 requirements*

Resource for Stage 4	June 2016 Cabinet Report					
	Revised total	Actual 2015/16	2016/17 projected	2017/18 projected	2018/19 projected	
	£'000	£'000	£'000	£'000	£'000	
Basic Need Allocation 2015/16	2,123	174	1,949	0	0	
Basic Need Allocation 2016/17	18,977	0	7,410	11,567	0	
Basic Need Allocation 2017/18	15,052	0	0	15,052	0	
Basic Need Allocation 2018/19	1,000	0	0	0	1,000	
Capital Maintenance Grant 2016/17	7,908	128	7,780	0	0	
Capital Maintenance Grant 2017/18	2,812	0	0	2,812	0	The balance of the grant will be utilised in future stages of the programme
Early Years grant in support of capital maintenance	1,500	0	1,500	0	0	
Capital receipts	1,500	0	1,500	0	0	
School contributions in support of capital maintenance	0	0	0	0	0	
Total	50,872	302	20,139	29,431	1,000	

* Funding subject to change depending upon number of academy conversions

Appendix 3

PROJECT DEFINITION DOCUMENT (PDD)			
1. General Information			
Directorate	People	Portfolio/Committee	Children's Services
Project Title	PROVISION OF NEW BUILD/ REMODELLING ACCOMMODATION TO MEET Additional Pupil Place Requirements (Capital Programme Stage 4)	Project Code	CA-01903-02-1-1BA0 2AA
Project Description	<p>To provide remodelled and new build accommodation in order to expand schools to meet BCC's statutory obligation to provide additional special, primary and secondary pupil places. On completion the schools will have modern fit for purpose re-modelled/new-build accommodation which will be energy efficient and will allow for the provision of a high quality education as well as meeting BCC's statutory obligation in delivering special, primary and secondary school places. Stage 4 addresses the requirements for 2017 identified in the Sufficiency Requirements document (Appendix 1) and also includes additional new requirements to react to increased pressure for places in 2016 due to in year migration.</p> <p>The approach to the design solutions in order to maximise benefits and provide best value is set out in the Basic Need criteria and strategy in the Sufficiency Requirements document (page 42 Appendix 1 "Birmingham's Basic Need Strategy"; Page 63 Appendix 8A "Specific Measures to Provide Mainstream Primary School Place Requirements"; and Page 64 Appendix 8B "Specific Measures to Provide Mainstream Secondary School Place Requirements").</p> <p>This four pronged approach is: -</p> <ul style="list-style-type: none"> i) Make optimum use of existing space, buildings and sites to provide sufficient, suitable, high quality additional places where needed e.g. Osborne, Moor Green, Paget and Brookfields primary schools, where existing under-utilised buildings will be/have been brought back into full use to provide additional pupil places; ii) Work with Maintained Schools, Free Schools and Academies to meet Basic Need through co-ordinated expansion plans. EdSI has worked with Olive, Perry Beeches, University of Birmingham, Eden Boys, Plantsbrook, Ninestiles and Queensbridge free schools, academies and foundation schools in a co-ordinated approach to provide sufficient pupil places; iii) Allocate annual Basic Need Capital investment effectively and efficiently to areas where basic need requirements can only be met through either re-modelling, refurbishment or new-build projects, ensuring that the needs of our most vulnerable young people are prioritised and capital projects 		

	<p>make best use of existing resources – refer to the Education Sufficiency Requirements (Appendix 1) and the planned programme (Appendix 2);</p> <p>iv) Identify alternative funding sources and models to deliver requirements including Section 106/Community Infrastructure Levy, school contributions, bidding opportunities, capital receipts, Local Co-ordinated Voluntary Aided Programme (LCVAP), future Basic Need allocations and diversion of other capital funding. To date £3.5m of S.106, school contributions and LCVAP funding has been levered into the programme.</p> <p>Estimates are based upon pupil numbers from the Sufficiency Requirements, the four pronged strategy for delivery (see above) and costs per square metre for each of the “prongs”.</p> <p>The works identified will be carried out either using existing approved contractor framework partners, which will be project managed by Acivico, or where schools meet the funding criteria, then the school may procure independently. However, schools will be required to sign up to the Conditions of Grant Aid (CoGA) and the Birmingham Business Charter for Social Responsibility (BBC4SR).</p> <p><u>Future Governance and reporting back</u></p> <p>Individual projects will be subject to approval through the Council’s gateway processes, utilising a programme approach where appropriate.</p> <p>An annual report will be presented to Cabinet, updating Cabinet on progress/delivery/outcomes and to seek approval for future stages.</p>
<p>Links to Corporate and Service Outcomes</p>	<p>Which Corporate and Service outcome does the project address:</p> <ul style="list-style-type: none"> ▪ Council Business Plan and Budget 2016+ ▪ Tackling inequality and deprivation ▪ Promoting Social Cohesion across all communities in Birmingham, ensuring a Fair City with equal opportunities for all including safeguarding for children; ▪ Laying the foundations for a Prosperous City based on an inclusive economy; ▪ A Democratic City involving local people and communities in the future of their local area and public services: a city with local services for local people; ▪ Early Years Development Strategy: To ensure small children can thrive and develop and become active learners through play and social development. ▪ Enjoy and achieve by attending school. ▪ Education Development Plan and Schools’ Capital Programme 2013-17. <p>All contractors selected to deliver City-wide Basic Need projects (including school led programmes) will be required to sign up to the principles of the Birmingham Business Charter for Social Responsibility (BBC4SR) prior to works orders being placed.</p>

Project Benefits	The benefit of expanding these schools will enable Birmingham City Council to meet its statutory obligation under the Education Act 1996 to provide special, primary and secondary pupil places to all of its school-age resident children. The consequences of the City Council not meeting this duty are serious and would involve considerable financial costs. This project will ensure that local quality places will be available for local children. BCC will further benefit by being able to meet its safeguarding responsibility by having children attend school.
Project Deliverables	Provision of additional special, primary and secondary pupil places across various districts.
Key Project Milestones	
<i>PDD approval by Cabinet</i>	<i>28 June 2016</i>
<i>Expressions of Interest confirmed</i>	<i>April 2016</i>
<i>Feasibility studies finalised</i>	<i>May 2016</i>
<i>FBC/Contract Awards approval by Cabinet</i>	<i>August 2016 onwards</i>
<i>Planned programme of works commence</i>	<i>August 2016 onwards</i>
<i>Post Implementation review</i>	<i>August 2017 onwards</i>

Dependencies on other projects or activities	<ul style="list-style-type: none"> • Planning permission may be required. If schools have listed status consultation with English Heritage and BCC's Conservation team may be required. • Placing orders with contractor/s from August 2016 onwards • Completion of statutory consultation to increase capacity • Confirmation of appropriate schools across various districts • Scope of work identified • Programme and costs developed • The chosen contractors will be required to adhere to the principles of the Birmingham Business Charter for Social Responsibility.
Achievability	<ul style="list-style-type: none"> • Funding strategy is in place • Similar projects (Stages 1 to 3) have been delivered by using experienced internal project managers and by bringing technical advice client side through the role of a Client Technical Advisor (CTA) and following BCC guidelines. • The chosen contractors will be selected based on their available resources, past history and successful record of delivering previous similar projects.
Project Manager	Jaswinder Didially, Head of Education Infrastructure 0121 303 8847 jaswinder.didially@birmingham.gov.uk
Project Accountant	David England Education & Skills Infrastructure Lead Officer 0121 303 8847 david.england@birmingham.gov.uk
Project Sponsor	Emma Leaman Assistant Director Education Infrastructure 0121 464 3423 emma.leaman@birmingham.gov.uk
Proposed Project Board Members	David England Education & Skills Infrastructure Lead Officer 0121 303 8847 david.england@birmingham.gov.uk
	Emma Leaman Assistant Director Education Infrastructure 0121 464 3423 emma.leaman@birmingham.gov.uk
	Jaswinder Didially Head of Education Infrastructure 0121 675 0228 jaswinder.didially@birmingham.gov.uk
	Ryan Turner Accounts Manager, Acivico 0121 303 6868 ryan.turner@acivico.gov.uk
	Anil Nayyar Head of City Finance CYPF 0121 675 3570 anil.nayyar@birmingham.gov.uk

Head of City Finance (HoCF)	<i>Anil Nayyar</i>	Date of HoCF Approval	
<i>Other Mandatory Information</i>			
• Has project budget been set up on Voyager?			Yes
• Issues and Risks updated <i>(Please attach a copy to the PDD and on Voyager)</i>			Yes

2. Options Appraisal Records

Option 1	The purchase of temporary cabin type accommodation.
Information Considered	<p>What information was considered in making the decision</p> <ul style="list-style-type: none"> • Best use of DfE un-ringfenced basic need and Capital Maintenance grants in investing in quality spaces • Transforming Education principles • Planning Guidance • Ofsted safeguarding principles • Delivery of quality places
Pros and Cons of Option	<p>What were the advantages/positive aspects of this option?</p> <ul style="list-style-type: none"> • Less cost to BCC • Easier to deliver than permanent build • Faster to procure • Meets BCC statutory obligation to provide places <p>What are the disadvantages/negative aspects of this option?</p> <ul style="list-style-type: none"> • Not best use of Basic Need Capital funding. • Safeguarding risks increase • Governing body/parental resistance to temporary accommodation • Planning approval will not be given for more than 3 years following which units would need to be removed • Isolation from main school • Does not improve the school environment
People Consulted	Head Teachers, School Governors, DfE, Acivico consultants, contractor partners
Recommendation	Proceed or Abandon this Option? <i>Abandon</i>
Principal Reason for Decision	Unable to use Basic Need funding for this purpose and short term solution unacceptable.

Option 2	To increase class sizes
Information Considered	<p>What information was considered in making the decision?</p> <ul style="list-style-type: none"> • Class size legislation • Best use of DfE un-ring-fenced Basic Need Funding • Ofsted safeguarding principles • Teacher/HT/Governor associations • Delivery of quality places
Pros and Cons of Option	<p>What were the advantages/positive aspects of this option?</p> <p>Page 342 of 528</p> <ul style="list-style-type: none"> • Less cost to BCC

	<ul style="list-style-type: none"> Faster to implement <p>What are the disadvantages/negative aspects of this option?</p> <ul style="list-style-type: none"> Does not guarantee to meet BCC statutory obligation for provision of places Not best use of DfE un-ring-fenced Basic Need Infant class size legislation requires no more than 30 pupils to be taught by one teacher. Admissions authority would have to employ additional teachers at significant cost. Safeguarding risks increase Governing body/parental/Teaching Associations resistance to increased class sizes Increased H&S issues Negative impact on standards Negative impact on applications for places
People Consulted	Head Teachers, School Governors, DfE, Acivico consultants, contractor partners
Recommendation	Proceed or Abandon this Option? <i>Abandon</i>
Principal Reason for Decision	Class size legislation and parental concerns will lead to negative impact on school and reduction in applications

Option 3	To provide permanent new build and remodelled accommodation
Information Considered	<p>What information was considered in making the decision</p> <ul style="list-style-type: none"> Best use of DfE un-ring-fenced Basic Need funding Planning Guidance Ofsted safeguarding principles Delivery of high quality places
Pros and Cons of Option	<p>What were the advantages/positive aspects of this option?</p> <ul style="list-style-type: none"> Best use of DfE Basic Need funding School and community (parental and wider) buy in Delivers quality places Will meet timescale using CWM Framework Complies with safeguarding principles <p>What are the disadvantages/negative aspects of this option?</p> <ul style="list-style-type: none"> Funding requirement Possible disruption to school and community while build takes place
People Consulted	Head Teachers, School Governors, DfE, Acivico consultants, contractor partners
Recommendation	Proceed or Abandon this Option? <i>Proceed</i>
Principal Reason for Decision	Best use of grant and provides quality places.

3. Summary of Options Appraisal – Price/Quality Matrix							
Ratings from 1 (lowest) - 10 (highest)	Options			Weighting	Weighted Score		
Criteria	1	2	3		1	2	3
Total Capital Cost	5	10	3	25	125	250	75
Full Year Revenue	1	5	10	5	5	25	50

Consequences							
Quality Evaluation Criteria							
1) Programme allows occupation by Sep 2016-18	10	10	10	20	200	200	200
2) Effectiveness: allows delivery of quality education	1	3	10	20	20	60	200
3) Functionality : meets service delivery and service user requirements and delivers quality places	1	2	10	20	20	40	200
4) Achievable : will meet statutory responsibility on school places	10	2	10	10	100	20	100
Total				100%	470	595	825

4. Option Recommended	<p>Which option, from those listed in the Options Appraisal Records above, is recommended and the key reasons for this decision.</p> <p>Option 3 to build new and remodel existing accommodation in order to expand existing school sites to meet BCC basic need of additional special, primary and secondary places.</p> <p>Reasons :</p> <ul style="list-style-type: none"> • Best use of Government Grant available • Will allow schools to meet requirements for additional places • Can be delivered within time scales using CWM Framework • Will meet BCC statutory obligations and provide a local place for local children.
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5. Capital Costs & Funding	Voyager Code	Financial Year 2015/16	Financial Year 2016/17	Financial Year 2017/18	Financial Year 2018/19	Totals
Expenditure						
Development Funding to proceed to Full Business Case	CA-01903-02-11BA02AA	£174,000	£1,500,000	£1,326,000		£3,000,000
Other Costs to complete project – Construction/ prof fees etc.			£7,859,000	£25,293,000	£1,000,000	£34,152,000
Totals		£174,000	£9,359,000	£26,619,000	£1,000,000	£37,152,000

Funding						
Costs Funded by:						
DfE Basic Need Grant		£174,000	£9,359,000	£26,619,000	£1,000,000	£37,152,000
Totals		£174,000	£9,359,000	£26,619,000	£1,000,000	£37,152,000

6. Project Development Requirements/Information			
Products required to produce Full Business Case	The work includes: <ul style="list-style-type: none"> • Selection of school • A range of detailed surveys, many of which are intrusive • Extensive feasibility work in preparing and agreeing schemes with the Client and each school end user • Scheme design and specification by all disciplines to a stage where Planning and Building Regulations applications can be submitted including payment of their fees • Detailed design • Specification, • Project planning • Procurement to a stage where contracts can be entered into and the scheme built. 		
Estimated time to complete project development	Up to 3 months to complete all programmes to stage D design and obtain target costs for schemes. FBC's will then be provided for final programme.		
Estimated cost to complete project development	Development of proposals to FBC/Contract Award stage by EdSI and Acivico are estimated at £3,000,000. These costs will be incurred in progressing each scheme to stage D after which contracts can be entered into and construction can begin.		
Funding of development costs	DfE Basic Need Grant		
Planned FBC date	August 2016 onwards	Planned date for Technical Completion	September 2016 onwards

Background

Birmingham has a growing population. As a young city Birmingham is experiencing an unprecedented level of growth due to increased birth rates, fewer deaths and increased net migration into the City. 30% of Birmingham's population are under 20 (2011 National Census). The latest projections published by the Office for National Statistics in 2012 forecast that Birmingham's population will grow by 200,000 by 2031, refreshed from an estimate of 150,000 in 2010.

The number of births in the city has risen rapidly over the last few years with an additional 1,605 births between 2006 and 2011; and the population of 0-4 year olds increased by 416,000 between 2001 and 2011. After a brief hiatus in birth rate increase for Reception 2014, birth rates have again increased for the subsequent 2 years indicating the need for additional permanent capacity from Reception through to Year 11, although there is a slight drop in births for the 2017 entry. A higher conversion from births to applications is also being seen as a result of net migration.

Demand for places is further complicated by the varying rate of arrival and departure of families into the city at different points in the year and increased net migration into the city has created greater pressure for school places than previously forecast. It is reasonable at this time to plan for each primary year to grow by between 15 and 20 FE (i.e. 450 – 600 places) from Reception up to Year 6, with the majority of net migration concentrated from Reception to Year 4.

The housing demands for Birmingham have also significantly increased, with an additional 80,000 homes required by 2031. Housing development plans are shared regularly and integrated within pupil place forecasting with greater alignment in order to ensure that education requirements are prioritised within Section 106 contributions and proposed Community Infrastructure Levy arrangements. Given the pressure on school places, the Council is taking a consistent stance with all developers that additional places generated from housing growth will require additional school places across both mainstream and special school provision.

Primary Provision

As a result of such increased birth rates since 2006 and increased net-migration since 2010, demand for school places has grown dramatically. Birmingham has been pro-active in addressing increased birth rate through the Additional Primary Places programme. To date there have been 70 primary school expansions creating more than 14,000 additional primary school places in Birmingham in the first six phases of the Additional Primary Places Programme (stages 1 to 3) and 98% of those places made available are filled..

The optimum location for additional school places is subject to change depending on:

- i) net migration into the city; and
- ii) location of additional places created by Academies and/or Free Schools.

The assessment of how many additional places are required to meet basic need and the optimum locations are modified as school census data is analysed (analysis of the May 2015 census showing growth in-year, and as Free Schools and Academy expansions are confirmed). It is the intention of the Local Authority to secure sufficient school places to meet Basic Need without creating over-supply, i.e. without exceeding 5% surplus places within a planning area / District. However, the possibility that a Free School could be able to create 700+ primary provision in any one location is a concern as it could lead to over provision in an area which in turn will have a detrimental impact on neighbouring schools.

As a direct result of considerable in-year movement particularly for year groups 1-5, levels of surplus across the City are low creating hotspots where severe pressure is being felt across primary provision as we move into 2016-17. We are currently looking at options for providing flexibility in the school estate and will be urgently progressing resolutions to meet immediate pressures this autumn term through bulge classes. Ultimately the challenge is not only providing additional provision to manage a sustained increase in reported births but also planning to increase capacity for a cohort to grow by between 15 and 30FE over the course of the primary phase. The Pupil Place Planning Team is working to create a flexible estate to cope with future changes in growth and the approach to meet Basic Need requirements will be delivered through a combination of:

- v) Maximum utilisation of existing space
- vi) Free schools and academy expansion projects funded directly through the Education Funding Agency
- vii) Refurbishment and/or new-build projects supported by Basic Need grant

The criteria used for identifying schools for potential expansion is based on:

- Location

- Popularity
- Site and Buildability
- Management capability / Standards
- Impact on neighbouring schools

Clearly, it is important to provide the additional places in the areas where they are needed. Therefore, the starting point for the schools selected for Phase 6 was an analysis of projected demand on an area by area basis. Whilst it is possible to identify the schools best positioned to be expanded, other factors are also very important. Data from the Asset Management database was extracted to identify which schools have the physical capacity to be expanded. Another factor considered was whether the schools identified for expansion were popular with local parents: the local authority has a duty to meet parental preference, to the maximum extent possible, and it would make no sense to increase the capacity of schools that do not appear to be popular with parents. Information on parental preferences was supplied by the Admissions and Appeals team. It was also important to consider whether the schools that would be expanded are able to cope with the additional pupils and an input on this was sought from the School Improvement Team. Factors such as school size and its impact on the school's capacity to maintain standards and manage change were taken into account.

Special Provision

Birmingham has identified significant need for additional places across special provision. The City has 27 special schools and 45 resource bases within mainstream schools. 228 special school places are planned in response to Basic Need. Sufficiency in the special schools estate is a priority within the Basic Need Strategy to create new places and to identify permanent solutions to short term measures implemented to ensure sufficient places thus preventing vulnerable pupils being out of school.

The Birmingham Special Education Development Plan (SEDP), approved by Cabinet on 16th February 2015, highlights the fact that the SEND population is predicted to increase and the existing specialist school provision is almost at full capacity. Birmingham is a young city and is getting younger: in the 12 years from 2000 to 2012 the number of children born in Birmingham increased by 25%. The SEND population is predicted to increase by approximately 10% in line with population growth by 2021. This translates into a likely additional 800–1,000 young people with SEND Statements or Education Health and Care Plans.

The increase in births has, in the main, been concentrated in areas which are already experiencing high pressure for school places due to the levels of newly arrived residents and the limited dispersion of immigrant communities into other areas; however, this pattern is now beginning to have an impact on other areas. The need for additional SEN places has grown at a higher rate than core need, and this has been evidenced in Birmingham's 2013 Joint Strategic Needs Analysis (SEN)

These schemes have to be delivered to ensure that there will be sufficient SEN school places in the city for the Council to meet its statutory obligation to provide all children with a school place. The schools chosen for expansion will be able to provide appropriate educational provision to meet the specific identified needs of children with SEN who are in need of places. Geographical location has also been considered in relation to need.

Secondary Provision

It is anticipated that demand for secondary school places will be met by existing or free school provision in the first instance.

Birmingham City Council's Statutory Obligation

The purpose of expanding schools is to enable Birmingham City Council to meet its statutory obligation under the Education Act 1996 to provide a school place to all of its school-age

resident children. The consequences of the City Council not meeting this duty are serious and would involve considerable financial costs, as well as increased safeguarding risk for children and young people.

Were the additional places not to be delivered, there would be insufficient school provision from September 2016 and 2017 onwards and the implications would be:

- Where it is considered that the Authority is in breach of its legal duty to secure sufficient school places, affected persons (e.g. parents) could pursue Judicial Review proceedings in the High Court. Apart from the cost implications of the Court ordering the Authority to comply with the law, the Authority would normally have to pay the legal costs of the parents as well as its own legal costs.
- Complaints to the Local Government Ombudsman. The Ombudsman might recommend payments to be made to parents who complain (in recognition of injustice suffered) if their child does not have a school place due to maladministration by the Authority.
- The Secretary of State under section 497A of the Education Act 1996 has wide powers to secure proper performance of the Authority's education functions which include the duty to secure sufficient school places.
- Parents can appeal to Independent Admission Appeal Panels if the admissions authority refuses a child admission to a school. If the shortage of places leads to Independent Appeal Panels upholding more appeals, this could lead to already oversubscribed schools having to admit even more pupils.
- Parents can exercise their right to complain to the Local Authority.

Sufficiency Requirements

The table below shows the predicted level of demand by District for school places from September 2016 onwards. These additional places will still leave the LA some way short of the target of 5% surplus: this means that whilst it will be possible to offer all applicants a school place, the local authority's capability to meet parental preference, facilitate in-year transfers and allow for pupils moving to the city will be limited.

In order to identify specific schools it is proposed that the Council will:

- i) Share requirements for additional places regularly with all school partners
- ii) Invite Academies and Free Schools to share and co-ordinate their expansion intentions so that requirements can be modified to factor in new provision
- iii) Invite schools and education providers to express interest in expanding their provision in order to identify optimum solutions to meeting Basic Need and, where necessary, identify projects for Basic Need capital investment
- iv) Ask schools to work with the Local Authority to identify additional funding streams and alternative funding models to meet Basic Need.

Additional Requirements from September 2016 Onwards

Special School Additional Places (SSAP)

SSAP 2016	Forecast of 128 pupils with Special Educational Needs and Disability (SEND) as a result of population growth.	Places required to meet immediate pressure in Cognition and Learning (C&L), Autism Spectrum Condition (ASC) and Social Emotional and Mental Health (SEMH) provision across all key stages
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SSAP 2017	Forecast of 100 pupils with SEND as a result of population growth.	We forecast an increase of 100 additional pupils from 3825 to 3925 in C&L, ASC and SEMH areas of need across all key stages.
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Additional Primary Places (APP)

District Overview	Year <i>Approved / potential Free Schools</i>	Reception Permanent* Requirements (Expressed as FE* classes of 30)	Year 3 Permanent* Requirements (Expressed as FE classes of 30)	Temporary/Bulge* Requirements Years 1, 2, 3, 4, 5 and 6 (Potential reactive provision)
Edgbaston	2016	1 FE	1FE	2 FE (Yr. 1) 1 FE (Yr. 2) 1 FE (Yr. 3) 1 FE (Yr. 4)
	2017-19			
Erdington	2016	1 FE	1FE	2 FE (Rec) 1 FE (Yr. 1) 1 FE (Yr. 2) 1FE (Yr. 3)
	2017-19			
Hall Green	2016	1FE	1 FE	1 FE (Yr. 1) 1FE (Yr. 3) 1 FE (Yr. 4) 1 FE (Yr. 5)
	2017-19			
Hodge Hill	2016	1 FE	2 FE	1 FE (Rec) 2FE (Yr. 1) 1FE (Yr. 2) 3 FE (Yr. 4) 1FE (Yr. 5) 2FE (Yr. 6)
	2017			1 FE (Yr. 1)
Ladywood	2016		1 FE	2 FE (Yr. 2) 3FE (Yr. 4) 2 FE (Yr. 5) 1FE (Yr. 6)
	2017			1 FE (Yr. 1) 1 FE (Yr. 2) 1FE (Yr. 2)
Northfield	2016		1 FE	1 FE (Yr. 1) 1 FE (Yr. 2) 1FE (Yr. 5)
	2017	1 FE		1 FE (Rec) 1 FE (Yr. 3)
Perry Barr	2016	1 FE	1 FE	1 FE (Rec) 1 FE (Yr. 1)
	2017	1 FE		1 FE (Rec) 1 FE (Yr. 2) 1 FE (Yr. 4)
Selly Oak	2016			2 FE (Rec) 1 FE (Yr. 1) 1 FE (Yr. 4)
	2017			2 FE (Rec)
Sutton Coldfield	2016	Page 349 of 528		0.5 FE (Yr. 2) 0.5 FE (Yr. 4)
	2017			1 FE (Rec)

District Overview	Year <i>Approved / potential Free Schools</i>	Reception Permanent* Requirements (Expressed as FE* classes of 30)	Year 3 Permanent* Requirements (Expressed as FE classes of 30)	Temporary/Bulge* Requirements Years 1, 2, 3, 4, 5 and 6 (Potential reactive provision)
Yardley	2016	1 FE	1 FE	1 FE (Rec)
	2017			

*FE means Form of Entry, or class; so 1FE = 30 places, 2FE = 60 places etc.

Permanent Expansion creates permanent capacity to take additional pupils year on year. It means expanding school by 1FE (30 places/ 1 classroom) until every year group has increased by 1FE. A permanent expansion in a primary school will start either in Reception (210 places/7 classrooms) or Year 3 (120 places/4 classrooms).

Temporary or Bulge Expansion A temporary expansion creates capacity on a temporary basis prior to a permanent solution.

A 1FE Bulge expansion starting in Reception would create 30 places (1 classroom) in Reception, moving into Year 1, 2, 3, 4, 5 & 6 as the children move through the school. Once a bulge class has left, we would hope to negotiate a potential new bulge in a year group where there is a demand for additional places.

Additional Secondary Places (ASP)

Year	Edgbaston	Erdington	Hall Green	Hodge Hill	Ladywood	Northfield	Perry Barr	Selly Oak	Sutton Coldfield	Yardley	City
2016											0
2017			*	*	*					*	<2FE

*Areas of local pressure may arise requiring some flexibility of provision with admission numbers that could be accommodated by a number of schools providing a small number of additional places as required.

More detailed information can be found in the Education Sufficiency Requirements document.

Risk Assessment

Risk	Likelihood of risk	Severity of risk	Effect	Solution
Stakeholders do not consider School Travel Plans and transportation issues prior to consultation.	Low	High	Increased residents, and parental concerns over parking issues	Review school travel plans in partnership with transportation prior to local consultation in order to mitigate possible objections.
Stakeholders/ Governors do not engage in project or sign up to the solution	Low	Medium	Design and delivery could be delayed	The Design Team will ensure regular meetings and consultation with stakeholders and Governors

Free Schools and Academies	Medium	Medium	Impact on school place planning and pupil places possibly leading to delay in confirming BCC's preferred options. Risk of over-provision	Liaise closely with Free School Providers and Academies when planning the provision of Additional Primary Pupil Places
Building costs escalate	Medium	Medium	The cost of the buildings would be more than the funding available	The Design Team will closely monitor the schedule of works and build costs. Cost schedules include contingency sums. Any increase in costs will need to be met through value re-engineering to ensure projected spend remains within the overall allocation. Any change in the scope of the works to address changing pupil requirements will be brought to the Project Board, and the relevant decision maker as appropriate, for approval. Any outstanding maintenance works will be reviewed with the Capital Maintenance team and where agreed a priority, capital maintenance grant funding provided. Surveys will be carried out early to identify and mitigate any abnormal costs.
Building works fall behind	Medium	Medium	Deadlines not met	The Design Team will closely monitor schemes on site and liaise with Contractor Partners to identify action required.
BCC faced with increasing revenue costs	Low	Low	Increased pressure on the revenue budget	Individual Schools will meet all revenue costs and day to day repair and maintenance of additional space from their delegated budget share
Problems with contract procurement process	Low	Low	Funding not spent in financial year allocated. Delay in project commencement/delivery	Work closely with Partners to ensure compliance with City Council standing orders.
BCC does not commit to maintain extension owned by them in the long term	Low	Medium	Building would deteriorate more quickly than if properly maintained	Revenue costs and day to day repair and maintenance of the assets will be met from school budget share via an increase in the formulaic Dedicated Schools Grant. Use of schools Governments devolved capital grant for

				major maintenance.
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PROJECT DEFINITION DOCUMENT (PDD)			
1. General Information			
Directorate	People	Portfolio/Committee	Children's Services
Project Title	Schools' Capital Maintenance Programme 2016-17	Project Code	TBC
Project Description	<p>DFE annual Capital Maintenance Grant Funding is awarded to the Local Authority for the purposes of addressing maintenance issues across the LA maintained schools estate only. Voluntary Aided schools receive their maintenance funding through a different grant funding scheme and Academies are funded directly by the Education Funding Agency.</p> <p>The Birmingham Education Development Plan 2015 sets out the strategy for maintenance and sustainability of our school estate.</p> <p>An annual Capital Maintenance allocation of £12.32m has been awarded by DfE for the year 2016/17, with the same indicative figure for 2017/18.</p> <p>The Capital Maintenance Programme aims to address key priority condition items across all Local Authority Maintained schools by allocating the available capital maintenance grant funding to address highest priority condition need.</p> <p>This report sets out the proposed capital maintenance grant spend for 2016-17(Stage 4) programme.</p> <p>The key criterion for prioritisation of planned and unscheduled maintenance projects is to ensure continuity of education in a safe environment. This criterion also applies to projects considered under the dual funding initiative. In essence, we will prioritise</p> <ul style="list-style-type: none"> i) condition issues that are most likely to lead to school closures ii) condition issues that pose Health and Safety risks iii) condition issues that must be addressed in order to fulfil statutory compliance obligations. <p>There is a substantial gap between the funding available and the condition need across the estate. Expectations of schools and stakeholders will, therefore, need to be managed due to the ongoing shortfall of funding against condition need.</p> <p>In addition to a direct Capital Maintenance Grant to the Local Authority, the Education Funding Agency allocates individual devolved formula capital funds to every school. The Local Authority can use this funding is spent.</p>		

<p>Links to Service and Corporate Outcomes</p>	<p>However, the dual funding initiative provides schools with the opportunity to apply for additional funding to address key building related priorities. Following the successful programme delivered between 2013 and 2016, where £3.8m of school contributions was added to £4m of Capital Maintenance Grant through this initiative to deliver £7.8m worth of projects, it is proposed that the initiative is continued in 2016-17. This will encourage schools to direct the spending of their devolved formula capital to address condition priorities and will thereby increase the level of investment into the condition of our school buildings.</p> <p>There will also be a continued emphasis on maximising schools' contributions to planned and emergency capital maintenance works, particularly where they are holding surplus balances or where the ongoing burden on the school of patch and repair can be reduced by a jointly funded project to address the root cause of the condition issue.</p> <p>The key workstreams in the Capital Maintenance Programme, described in more detail in the project deliverables can be summarised as:</p> <ul style="list-style-type: none"> i) Centrally Managed Planned Capital Maintenance Programme (condition issues most likely to lead to school closure) - £3.72m ii) Dual Funding initiative - £2m iii) Emergency unscheduled repairs to prevent school closures - £1.5m <p>Projects have been developed and delivered to maximise alignment with local priorities, in particular to impact on developing skills, employment opportunities, public health and community cohesion. Works will contribute to the Council Business Plan and Budget 2016+, particularly A Prosperous City, by ensuring the provision of school places enabling children to benefit from education through investment at a neighbourhood school. All contractors selected to deliver City-wide Capital Maintenance projects (including school led programmes) will be required to sign up to the principles of the Birmingham Business Charter for Social Responsibility (BBC4SR) prior to works orders being placed.</p>
<p>Project Benefits</p>	<p>The benefits of the programme to be delivered will be</p> <ul style="list-style-type: none"> i) reduction in school closures linked to asset failure ii) minimal disruption to educational continuity by scheduling works during school holidays iii) increased amount of investment into the backlog maintenance and priority condition need by leveraging greater investment from schools in joint funded projects iv) fair and transparent allocation of maintenance funding according to need <p>The Programme will:</p>

	<ul style="list-style-type: none"> ▪ increase the number of key priority building repairs, maintenance, and improvements that are carried out to address backlog maintenance and condition issues across the Local Authority maintained schools' estate. ▪ ensure that we are able to respond to unscheduled building emergencies so to minimise health and safety risks and prevent school closures.
Project Deliverables	<p>Workstream 1: Centrally Managed Planned Capital Maintenance Programme - £3.72m</p> <p>This will be a planned programme of maintenance projects addressing priority condition need centrally managed by EdSI.</p> <p>2008/9 condition surveys of all Birmingham schools identified a total of £370m priority 1 – 3 condition need, of which c. £185m sits across the LA maintained schools. Any of this condition need not addressed to date will by now have become priority 1 condition need.</p> <p>Priority condition need across the education estate outweighs the funding available to address condition need. Projects will therefore be prioritised where the condition need has the greatest risk of leading to school closure; this translates into projects which for the most part will address roofing, heating, electrical, windows and structural conditions. There will be an emphasis on influencing schools to allocate their devolved formula capital and school surplus budgets to support addressing priority condition need in order to meet the affordability gap on maintaining the schools' estate.</p> <p>Works will be prioritised according to severity and likelihood of school closure / health and safety risk. This will be evaluated by Acivico and the Education and Skills Infrastructure team</p> <p>Acivico colleagues in collaboration with the Education and Skills Infrastructure Asset Management Team have drawn up a schedule of works that are essential for 2016/17 based on recent Asset Surveys or school visits. This list provides a schedule of phase 1 essential capital maintenance. The estimated target cost is £3.72m (costs and feasibility of delivery during 2016/17 are both still subject to review).</p> <p>All projects will be further developed to Full Business Case stage. The decision maker will be dependent upon value. As the majority of these works are below £200k they will be approved under Head of Service or Chief Officer delegation.</p> <p><u>Procurement:</u></p> <p>The identified works under the Centrally Managed Capital Maintenance Programme will be carried out using existing and approved contractor framework partners who will be project managed by Acivico. Project implementation will be fully</p>

compliant with planning approval and building regulations as required. Officers from the Asset Management team will work with Acivico to ensure that schemes are programmed with minimum disruption to schools. Both the Education Infrastructure Asset Management team and Acivico have extensive experience of delivering capital maintenance projects in schools to date.

Programme:

It is critical that all major works are planned to be carried out during school holidays where possible. It is anticipated that projects identified for the 2016/17 programme will in large part be completed by April 2017. However, in some cases, works may be delayed but in any case efforts will be made for these to be completed as soon as practically possible.

Workstream 2: Emergency Unscheduled Repairs - £1.5m

Annually, the Education Asset Management Team responds to a significant number of incidents that are unscheduled emergency repairs, for example where boilers fail and schools have to shut due to lack of heating, fire, flood and structural failures. The allocation of £1.5m to this work stream is less than the allocation in the past 4 years.

However, there are clearly a number of unknowns regarding the volume of work that will be required, particularly if the priority condition need programme reduces the number of unscheduled repairs or if there are especially severe weather conditions that increase the number of emergencies. Therefore, any emergency monies not allocated by March 2017 may be re-directed to priority condition need identified on a reserve list of condition projects.

All projects will be further developed to Full Business Case stage. Approval was given by Cabinet in 2015 to increase the delegated authority of the Service Director for emergency reactive maintenance projects to the value of £500k in order to prevent school closures in emergency situations, such as heating failure in winter, where it is imperative to get the heating working and the school reopened without delay.

Workstream 3: Dual Funded Programme - £2m

Many schools demonstrate increasing experience in delivering their own maintenance schemes and there is a high demand from schools for greater autonomy to directly procure and manage capital maintenance works. Schools that demonstrate experience and capacity in delivering their own capital schemes, and agree to part fund the works as part of the dual funding arrangement approved by Cabinet in March 2014, will be able to submit a dual funding application.

The criteria for qualifying projects is aligned with centrally managed projects and will focus on issues which are likely to

	<p>lead to school closure if not addressed. The dual funding programme will also consider projects which will address major health and safety, safeguarding or compliance related issues.</p> <p>All projects will be further developed to Full Business Case stage. The decision maker will be dependent upon value. As the majority of these works are below £200k they will be approved under Head of Service or Chief Officer delegation.</p> <p>Schools will be required to sign up Conditions of Grant Aid (CoGA) and their appointed contractor to sign up to the Birmingham Business Charter for Social Responsibility (BBC4SR).</p> <p><u>Future Governance and reporting back</u></p> <p>An annual report will be presented to Cabinet updating on progress/delivery/outcomes and to seek approval for future stages.</p> <p><u>Urgent IT investment in education systems</u></p> <p>Following ongoing implementation of the Education Improvement Plan (agreed with the Education Commissioner appointed by the DfE) it was clear that a significant amount of IT investment would be required to replace existing inadequate IT systems and improve the quality of data and information from schools, which is a critical part of any overall school improvement agenda. The use of Capital receipts from the sale of children’s homes is an important element to this and given the urgency with which the investment is required it was deemed appropriate to include it in the overall Schools Capital Programme Cabinet report for 2016/17.</p>														
	<table><tr><th>Key Project Milestones</th><th>Planned Delivery Dates</th></tr><tr><td>Cabinet Approval for the PDD</td><td>28 June 2016</td></tr><tr><td>FBC Approvals</td><td>July 2016 onwards</td></tr><tr><td>Project works order to be issued</td><td>July 2016 onwards</td></tr><tr><td>Works to commence on site</td><td>From July 2016</td></tr><tr><td>Programme completion</td><td>31st March 2017</td></tr><tr><td>Post Implementation Review</td><td>April 2017</td></tr></table>	Key Project Milestones	Planned Delivery Dates	Cabinet Approval for the PDD	28 June 2016	FBC Approvals	July 2016 onwards	Project works order to be issued	July 2016 onwards	Works to commence on site	From July 2016	Programme completion	31 st March 2017	Post Implementation Review	April 2017
	Key Project Milestones	Planned Delivery Dates													
	Cabinet Approval for the PDD	28 June 2016													
	FBC Approvals	July 2016 onwards													
Project works order to be issued	July 2016 onwards														
Works to commence on site	From July 2016														
Programme completion	31 st March 2017														
Post Implementation Review	April 2017														

Dependencies on other projects or activities	<ul style="list-style-type: none"> • Asset Surveys • Statutory Compliance requirements • Emergency repairs identified by Acivico surveyors • Placing Orders with Contractors • Supply chain activities i.e. manufacture and ordering i.e. boilers, windows etc., including batching of projects to achieve economies of scale. • School term time activities and the imperative to preserve educational continuity • Planning and Building Regulation approval, where applicable
Achievability	<ul style="list-style-type: none"> • Scope of programme is identified • Programme and costs have been developed where

	<p>possible</p> <ul style="list-style-type: none"> Funding strategy is in place Client liaison between Education and Skills Infrastructure and Acivico is taking place weekly to ensure work is instructed, monitored and delivered to cost and on time Project officers from the EDSI Asset Management team will oversee the delivery of the projects in consultation with key stakeholders i.e. surveyors, contractors, schools, quantity surveyors and other property professionals. The team is extremely experienced in managing school based capital maintenance projects.
Project Manager	Mike Khanekkhah, Lead Officer Education Asset Management 0121 303 3767 Mike_Khanekkhah@birmingham.gov.uk
Project Accountant	Dave England, Contract Manager, Quantity Surveyor 0121 303 1348 Dave.England@birmingham.gov.uk
Project Sponsor	Jaswinder Didially, Head of Education and Skills Infrastructure 0121 675 0228 jaswinder.didially@birmingham.gov.uk
Proposed Project Board Members	<p>Jaswinder Didially, Head of Education and Skills Infrastructure 0121 464 3423 emma.leaman@birmingham.gov.uk</p> <p>Mike Khanekkhah, Lead Officer Education Asset Management 0121 303 3767 Mike_Khanekkhah@birmingham.gov.uk</p> <p>Anil Nayyar Head of City Finance CYPF 0121 675 3570 anil.nayyar@birmingham.gov.uk</p>

Head of City Finance (HoCF)	Anil Nayyar	Date of HoCF Approval	
<i>Other Mandatory Information</i>			
• Has project budget been set up on Voyager?			yes
• Issues and Risks updated <i>(Please attach a copy to the PDD and on Voyager)</i>			yes

2. Options Appraisal Records

Option 1	Limiting any capital maintenance spend to emergency repairs only and delivering no planned priority condition need maintenance programme
Information Considered	<ul style="list-style-type: none"> Condition surveys Structural reports Kitchen extraction compliance report Reported issues by schools Asset Management and Capital Maintenance strategy BCC and People's directorate business and service priorities Available budget - DfE allocation for funding, carry forward Basic need requirements

Pros and Cons of Option	<p>What were the advantages/positive aspects of this option?</p> <p>It is possible that basic need requirements in future years will exceed annual basic need grant funding and the city will therefore struggle to provide sufficient school places for all young people. It could be argued that only the very bare minimum should be spent on maintenance of school buildings in order to mitigate the risk of a future shortfall in funding for basic need.</p> <p>What are the Disadvantages/negative aspects of this option?</p> <ul style="list-style-type: none"> ▪ By limiting all repairs to emergencies only, the backlog maintenance issues would escalate across the estate. Not taking actions to address priority condition items has the potential of serious health and safety risks for staff and pupils in schools. ▪ There is an increasing gap between those schools that have received major capital investment (Building Schools for the future, the 2 major PFI programmes and the Priority School Building Programme) and those that are struggling with inadequate facilities and deteriorating buildings. ▪ Increasing sums are spent on relentless patch and repair due to lack of funding to rectify condition issues and this does not deliver value for money from the public purse ▪ Increasing numbers of young people are exposed to unsafe and unsuitable learning environments with the associated impact on their achievement and engagement in education. ▪ Adopting an approach based on emergency repairs only will mean that less value is achieved from the maintenance funds available and schools will continue to feel let down in addressing fundamental condition issues that they are encountering ▪ There will be an increasing risk of school closure / health and safety issues resulting from asset failure. ▪ Many Local Authority Maintained Schools will face increasing challenges coping with inadequate buildings while endeavouring to deliver outstanding education outcomes for all young people. ▪ In the context of direct funding for academies to address maintenance issues, there will be an increased incentive for schools to convert to academy status to access funding for condition priorities.
People Consulted	Property professionals i.e. surveyors/Acivico, Schools
Recommendation	REJECT
Principal Reason for Decision	An emergency repairs only strategy is inadequate for the Local Authority to fulfil its duty to maintain our schools and provide a safe learning environment for all our pupils and staff.
Option 2	Take action as set out in this report and its supporting

	project schedules
Information Considered	<p>What information was considered in making the decision:</p> <ul style="list-style-type: none"> • Condition surveys • Structural reports • Kitchen extraction compliance report • Reported issues by schools • Asset Management and Capital Maintenance strategy • BCC and People's directorate business and service priorities • Available budget - DfE allocation for funding, carry forward
Pros and Cons of Option	<p>What were the advantages/positive aspects of this option?</p> <ul style="list-style-type: none"> • Meeting the councils statutory duty to maintain its schools • Keeping schools open • Reducing health and safety risks and potential injuries • Meeting statutory compliance requirements • Addressing key condition priorities i.e. essential building repair and maintenance • Provides a balanced approach to planned and emergency repairs • Reducing the number of unplanned /emergency repair requirements <p>What are the Disadvantages/negative aspects of this option?</p> <ul style="list-style-type: none"> •
People Consulted	Schools, surveyors and other property professionals/Acivico
Recommendation	Proceed
Principal Reason for Decision	To maximise the impact of the Local Authority in delivering our statutory duty to maintain our schools and provide a safe learning environment for our pupils and staff

3. Summary of Options Appraisal – Price/Quality Matrix						
Ratings from 1(lowest)-10 (highest)	Options		Weighting	Weighted Score		
Criteria	1	2		1	2	
Total Capital Cost	10	8	25%	250	200	
Quality Evaluation Criteria						
1) Programme allows maximum use of school holidays to minimise disruption	1	10	20%	20	200	
2) Effectiveness: allows the council to maintain its schools and address the highest priority conditions needs	1	9	25%	25	225	
3) Functionality : it meets service delivery and user requirements	1	10	10%	10	100	

4) Achievable : compliance with requirement to maintain schools and provide a safe learning environment	1	10	20%	20	200	
Total				325	925	

4. Option Recommended	<p>Which option, from those listed in the Options Appraisal Records above, is recommended and the key reasons for this decision.</p> <ul style="list-style-type: none"> Option 2 - this will enable the LA to maximise the impact of the capital Maintenance Programme in improving outcomes for young people and through maintaining our schools and provide a safe learning environment for our pupils and staff
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5. Capital Costs and Funding	Voyager Code	Financial Year 2015/16	Financial Year 2016/17	Financial Year 2017/18	Totals
<u>Expenditure:</u>					
Planned Priority Capital Maintenance Projects	CA-02073-02-1	£0.13m	£2.28m	£1.31m	£3.72m
Unscheduled emergency repairs / school closure prevention			£1m	£0.5m	£1.5m
Dual Funding			£1m	£1m	£2m
Urgent IT investment in education systems			£0.5m		£0.5m
Totals		£0.13m	£4.78m	£2.81m	£7.72m
<u>Funding:</u>					
Department for Education(DfE) Capital Maintenance Allocation for 2015-16					
Department for Education(DfE) Capital Maintenance Allocation for 2016-17		£0.13m	£1.78m		£1.91m
Department for Education(DfE) Capital Maintenance Allocation for 2017-18				£2.81m	£2.81m
Department for Education(DfE) 2 Year Old Entitlement Grant			£1.5m		£1.5m
Capital receipts from sale of children's homes			£1.5m		£1.5m
TOTAL		<u>£0.13m</u>	<u>£4.78m</u>	<u>£2.81m</u>	<u>£7.72m</u>
Revenue Consequences All revenue costs will be met by schools via the formulaic Direct Schools Grant.					

6. Project Development Requirements/Information	
Products required to produce Full	The work includes:

Business Case	<ul style="list-style-type: none"> • Detailed surveys, some of which are intrusive; • Feasibility work in preparing and agreeing schemes with EdSI and the school; • Scheme design and specification including where required submitting Planning and Building Regulations applications including payment of their fees; • Detailed design and Specification; • Project and programme planning; and • Procurement to a stage where orders can be placed and the work carried out.
Estimated time to complete project development	Up to 6 weeks to obtain target costs for schemes. Approval will be dependent upon value. As the majority of these works are below £200k they will be approved under Head of Service or Chief Officer delegation.
Estimated cost to complete project development	Any Individual project development costs are contained within the overall indicative capital allocations.
Funding of development costs	DfE Capital Maintenance Allocation

8. RISK REGISTER

Risk / opportunity information			Counter Measures		
No.	Description of Risk / Opportunity and Risk / Opportunity owner	Inherent Risk (Likelihood/ Impact)	Description of current controls / mitigation in place and date when controls were last reviewed and reported upon	Residual Risk (Likelihood/ Impact)	Further controls proposed, and date for implementation
1	<p>Young people unable to attend school due to closure as a result of asset failure</p> <p>Risk / Opportunity owner: Head of Education and Skills Infrastructure</p>	Significant /High	<p>There is an on-going risk around backlog maintenance which may result in asset failure and school closure. Condition surveys from 2008 identify c £185m priority condition need across the current local Authority maintained schools.</p> <p>The planned and dual funding programme for 2016-17 will help to reduce the risk of asset failure and school closure by addressing key condition priorities within the available funding.</p> <p>Education Asset Management team continue to respond to emergency failures and minimise disruption to learning by offering a rapid response to avoid prolonged school closures.</p>	Medium / Medium	<p>Asset surveys currently underway, with many Completed, which will inform future prioritisation and maintenance planning.</p> <p>Improved record keeping with Acivico when works are completed, including update of data held on the Asset database,</p>
2	Quantum of emergency unscheduled repairs exceeds the £1.5m funding allocation within the proposal	Medium / Medium	Funding will be diverted from other workstreams in the programme in order to meet any major emergencies should additional funding over and above £1.5m be required.	Low/ Low	Monthly monitoring of emergencies spend.

Risk / opportunity information			Counter Measures		
No.	Description of Risk / Opportunity and Risk / Opportunity owner	Inherent Risk (Likelihood/ Impact)	Description of current controls / mitigation in place and date when controls were last reviewed and reported upon	Residual Risk (Likelihood/ Impact)	Further controls proposed, and date for implementation
3	Risk of insufficient funding for 2016-17 in particular resulting from reduction in DfE grant allocation due to schools converting to academies.	Significant /High	Monitor the number of proposed and planned academy conversions and modify 2016-17 spend and programme accordingly.	Medium/ Medium	To closely monitor spend throughout the programme period in order to avoid over commitment and remain within available funding.
4	Insufficient progress made in addressing condition need across the school estate as a result of failing to deliver projects to time and cost and/or failure to secure best value	Medium / Medium	Implementation and review of contractor/consultant frameworks, public private partnerships and monitoring through key performance indicators and benchmarks. 1 monitoring through key performance indicators being developed corporately and 2 benchmark against similar clients and against DfE cost targets.	Low/ Low	Whilst Acivico maintains KPI information, we continue to engage in dialogue with similar LA's regarding data analysis and comparison Technical support is engaged with the education Infrastructure team, including QS support, to respond to school and directorate concerns re value for money.

Risk / opportunity information			Counter Measures		
No.	Description of Risk / Opportunity and Risk / Opportunity owner	Inherent Risk (Likelihood/ Impact)	Description of current controls / mitigation in place and date when controls were last reviewed and reported upon	Residual Risk (Likelihood/ Impact)	Further controls proposed, and date for implementation
5	Programme controls are not in place to monitor spend and delivery of projects or to manage financial elements in particular related to dual / match funded projects. Failure to invoice schools could lead to overspend.	Medium / High	Weekly client liaison meetings with Acivico will monitor costs of each project and there will be strict controls on approvals for any spend over agreed costs. Dual funding programme is subject to strict conditions set out in the grant agreement and funding will not be released until all conditions are met.	Low / Low	Monthly monitoring Reports and feedback from education finance colleagues. Monthly Acivico strategic Partnership board meetings will allow for feedback on any issues monitoring and controlling costs of agreed works.
6	Education outcomes compromised by crumbling infrastructure and its impact on learning	Medium / High	Implementation of a planned preventative maintenance programme focusing on priority condition need is proposed for 2016/17 to begin to address backlog maintenance. Impact will be monitored through monthly analysis of no. of days learning lost due to asset failure. Uncertainty of future funding and LA obligations in relation to the academies agenda add to a level of uncertainty about how the condition need will be equitably addressed across the estate.	Medium / Medium	Future priorities and programme will be informed by the latest Asset Surveys which are underway and due to be finalised this year.

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to:	CABINET
Report of:	Strategic Director of the People Directorate
Date of Decision:	28 June 2016
SUBJECT:	MAXIMISING INDEPENDENCE OF ADULTS: INTERNAL CARE REVIEW – OLDER ADULTS DAY CARE
Key Decision: Yes	Relevant Forward Plan Ref: 001889/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Councillor Paulette Hamilton – Health and Social Care
Relevant O&S Chairman:	Councillor John Cotton - Health, Wellbeing and the Environment
Wards affected:	All

1. Purpose of report:
1.1 To seek authority to consult with service users and carers, staff and other stakeholders on a range of proposals in relation to the internal day care services for older adults, including a proposal to close the services. The consultation will inform the development of a Full Business Case, recommended proposal and implementation plan and further report back to Cabinet.

2. Decision(s) recommended:
That the Cabinet approve:-
2.1 The Outline Business Case (OBC) contained in Appendix 1 which sets out an options appraisal and recommendations.
2.2 Commencement of consultation with service users and carers, staff and other stakeholders on the proposals in relation to the eight internal day care services for older adults, including a proposal to close the services.
2.3 Commencement of market engagement activity to ensure potential service providers are aware of all the proposed options.

Lead Contact Officer(s):	Alison Malik Head of Service – Complex and Statutory Services Commissioning Centre of Excellence People Directorate
E-mail address:	alison.malik@birmingham.gov.uk

3. Consultation
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3.1 Internal

Councillor Majid Mahmood, Cabinet Member for Value for Money and Efficiency has been consulted in the preparation of this Cabinet report and is supportive of proposals. Also officers from Legal & Democratic Services, Corporate Procurement Services, City Finance, Birmingham Property Services, Specialist Care Services and the Commissioning Centre of Excellence have been involved in the preparation of this Cabinet report. Trade Union representatives have also been made aware of the proposals, however further staff consultation will be required as part of the consideration and implementation of this decision.

3.2 External

Initial consultation on the broad proposal to make better use of spare capacity in the short term and to consider closures in the long term, has been conducted with the public. This formed part of both the Corporate and Directorate Budget Consultation exercises which took place between November 2015 and February 2016. The outcome of this consultation was inconclusive for this service, with 48% of respondents to the corporate consultation agreeing with the proposal. However in the directorate consultation, 30% of respondents agreed with proposal to reorganise the service and 26% agreed the City Council should work with communities and other care providers to develop alternative services. These results have been considered as part of the development of the Outline Business Case contained in **Appendix 1**.

4. **Compliance Issues:**

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

This decision is consistent with the Council's overall objective of "making a positive difference every day to people's lives".

More specifically the consultation relating to the options contained in the Outline Business Case are consistent with the Council Business Plan and Budget 2016+ priorities as follows:

- A fair city – providing citizens with opportunities for social contact, mental stimulation and physical exercise to maintain their independence for as long as possible.
- A prosperous city – the commissioning of services supports the local economy, particularly as the majority of providers are Birmingham-based.
- A democratic city – the City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need.
- Council of the future – this project supports the wider Future Council programme and the delivery of savings identified in the Council Business Plan and Budget 2016+.

4.2 Financial Implications

The Council's corporate Budget Consultation 2016+ identified that spare capacity in the internal day care service would be better utilised in the short term, whilst consideration in the long term is given to the proposed closure of a number of centres.

The approved Council Business Plan and Budget 2016+ included the following saving requirements:

Net Budgeted Spend 16/17	Saving in 16/17	Saving in 17/18	Saving in 18/19	Saving in 19/20
£1.557m	(£0.218m)	(£0.345m)	(£0.510m)	(£0.510m)

The Outline Business Case contained in **Appendix 1** identifies how these savings may be achieved and a number of alternative options that have been considered.

The timelines around the consultation process indicates that there will be a shortfall in the savings based on the options in **Appendix 1**. The Directorate will need to identify alternative proposals to mitigate any shortfall in meeting the savings requirements.

The consultation activity detailed in **Appendix 2** will be funded through existing staff resources.

4.3 Legal Implications

The Care Act 2014 together with associated regulations and statutory guidance give the power and the duty to provide a range of services to meet assessed eligible need for care and support.

4.4 Public Sector Equality Duty

An initial Equality Assessment has been completed and will be revised and updated as the project develops towards a Full Business Case. This Equality Analysis is contained within **Appendix 3**.

The Equality Assessment has considered the options contained in the Outline Business Case and currently identifies that the proposals would have the most significant impact on those with the following protected characteristics; age; disability; religion; gender and race. These will be the focus of the Equality Analysis as it develops throughout the consultation period and in developing the Full Business Case.

5. Relevant background/chronology of key events:

- 5.1 The service operates as part of the internal Specialist Care Services (SCS) and provides day facilities for older adults (those aged over 65 years old). The service has developed to provide opportunities for social contact, mental stimulation and physical exercise and to meet each individual's assessed eligible needs for care and support within a group setting.

- 5.2 The service has been designed to ensure the full involvement of the group member (and advocate if appropriate) in developing activities and support identified by and relevant to the individual. This includes varied and meaningful activities for group members based in the community. Activities are designed to add value to the individual's life, which can be measured in terms of the outcomes they bring about which include reduced social isolation, increased mental stimulation and increased physical activity.
- 5.3 The service is delivered from seven sites, three of which are dedicated sites, four of which are provided from other internally delivered services as detailed below.
- Dedicated Sites:
- Boldmere – Sutton Coldfield
 - African Caribbean Day Centre – Kings Heath
 - Shakti Day Centre- Highgate
 - Magnolia House – Highgate (merged with Norman Power Elders Group in April 2016)
- The Elders groups are provided from within the four internal care centres which are:
- Norman Power Centre – Ladywood (including Magnolia House service users from April 2016)
 - Anne Marie Howe's Centre - Sheldon
 - Kenrick Centre – Harborne
 - Perry Tree Centre - Erdington
- 5.4 The older adult's day service is accessed via a social work assessment of need for care and support, confirming the person has an eligible need for care and support. Data available about those accessing the service shows approximately 300 people use the service each week. The average occupancy in 2015/16 was 79%.
- 5.5 A significant number of service users attending the service have a diagnosis of dementia (currently 59%) however this varies across the various services from only 19% in the current Shakti service and 83% at Boldmere.
- 5.6 These services are not regulated by the Care Quality Commission (CQC) however the service has developed its own sets of service standards based on national good practice. An internal service review was conducted in 2015 and identified a number of issues that needed to be addressed for the service to remain viable in the long term. The issues included:
- Inconsistency in service offer across the provision. Some services focus on providing support to people with dementia needs while others focus on aged, frail and socially isolated people.
 - Inconsistency in hours of business including weekend working. For example, a Saturday facility is offered in two of the services but not in the others.
 - Personal care is provided at certain sites and not at others.
 - Inconsistent transport offer – some centres pick up service users within a 3 miles radius others within a 5 mile radius. This leads to long and unnecessary journey times for some service users.
 - Inconsistent approach to dementia and supporting therapies to assist service users with dementia / mental health needs across the service.

The service has worked hard to address these issues, but without additional investment it will be difficult to develop a more consistent offer that meets needs and expectations at an affordable rate.

5.7 The four dedicated buildings also require investment, to address the following concerns:

- Shakti Day Centre and, until recently Magnolia House Day Centre, are located within part of an old residential home owned by the City Council. The building is a 1960s construction, leased to a local college who occupied 80% of the accommodation. The lease expires in August 2016 but the college ceased using the building in July 2015. The day centres are located in two areas of the building sub-let back to the City Council. The building is in a poor state of repair, and with large parts of the building empty, the immediate vicinity of the building has attracted drug users, and fly tippers. As a result of ongoing issues with the building heating system, in April 2016 Magnolia House Day Centre (currently 27 service users) was transferred to The Norman Power Care Centre to merge with the existing Ladywood Elders group. However, at the request of service users, the Shakti Day Centre has remained in situ until such time as the future of the service is determined.
- Boldmere Day Centre uses rooms rented from a third sector organisation. Work is currently on-going to establish a short term formal agreement, giving both parties reasonable notice periods.
- African Caribbean Day Centre (ACDC) operates three days per week from a Council owned community centre hired from the Place Directorate. As part of wider reviews of services and budget savings requirements, the Council is also considering the future of its community centres. This represents a risk to the future operation of the service at its current location.
- The 4 Elders Groups are located within modern, purpose built Care Centres which are the subject of separate proposals as part of the Council Business Plan and Budget 2016+.

5.8 Supporting citizens to be as independent as possible remains a priority for the City Council and the day care service plays an important role in supporting assessed eligible needs for care and support around social isolation and mental and physical health. However it is recognised that the Council may no longer be best placed to provide these services directly and that alternative approaches to commissioning need to be explored.

5.9 Birmingham City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need. As part of this, the Council gives people a personal budget, of which all or some can be taken as a Direct Payment to spend on their care and support services. The City Council will be encouraging eligible service users to take up this budget as a Direct Payment, from which they can buy a range of services including day care services.

5.10 The Outline Business Case identifies four potential options which have been analysed. Whilst the need to make savings is detailed in 4.2 above, it is also important that citizens have access to a wider range of high quality services.

- 5.11 This report is therefore requesting permission to consult on the four options contained in the Outline Business Case. This includes the recommended option of the proposed decommissioning of the internal day care services and the promotion and development of alternative services for people to buy with their Personal Budgets (Option 2). The consultation process is detailed in **Appendix 2** which will take place over a three month period, due to commence in July 2016.
- 5.12 Due to a number of building issues, the service will need to make better use of spare capacity in the short term and consolidate services, this has included a recent move of the Magnolia Day Centre into the Norman Power Care Centre as detailed in 5.7 above. As this project continues to develop towards a Full Business Case we will alert potential service users that the service is subject to consultation and advise them how they can engage with the consultation process. The consultation with service users, carers and staff is detailed in **Appendix 2** and is due to start in July 2016.

6. Evaluation of alternative option(s):

- 6.1 The alternative options are detailed in the Outline Business Case contained in **Appendix 1** but are summarised below:

Option 1: Do Nothing – keeping services as they are would mean a continuation of the high cost service from a number of buildings which are in a poor state of repair and do not have the facilities to meet service user needs. This option would also not deliver the required savings as set out in the Council Business Plan and Budget 2016+.

Option 2: Close the internal Older Adult Day Centres and shape the care market to deliver a suite of alternative options for people to buy with their personal budget via a Direct Payment. This option would deliver the savings as set out in the Council Business Plan and Budget 2016+

Option 3: Remodel the service and retain the four services run from the internal Care Centres and decommission the remaining services. Whilst it is recognised this option will deliver some savings and improvements to the service, it is unlikely that this option will deliver the level of savings required by the Council Business Plan and Budget 2016+.

Option 4: Outsource the current service - this option may deliver improvements to the service, but it is unlikely that this option will deliver the level of savings required by the Council Business Plan and Budget 2016+.

7. Reasons for Decision(s):	
7.1	To approve the Outline Business Case (OBC) contained in Appendix 1 and to consult on the future of the service.

Signatures	<u>Date</u>
Councillor Paulette Hamilton Cabinet Member for Health and Social Care
Peter Hay Strategic Director for People

List of Background Documents used to compile this Report:
Community mapping – Older Adult Day Centres Community mapping – Older Adult Activities Market Position Statement – Older Adults 2014

List of Appendices accompanying this Report (if any):
1. Appendix 1 – Outline Business Case 2. Appendix 2 – Consultation Plan 3. Appendix 3 – Equality Assessment

Report Version	0.10	Dated	13 June 2016
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People's Directorate – PROGRAMME MANAGEMENT OFFICE

OUTLINE BUSINESS CASE / PROJECT DEFINITION DOCUMENT

Maximising Independence of Adults': Older Adults' Day Care Service

Purpose

The purpose of this document is to gain approval to proceed to consultation on the proposed options in relation to the Older Adults Day Care Service.

The Outline Business Case focuses on the current practice and situation, market and future of the service. This document describes the proposals for the service, together with an outline of the key issues and challenges faced.

Project Mandate

Background

Background and business context

Due to the scale of funding reductions required but also the changing times in which the Council operates, it is recognised that there is a need for radical change in how our organisation works – its role and functions and the culture that determines how we work together with the people of the city. To address these challenges, the City Council set up the Future Council programme during 2015 to deliver an integrated and strategic approach to managing the necessary changes. This has taken on board all the recommendations of the Kerslake review of corporate governance, published in December 2014 and the ongoing advice and support from the Improvement Panel set up at the beginning of 2015.

A small part of the Future Council programme has focussed on developing proposals for the Council's internal Specialist Care Service (SCS). In November 2015 the Council released its 2016+ Budget proposals for consultation, one of which concerned the internal Older Adults Day Care service.

Further overall details about the Council's wider approach and the specific proposals can be found in the Council Business Plan and Budget 2016+ Consultation Factsheets. This set out a range of proposals to deliver the savings required to balance future budgets as a result of significant cuts to government funding of Birmingham City Council. The Council Business Plan and Budget 2016+ was approved in March 2016.

Vision Statement

Birmingham City Council intends to reorganise its internally provided services, so that people may choose to buy these or different community based services which meet their assessed eligible needs for care and support. Government guidelines prevent the use of a Direct Payment to purchase services run by the Council. Birmingham City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need.

The Council gives people a personal budget, of which all or some can be taken as a Direct Payment, to spend on their care and support services. In the longer term this means we need

to move away from mainstream funding the present Council Day Services. The Council will also continue to encourage eligible service users to take their personal budget as a Direct Payment, from which they can buy a range of services including traditional day care, support from a personal assistant, or other types of community based support. The Council's approach will be to encourage people to manage their own resources and care wherever they can to maximise their independence.

To do this we intend to:

- Involve people in deciding the type and style of services that are needed.
- Develop local alternatives that people can choose to spend their Direct Payment on should they choose to have their assessed eligible needs for care and support to be met in this way.
- Explore closing Council run services or look at running these services under different ownership such as a social enterprise or user led organisation, on which people can chose to spend their Direct Payments.
- Work with communities and other care providers to develop alternative community based services that people can purchase with a Direct Payment.
- We will not make any changes to people's services until we have carried out a reassessment of people's needs.

Outcomes

The vision is intended to deliver the following Outcomes:

- Financial savings to the public purse.
- Contribution to the reduction in the Council's overall workforce
- A shift away from the mainstream funding of services to giving eligible people choice and control through a Direct Payment
- An increase in the range of services people can buy with a personal budget through a Direct Payment

Service Objectives

The service is geared toward providing a day service for Older Adults. A significant number of service users attending the service will have a diagnosis of dementia, but this is not the case for all service users. The objectives set for the service are:

- To provide a service which will deliver day opportunities for Older Adults, with substantial or critical needs, which cannot be met by other local authority/ third sector services. All current service users have had an assessment and an individual service agreement and care plan is in place.
- The establishment and ongoing development of Elders' groups which incorporate a number of key principles, service components and standards to help older people to live as independently as possible, and be supported in their preferred lifestyles.

The primary functions of the service were described as:

- Providing opportunities for social contact, mental stimulation and physical exercise,
- Meeting each individual's assessed needs within a group setting.

The service offers:

- A Person centred approach with the full involvement of the group member (and advocate if appropriate)

- Activities and support identified by and relevant to the individual.
- Varied and “meaningful” activities for group members based in the community. Activities that add value to the individual’s life, which can be measured in terms of the outcomes they bring about.
- Regular liaison with the community links service to provide advice and support to encourage social inclusion, user control and choice.

The general service principles, are defined as;

- Ensure high service standards and measuring success against clear goals and criteria related to the seven outcomes, from the “White Paper” (2006)
- Be accessible to all existing eligible and potentially eligible service users, and be relevant to individual needs arising from race, culture, faith gender, disability and sexuality.
- Aim to give people, as individuals, influence or control over the service and support provided.
- Actively involve members and carers in both individual work and the ongoing design of services.
- Meeting the diverse needs of individuals through a variety of activities and partnerships.
- Ensuring that all work, interventions and contacts help promote independence, choice and control.
- Awareness at all times, of the needs of carers for appropriate and timely support.
- Proactive monitoring of members’ capabilities to promote alternative services through effective signposting and timely transfer, including the promotion of Direct Payments and Individual Budgets
- Support members and carers throughout by providing accurate and timely information about what is available, what to expect, and what happens next.
- Increasing choice for service users and carers.
- Ensuring staff are supported and provided with the tools, information and management systems to be effective.

Service Demographics

Service locations

The service is delivered from the following sites, ‘Stand-alone’ sites;

- Boldmere – Sutton Coldfield
- African Caribbean Centre – Kings Heath
- Magnolia House – Highgate (merged with Norman Power Elders Group April 2016)
- Shakti Day Centre- Highgate

The Elders groups are provided from within the four care centres which are;

- Norman Power Centre – Ladywood (and Including Magnolia House service users)
- Anne Marie Howe’s Centre - Sheldon
- Kenrick Centre - Harborne
- Perry tree Centre – King standing

Service users

Older Adult Services	No. of service users	No. of service users with dementia needs	% of people with dementia needs
Norman Power Centre	40	16	40%

Magnolia House	27	17	63%
African Caribbean Day Centre	33	19	58%
Ann Marie Howes Centre	46	36	78%
Shakti Day Centre	54	10	19%
Kenrick Centre	44	33	75%
Boldmere	30	25	83%
Perry Tree Centre	37	26	70%
	311	182	59%

Employees

The service employs the following numbers of staff.

Staff Grade	Head count	FTE
GR5	4	4
GR4	3	1.87
GR3	8	6.95
GR2	47	39.95
Grand total	62	52.77

Current Position

Current service operation

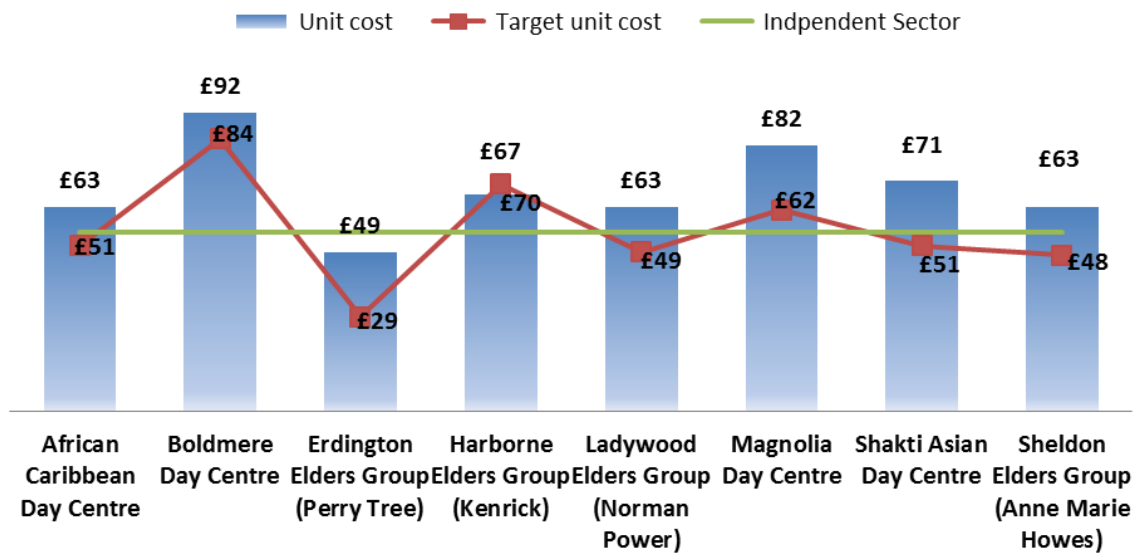
The current service is operated using mainstream funding at a cost of £1.453m per annum. People using the service are allocated a number of 'days' per week on an individual basis dependent on the assessment of their assessed eligible need for care and support.

Performance

Performance of the internal services are judged on four criteria – service quality, service occupancy, service unit cost and accommodation.

Cost

With the exception of one, all of the older adult day service sites have high unit costs, when they are compared to the independent sector. In the chart below the green line indicates the bench mark cost for Older Adult Day Care (Source: BCC Finance), the red line being the target cost set for internal Older Adult Day Care services. The target cost was set by the Council and is based upon matching occupancy rates that were achieved by external providers following a benchmarking review carried out by Capita in 2013. Based on the financial data provided it is clear that none of the internal day services sites have been able to reach the financial target for unit costs, except Perry Tree Elders Group that has come in at £49.00, under the independent sector bench mark cost of £55.50 (based on the top of the range) and in that sense represents good value for money.



The budget for Older Adult Day Care Service is as follow:

Total Budget	
Direct Employees	1,192,598
Agency	
Indirect Employees	100
Premises	63,600
Transport	156,790
Supplies and Services	46,100
Recharges	23,800
Income	(29,700)
Grand Total	1,453,288

Occupancy / use of the service

At November 2015/16 the average occupancy across the services was 79% of total capacity. In 2014/15 occupancy averaged 77% and 2014/14 averaged 66%. The target occupancy is 90%.

Over the last three years all of the day centres have experienced below target occupancy and this has had the effect of increasing the unit cost of the service.

In an attempt to increase occupancy levels there have been various approaches made by day centres, to change opening hours, offer specific dementia services and encourage volunteers. This has not significantly increased uptake of the service.

Approximately 300 people use the Day Centres each week. People attend a variety of different days and not all of the Centres are open 5 days a week.

Service quality

The services are not regulated by the Care Quality Commission. The internal service has developed its own set of standards, based upon research of day service standards frameworks from across the country. It uses this to provide quality assurance.

In addition the service has carried out an internal review of the older adults' day services. This identified the following key issues:

- Inconsistency in of service offer across the provision. Some services focus on providing support to people with dementia needs while others focus on aged, frail and socially isolated people.
- Inconsistency in hours of business including weekend working. For example, a Saturday facility is offered in two of the services but not in the others.
- Personal care is provided at certain sites and not at others.
- Inconsistent transport offer – some centres pick up service users within a 3 miles radius others within a 5 mile radius. This leads to long and unnecessary journey times for some service users.

Accommodation / buildings

The four “stand-alone” day centres provide a service from buildings where there are a number of issues, in terms of the suitability of the building and/ or the tenure status.

- Shakti Day Centre and, until recently Magnolia House Day Centre, are located within part of an old residential home owned by the City Council. The building is a 1960s construction, with 80% of the building being was leased to a local college who occupied 80% of the accommodation. The lease expires in August 2016 but the college ceased using the building in July 2015. The day centres are located in two areas of the building sub-let back to the City Council. The building is in a poor state of repair, and with large parts of the building empty, the immediate vicinity of the building has attracted drug users, and fly tippers. As a result of ongoing issues with the building heating system, in April 2016 Magnolia House Day Centre (currently 27 service users) was transferred to The Norman Power Care Centre to merge with the existing Ladywood Elders group. However, at the request of service users, the Shakti Day Centre has remained in situ until such time as the future of the service is determined. The Council has identified that there are significant costs associated both with the ongoing maintenance of the building and to modernise it to an acceptable standard, and does not have any identified use for the remainder of the building being returned to the City Council in August 2016. To be viable the Council also needs to find another occupier and this is likely to be difficult with the building in its current state. The Council has identified that it could gain significant capital receipts and the resultant ongoing revenue stream from the site if it were to be sold and redeveloped.
- Boldmere Day Centre uses rooms rented from a third sector organisation. Work is currently ongoing to formalise the agreement and establish reasonable notice periods for both parties.
- African Caribbean Day Centre (ACDC) operates three days per week from a Council owned community centre, underpinned by a legitimate rental agreement. As part of wider reviews of services and budget savings requirements, the Council is also considering the future operating model of its community centres. This represents a risk to the future operation of the service at its current location.
- The 4 Elders Groups are located within modern, purpose built Care Centres which are the subject of separate proposals as part of the Council Business Plan and Budget 2016+. Each

group is located within a large room with an adjoining kitchenette. People using the Centres have access to the other public and communal facilities.

Need for change / Drivers

Policy

- The emerging Adults Transformation programme – Maximising the Independence of Adults sets out a series of plans, proposals and activity to deliver benefits and savings to reduce the predicted gap between increasing demand for service and reducing budgets .
- The Council consulted on and approved its Council Business Plan and Budget 2016+ in order to deliver in excess of £250m of savings. Further work is also being carried out to revise and clarify the proposed approach to delivering each of the savings identified and the impact on those currently in receipt of these services .
- The Council intends to move away from a system of mainstream funded internal provision. Birmingham City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need. As part of this, the Council gives people a personal budget, of which all or some can be taken as a Direct Payment to spend on their care and support services. The City Council will be encouraging eligible service users to take up this budget as a Direct Payment, from which they can buy a range of services including day care services

Financial

- The Council is required to make significant savings as approved in the Council Business Plan and Budget 2016+ including savings proposals for the SCS Older Adult Day Service.
- The building used for Shakti Centre requires significant capital investment if it is to remain viable in the medium to long term. There is the option to gain a significant capital receipt estimated in the region of £500,000 and resultant revenue stream if the building were sold.

Market Analysis – Service cost – Analysis of the cost of service delivery indicates that the internal services are more expensive than alternative providers in the private or 3rd sector. The average cost of one day in a Birmingham City Council Older Adults' Day Centre is £72 (April 2015 – March 2016). Intelligence gathered from other providers indicates a unit cost of between £25 and £55.50 per day dependent on the level of an individual's eligible assessed care and support needs. There is scope therefore to make financial savings.

Buildings

- The standalone centres occupy buildings with some financial risks, lack of security over tenure and future use, or require improvement and modernisation. This does not make them viable propositions for use in the medium to long term.
- The use of the Care Centre buildings is also currently under review which may mean that in the long term it will no longer be possible to operate day services from these facilities.

Occupancy

Over the last 3 years the occupancy has been below the target of 90%. In 2015/16 it was 79%, in 2014/15 it was 77% and in 2013/14 it was 66%.

Future Demand Projections

- Birmingham is a relatively young population compared to England as a whole. However, people are living longer and this is reflected in Birmingham's future demography.
- There were estimated to be 143,800 people aged 65 and over living in Birmingham in

2014; of which almost 42,000 are aged over 80. People are living longer, which means that the population over 65 is predicted to increase by 29% by 2030; and in particular there will be around 58,000 people aged over 80, which is a significant increase of almost 40%.

- The number of people estimated to have dementia is also predicted to increase in step with this to over 14,000 people by 2030.

(Source: Birmingham's Market Position Statement for Older Adult Social Care 2015)

Market capacity

Current

- There is a range of day centre based provision for older adults across the City. Excluding the Council owned day centres there are 72 day centres for people over the age of 65. Some of these have the facilities and trained staff to deliver personal care and support to people with dementia related needs. These services have been developed by community organisations, groups and clubs or 3rd sector organisations, although some private care providers have also developed services.
- In addition there are at least 19 other organisations offering day activities for older adults, rather than traditional building-based care.
- Following discussion with a number of these providers it is clear that there is some existing spare capacity within these current services to accommodate more people.
- There is also recognition among the 3rd sector provider organisations of a shift in how there services will be funded in the future. While many organisations have been reliant on an element of Council grant funding, which is also reducing, there is now recognition that people with assessed eligible needs will be able to purchase their services with their own funds via a Direct Payment.

Developing capacity

- Following the Budget consultation the following organisations have approached the Council and signalled interest in developing new or existing day opportunities services for people who are self-funding or have opted for a Direct Payment to buy services to meet their needs:
 - Age Concern offer services for frail elderly people, people who are socially isolated and those people with dementia related needs. Age Concern already provide day services to self-funders and Direct Payment recipients.
 - Age Concern currently operates 6 Wellbeing Centres across the city. They have identified spare capacity within centres and have also indicated they wish to expand the provision.
 - Age UK currently operate 3 centres. They also have some spare capacity within the existing services, but have also indicated the ability to extend the number of day's provision if demand is sufficient. Age UK already provide day services to both self-funders and Direct Payment recipients. Both Age Concern and Age UK have indicated that they wish to work together as partners to develop their future service offer.
 - Extra Care Charitable Trust (ECCT) operates 4 Extra Care Villages across the city and are developing 1 more. The organisation is keen to open its doors to the local community and have proposed to develop a day service at Pannel Croft Care village in Newtown. Promotion of health and wellbeing is at the heart of the Extra Care philosophy and the Day Service will be underpinned by this approach. ECCT propose to offer a menu of activities based around: Improving physical wellbeing, stimulating memory and promoting mental health, and supporting maintenance of social skills and activities of daily living. In addition, users of the service will have

	<p>access to the Village's other services and facilities including gym, cinema room, shop, hairdresser, bar and restaurant. ECCT can accommodate between 20-30 people per day. ECCT have indicated that they will seek to roll out the model across their other Care Villages if this venture is successful.</p> <ul style="list-style-type: none"> During the consultation process the Council intends to carry out further engagement with providers of day opportunities in order to assess the market's ability to develop new services and ensure there are sufficient choice of services available to people.
Scope	Older Adult Day Care Service

PROJECT DEFINITION	
Way Forward	To explore various options including whether to decommission the Older Adult Day Care Service.
Overall Project Dependencies	<ul style="list-style-type: none"> Requirement to undertake further consultation Cost of Staffing redundancies / ability to capitalise cost The ability of the external market to deliver alternative replacement services

Option 1	No change															
Information Considered	<p>It is not tenable to do nothing in this circumstance for the following reasons</p> <ul style="list-style-type: none">• The service was subject to review before the Birmingham City Council Budget 2016 consultation which demonstrated that the service is disjointed, does not have a clear service offer, is expensive and does not represent value for money in its present form• The service is in need of review and revamp to ensure it meets the needs of the service users it seeks to support, and that it represents best value for money• The current home- to- centre transport is provided internally, however there is insufficient capacity to maintain the present service in the longer term and to develop a service in line with constantly increasing demand without investment in new fleet• Insufficient capacity and space to expand service to other groups in line with any future potential increased demand <p>Finance</p> <ul style="list-style-type: none">• The net operational saving to the Council of the implementation of this proposal is detailed below: <table><tr><th colspan="5">Net saving £</th></tr><tr><th>2016/17</th><th>2017/18</th><th>2018/19</th><th>2019/20</th><th>2020/21</th></tr><tr><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td></tr></table>	Net saving £					2016/17	2017/18	2018/19	2019/20	2020/21	0	0	0	0	0
Net saving £																
2016/17	2017/18	2018/19	2019/20	2020/21												
0	0	0	0	0												
Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Positive</p> <ul style="list-style-type: none">• None <p>Negatives</p> <ul style="list-style-type: none">• The option does not deliver savings to the public purse• The option does not contribute to a reduction in the Council’s overall workforce• The option does not represent a shift away from mainstream funding of services to giving eligible people choice and control through a Direct Payment• The option does not increase the range of services people can buy with a Direct Payment should they choose to take one.															
Stakeholders engaged.	A range of internal stakeholders have been consulted including Legal & Democratic Services, Corporate Procurement Services, Birmingham Property Services, Specialist															

	Care Services and the Commissioning Centre of Excellence Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this Option is <u>not</u> preferred for implementation, but is subject to consultation.
Principal Reason for Decision	The option does not deliver against any of the identified outcomes.

Option 2	Close the Internal Older Adults Day Centres and shape the care market to deliver a suite of alternative options for people to buy with their Personal Budget via a Direct Payment.															
Information Considered	<p>This option would result in the closure of the 8 Older Adult Day services. Service users will have their care and support needs reassessed and will be offered a Personal Budget to decide how their assessed eligible needs for care and support can be met. One option would be to take a Direct Payment to purchase alternative services to meet their needs.</p> <p>The SCS Older Adults Day Centres are expensive when compared to alternative available provision.</p> <p>There is no evidence that the SCS services provide better quality care than alternative providers.</p> <p>A range of provision is offered by the market. A Community mapping exercise has been undertaken and has identified approximately 100 organisations and services delivering Day Centre and non-Day Centre based services to adults over the age of 65 across Birmingham. These range from small groups, activity coordination, befriending services to day centres. The alternative provision is able to meet a range of needs ranging from those associated with being frail and elderly, social isolation, and dementia.</p> <p>Consultation would enable further discussions with providers to shape and develop alternative provision, with input from the people using the Council’s current day centres.</p> <p>Finance</p> <ul style="list-style-type: none">• Sale of the building housing Shakti Day Centre will generate a one-off capital receipt – estimated to be in the region of £500,000. This will produce an annual revenue stream of £37, 500 for the service area.• The net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained in brackets, costs are not: <table><tr><th colspan="5">Net saving £000</th></tr><tr><th>2016/17</th><th>2017/18</th><th>2018/19</th><th>2019/20</th><th>2020/21</th></tr><tr><td>39</td><td>(340)</td><td>(415)</td><td>(539)</td><td>(539)</td></tr></table>	Net saving £000					2016/17	2017/18	2018/19	2019/20	2020/21	39	(340)	(415)	(539)	(539)
Net saving £000																
2016/17	2017/18	2018/19	2019/20	2020/21												
39	(340)	(415)	(539)	(539)												
Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Positives:</p> <ul style="list-style-type: none">• The option does delivers significant savings to the public purse• The option contributes to a reduction in the Council’s overall workforce• The option represents a shift away from mainstream funding of services to giving eligible people choice and control through a Direct Payment• The option could increase the range of services people can buy with a Direct Payment															

	<p>Negatives:</p> <ul style="list-style-type: none"> • None <p>Additional risk</p> <ul style="list-style-type: none"> • Potential of employee redundancies • Potential impact of change on service users
Stakeholders engaged.	A range of internal stakeholders have been consulted including Legal & Democratic Services, Corporate Procurement Services, Birmingham Property Services, Specialist Care Services and the Commissioning Centre of Excellence. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this option is <u>preferred</u> , but is subject to consultation.
Principal Reason for Decision	The option delivers against all of the identified outcomes.

Option 3	Retain the centres that are within Care Centres and develop them into specialist dementia services and close the other three standalone centres
Information Considered	<p>This option would reconfigure the service, by still allowing a residual service to remain operational.</p> <p>This option would still require formal consultation for permission to decommission the day services and still require a redundancy process as the numbers of staff would be reduced.</p> <p>The three sites to be considered for closure</p> <ul style="list-style-type: none"> • Boldmere, Erdington • Shakti Day Centre, Highgate • African Caribbean Day Centre, Kings Heath <p>The Directorate would need to give notice to landlords of the buildings where Boldmere and the African Caribbean Day Centre's are based. Shakti Day Centre is (as of April 2016) the sole occupier in a large council owned building which is in a poor state of repair. Property services have indicated this building would be demolished and the land sold.</p> <p>The remaining centres would be still within Birmingham City Council buildings and are already established within the care centres. However the numbers of staff would need to reduce as there would be less need for management, direct care, any on site catering and reduced transportation service.</p> <p>The remaining centres would concentrate only on specialist dementia day service for citizens of all ages with dementia living in the community. The buildings being of a higher standard than the four based within none care centre or external buildings, and would be able to support the provision of personal care and there could be opportunities to use other rooms, such as the restaurant to allow differing activities to take place at the same time.</p>

The service would focus and specialise in providing high quality dementia day support services. The stated purpose of the service would be to provide evidence based interventions for people with dementia to assist them to remain as independent as possible and delay and reduce the need for residential care and support’. This is in line with Birmingham’s dementia strategy.

This option would not resolve the issues with the current transport fleet attached to the centres. The home- to- centre transport is provided by minibuses as this meets the needs of older people best. However there is insufficient capacity to maintain the present service in the longer term and to develop a service in line with constantly increasing demand without investment in new fleet. The nature of the service users with both dementia, and physical needs means that alternative options such as unassisted independent travel/ public transport are unsafe.

Of the 311 people who are currently receiving a service from the day centres, 182 people have dementia, this equates to 59% of service users. These 182 service users would form the service user cohort for this proposal, along with any service users subsequently identified who have an assessed eligible need for care and support relating to dementia. However this would only allow an average of two days of service per service user per week based on the remaining capacity and would incur increased transportation costs as journey lengths would increase for some service users from displaced units.

Otherwise, in order to reduce transportation costs and journey times, service users may only be accepted from local areas such as Edgbaston, Erdington, Ladywood and Yardley constituencies.

Taking the figure of 311 as a starting point, this would mean 129 service users still would need to be reassessed with a view to sign posting them to other services and/ or direct payments to meet their needs more flexibly in the community.

It should be noted however, that the units would still have their existing costs which include a proportion of rental and running cost contribution to the care centre budget. It should also be noted that the Care Centres are the subject of separate proposals as part of the Council Business Plan and Budget 2016+. There is a significant risk that proposals for the future use of the Care Centres may impact or limit the ability of the Council to provide Day services in these buildings.

Finance

- Sale of the building housing Shakti Day Centre will generate a one-off capital receipt – estimated to be in the region of £500,000. This will produce an annual revenue stream of £37,500 for the service area.
- The net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained in brackets,:

Net saving £000				
2016/17	2017/18	2018/19	2019/20	2020/21
49	(101)	(176)	(234)	(234)

Pros and Cons of Option	Delivery of identified outcomes <p>Positives:</p> <ul style="list-style-type: none"> • The option delivers savings to the public purse, but less than Option 2 • The option makes a contribution to a reduction in the Council's overall workforce, but less than Option 2. • The option represents a shift away from mainstream funding of services to giving eligible people choice and control through a Direct Payment, but not as significant as Option 2. • The option could increase the range of services people can buy with a personal budget via a Direct Payment <p>Negatives:</p> <ul style="list-style-type: none"> • The option does not deliver against the identified outcomes as significantly as Option 2. <p>Additional risk</p> <ul style="list-style-type: none"> • The Care Centres are subject to a separate review and proposals which if approved may impact on the ability to use the Care Centres as a base from which to operate day centres from • The potential impact of change on service users • Potential impact on workforce.
Stakeholders engaged.	A range of internal stakeholders have been consulted including Legal & Democratic Services, Corporate Procurement Services, Birmingham Property Services, Specialist Care Services and the Commissioning Centre of Excellence. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this option is <u>not</u> preferred for implementation, but is subject to consultation.
Principal Reason for Decision	<ul style="list-style-type: none"> • The option does not deliver as significantly against the identified outcomes as Option 2.

Option 4	Outsource the current service.
Information Considered	<p>This option would still allow the service to operate but involves transferring employees and assets, as well as handing over control of public services to either private or third sector organisations.</p> <p>This option would take advantage of a specialist provider's knowledge and economies of scale to improve performance and achieve the service needed.</p> <p>As part of the consultation the Council may propose ring-fencing the outsourcing to organisations in accordance with EU Regulation 77 for Reserved Contracts. Under this regulation competition can be limited to organisations whose objectives are the</p>

pursuit of a public service mission linked to the delivery of services; whose profits are reinvested with a view to achieving the organisation's objective; whose structures of management or ownership of the organisation are based on employee ownership or participatory principles, or require the active participation of employees, users or stakeholders.

The Directorate would need to give notice to landlords of the buildings where Boldmere and the African Caribbean Day Centre's are based, as the operation of the service would not be directly controlled by the council.

Shakti is sole occupier of a large council owned building which is in a poor state of repair. Property services have indicated this building would be demolished and the land sold. Any future provider would have to be willing to upgrade the building. However this would involve capital costs to potential providers, which would be considerable.

Moreover, there is the issue of staffing as TUPE would apply, and any payroll savings that an outsourced provider(s) could provide would be reduced.

The remaining centres that would be still within Birmingham city council buildings would still require rental costs to be recovered and this would be greater than average for external organisations. This may not ensure that the unit costs were competitive with market prices.

There also remains the issue of seeking willing provider's interested in undertaking the outsourcing. There is the issue that the size of operations are too big for one provider to undertake, or providers may be only interested in some of the services (cherry-picking) leaving others still to be operated, or decommissioned.

It should be noted that there has been little interest from organisations or community groups shown during public consultations in taking over provision of Older Adults Day Care, however this is a market with a significant numbers of operators already.

Finance

- Sale of the building housing Shakti Day Centre will generate a one-off capital receipt – estimated to be in the region of £500,000. This will produce an annual revenue stream of £37,500
- The net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained in brackets, costs are not:

Net saving £000				
2016/17	2017/18	2018/19	2019/20	2020/21
0	0	0	0	0

The assumption has been made here that TUPE would apply and with the majority of costs being made up of staffing budgets then negligible or nil savings would be made

	unless employee terms and conditions were changed.
Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Positives:</p> <ul style="list-style-type: none"> • The option does not contribute to a reduction in the Council's overall workforce • The option does not increase the range of services people can buy with a Direct Payment should they choose to have one <p>Negatives:</p> <ul style="list-style-type: none"> • The option does not deliver savings to the public purse • The option does not represent a shift away from mainstream funding of services to giving eligible people choice and control through a Direct Payment <p>Additional risk</p> <ul style="list-style-type: none"> • The Care Centres are subject to a separate review and proposals which if approved may impact on the ability to use the Care Centres as a base from which to operate day centres from
Stakeholders engaged.	A range of internal stakeholders have been consulted including Legal & Democratic Services, Corporate Procurement Services, Birmingham Property Services, Specialist Care Services and the Commissioning Centre of Excellence. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council the option is <u>not</u> preferred for implementation, but is subject to consultation.
Principal Reason for Decision	While the option delivers against 2 of the identified outcomes it does not deliver significant savings to the Council.

4. Budget and management information	

5. Project Development Requirements/Information	
Products required to produce Full Business Case	N/A
Estimated time to complete project development	4 Months
Estimated cost to complete project development	
Funding of development costs	N/A
EIA: the main risks so far identified a strategy for managing them and need for any contingency arrangements.	✓

People Directorate
Internal Care Review Older Adults Day Care – Outline Consultation Plan

This schedule gives an overview of the Consultation and Engagement plan for the proposed changes to the Council's residential short breaks service.

Activity and Stakeholder	Detail	Start Date	Completion Date
Cabinet Report governance process begins	Feedback from the Corporate and Directorate budget consultation 2016+ and the early engagement sessions is incorporated into key decisions.	April 2016	June 2016
Develop stakeholder consultation plan.	Detailed planning about how best to communicate and consult with service users, family carers, staff and trade unions.	May 2016	June 2016
Produce consultation documentation	Define and produce content of consultation documentation and questionnaires. Ensure development in accessible formats.	May 2016	June 2016
Cabinet Report approval	Presentation of report to Cabinet for approval	28 th June 2016	28 th June 2016
Cabinet decision disseminated	Briefing Note to Communications Team	July 2016	July 2016
Be Heard Website	Documents posted on website with comment form and FAQs	July 2016	July 2016
Inform service users, carers and staff scheduled consultation meetings	Invites issued to service users, carers and staff.	July 2016	July 2016
Service user and carer consultation meetings	Meetings with groups of service users and carers to discuss the vision, proposals and impact.	July 2016	September 2016
Staff and Trade union consultation meetings	Meetings with groups of staff and trade unions to discuss the vision, proposals and impact.	July 2016	September 2016
Cabinet member briefing	To discuss the issues raised during consultation	July 2016	September 2016
Evaluation	To summarise and report on the information gathered during the consultation process	September 2016	October 2016
Impact Assessment	Carry out full equality impact assessment	September 2016	September 2016
Development of Full Business Case	Development and finalisation of the Full Business Case which takes into account the outcome of all consultation and engagement activity.	September 2016	October 2016
Cabinet Report approval	Presentation of Full Business Case report to Cabinet for approval	November 2016	November 2016

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none">(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality 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.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none">(a) tackle prejudice, and(b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none">(a) age(b) disability(c) gender reassignment(d) pregnancy and maternity(e) race(f) religion or belief(g) sex(h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Commissioning SCS Older Adults Day Centre Review - MIA20
Directorate	People
Service Area	Adults - Joint Commissioning
Type	New/Proposed Function
EA Summary	A review of Older adults day care as part of the Budget 2016+ savings (MIA 20).
Reference Number	EA001181
Task Group Manager	Sharon.D.Gentles-Garlick@birmingham.gov.uk
Task Group Members	Sueb.Jabbar@birmingham.gov.uk, parveen.ellahi@birmingham.gov.uk
Senior Officer	Maria.B.Gavin@birmingham.gov.uk
Quality Control Officer	Charles.Ashton-Gray@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this that Function and expected outcomes?	<p>Birmingham city Council proposes to reorganise its internally provided services, so people may choose to buy these or different community based services which meet their assessed eligible need for care and support.</p> <p>The council gives people a personal budget of which all or some can be taken as a direct payment to spend on their care and support services.</p> <p>In the longer term this means we need to move away from mainstream funding the presencouncil day services and instead encourage people who are eligible for support to take up a Direct Payment</p> <p>The potential outcomes of the change to the day care service? are;</p> <ul style="list-style-type: none">• People using internal day care service have increased choice and control over the way they meet their assessed eligible need for care and support.• People can take a direct payment to access community services or engage in activities not provided by the internal service.• People have the opportunity to develop new support plans and be able to choose alternative services to meet their assessed eligible care and support needs.• Birmingham City Council achieves cost benefits by providing day care in a different way• People have the ability to purchase non-traditional forms of day care support should they choose to take a Direct Payment.• People have the opportunity to access more community based day services, with the potential to access services with adults of different ages, communities and abilities.
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
Comment The proposals to exploring other options for vulnerable adults who require day services would open opportunities for people to have more choice on the type of activities they would like to do while still meeting their needs. They would have more control over the care they receive and the ability purchase care from a number of different agencies.	
A Fair City	Yes
A Prosperous City	NO
A Democratic City	NO

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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<u>Comment</u> This proposal would impact on people who currently attend the 7 older adults day centres managed by Specialist Care Services (SCS). This amounts to approx 300 (as at May 2016) vulnerable adults who attend day centres between 1 and 5 days per week. Older adults day services not only provide activities/support to older adults they also provide a break to their carers?	
Will the policy have an impact on employees?	Yes
<u>Comment</u> The proposal would have an impact on employees working in older adults day services, where their post may be put at risk of redundancy. There are approximately 61 (as at May 2016) employees working in older adults day centres.	
Will the policy have an impact on wider community?	Yes
<u>Comment</u> The wider community may be impacted by the change to this service in the form of future users of older adult day care.	

2.3 Analysis on Initial Assessment

Birmingham city Council proposes to reorganise its internally provided services, and encourage adults to take direct payments to purchase the care and support to meet their assessed eligible needs.

Research of the day care market indicates that there are 95 day care centres and activities run across Birmingham providing day care in the community, for the community. The 7 council run services provide a small percentage of the day care market.

The proposed changes should have a positive impact on Public service excellence and A Fair city.

The proposals will have an impact on service users, on employees and on the wider community in terms of future users.

All of the protected characteristics were assessed initially and at this point five characteristics have been identified as relevant, they are Age, gender, race, religion and Disability.

3.1 Age

3.1.1 Age - Differential Impact

Age	Relevant
<p><u>Comment</u></p> <p>Service users</p> <p>Data was collected from 286 service users registered to attend the 7 SCS older adults day centres. All the service users impacted by this proposed change are over 65 years of age.</p> <p>Employees</p> <p>Data collected from 61 employees who are based at the 7 older adults day centres. Over 65% of employees are over 50 years old and will be impacted by the change and potential loss of employment</p>	

3.1.2 Age – Impact

Describe how the Function meets the needs of Individuals of different ages?	Older adults day care meets the needs of older people with an assessed eligible need for care and support , there is no upper limit to the service.																
	The age ranges of the current users of the																
	<table><tr><th colspan="2">Older adults day care - age</th></tr><tr><td>65-74</td><td>18%</td></tr><tr><td>75-84</td><td>39%</td></tr><tr><td>85-94</td><td>32%</td></tr><tr><td>95+</td><td>3%</td></tr><tr><td>Unknown</td><td>7%</td></tr></table>			Older adults day care - age		65-74	18%	75-84	39%	85-94	32%	95+	3%	Unknown	7%		
	Older adults day care - age																
	65-74	18%															
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	Unknown	7%															
	service are;																
Employees																	
<table><tr><td>18-29</td><td>0</td><td>0</td></tr><tr><td>30-39</td><td>7</td><td>11.40%</td></tr><tr><td>40-49</td><td>10</td><td>16%</td></tr><tr><td>50-59</td><td>28</td><td>45%</td></tr><tr><td>60+</td><td>13</td><td>21%</td></tr></table>			18-29	0	0	30-39	7	11.40%	40-49	10	16%	50-59	28	45%	60+	13	21%
18-29	0	0															
30-39	7	11.40%															
40-49	10	16%															
50-59	28	45%															
60+	13	21%															

Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	<p>The evidence is collected from service users social care assessment as recorded on carefirst, assessments are reviewed annually and information updated.</p> <p>Employee data is sourced from People solution</p>

Have you received any other feedback about the Function in meeting the needs of Individuals of different ages?	Yes
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Please record the nature of such feedback.	Market research completed by adults commissioning market intelligence team found 95 day centres and activities across Birmingham. This range of proposed alternatives to the current 7 day centres managed by the council should give adults choice and reduce the impact on them.
You may have evidence from more than one source. If so, does it present a consistent view?	Yes
Is there anything about the Function and the way it affects Individuals of different ages which needs highlighting?	No

3.1.3 Age - Consultation

Have you obtained the views of Individuals of different ages on the impact of the Function?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals of different ages?	No
If not, why not?	There are plans to consult relevant stakeholders
Is there anything about the Function and the way it affects Individuals of different ages which needs highlighting?	No

3.1.4 Age - Additional Work

Do you need any more information to complete the assessment?	Yes
Please explain what information you need.	Consultation on the proposed changes would need to be added to this assessment. Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.
Is there any more work you feel is necessary to complete the assessment?	No
Do you think that the Function has a role in preventing Individuals of different ages being treated differently, in an unfair or inappropriate way, just because of their age?	No
Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.2 Disability

3.2.1 Disability - Differential Impact

Disability	Relevant
<u>Comment</u> Approximately 59% of the adults that attend the council day centres have some form of diagnosed dementia. The impact of change and move to alternate provision may impact on them.	

3.2.2 Disability - Impact

Describe how the Function meets the needs of Individuals with a disability?	The 7 older adults day centres work with social workers to meet the needs of older adults with disabilities and with forms of dementia. The day centres are wheel chair accessible. 59% of the current service users have a dementia diagnosis and 1% have indicated they have a disability. Employees 5% of employees have indicated they have a disability.
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	<u>Service users</u> The information to support this has been collected from social care assessments completed by social workers and recorded on Carefirst. Employees The data on disability has been collected from the councils People solutions records.
Have you received any other feedback about the Function in meeting the needs of Individuals with a disability?	Yes
Please record the nature of such feedback.	Evidence supplied by providers in the day care market have indicated their ability to meet the needs of older adults with a range of disabilities including dementia.
You may have evidence from more than one source. If so, does it present a consistent view?	y e s
Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?	Yes

3.2.3 Disability - Consultation

Have you obtained the views of Individuals with a disability on the impact of the Function?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals with a disability?	No

If not, why not?	There are plans to consult relevant stakeholders
Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?	No

3.2.4 Disability - Additional Work

Do you need any more information to complete the assessment?	Yes
Please explain what information you need.	<p>Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.</p>
Is there any more work you feel is necessary to complete the assessment?	Yes
Do you think that the Function has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?	No
Please explain what work needs to be done.	<p>Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be undated with the results.</p>
Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No
Do you think that the Function will take account of disabilities even if it means treating Individuals with a disability more favourably?	No
Do you think that the Function could assist Individuals with a disability to participate more?	No
Do you think that the Function could assist in promoting positive attitudes to Individuals with a disability?	No

3.3 Religion or Belief

3.3.1 Religion or Belief - Differential Impact

Religion or Belief	Relevant
<u>Comment</u> The 7 older adult's day services make every effort to meet service user's religious beliefs religious, religious festivals are respected and recognised.	

3.3.2 Religion or Belief – Impact

Describe how the Function meets the needs of Individuals of different religions or beliefs?	<p>The 7 day centres have service users attending with a range of religious beliefs, and every effort is made to meet the needs of their religious beliefs. Specific food is purchased and cooked and religious festivals are observed.</p> <p>The details of the current service users religious beliefs are detailed below;</p> <p>Older adults day care - Religion</p> <p>Buddhist 0</p> <p>Christian Orthodox 3%</p> <p>Eastern Orthodox 0.30%</p> <p>Hindu 3.40%</p> <p>Information not yet obtained 5%</p> <p>Jehovahs Witness 0.60%</p> <p>Jewish 0</p> <p>Muslim 13.6.%</p> <p>None 8.30%</p> <p>Other 14.30%</p> <p>Protestant 34%</p> <p>Rastafarian 0</p> <p>Refused 0.60%</p> <p>Roman Catholic 8%</p> <p>Seventh Day Adventist 2%</p> <p>Sikh 5.50%</p> <p>(blank) 0.30%</p> <p>Information on employees religious beliefs are not available at the moment.</p>
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	The statistics regarding service users religious beliefs are taken from social care assessments completed by social workers and recorded on Carefirst.
Have you received any other feedback about the Function in meeting the needs of Individuals of different religions or beliefs?	Yes
Please record the nature of such feedback.	Evidence supplied by providers indicate their ability to meet the needs of people with a range of religious beliefs.

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
Is there anything about the Function and the way it affects Individuals of different religions or beliefs which needs highlighting?	No

3.3.3 Religion or Belief - Consultation

Have you obtained the views of Individuals of different religions or beliefs on the impact of the Function?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals of different religions or beliefs?	No
If not, why not?	There are plans to consult relevant stakeholders
Is there anything about the Function and the way it affects Individuals of different religions or beliefs which needs highlighting?	No

3.3.4 Religion or Belief - Additional Work

Do you need any more information to complete the assessment?	Yes
Please explain how individuals may be impacted.	This may encourage more integration of adults with different religious beliefs.
Please explain how.	This may encourage more integration of adults with different religious beliefs.
Please explain what information you need.	<p>Further information on employees religious beliefs is needed to add to the assessment. Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.</p>
Is there any more work you feel is necessary to complete the assessment?	Yes
Do you think that the Function has a role in preventing Individuals of different religions or beliefs being treated differently, in an unfair or inappropriate way, just because of their religion or belief?	Yes
Please explain what work needs to be done.	<p>Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.</p>

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Yes

3.4 Gender

3.4.1 Gender - Differential Impact

Gender	Relevant
<u>Comment</u> Service users The gender mix is 70% female, 30% male which is reflective of the wider population of this age group. Employees The gender mix for employees is 63% female and 37% male , so will impact on females more than males.	

3.4.2 Gender - Impact

Describe how the Function meets the needs of Men and women?	The majority of service users who attend the 7 day centres are female, the gender mix is 70% female and 30% male. This is in line with the general population of this age group. The majority of employees who work at the 7 day centres are female, the gender mix is 63% female and 37% male.
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	The data is collected from the city councils personnel record- People solution's and from locally held information by managers. Information on service users has been collated from social care assessments completed and updated by social workers on Carefirst.
Have you received any other feedback about the Function in meeting the needs of Men and women?	Yes
Please record the nature of such feedback.	Initial discussions with market providers of day care indicate they are able to meet the needs of male and female older adults.
You may have evidence from more than one source. If so, does it present a consistent view?	Yes
Is there anything about the Function and the way it affects Men and women which needs highlighting?	No

3.4.3 Gender - Consultation

Have you obtained the views of Men and women on the impact of the Function?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Function on Men and women?	No
If not, why not?	There are plans to consult relevant stakeholders
Is there anything about the Function and the way it affects Men and women which needs highlighting?	Not Answered Yet

3.4.4 Gender - Additional Work

Do you need any more information to complete the assessment?	Yes
Please explain what information you need.	Consultation will take place on the proposed changes to older adults day services provided by the council, the consultation results will need to be considered to assess the impact of the proposed changes on men or women.
Is there any more work you feel is necessary to complete the assessment?	Yes
Do you think that the Function has a role in preventing Men and women being treated differently, in an unfair or inappropriate way, just because of their gender?	No
Please explain what work needs to be done.	<p>Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.</p>

3.5 Race

3.5.1 Race - Differential Impact

Race	Relevant
<p><u>Comment</u></p> <p>SCS older adult's day centres work with service users from a range of ethnic backgrounds to meet their assessed unmet care needs.</p>	

3.5.2 Race - Impact

Describe how the Function meets the needs of Individuals from different ethnic backgrounds?	<p>The 7 day centres offer older adults day care to adults from a range of ethnic backgrounds including two day centres which are predominantly attended by African Caribbean elders or South Asian elders.</p> <p>The data below shows the ethnic origin of service users.</p> <p>Older adults day care - Ethnicity</p> <p>Asian Other 3%</p> <p>Bangladeshi 0.50%</p> <p>Black - Other 1%</p> <p>Black African 1%</p> <p>Black-African Caribbean 31%</p> <p>Chinese 0</p> <p>Indian 6%</p> <p>Information not yet obtained 0.30%</p> <p>Irish 4%</p> <p>Mixed - Other Mixed Background 0</p> <p>Mixed - White and Black Caribbean 0</p> <p>Other 0.30%</p> <p>Pakistani 12.50%</p> <p>White - Other 1.30%</p> <p>White - UK 37%</p> <p>(blank) 0.50%</p>
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	The statistics of service users ethnic origin was taken from social care assessments carried out by social workers and recorded on Carefirst.
Have you received any other feedback about the Function in meeting the needs of Individuals from different ethnic backgrounds?	Yes
Please record the nature of such feedback.	Evidence supplied by providers of day care in Birmingham indicates their ability to meet the needs of adults from a range of different ethnic backgrounds.
You may have evidence from more than one source. If so, does it present a consistent view?	Yes

Is there anything about the Function and the way it affects Individuals from different ethnic backgrounds which needs highlighting?	No
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3.5.3 Race - Consultation

Have you obtained the views of Individuals from different ethnic backgrounds on the impact of the Function?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals from different ethnic backgrounds?	No
If not, why not?	There are plans to consult relevant stakeholders
Is there anything about the Function and the way it affects Individuals from different ethnic backgrounds which needs highlighting?	No

3.5.4 Race - Additional Work

Do you need any more information to complete the assessment?	Yes
Please explain how individuals may be impacted.	This could encourage more integration of older people from different ethnic backgrounds
Please explain how.	This could encourage more integration of older people from different ethnic backgrounds
Please explain what information you need.	<p>Further information is needed on the ethnicity of employees.</p> <p>Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.</p>
Is there any more work you feel is necessary to complete the assessment?	Yes
Do you think that the Function has a role in preventing Individuals from different ethnic backgrounds being treated differently, in an unfair or inappropriate way, just because of their ethnicity?	Yes
Please explain what work needs to be done.	<p>Consultation on the proposed changes would need to be added to this assessment.</p> <p>Permission to consult current users, employees and the wider public will be sought in June and it is anticipated that consultation will then take place and this document will be updated with the results.</p>

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Yes

3.6 Concluding Statement on Full Assessment

The impact of the proposals for the future of the seven BCC run older adults day centres have been considered. Any change to the current provision could impact on service users with a disability (dementia) if there is not adequate provision in the market. This will need to be carefully considered during and after consultation.

Service users who attend the culturally specific day centres may also be impacted, initial market analysis indicates market provision for Asian elders, however further work would be needed to identify provision for African Caribbean elders if this is their preferred choice.

Transport is currently provided and this will also need to be considered in the consultation period.

4 Review Date

30/06/16

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to:	CABINET
Report of:	Strategic Director of the People Directorate
Date of Decision:	28 th June 2016
SUBJECT:	MAXIMISING INDEPENDENCE OF ADULTS: INTERNAL CARE REVIEW - LEARNING DISABILITY SHORT BREAKS
Key Decision: Yes	Relevant Forward Plan Ref: 0001802/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Councillor Paulette Hamilton – Health and Social Care
Relevant O&S Chairman:	Councillor John Cotton – Health, Wellbeing and the Environment
Wards affected:	All

1. Purpose of report:
1.1 To seek authority to consult with service users and carers, staff and other stakeholders on the proposals in relation to the two remaining internal residential short break services for adults with a learning disability (The Laurels, Stechford and Brook House, Lozells) including a proposal to close the services and to report back to Cabinet following the consultation.

2. Decision(s) recommended:
That the Cabinet approve:-
2.1 The Outline Business Case (OBC) contained in Appendix 1 which sets out an options appraisal and recommendations.
2.2 Commencement of consultation with service users and carers, staff and other stakeholders on the proposals in relation to the two remaining internal residential short break services for adults with a learning disability (The Laurels, Stechford and Brook House, Lozells) including a proposal to close the services.
2.3 Commencement of market engagement activity to ensure potential service providers are aware of all the proposed options.

Lead Contact Officer(s):	Alison Malik Head of Service – Complex and Statutory Services Commissioning Centre of Excellence People Directorate
E-mail address:	alison.malik@birmingham.gov.uk

3. Consultation
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3.1 Internal

Councillor Majid Mahmood, Cabinet Member for Value for Money and Efficiency has been consulted in the preparation of this Cabinet report and is supportive of proposals. Also officers from Legal & Democratic Services, Corporate Procurement Services, City Finance, Birmingham Property Services, Specialist Care Services and the Commissioning Centre of Excellence have been involved in the preparation of this Cabinet report. Trade Union representatives have also been made aware of the proposals, however further staff consultation will be required as part of the implementation of this decision.

3.2 External

Initial consultation has been conducted with the public as part of both the Corporate and Directorate Budget Consultation exercises which took place between November 2015 and February 2016. The outcome of this consultation was inconclusive for this service, with just over two fifths agreeing with the proposals (44%). However there was also significant disagreement (43%). These results have been considered as part of the development of the Outline Business Case contained in **Appendix 1**.

Further early engagement sessions with service users and their families were conducted on 11 April 2016, 13 April 2016 and 18 April 2016 with the following objectives:

1. To understand from service users how best to consult with them in a meaningful way that enables them to both understand and discuss the proposals, and to influence and shape future provision.
2. To present the proposed changes, test the Council's thinking, the clarity of the ideas and understand the key questions that service users will have
3. Identify if anyone is interested in having a more involved role in the future consultation, e.g. being part of the group that carries out the full Equality Assessment.

The learning from these early engagement sessions will be used to shape and influence the structure and content of the formal consultation as detailed in **Appendix 2**, which is to be conducted if approved.

4. **Compliance Issues:**

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

This decision is consistent with the Council's overall objective of "making a positive difference every day to people's lives".

More specifically the consultation relating to the proposed closure of The Laurels and Brook House is consistent with the Council Business Plan and Budget 2016+ priorities as follows:

- A fair city – supporting carers to maintain their caring role by ensuring a diverse range of services are available.

- A prosperous city – the commissioning of services supports the local economy, particularly as the majority of providers are Birmingham-based.
- A democratic city – the City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need.
- Council of the future – this project supports the wider Future Council programme and the delivery of savings identified in the Budget Consultation 2016+.

4.2 Financial Implications

The Council's corporate Budget Consultation 2016+ identified that spare capacity in the short breaks service would be better utilised in the short term, whilst consideration in the long term is given to the proposed closure of the remaining services.

The approved Council Business Plan and Budget 2016+ included the following saving requirements:

Net Budgeted Spend 16/17	Saving in 16/17	Saving in 17/18	Saving in 18/19	Saving in 19/20
£1.2m	(£0.192m)	(£0.364)	(£0.364)	(£0.364)

The Outline Business Case contained in **Appendix 1** identifies how these savings may be achieved and a number of alternative options that have been considered.

The timelines around the consultation process indicates that there will be a shortfall in the savings based on the options in **Appendix 1**. The Directorate will need to identify alternative proposals to mitigate any shortfall in meeting the savings requirements.

The consultation activity detailed in **Appendix 2** will be funded through existing staff resources.

4.3 Legal Implications

The Care Act 2014 together with associated regulations and statutory guidance give the power and the duty to provide a range of services to meet assessed eligible need for care and support.

4.4 Public Sector Equality Duty

An initial Equality Assessment has been completed and will be revised and updated as the project develops towards a Full Business Case. This Equality Analysis is contained within **Appendix 3**

The Equality Assessment has considered the options contained in the Outline Business Case and currently identifies that the proposals would have the most significant impact on those with the following protected characteristics; age; disability; and gender. These will be the focus of the Equality Analysis as it develops throughout the consultation period and in developing the Full Business Case.

5. Relevant background/chronology of key events:

- 5.1 The learning disability short break service provides planned and unplanned short breaks for those over 18 with learning disabilities and also respite services for carers. This is an essential service to support carers by providing a break from the caring role and may be part of an individual's assessed eligible need for care and support. Unplanned short breaks enable the Council to respond to situations such as long term hospitalisation of carers, break down in a placement and in the worst scenario, where there has been a sudden death of a carer or parent.
- 5.2 The service was redesigned in 2014 which included the decommissioning of the Allenscroft (Brandwood) service, leaving the service operating over two sites; The Laurels (Stechford); and Brook House (Lozells) with 31 beds in total, supporting approximately 130 service users and their families/carers.
- 5.3 The short break service is accessed via a social work assessment of need for care and support, confirming the person has an eligible need for care and support. Data available about those accessing the service shows the average occupancy for the period April 2015 – August 2015 for The Laurels was 37.4% and for Brook House was 30.2% (excluding extended guests).
- 5.4 The profile of those using the service over recent years has changed, with an increasing number of service users being admitted via the emergency route and awaiting reassessment. These people are known as extended guests and are excluded from the occupancy figures in 5.3 above. It is recognised that a replacement emergency placement service may need to be commissioned in future and this will be addressed in the Full Business Case.
- 5.5 Service users' and carers' expectations of the quality of services have steadily risen. This rise in expectations has impacted on the service as it is not able to provide en suite facilities at The Laurels. Furthermore, The Laurels requires a new heating system as well as being in need of more widespread refurbishment and redecoration which is estimated would cost up to £1.5m. This building is coming to the end of its useful life as a registered care setting. Whilst facilities at Brook House have been the subject of some refurbishment in 2008, it remains an old building and the service reports that many service users reject it because of its location.
- 5.6 The number of working age adults with a learning disability in Birmingham was estimated to be over 16,000 in 2011, along with over 2,800 over the age of 65 (Source: www.PANSI.org.uk). It is further estimated that there were around 3,000 of these adults with learning disabilities accessing support from social services at that time, suggesting large numbers of citizen's who may be being cared for by their families. Whilst it is difficult to translate general demographic data into future demand for specific services such as short breaks, a more flexible and diverse approach to commissioning these essential services is required in future.

- 5.7 Supporting carers to maintain their caring role remains a priority for the City Council and short breaks play an important role in preventing carer breakdown. However it is recognised that the Council may no longer be best placed to provide these services directly and that alternative approaches to commissioning need to be explored.
- 5.8 Birmingham City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need. As part of this, the Council gives people a personal budget, of which all or some can be taken as a Direct Payment to spend on their care and support services. We will be encouraging eligible service users to take up this budget as a Direct Payment, from which they can buy a range of services including traditional residential short breaks, support from a personal assistant or other types of community based support as detailed in the Outline Business Case in **Appendix 1**.
- 5.9 The Outline Business Case identifies six potential options which have been analysed. Whilst the need to make savings is detailed in 4.2 above, it is also important to make improvements to the services our citizen's receive.
- 5.10 This report is therefore requesting permission to consult on the six options contained in the Outline Business Case. This includes the recommended option of the proposed decommissioning of the remaining short break services at The Laurels and Brook House. The consultation process is detailed in **Appendix 2** which will take place over a three month period, due to commence in July 2016.
- 5.11 In the short term the service will make better use of spare capacity by working with the extended guests to undertake assessments of their need for care and support. As this project continues to develop towards a Full Business Case we will alert potential service users that the service is subject to consultation and advise them how they can engage with the consultation process.

6. Evaluation of alternative option(s):

- 6.1 The alternative options are detailed in the Outline Business Case contained in **Appendix 1** but are summarised below:

Option 1: No change – keeping services as they are would not support the Council's intention to develop services that people can buy with a Direct Payment and would not deliver the savings targets identified

Option 2: Close The Laurels and move the service to alternative Council owned accommodation – this option would not support the Council's intention to develop services that people can buy with a Direct Payment and would not deliver the savings targets identified.

Option 3: Close The Laurels and continue to provide a service at Brook House in the medium to long term - this option would not support the Council's intention to develop services that people can buy with a Direct Payment and would not deliver the savings targets identified.

Option 4 – Close The Laurels and transfer Brook House as a short breaks service to an alternative provider - this option is unlikely to deliver the savings targets identified and may create an over-supply of short break services in the market.

Option 5 - Close the Laurels and Brook House on a phased basis and offer service users alternative provision in the market through a Personal Budget – this is one of recommended options discussed in section 5 above.

Option 6 - Close the Laurels and Brook House together and offer service users alternative provision in the market through the provision of a Personal Budget - this is one of recommended options discussed in section 5 above.

7. Reasons for Decision(s):

- 7.1 To approve the Outline Business Case (OBC) contained in **Appendix 1** and to consult on the future of the service including the decommissioning of the remaining two internal residential short break services for adults with a learning disability
- 7.2 To approve commencement of market engagement and development activity with potential service providers, identifying the type of services that may be required in future.

Signatures

Date

Councillor Paulette Hamilton
Cabinet Member for Health and
Social Care

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Peter Hay
Strategic Director for People

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List of Background Documents used to compile this Report:

N/A

List of Appendices accompanying this Report (if any):

1. Appendix 1 – Outline Business Case
2. Appendix 2 – Consultation Plan
3. Appendix 3 – Equality Assessment

Report Version	9	Dated	14 June 2016
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APPENDIX 1

People's Directorate – PROGRAMME MANAGEMENT OFFICE

OUTLINE BUSINESS CASE

Maximising Independence of Adults': Internal Care Review – Learning Disability Short Breaks

Purpose

The purpose of this document is to gain approval to proceed to consultation on the proposed options in relation to the Learning Disability Short Break service.

The Business Case focuses on the current practice and situation, market and future of the service. This document describes the proposals for the service, together with an outline of the key issues and challenges faced.

Project Mandate

Background

Background and business context

The service provides planned and unplanned short breaks for people with learning disabilities and respite services for carers. Unplanned short breaks enable the Council to respond to situations such as long term hospitalisation of carers, break down in a placement and in the worse scenario, where there has been a sudden death of a carer/parent.

Due to the scale of funding reductions but also the changing times in which we operate, the City Council has recognised that there is a need for radical change in how our organisation works – its role and functions and the culture that determines how we work together with the people of the city. To address these challenges, the City Council set up the Future Council programme during 2015 to deliver an integrated and strategic approach to managing the necessary changes. This has taken on board all the recommendations of the Kerslake review of corporate governance, published in December 2014 and the ongoing advice and support from the Improvement Panel set up at the beginning of 2015.

A small part of the Future Council programme has focussed on developing proposals for the Council's internal Specialist Care Service (SCS). In November 2015 the Council released its 2016+ Budget proposals for consultation, one of which concerned the Internal Care Review – Learning Disability Short Breaks service.

Further details about the Council's wider approach can be found in the Council Business Plan and Budget 2016+ Consultation document. The Budget 2016-2019 consultation set out a range of proposals to deliver the savings required to balance future budgets. The Budget was approved in March 2016.

Vision Statement

Birmingham City Council intends to reorganise its internally provided services, so that people may choose to buy these or different community based services which meet their assessed eligible needs for care and support. Currently the law prevents the use of a Direct Payment to purchase services run by their Council. Birmingham City Council is committed to developing

	<p>services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need.</p> <p>The Council gives people a personal budget, of which all or some can be taken as a Direct Payment, to spend on their care and support services. The Council has significant funds tied up in block contracts; it seeks to move away from this position and give people choice and control over which service they can purchase. We will encourage eligible service users to take this budget as a Direct Payment, from which they can buy a range of services including traditional residential short breaks, support from a personal assistant, or other types of community based support. The Council's approach will be to encourage people to manage their own resources and care wherever they can to maximise their independence.</p> <p>Outcomes</p> <p>The Vision is intended to deliver the following outcomes:</p> <ul style="list-style-type: none"> • An increase in the range of services people can buy with a personal budget • An improvement in the overall quality of services available for people to buy should they choose to do so • Contribute to increase in the numbers of people directing and coordinating their own care and support. • Contribution to the reduction in the Council's overall workforce • A shift away from the internal provision of these services • To deliver the savings identified in the Council Business Plan and Budget 2016+.
Service Objectives	<p>The purpose of the service is:</p> <ul style="list-style-type: none"> • The Council's internal Specialist Care Services (SCS) division provides residential short breaks and respite care for approximately 130 people with learning disabilities in two units. • The Care Act 2014 places a duty on Local Authorities to meet the assessed eligible care and support needs of individuals and their carers when assessed against the National Eligibility Framework. While the Local Authority is not duty bound as an organisation to deliver or provide the care and support itself, it must ensure sufficiency of provision – in terms of both capacity and capability – to meet anticipated needs for all people in their area who have eligible need for care and support. • Birmingham City Council has long recognised the need to offer family carers a range of options to provide them with a break or respite from their caring responsibilities and is part of a suite of services designed to maintain people in their home and prevent people requiring more intensive and costly long term care services. • The service is regulated by the Care Quality Commission.
Service Demographics	<p>Service locations</p> <p>The service currently operates from two locations which are owned and managed by Birmingham City Council:</p> <ul style="list-style-type: none"> • The Laurels – Stechford • Brook House - Lozells <p>Service users</p> <p>The service provides residential short breaks and respite care for approximately 130 people with learning disabilities and their carers/families.</p>

	<p>Employees</p> <p>The service currently employs the following numbers and grades of staff:</p> <p>Grade 5 – 3</p> <p>Grade 4 – 4</p> <p>Grade 3 – 15</p> <p>Grade 2 – 18</p> <p>Grade 1 - 6</p>
Current Position	<p><i>Current service operation</i></p> <p>The current service is provided internally by Birmingham City Council and its employees at a cost of £1.444m per annum. People using the service are allocated a number of ‘bed nights’ per year on an individual basis dependent on their assessed eligible need for care and support.</p> <p><i>Performance</i></p> <p>Performance of the service is judged on three criteria – service quality, service occupancy and service unit cost as follows:</p> <p><i>Service quality</i> – Both services were inspected in May and June 2015 by the Regulator. The Care Quality Commission’s (CQC) view is that both The Laurels and Brook House ‘require improvement’. Whilst the Council continues to make improvement, the benchmark for such services is a ‘good’ rating by CQC. Both services have action plans in place to ensure the required improvements are made. The Laurels received an unannounced CQC inspection on 4.5.2016 – the initial feedback has been positive. The CQC’s full report is expected in early July 2016.</p> <ul style="list-style-type: none"> • <i>Service occupancy</i> – Analysis of data between April and August 2015 (which includes the busy summer months) showed that use of the service for short breaks, averaged approximately 35%. A similar percentage of the service was occupied by extended guests who ought to be in more appropriate long term services. The benchmark is 90% occupancy, a figure achieved by private operators and the services own identified target. • <i>Unit cost</i> –The average cost of a week’s stay in 2015 at The Laurels was £1,508 and at Brook House £1,900. The benchmark weekly cost ranges from £349 with a Shared Lives provider to up to £1,480 with a similar residential care provider in the private market. <p><i>Need for change / drivers</i></p> <p>The following drivers for change have been identified:</p> <p><i>Policy</i></p> <ul style="list-style-type: none"> • The emerging Adults Transformation programme – Maximising the Independence of Adults sets out a series of plans, proposals and activity to deliver benefits and savings to reduce the predicted gap between increasing demand for service and reducing budgets . • Between November 2015 and January 2016, the Council consulted upon its Budget proposal for 2016+ in order to deliver in excess of £250m of savings (equating to 25% of its total budget). • Birmingham City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need. • The Council intends to move away from a system of block contracted provision. <p><i>Financial</i></p>

- The Council is required to make significant savings as detailed in the Council Business Plan and Budget 2016+. The internal Specialist Care Services – Short Breaks service has been identified as a contributor to these wider savings plans. The savings target requirement is as follows:

2016/17 (£000)	2017/18 (£000)	2018/19 (£000)	2019/20 (£000)	2020/21 (£000)
(192)	(364)	(364)	(364)	(364)

- The Laurels requires significant capital investment if it is to remain viable in the medium to long term.

Buildings

- It is recognised that the service has reduced in size in recent years as a result of unused capacity and poor quality building stock. However continuation of the service would require significant capital investment, which is estimated at £1.5m.
- The Laurels is not fit for purpose in the long term. It is well located, but the building is old and the size and quality of the rooms and facilities are not of the size, type and quality that people expect and wish to use. There is very limited access for people who use wheelchairs or require the use of a hoist. The site needs a major refurbishment to make it fit for purpose in the future.
- Brook House is in better physical condition than the Laurels and has had some refurbishment and investment in the last few years.

Occupancy

- Analysis of occupancy data showed that use of the service for short breaks, averaged approximately 35% against a benchmark of 90% occupancy, a figure achieved by private operators and the services own identified target.
- There would appear to be scope to consolidate supply in order to meet demand as long as the 'extended guests' can be accommodated in long term provision.

Future Demand Projections

- It is difficult to translate general projections of population increases into future demand for specific services like short breaks or respite care, as so many different factors determine which services people will want to use or purchase.
- A flexible system is therefore required, which offers people a range of choices, but that is able to expand and contract capacity when demand for services requires this.

Market capacity - Current

A range of alternative provision is available in the market already including:

- Three independent residential respite care homes – Silverbirch Road and Greswolde Park Road (provided by Birmingham Multicare) and Emscote House (provided by Norman Laud Association). Silverbirch Road have reported that they have on average between 1 and 2 beds vacant during the week and between 0 and 1 bed vacant at weekends. The other 2 homes report they are near full capacity.
- Shared Lives – 8 carers seeking to deliver respite care have been recruited by the internal service and through the Person Shaped Support (PSS) shared lives contract let by Birmingham City Council. The intention is to develop this market further.
- There is a well-developed market in Birmingham for home support services, which

	<p>could provide care in the citizen's home and can include help with; personal care including washing and dressing; housekeeping or cleaning; cooking and preparing meals; taking medications or health care needs; and companionship or activity based support. These services could be used to provide respite.</p> <ul style="list-style-type: none"> • Personal assistant – as above, but with employment responsibilities attached. • . <p>Market capacity – Developing</p> <ul style="list-style-type: none"> • Upward Housing is developing plans to build a 10 bed 'Care Hotel' as part of its development in east Birmingham – 'The Bromford'. The plans involve 10 serviced apartments with integrated care and support. If the organisation proceeds with its plans they have indicated the provision could be open in Spring 2017. • It is the Council's intention to increase the number and availability of Shared Lives carers and it has invested resources to achieve this. • There is a small but developing range of holiday accommodation in different parts of the country with integrated care on site. • It is recognised that market capacity may need to be developed to respond to the demand for access to emergency placements.
Scope	The internal Specialist Care Service (SCS) Short Breaks service currently delivered from The Laurels – Stechford and Brook House – Lozells.

PROJECT DEFINITION	
Way Forward	To consult upon a range of proposals, including the potential closure of the remaining internal Specialist Care Service (SCS) Short Breaks service.
Dependencies	<ul style="list-style-type: none"> • Personal Budgets – the development of the tool which the Council will use to calculate an indicative budget. • The readiness of high quality supply of alternative services to take up demand created by the recommended option. • The capacity of an implementation team of Social Workers to carry out the required assessment and support planning work with existing service users and implement the recommended option. • The need to have robust alternative services available for use in emergency situations. • The ability to accommodate the current extended guests into alternative and appropriate long term provision.

Options Appraisal

Option 1	No change				
Information Considered	Analysis of the following was carried out: market-wide costs, market wide quality, market-wide capacity, service occupancy, peak activity, service users, and other uses of the service.				
	Finance <ul style="list-style-type: none">The net operational saving to the Council of the implementation of this proposal is detailed in the table below:				
	2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000
	0	0	0	0	0
Pros and Cons of Option	Delivery of identified outcomes				
	Pros <ul style="list-style-type: none">The option could deliver an improvement in the overall quality of services, if the current action plan is implemented.				
	Cons <ul style="list-style-type: none">The option does not deliver an increase in the range of services people can buy with a personal budgetThe option will not contribute to an increase in the number of people directing and coordinating their own careThe option will not contribute to a reduction in the Council’s overall workforceThe option does not represent a shift away from the internal provision of these servicesThe option will not deliver any of the savings included in the Council Business Plan and Budget 2016+.				
	Additional considerations <ul style="list-style-type: none">The Laurels is not fit for purpose in the long term and needs major refurbishment to bring it up to modern standards. Property Services estimate this will cost approximately £1.5mto carry out.				
Stakeholders engaged.	A range of internal stakeholders have been consulted. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.				
Recommendation	Following initial analysis by the Council this Option is <u>not</u> preferred for implementation but is subject to consultation.				
Principal Reason for Decision	The option does not deliver significantly against the identified outcomes.				

Option 2	Close The Laurels and move the service to alternative Council owned accommodation and retain Brook House.														
Information Considered	<p>Analysis of the following was carried out: market-wide costs, market wide quality, market-wide capacity, service occupancy, peak activity, service users, and other uses of the service.</p> <p>Finance</p> <ul style="list-style-type: none">• Sale of the Laurels will generate a one-off capital receipt – estimated to be in the region of £0.5m. To be recycled in addition to capital investment to bring any future building up to standard.• Capital investment will be required to bring any future building up to an acceptable standard and would likely negate any financial benefit derived from the sale of The Laurels. Estimated additional investment - £1m• The net operational cost to the Council of the implementation of this proposal is detailed in the table below: <table><tr><td>2016/17 £000</td><td>2017/18 £000</td><td>2018/19 £000</td><td>2019/20 £000</td><td>2020/21 £000</td></tr><tr><td>52</td><td>55</td><td>282</td><td>247</td><td>247</td></tr></table>					2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	52	55	282	247	247
2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000											
52	55	282	247	247											
Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Pros</p> <ul style="list-style-type: none">• The option could deliver an improvement in the overall quality of services, if the current action plan is implemented. <p>Cons</p> <ul style="list-style-type: none">• The option does not deliver an increase in the range of services people can buy with a personal budget• The option will not contribute to an increase in the number of people directing and coordinating their own care• The option will not contribute to a reduction in the Council’s overall workforce• The option does not represent a shift away from the internal provision of these services• The option will not deliver any of the savings included in the Council Business Plan and Budget 2016+ and will incur the Council additional costs. <p>Additional considerations</p> <ul style="list-style-type: none">• The Laurels building is not fit for purpose. New accommodation would address this issue.• Analysis of the use of Brook House and The Laurels demonstrates that there is significant under use of current capacity.• Analysis of the use of alternative provision in the market demonstrates that there is some existing spare capacity and some potentially emerging new capacity (due to come online in Spring 2017). There is a risk of oversupply being created in the market.• The costs associated with expanding or moving of the existing service into alternative buildings has been assessed and is unlikely to deliver the required savings for the service.														
Stakeholders engaged	A range of internal stakeholders have been consulted. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including														

	service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this Option is <u>not</u> preferred for implementation but is subject to consultation.
Principal Reason for Decision	The option does not deliver significantly against the identified outcomes.

Option 3	Close The Laurels and continue to provide a service at Brook House in the medium to long term													
Information Considered	Analysis of the following was carried out: market-wide costs, market wide quality, market-wide capacity, service occupancy, peak activity, service users, and other uses of the service.													
	Finance													
	<ul style="list-style-type: none">• Sale of The Laurels will generate a one-off capital receipt – estimated to be in the region of £0.5m, which would provide the service with ongoing annual revenue benefit of £37.5k.• Assumption is made that 50% of the staff team will transfer from The Laurels to Brook House to provide care and support to a potential increase in service users transferring from The Laurels.• In addition the net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained within brackets, costs are not:													
	<table><tr><td>2016/17 £000</td><td>2017/18 £000</td><td>2018/19 £000</td><td>2019/20 £000</td><td>2020/21 £000</td></tr><tr><td>110</td><td>(47)</td><td>(97)</td><td>(115)</td><td>(115)</td></tr></table>					2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	110	(47)	(97)	(115)
2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000										
110	(47)	(97)	(115)	(115)										
Pros and Cons of Option	Delivery of identified outcomes													
	Pros													
	<ul style="list-style-type: none">• The option could deliver an improvement in the overall quality of services, if the current action plan is implemented.• The option may deliver an increase in the range of services people can buy with a personal budget, if the market continues to develop new services• The option may contribute to an increase in the number of people directing and coordinating their own care• The option will make a contribution to a reduction in the Council’s overall workforce, but not as significant as Options 5 and 6•													
	Cons													
Pros and Cons of Option	<ul style="list-style-type: none">• The option will deliver some of the savings included in the Council Business Plan and Budget 2016+, but does deliver savings of the level required.• The option represents a partial shift away from the internal provision of these services but is not fully consistent with the vision.													
	Additional considerations													
	<ul style="list-style-type: none">• Analysis of the use of Brook House and The Laurels demonstrates that there is significant under use of current capacity.• Analysis of the use of alternative provision in the market demonstrates that there is some existing spare capacity and some potentially emerging new capacity (due to come online in Spring 2017). There is a risk of oversupply being created in the market.• Whilst Brook House would require less capital investment than The Laurels, the other indicators of service quality, service occupancy and unit cost do not support the need to maintain Brook House in the long term as part of an overall service offer.													

Stakeholders engaged	A range of internal stakeholders have been consulted. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this Option is <u>not</u> preferred for implementation but is subject to consultation.
Principal Reason for Decision	The option does not deliver significantly enough against the identified outcomes

Option 4	Close the Laurels and transfer Brook House as a short breaks service to an alternative provider										
Information Considered	<p>Analysis of the following was carried out: market-wide costs, market wide quality, market-wide capacity, service occupancy, peak activity, service users, and other uses of the service.</p> <p>As part of the consultation the Council may consider ring-fencing the outsourcing to organisations in accordance with EU Regulation 77 for Reserved Contracts. Under this regulation competition can be limited to organisations whose objectives are the pursuit of a public service mission linked to the delivery of services; whose profits are reinvested with a view to achieving the organisation’s objective; whose structures of management or ownership of the organisation are based on employee ownership or participatory principles, or require the active participation of employees, users or stakeholders.</p> <p>Supply / capacity in market</p> <ul style="list-style-type: none">• The occupancy data from Brook House indicates maximum peak activity spare capacity of 8 beds.• Birmingham Multicare’s Silverbirch Road has indicated a small number of vacancies on weekdays.• There are approximately eight Shared Lives carers able to offer respite care.• Further supply of 10 apartments at The Bromford is scheduled to become available in Spring 2017.• There is a risk of oversupply being created in the market. <p>Finance</p> <ul style="list-style-type: none">• Sale of the Laurels and Brook House will generate a one-off capital receipt – estimated to be in the region of £1.1m, which would provide the service with ongoing annual revenue benefit of £82.5k.• The assumption has been made that TUPE would apply to the sale of the Brook House service and that all staff and associated costs would transfer to the new provider.• In addition to this there are additional costs associated with the transfer of a service to an alternative provider, including procurement, human resources and legal costs. These have not been quantified, but should be considered fully if this option is to be taken forward.• In addition the net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained in brackets, costs are not: <table><tr><td>2016/17 £000</td><td>2017/18 £000</td><td>2018/19 £000</td><td>2019/20 £000</td><td>2020/21 £000</td></tr><tr><td>52</td><td>(54)</td><td>(94)</td><td>(129)</td><td>(129)</td></tr></table>	2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	52	(54)	(94)	(129)	(129)
2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000							
52	(54)	(94)	(129)	(129)							
Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Pros</p> <ul style="list-style-type: none">• The option could deliver an improvement in the overall quality of services.• The option may deliver an increase in the range of services people can buy with a personal budget, if the market continues to develop new services• The option may contribute to an increase in the number of people directing and coordinating their own care										

	<ul style="list-style-type: none"> The option will make a contribution to a reduction in the Council's overall workforce, but not as significant as Options 5 and 6 <p>Cons</p> <ul style="list-style-type: none"> The option will deliver some of the savings included in the Council Business Plan and Budget 2016+, but does deliver savings of the level required. The option represents a partial shift away from the internal provision of these services but is not fully consistent with the vision. <p>Additional considerations</p> <ul style="list-style-type: none"> TUPE transfer of staff and their associated costs may impact on any future provider's ability to make savings.
Stakeholders engaged	A range of internal stakeholders have been consulted. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this Option is <u>not</u> preferred for implementation but is subject to consultation.
Principal Reason for Decision	<ul style="list-style-type: none"> The option does not deliver significantly enough against the identified outcomes

Option 5	Close the Laurels and Brook House on a phased basis and offer service users alternative provision in the market through a Personal Budget										
Information Considered	<p>Analysis of the following was carried out: market-wide costs, market wide quality, market-wide capacity, service occupancy, peak activity, service users, and other uses of the service.</p> <p>Supply / capacity in market</p> <ul style="list-style-type: none">Birmingham Multicare’s Silverbirch Road has indicated a small number of vacancies on weekdays.There are approximately eight Shared Lives carers able to offer respite care.Further supply of 10 apartments at The Bromford is scheduled to become available in Spring 2017. <p>Finance</p> <ul style="list-style-type: none">Sale of the Laurels and Brook House will generate a one-off capital receipt – estimated to be in the region of £1.1m, which would provide the service with an ongoing annual revenue benefit of £82.5k.In addition the net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained in brackets, costs are not: <table><tr><td>2016/17 £000</td><td>2017/18 £000</td><td>2018/19 £000</td><td>2019/20 £000</td><td>2020/21 £000</td></tr><tr><td>49</td><td>(296)</td><td>(346)</td><td>(377)</td><td>(411)</td></tr></table>	2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	49	(296)	(346)	(377)	(411)
2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000							
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Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Pros</p> <ul style="list-style-type: none">The option could deliver an improvement in the overall quality of services.The option will deliver an increase in the range of services people can buy with a personal budget, if the market continues to develop new servicesThe option may contribute to an increase in the number of people directing and coordinating their own careThe option will make a significant contribution to a reduction in the Council’s overall workforceThe option will deliver the savings included in the Council Business Plan and Budget 2016+, but not as quickly as Option 6The option represents a shift away from the internal provision of these services. <p>Cons</p> <ul style="list-style-type: none">Impact on workforceImpact on service users and carers associated with seeking alternative services and managing change. <p>Additional considerations</p> <ul style="list-style-type: none">While it is the Council’s intention to increase the numbers of people self-directing their own care and support by taking a Direct Payment, where they are unable to do so people can opt to have their Personal Budget managed by the Council. In such cases the Council will arrange their care and support by contracting on behalf of the individual with the selected provider or										

	<p>providers.</p> <ul style="list-style-type: none"> • A stepped closure approach will enable the Council to manage risks around the timing of availability of new or developing provision in the market. • An alternative emergency placement arrangement may need to be commissioned.
Stakeholders engaged	A range of internal stakeholders have been consulted. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by The Council this option is <u>preferred</u> as part of a stepped programme of change resulting in the eventual exit from all of the Council's short breaks services and is subject to consultation. It will allow time for the market to be shaped and for the Council to further manage any risks associated with an exit from service provision.
Principal Reason for Decision	<ul style="list-style-type: none"> • The option delivers against all of the identified outcomes

Option 6	Close the Laurels and Brook House together and offer service users alternative provision in the market through the provision of a Personal Budget										
Information Considered	<p>Analysis of the following was carried out: market-wide costs, market wide quality, market-wide capacity, service occupancy, peak activity, service users, and other uses of the service.</p> <p>Supply / capacity in market</p> <ul style="list-style-type: none">Birmingham Multicare’s Silverbirch Road has indicated a small number of vacancies on weekdays.There are approximately eight Shared Lives carers able to offer respite care.Further supply of 10 apartments at The Bromford is scheduled to become available in Spring 2017. <p>Finance</p> <ul style="list-style-type: none">Sale of the Laurels and Brook House will generate a one-off capital receipt – estimated to be in the region of £1.1m, which would provide the service with ongoing annual revenue benefit of £82.5k.In addition the net operational saving to the Council of the implementation of this proposal is detailed in the table below. Savings are contained in brackets, costs are not: <table><tr><td>2016/17 £000</td><td>2017/18 £000</td><td>2018/19 £000</td><td>2019/20 £000</td><td>2020/21 £000</td></tr><tr><td>13</td><td>(296)</td><td>(346)</td><td>(411)</td><td>(411)</td></tr></table>	2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000	13	(296)	(346)	(411)	(411)
2016/17 £000	2017/18 £000	2018/19 £000	2019/20 £000	2020/21 £000							
13	(296)	(346)	(411)	(411)							
Pros and Cons of Option	<p>Delivery of identified outcomes</p> <p>Pros</p> <ul style="list-style-type: none">The option could deliver an improvement in the overall quality of services.The option will deliver an increase in the range of services people can buy with a personal budget, if the market continues to develop new servicesThe option may contribute to an increase in the number of people directing and coordinating their own careThe option will make a contribution to a reduction in the Council’s overall workforceThe option will deliver the savings included in the Council Business Plan and Budget 2016+, earlier than option 5The option represents a shift away from the internal provision of these services. <p>Cons</p> <ul style="list-style-type: none">Impact on workforceImpact on service users and carers associated with seeking alternative services and managing change. <p>Additional considerations</p> <ul style="list-style-type: none">While it is the Council’s intention to increase the numbers of people self-directing their own care and support by taking a Direct Payment, where they are unable to do so people can opt to have their Personal Budget managed by the Council. In such cases the Council will arrange their care and support by contracting on behalf of the individual with the selected provider or										

	<p>providers.</p> <ul style="list-style-type: none"> • If all of the Council's services are closed at the same time it will place additional pressure on new or emerging services. • An alternative emergency placement arrangement may need to be commissioned.
Stakeholders engaged	A range of internal stakeholders have been consulted. Permission is sought to consult, to enable a wider range of external stakeholders to be consulted, including service users, staff and the provider market.
Recommendation	Following initial analysis by the Council this option is <u>preferred</u> as the quickest means of achieving the Council's service delivery and savings goals and is subject to consultation. It does however carry some additional risk as highlighted in the section above.
Principal Reason for Decision	<ul style="list-style-type: none"> • The option delivers against all of the identified outcomes

4. Budget and management information

Please see above Options for summarised financial information.

5. Project Development Requirements/Information

Products required to produce Full Business Case

- Consultation Plan and associated consultation materials
- Consultation Outputs
- Updated Equality Assessment
- Reassessment of service user/carers needs

Estimated time to complete project development

4 Months

Estimated cost to complete project development

No direct costs have been identified at present to enable the project to develop to the Full Business Case stage.

Funding of development costs

N/A

EIA: the main risks so far identified a strategy for managing them and need for any contingency arrangements.

An initial Equality Assessment has been completed and will be revised and updated as the project develops towards a Full Business Case.

The Equality Assessment has considered the options contained in the Outline Business Case and currently identifies that the proposals would have the most significant impact on those with the following protected characteristics; age; disability; and gender. These will be the focus of the Equality Analysis as it develops throughout the consultation period and in developing the Full Business Case

People Directorate
Internal Care Review Short Breaks – Outline Consultation Plan

This schedule gives an overview of the Consultation and Engagement plan for the proposed changes to the Council's residential short breaks service.

Activity and Stakeholder	Detail	Start Date	Completion Date
Service user and carer pre-consultation engagement sessions	Early engagement with this key stakeholder group to identify what we need to put in place to 'consult in the best possible way', test the consultation messages and ensure responses are developed to the frequently asked questions	April 2016	April 2016
Cabinet Report governance process begins	Feedback from the Corporate and Directorate budget consultation 2016+ and the early engagement sessions is incorporated into key decisions.	April 2016	June 2016
Develop stakeholder consultation plan.	Detailed planning about how best to communicate and consult with service users, family carers, staff and trade unions, based on feedback from the early engagement sessions.	May 2016	June 2016
Produce consultation documentation	Define and produce content of consultation documentation and questionnaires. Ensure development in accessible formats.	May 2016	June 2016
Cabinet Report approval	Presentation of report to Cabinet for approval	28 th June 2016	28 th June 2016
Cabinet decision disseminated	Briefing Note to Communications Team	July 2016	July 2016
Be Heard Website	Documents posted on website with comment form and FAQs	July 2016	July 2016
Inform service users, carers and staff scheduled consultation meetings	Invites issued to service users, carers and staff.	July 2016	July 2016
Service user and carer consultation meetings	Meetings with groups of service users and carers to discuss the vision, proposals and impact.	July 2016	September 2016
Staff and Trade union consultation	Meetings with groups of staff and trade unions to discuss the	July 2016	September 2016

meetings	vision, proposals and impact.		
Cabinet member briefing	To discuss the issues raised during consultation	July 2016	September 2016
Evaluation	To summarise and report on the information gathered during the consultation process	September 2016	October 2016
Impact Assessment	Carry out full equality impact assessment	September 2016	September 2016
Development of Full Business Case	Development and finalisation of the Full Business Case which takes into account the outcome of all consultation and engagement activity.	September 2016	October 2016
Cabinet Report approval	Presentation of Full Business Case report to Cabinet for approval	November 2016	November 2016

PROTOCOL

PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.

If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the
- 2 standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality 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.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) age (b) disability (c) gender reassignment (d) pregnancy and maternity (e) race (f) religion or belief (g) sex (h) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name LD Respite Care MIA 21

Directorate People

Service Area Adults - Specialist Care Services

Type Amended Function

EA Summary To undertake an Equality Assessment regarding the proposal contained with the 2016 Budget Consultation regarding the LD Respite Care Service.

Reference Number EA001182

Task Group Manager Leigh.C.Bosworth@birmingham.gov.uk

Task Group Members sonia.mais-rose@birmingham.gov.uk, Simon.Talbot@birmingham.gov.uk, Leigh.C.Bosworth@birmingham.gov.uk, parveen.ellahi@birmingham.gov.uk

Senior Officer sonia.mais-rose@birmingham.gov.uk

Quality Control Officer PeopleEAQualityControl@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 an Amended Function.

2 Overall Purpose

2.1 What the Activity is for

(What is the purpose of this Function and expected outcomes?)

Birmingham City Council intends to reorganise its internally provided services, so that people may choose to buy these or different community based services which meet their assessed needs. In the short term we intend to make better use of spare capacity in these services.

The Council gives people a personal budget, of which all or some can be taken as a Direct Payment, to spend on their care and support services. In the longer term this means we need to move away from block funding the present Council Short Breaks Services and instead give people who are eligible for support a personal budget. We will encourage eligible service users to take this budget as a Direct Payment, from which they can buy a range of services including traditional residential short breaks, support from a personal assistant, or other types of community based support. The Councils approach will be to encourage people to manage their own resources and care wherever they can to maximise their independence.

Outcomes:

Financial savings to the public purse.

Contribution to the reduction in the Councils overall workforce

An increase in the range of services people can buy with a Direct Payment.

An improvement in the overall quality of services available for people to buy should they chose to do so.

Contribute to increase in the numbers of people directing and coordinating their own care and support.

To deliver the identified Budget 2016+ savings.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence Yes

A Fair City Yes

A Prosperous City Yes

A Democratic City Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders? Yes

Will the policy have an impact on employees? Yes

Will the policy have an impact on wider community? Yes

2.3 Analysis on Initial Assessment

The proposal should have a positive impact on the key strategies:

Public Service Excellence, A Fair City, A Prosperous City and a Democratic City.

The proposal will have an impact on services users, their carers and staff who work at the Short Break Centres.

All of the Protected Characteristics Groups were initially assessed to establish if the proposals would impact them and at this stage 3 groups have identified as not relevant: Gender Re-assignment, Marriage & Civil Partnership and Sexual Orientation. Some of the other groups may also be determined to be not relevant as work on this impact assessment develops. However, those that have been identified as being impacted include: Age, Disability and Gender, so these areas will be the focus of the Equality Analysis in the future.

3.1 Age

3.1.1 Age - Differential Impact

Age Relevant

3.1.2 Age - Impact

Describe how the Function meets the needs of Individuals of different ages?

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The short breaks services meet the needs of people of a number of different ages from age 18 upwards. There is no upper age limit for access to the service. Of the people who attend

The Laurels and Brook House (131 per service user data) the percentage that fall into the different age groups is as follows (Source: CareFirst):

18-29 years 26%
30-39 years 18%
40-49 years 20%
50-59 years 19%
60+ years 15%

There is a broad and fairly even spread of users across the different age groups. Any age specific needs are met by the provider through an individual support plan.
The proposed replacement services are accessible to adults above 18 years old. There is no upper age limit for access to the proposed replacement services. In this sense there will be no change for service users in respect of their age.

Family carers also use the service to provide them with a break from their caring duties. The percentage of users by different age groups is as follows (Source: Carefirst):

18-29 years 1%
30-39 years 4%
40-49 years 17%
50-59 years 28%
60+ years 43%

As would be expected family carers are generally older than the people they care for. The majority of carers are over 50 and so the changes will affect this age group proportionately more than those under 50. However, since the age of the carer is no restriction on access to services then there is not an adverse impact on the group.

The breakdown of the age range of staff is below:

Age 30 - 39	3
Age 40 - 49	16
Age 50 – 59	28
Age 60 – 69	4
Total	51

Over half of the staff are over the age of 50.

Do you have evidence to support the assessment? Yes

Please record the type of evidence and where it is from?

Data captured from Care First (service user data base). Information from providers and the Care Quality Commission confirms the accessibility to the proposed new services for the different age groups. HR records for staff.

Have you received any other feedback about the Function in meeting the needs of Individuals of different ages?

No

You may have evidence from more than one source. If so, does it present a consistent view?

Yes

Is there anything about the Function and the way it affects Individuals of different ages which needs highlighting?

Yes

3.1.3 Age - Consultation

Have you obtained the views of Individuals of different ages on the impact of the Function?

No

If not, why not?

There are plans to consult relevant individuals.

Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals of different ages?

No.

If not, why not?

There are plans to consult relevant stakeholders.

Is there anything about the Function and the way it affects Individuals of different ages which needs highlighting?

Not Answered Yet

3.1.4 Age - Additional Work

Do you need any more information to complete the assessment?

No

Do you think that the Function has a role in preventing Individuals of different ages being treated differently, in an unfair or inappropriate way, just because of their age?

Not Answered Yet.

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Not Answered Yet

3.2 Disability

3.2.1 Disability - Differential Impact

Disability Relevant

3.2.2 Disability - Impact

Describe how the Function meets the needs of Individuals with a disability?

The function provides short breaks/respite care to people with learning disabilities or other vulnerable adults, and respite to their family carers. 100% of the people attending the services have a learning disability, multi-sensory impairment, or are classed as a vulnerable adult. The proposed replacement services are accessible to people with learning disabilities, multi-sensory impairments, physical disabilities and other vulnerable adults. Any specific disability related needs will be met by the provider through an individual support plan.

Within the staff group there are no known disabilities. This also applies to the carers group. Both of these statements will be continuity validated throughout the process.

Do you have evidence to support the assessment? Yes

Please record the type of evidence and where it is from?

Care first user data base. Information from providers and the Care Quality Commission confirm the accessibility to the alternative services for the different disability groups. HR records for staff.

Have you received any other feedback about the Function in meeting the needs of Individuals with a disability?

No

You may have evidence from more than one source. If so, does it present a consistent view?

Yes

Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?

Yes

3.2.3 Disability – Consultation

Have you obtained the views of Individuals with a disability on the impact of the Function?

No

If not, why not?

There are plans to consult relevant individuals.

Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals with a disability?

No

If not, why not?

There are plans to consult relevant stakeholders.

Is there anything about the Function and the way it affects Individuals with a disability which needs highlighting?

Not Answered Yet

3.2.4 Disability - Additional Work

Do you need any more information to complete the assessment?

No

Do you think that the Function has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?

Not Answered Yet

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Not Answered Yet

Do you think that the Function will take account of disabilities even if it means treating Individuals with a disability more favourably?

Not Answered Yet.

Do you think that the Function could assist Individuals with a disability to participate more?

Not Answered Yet.

Do you think that the Function could assist in promoting positive attitudes to Individuals with a disability?

Not Answered Yet

3.3 Religion or Belief

3.3.1 Religion or Belief - Differential Impact

Religion or Belief Relevant

3.3.2 Religion or Belief - Impact

Describe how the Function meets the needs of Individuals of different religions or beliefs?

The current service meets the needs of people of different religions and beliefs. The proportion of people using the service in the different religions is as follows:

Protestant 37%

Muslim 15%

Roman Catholic 17%

None 8%

Other including those listed below 23%

Christian Orthodox

Hindu

Information not yet obtained

Multiple Religions Recorded

Rastafarian

Refused

Seventh Day Adventist

Sikh

The proposed new providers have confirmed that they will meet the needs of people of different religions and beliefs according to their support plan.

Carers - Religion or belief data is not available as this not requested for carers database (Care First)

The data for Staff shows that of the 51 staff, 50 have not declared their religion and one has stated that they are a Christian.

Do you have evidence to support the assessment?

Yes

Please record the type of evidence and where it is from?

Care First (service user and carer's database). HR records for staff.

Have you received any other feedback about the Function in meeting the needs of Individuals of different religions or beliefs?

Yes

Please record the nature of such feedback.

The proposed new providers have confirmed that they will meet the needs of people of different religions and beliefs according to their individual support plan.

You may have evidence from more than one source. If so, does it present a consistent view?

Yes

Is there anything about the Function and the way it affects Individuals of different religions or beliefs which needs highlighting?

No

3.3.3 Religion or Belief – Consultation

Have you obtained the views of Individuals of different religions or beliefs on the impact of the Function?

Not Answered Yet

Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals of different religions or beliefs?

Not Answered Yet

Is there anything about the Function and the way it affects Individuals of different religions or beliefs which needs highlighting?

Not Answered Yet

3.3.4 Religion or Belief - Additional Work

Do you think that the Function has a role in preventing Individuals of different religions or beliefs being treated differently, in an unfair or inappropriate way, just because of their religion or belief?

Not Answered Yet

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Not Answered Yet

3.4 Gender

3.4.1 Gender - Differential Impact

Gender Relevant

3.4.2 Gender - Impact

Describe how the Function meets the needs of Men and women?

The service is currently available to both men and women. This will continue in the new provision. Of the people that attend the service 62% are male and 38% are female.

Of the carers that use the service 77% are female and 23% are male. The database only has capacity to record one/primary carer therefore there may be additional carers of other genders that have not been recorded.

Gender of the service user and carer is not a barrier to accessing the new service provision.

Of the 51 staff, 38 are female and 13 are male, so the majority are female..

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Do you have evidence to support the assessment?

Yes

Please record the type of evidence and where it is from?

Care First (service users data base) for service users and carers.
Information from the alternative providers and the CQC confirm the accessibility to the new service providers to the different gender groups. HR records for staff.

Have you received any other feedback about the Function in meeting the needs of Men and women?

Yes

Please record the nature of such feedback

Information from the alternative providers and the CQC confirm the accessibility to the new service providers to the different gender groups.

You may have evidence from more than one source. If so, does it present a consistent view?

Yes.

Is there anything about the Function and the way it affects Men and women which needs highlighting?

Yes

3.4.3 Gender – Consultation

Have you obtained the views of Men and women on the impact of the Function?

No

If not, why not?

There are plans to consult relevant individuals.

Have you obtained the views of relevant stakeholders on the impact of the Function on Men and women?

No

If not, why not?

There are plans to consult relevant stakeholders

Is there anything about the Function and the way it affects Men and women which needs highlighting?

Not Answered Yet

3.4.4 Gender - Additional Work

Do you think that the Function has a role in preventing Men and women being treated differently, in an unfair or inappropriate way, just because of their gender?

Not Answered Yet

3.5 Pregnancy and Maternity

3.5.1 Pregnancy and Maternity - Differential Impact

Pregnancy & Maternity Relevant

3.5.2 Pregnancy and Maternity - Impact

Describe how the Function meets the needs of Pregnant women or those who are on maternity leave?

No current data regarding this status for service users or carers.

At this stage data for staff is being collated.

The proposed new providers have confirmed that they would provide appropriate support to service users who are pregnant.

Do you have evidence to support the assessment?

Yes

Please record the type of evidence and where it is from?

Engagement with proposed new providers.

Have you received any other feedback about the Function in meeting the needs of Pregnant women or those who are on maternity leave?

No

You may have evidence from more than one source. If so, does it present a consistent view?

Not applicable

Is there anything about the Function and the way it affects Pregnant women or those who are on maternity leave which needs highlighting?

No

3.5.3 Pregnancy and Maternity – Consultation

Have you obtained the views of Pregnant women or those who are on maternity leave on the impact of the Function?

Not Answered Yet

Have you obtained the views of relevant stakeholders on the impact of the Function on Pregnant women or those who are on maternity leave?

Not Answered Yet

Is there anything about the Function and the way it affects Pregnant women or those who are on maternity leave which needs highlighting?

Not Answered Yet

3.5.4 Pregnancy and Maternity - Additional Work

Do you need any more information to complete the assessment?

Yes

Please explain what information you need.

Protected characteristics information for staff.

Is there any more work you feel is necessary to complete the assessment?

Yes

Do you think that the Function has a role in preventing Pregnant women or those who are on maternity leave being treated differently, in an unfair or inappropriate way, just because of their pregnancy and maternity?

Not Answered Yet.

Please explain what work needs to be done.

Analysis of Protected characteristics information for staff.

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Not Answered Yet.

3.6 Race

3.6.1 Race - Differential Impact

Race Relevant

3.6.2 Race – Impact

Describe how the Function meets the needs of Individuals from different ethnic backgrounds?

The current function provides a service to people of all racial backgrounds and ethnic groups. The proposed provision in the future will continue to be accessible for people from different ethnic backgrounds. Any specific ethnic related needs will be met by the new provider via the support plan.

Service User Data

White - UK 53%

Black-African Caribbean 17%

Pakistani 12%
Indian 6%
Irish 4%
Other Listed below 8%
Asian Other
Black African
Bangladeshi
Gypsy/Roma
Mixed Parentage - Other Mixed Background

Carers Data

White 33%
Asian 20%
Black 20%
Chinese 3%
Other/Unknown 24%

Staff Data (Total of 51 staff)

White 11
Asian 6
Black 22
Mixed 3
Unknown 9

Do you have evidence to support the assessment?

Yes

Please record the type of evidence and where it is from?

Care First service user & carer's data base. HR records for staff.

Have you received any other feedback about the Function in meeting the needs of Individuals from different ethnic backgrounds?

Yes

Please record the nature of such feedback.

The proposed new providers have confirmed that they can meet any ethnic needs identified via the service plan.

You may have evidence from more than one source. If so, does it present a consistent view?

Yes.

Is there anything about the Function and the way it affects Individuals from different ethnic backgrounds which needs highlighting?

No.

3.6.3 Race - Consultation

Have you obtained the views of Individuals from different ethnic backgrounds on the impact of the Function?

Not Answered Yet.

Have you obtained the views of relevant stakeholders on the impact of the Function on Individuals from different ethnic backgrounds?

Not Answered Yet

Is there anything about the Function and the way it affects Individuals from different ethnic backgrounds which needs highlighting?

Not Answered Yet

3.6.4 Race - Additional Work

Do you think that the Function has a role in preventing Individuals from different ethnic backgrounds being treated differently, in an unfair or inappropriate way, just because of their ethnicity?

Not Answered Yet

Do you think that the Function could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?

Not Answered Yet

3.7 Concluding Statement on Full Assessment

4 Review Date

15/05/16

5 Action Plan

5.2 Gender

Issue Higher proportion of males using the service (62%)

Action TBC

Resources TBC

Target Start Date TBC

Target Completion Date TBC

Lead Officer TBC

Recommendations TBC

Monitoring TBC

Outcomes TBC

Issue Higher proportion of female carers using the service (77%)

Action TBC

Resources TBC

Target Start Date TBC

Target Completion Date TBC

Lead Officer TBC

Recommendations TBC

Monitoring TBC

Outcomes TBC

5.3 Disability

Issue The service is to provide short breaks for those with a learning disability, however, the proposed new provision is being specifically developed to meet their individual needs.

Action TBC

Resources TBC

Target Start Date TBC

Target Completion Date TBC

Lead Officer TBC

Recommendations TBC

Monitoring TBC

Outcomes TBC

5.4 Age

Issue As would be expected family carers are generally older than the people they care for. The majority of carers are over 50 and so the changes will affect this age group proportionately more than those under 50. However, since the age of the carer is no barrier to access to service then there is not an adverse impact on the group.

Action TBC

Resources TBC

Target Start Date TBC

Target Completion Date TBC

Lead Officer TBC

Recommendations TBC

Monitoring TBC

Outcomes TBC

Report to:	CABINET
Report of:	ACTING STRATEGIC DIRECTOR – PLACE DIRECTORATE
Date of Decision:	28 June 2016
SUBJECT:	ACQUISITION OF PRIVATELY OWNED EMPTY PROPERTIES
Key Decision: Yes	Relevant Forward Plan Ref: 001897
If no in the Forward Plan: (please “X” box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Members:	Councillor Ian Ward, Deputy Leader Councillor Peter Griffiths, Cabinet Member for Housing and Homes
Relevant O&S Chairman:	Councillor Victoria Quinn, Housing and Homes
Wards affected:	Aston, Billesley, Bordesley Green, Bournville, Brandwood, Hodge Hill, Kings Norton, Kingstanding, Longbridge, Lozells & East Handsworth, Moseley & Kings Heath, Northfield Oscott, Perry Barr, Quinton, Shard End, Sheldon, Soho, Sparkbrook, Springfield, South Yardley, Stockland Green Sutton Four Oaks, Sutton New Hall, Tyburn

1. Purpose of report:
<p>1.1 To seek approval to purchase, compulsorily or through negotiation, the privately owned empty properties identified in the Private Report on this agenda. These properties have been empty for a considerable period of time, removing sustainable units of housing from the market and have a negative impact on local communities and neighbourhoods. Acquisition by negotiation or through compulsory action will enable the Council to bring these properties back into use.</p>

2. Decision(s) recommended:
That Cabinet
<p>2.1 Authorise the Director of Property to negotiate terms for the acquisition of the properties listed in the Private Report either voluntarily or through use of a compulsory purchase order or orders (CPO) if required including appropriate compensation.</p> <p>2.2 Authorise the Acting Strategic Director of Place to incur expenditure for the potential acquisition of property up to £4.633million from the Empty Homes Strategy capital receipts budget, with subsequent capital receipts being recycled within this programme.</p> <p>2.3 Authorise the City Solicitor, where instructed by the Acting Strategic Director of Place, to make a compulsory purchase order or orders (CPO or CPOs) under section 17 of the Housing Act 1985 for acquisition of the properties listed in the Private Report in order the bring these properties back into use and to authorise withdrawal of the properties from the CPO in the event that (after making the CPO) the properties are improved and re-occupied to the satisfaction of the Acting Strategic Director of Place.</p>

2.4	Following any acquisition, of properties listed in the Private Report, authorise the Service Director of Housing Transformation to instruct the Director of Property to either dispose of each property on the open market on a leasehold basis or to a Registered Provider with a condition that it is improved and reoccupied within twelve months to the satisfaction of the Acting Strategic Director of Place or to retain the properties for Council housing stock if considered strategically appropriate.
2.5	Authorise the City Solicitor to take all necessary steps to give effect to the above recommendations including (but not limited to) the making, confirmation and implementation of the CPO or CPOs including the service of notices to give effect thereto including High Court Enforcement Officer's notices and (if granted power to do so by the Secretary of State) to confirm the CPO or CPOs and to complete acquisitions of land and rights in respect of the properties listed in the Private Report.

Lead Contact Officer(s):	Matthew Smith Principal Enforcement Officer
Telephone No:	0121 675 -5497
E-mail address:	matthew.smith@birmingham.gov.uk

3. Consultation

3.1 Internal

The proposal has been consulted with relevant District Executive Members and Chairs of Ward Committees concerning properties in their wards. Officers from Birmingham Property Services, Legal and Democratic Services, City Finance and Planning Directorate have been involved with the preparation of this report.

3.2 External

Individual owners have been given many opportunities to bring their properties into use and have been provided with advice and guidance to avoid the use of compulsory purchase which is a method of last resort. If compulsory purchase is considered necessary owners will be provided with advice and guidance on that procedure.

Local residents, particularly the neighbours of the empty properties listed in the Private Report have been consulted and encouraged to share their views about the solutions they require.

The Birmingham Empty Property Team is represented at West Midlands Empty Property Group and the National Empty Property Network which ensures dialogue between authorities in order to share best practice.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The Council Business Plan and Budget 2016+ sets out the Housing Challenge facing the city. These recommendations contribute to those objectives by using enforcement or the threat of enforcement to encourage and enable the return to use of long-term empty homes; thereby increasing the supply of housing in the city and contributing to the housing aspirations contained in the Birmingham Development Plan. Action to bring the properties back into use also improves the local environment and reduces the community safety risks associated with empty dwellings.

The use of compulsory purchase is consistent with the current Empty Property Strategy and the Private Sector Enforcement Policy.

4.2 Financial Implications. **(Will decisions be carried out within existing finances and resources?)**

The proposed acquisition of empty properties, including compensation payments where appropriate, up to the value of £4.633million, will be funded from specific resources available within the Empty Homes Strategy budget for such purposes.

The properties will only be acquired (see 5.5 below) where owners do not take adequate steps to bring the dwellings back into use in a reasonable timeframe. In the event that it is necessary to proceed with acquisitions, the properties will subsequently be sold, with any receipt being recycled back into the Empty Homes Strategy budget to allow for future similar purchases to bring empty properties back into use in accordance with existing Council policy.

It should be noted that receipts generated in such a way are not subject to Government pooling or set-aside arrangements, and are therefore 100% useable by the Council.

This and previous approvals will form an overall programme to be managed to ensure that acquisition and disposals are phased to ensure delivery remains within the limit of revolving fund identified for this purpose at all times. The maximum funding available at 31 March 2016 for this programme was £0.604million

4.3 Legal Implications

Housing Compulsory Purchase Orders are exercised under the powers set out in Section 17 of the Housing Act 1985. Section 18 of the Housing Act 1985 covers the holding of the land and Sections 32 -34 of the Housing Act 1985 contains housing land disposal powers. DCLG 'Guidance on Compulsory Purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of compulsion' (October 2015) specifies that the acquisition of land under Section 17 of the Housing Act 1985 must achieve a qualitative or quantitative housing gain. The case for making the CPOs is set out in more detail in section 5, and Appendix 2.

The list of addresses of the empty properties is appended to the private report in compliance with the principles of the Data Protection Act 1998 and Human Rights Act 2000 and in accordance with Information Commissioner's Office and Information Tribunal decisions. A vacant property address falls under the remit of personal data as individual owners and their addresses can be identified from the property address by obtaining a land registry search. The result of disclosure of empty properties owned privately by individuals without the consent of the owner would be a breach of the Data Protection Act in respect of those individuals, and unfair as their properties could be targeted by criminals and squatters.

4.4 Public Sector Equality Duty and Human Rights

A summary of the Human Rights considerations is set out in Appendix 1. In exercising their compulsory purchase and related powers the Council must have regard to the effect of any differential impacts on groups with protected characteristics. It is recognised that many of the properties listed in the Private Report are located in areas where there are significant Black and Minority Ethnic communities. It is not considered, however, that action to CPO properties and bring them back into use will significantly disadvantage BME groups in the areas. The aim to bring the properties back into residential use may well benefit BME (and other protected group) residents looking for accommodation as well as improving the local environment where properties are derelict or subject to vandalism or fly tipping. A summary of the Equality Analysis is set out in Appendix 3.

5. Relevant background/chronology of key events:

- 5.1 There are currently in excess of 5,000 properties, privately owned, in Birmingham that have been vacant for more than 6 months, with approximately 1900 that have been empty for over 3 years. When set in the overall context of the significant shortfall in housing in Birmingham it is clear that bringing these empty properties, many of which are family homes, back into use could have a significant positive impact on housing provision in the City.

- 5.2 Over the last 6 years, the Council has been very successful in persuading owners to bring their properties back into use through a combination of provision of advice and guidance, warning of the potential use of compulsory acquisition powers and the actual exercise of those powers. Since 2010 authority has been obtained to make a CPO in respect of 132 empty properties. Of these only 43% have needed to proceed as a CPO, with actual acquisition of just 9% of cases – demonstrating the effectiveness of this process. The most recent CPO acquisition report dated 5 April 2012, targeted 43 properties. Of these 9 were re-occupied and 12 commenced work to renovate the property without further CPO intervention. 1 was demolished by the owner and it was agreed not to proceed with 1 property as it was within a regeneration area. The remaining 20 properties proceeded for CPO however the Council only had to compulsorily acquire 3 properties, (with owners commencing action on the remaining properties) which was approved by Government following a Public Local Inquiry.
- 5.3 Whilst the provision of advice, support and guidance is often successful in encouraging owners to bring empty properties back into use in the majority of cases, the properties identified in the Private Report have been empty for a considerable period of time and are nuisance properties that have a detrimental impact upon their communities.
- 5.4 The Council has written exhaustively to the owners of the listed properties encouraging the re-occupation of their properties, offering advice and help and clearly explaining the compulsory purchase procedure and potential of a CPO if the properties remain unoccupied. The owners of these properties have so far failed to bring them back into use.
- 5.5 Following acquisition by the City, owners are entitled to full compensation as required by the Land Compensation Acts 1961 and 1973. Each property would then be sold on the open market and brought back into use or held by the Place Directorate Portfolio.
- 5.6 Compensation payments are funded through the Empty Homes Strategy budget, and the onward sale of these properties recycles the funding, ensuring the programme can continue as an ongoing intervention.
- 5.7 There are a number of options available to the Council once a property has been acquired, these include: open market sale on a leasehold basis and subject to a covenant that the property is improved and reoccupied within 6-12 months of the purchase; to work with a preferred partner to bring the property back into use for social housing; or to retain the property and improve it to the decent homes standard to house tenants on the City's housing accommodation waiting list.
- 5.8 In line with Department for Communities and Local Government (DCLG) 'Guidance on Compulsory Purchase process and the Crichton Down Rules for the disposal of surplus land acquired by, or under the threat of compulsion' (October 2015) (providing guidance for local authorities on the use of compulsory purchase powers), a CPO should only be used as a last resort e.g. where an owner refuses to bring a property back into use despite the local authority's encouragement. However, obtaining the authority for a CPO does not automatically require the Council to exercise its powers as owners often recognise that this is their final chance and seek to improve their property or sell it on the open market of their own accord. Where a CPO has been made the Council can choose not to implement it if improvement and reoccupation is carried out within a prescribed time.

6. Evaluation of alternative option(s):

- 6.1 The main alternative to proactive intervention is to make Empty Dwelling Management Orders in respect of the properties listed in the Private Report, which despite recent changes remains a complex procedure. However, the substantial cost required to repair these properties to a Decent Homes Standard is not cost-effective compared to leveraging private sector finance to improve properties not owned by the Council.
- 6.2 The properties could be allowed to remain empty with limited further intervention by the Council. This is likely to result in the properties continuing to be unimproved and uninhabited, impacting negatively on local neighbourhoods, and property values while continuing to be a wasted housing resource. The City Council is unable to attract New Homes Bonus if the properties are not returned to use.

7. Reasons for Decision(s):

- 7.1 To bring about the improvement and reoccupation of the empty properties listed in the Private Report. To provide much needed housing accommodation as well as facilitate improvements to the local neighbourhoods which are negatively affected by the current state of these properties. This course of action is in accordance with current Council strategies as set out in 4.1.

Signatures**Date****Councillor Ian Ward**

Deputy Leader.....

.....

Councillor Peter GriffithsCabinet Member for Housing and
Homes:.....

.....

Jacqui Kennedy

Acting Strategic Director of Place:.....

.....

List of Background Documents used to compile this Report:

Council Business Plan and Budget 2016 +
Empty Property Strategy 2013-18
National Planning Policy Framework 2012
Birmingham Unitary Development Plan 2005
The Emerging Birmingham Development Plan

List of Appendices accompanying this Report (if any):

1. Human Rights Considerations
2. Justification for CPO
3. Equality Analysis

Report Version**Dated**

8 May 2016

Consideration of Human Rights Issues

Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way, which is incompatible with the convention of Human Rights. The main articles of the Convention which are of importance in circumstances where the Council is making a Compulsory Purchase Order (CPO) are:

- Article 1 of the First Protocol - the protection of property
- Article 8- the right to respect for private and family life and his/her home

The approach to be taken to give effect to rights under the convention is also reflected in paragraph 2 of 'Guidance on Compulsory Purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of compulsion' (October 2015):

"Acquiring Authorities... should be sure that the purposes for which it is making a CPO justify interfering with the human rights of those with an interest in the land affected.."

The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that: *"regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole"* i.e. a compulsory purchase must be proportionate. Both public and private interests are to be taken into account in the exercise of the Council's powers.

Similarly, any interference with Article 8 rights must be *"necessary in a democratic society"* i.e. proportionate. In pursuing a CPO, the Council has to carefully consider the balance to be struck between individual rights and the wider public interest having regard also to the availability of compensation for compulsory purchase. Article 8(1) provides that everyone has the right to respect for his/her property but Article 8(2) allows the State to restrict the rights to respect for the property to the extent necessary in a democratic society and for the certain listed public interest purposes.

In considering Article 8 in the context of a CPO it is necessary to consider the following questions:

- a) Does a right by this article apply?
- b) Has an interference with that right taken place or will take place as a result of the CPO being made?

Clearly Article 8 does apply and therefore it is necessary for the Council to consider the possible justifications for the interference (Article 8(2)) as follows:

- Is the interference in accordance with the law? There is a clear legal basis for making the CPO under Section 17 of the Housing Act 1985.
- Does the interference pursue a legitimate aim? The CPO is necessary to bring empty homes back into use and to improve the condition of the properties in order to provide housing in an area of high demand.
- Is the interference necessary in a democratic society? This requires a balanced judgment to be made between the public interest and the rights of individuals. The CPO is considered to be both necessary and proportionate in that the land to be acquired is necessary to provide housing in an area where there is a shortage of accommodation.

The second relevant article is Article 1 of the First Protocol, which provides that:

- Every natural or legal person is entitled to the peaceful enjoyment of his possessions
- No one shall be deprived of those possessions except in the public interest and subject to the conditions provided for by law.

The Council has considered the effect of the above articles of the Human Rights Act and decided that on balance it is in the interest of the community to make the CPO over and above the interest of the individuals affected. Interference with Convention rights is considered by the Council to be justified. The Council, in making this order, also had particular regard to the rights of the individuals to compensation.

Justification for Compulsory Purchase Order – Empty properties listed at Appendix 1

DCLG 'Guidance on Compulsory Purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of compulsion' (October 2015) provides fundamental principles that a confirming Minister should consider when deciding whether or not to confirm a compulsory purchase order and which acquiring authorities ought to take into account.

The compulsory acquisition of any necessary interests in the Empty Properties listed in Appendix 1 meet the tests for justification as set out in the Guidance as follows:-

- The compulsory purchase of land is intended to be a last resort (paragraph 2 of the Guidance). The Council has attempted over periods of years to encourage owners to bring the properties back into use themselves and the owners have been warned of the possibility of CPO. The Council will continue to try to encourage the owners to bring the properties back into use themselves without the need for CPO.
- There must be a compelling case in the public interest (paragraph 12). Empty properties attract anti-social behaviour, cause damage to neighbouring properties, detrimentally affect local amenity and represent a wasted housing resource. Bringing them back into use addresses these problems in the public interest.
- The acquiring authority should have a clear idea of how it intends to use the land and be able to show that all necessary resources are likely to be available to achieve that end within a reasonable timescale (paragraph 13). Further, the acquiring authority should be able to show that the scheme for which the land is sought is unlikely to be blocked by any physical or legal impediments to implementation (paragraph 15).
- Once acquired, the properties will either be improved and retained by the Council, or auctioned with covenants to bring them back into use within 12 months of purchase. There are no planning or other impediments to this happening and the Council has the money to acquire the properties. The Council has many years of experience of following this format for bringing properties back into use this way.
- Compulsory purchase if required is consistent with relevant planning policy as follows:-
- There are further specific requirements in respect of CPOs made under Part II Housing Act 1985 for empty property. Section 5 of the Guidance (paragraph 106) states that acquisition should achieve a quantitative or qualitative housing gain. CPO of empty properties may be justified as a last resort in situations where there appears to be no other prospect of a suitable property being brought back into residential use (paragraph 110). As many of the houses are in poor condition, as well as unoccupied, the programme to be authorised by this report will provide better quality housing in many cases as well as houses that are occupied, rather than left empty.

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Compulsory Purchase Order - Empty Properties
Directorate	Place
Service Area	Housing Transformation - Place
Type	New/Proposed Function
EA Summary	This assessment shows that the proposed Compulsory Purchase of long term empty private properties is supported within the Council's existing Empty Property Strategy and supports policies for increasing housing supply to meet demand.
Reference Number	EA001335
Task Group Manager	Colin.hanno@birmingham.gov.uk
Task Group Member	
Date Approved	2016-06-08 01:00:00 +0100
Senior Officer	john.jamieson@birmingham.gov.uk
Quality Control Officer	PlaceEAQualityControl@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

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 Function.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Function and expected outcomes?	This proposal is to take CPO action on long term empty properties in private ownership which are causing a nuisance in local neighbourhoods, attracting vandalism and fly tipping and could be used to to provide new homes to help meet housing need in the city.
---	--

For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	No
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes

2.3 Analysis on Initial Assessment

Bringing private sector long term empty properties back into use will help local residents in the immediate area feel more secure and not have to suffer blight from derelict properties or fly tipping and vandalism of the empty property. This will benefit all stakeholders across all protected groups

The CPO of long term empty homes will encourage other owners to ensure they bring properties back into use which will benefit all communities in the city, those people looking for suitable housing, agencies working with people in housing need and agencies looking to help regenerate neighbourhoods

3 Concluding Statement on Full Assessment

This proposal to CPO long term empty properties is not seen to be discriminating against any protected group but may benefit protected groups by providing new housing opportunities for those in need and to improve local neighbourhoods

4 Review Date

01/06/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

Report to:	CABINET
Report of:	ASSISTANT DIRECTOR PROCUREMENT
Date of Decision:	28TH JUNE 2016
SUBJECT:	PLANNED PROCUREMENT ACTIVITIES (AUGUST 2016 – OCTOBER 2016)
Key Decision: No	Relevant Forward Plan Ref: n/a
If not in the Forward Plan: (please "tick" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr Majid Mahmood – Value for Money and Efficiency
Relevant O&S Chairman:	Cllr Mohammed Aikhlaq, Corporate Resources and Governance
Wards affected:	All

1. Purpose of report:

- 1.1 This report provides details of the planned procurement activity for the period August 2016 – October 2016. Planned procurement activities reported previously are not repeated in this report.

2. Decision(s) recommended:

That Cabinet

- 2.1 Notes the planned procurement activities under officer delegations set out in the Constitution for the period August 2016 – October 2016 as detailed in Appendix 1.

Lead Contact Officer (s):	
Telephone No: E-mail address:	Nigel Kletz Corporate Procurement Services Corporate Resources 0121 303 6610 nigel.kletz@birmingham.gov.uk

3. Consultation	
3.1	<p><u>Internal</u></p> <p>This report to Cabinet is copied to Cabinet Support Officers and to Corporate Resources and Governance Overview & Scrutiny Committee and is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Corporate Resources and Governance Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.</p>
3.2	<p><u>External</u></p> <p>None</p>

4. Compliance Issues:	
4.1	<p><u>Are the recommended decisions consistent with the Council's policies, plans and strategies</u></p> <p>Details of how the contracts listed in Appendix 1 support relevant Council policies, plans or strategies, will be set out in the individual reports.</p>
4.2	<p><u>Financial Implications</u></p> <p>Details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.</p>
4.3	<p><u>Legal Implications</u></p> <p>Details of all relevant implications will be included in individual reports.</p>
4.4	<p><u>Public Sector Equality Duty</u></p> <p>Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.</p>

5. Relevant background/chronology of key events:

- 5.1 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 contractor under TUPE, the contract award decision has to be made by Cabinet.
- 5.2 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 Corporate Resources and Governance Overview & Scrutiny Committee.
- 5.3 This report sets out the planned procurement activity over the next few months where the contract value is between the EU threshold (£164,176) and £10m. This will give members visibility of all procurement activity and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the delegation threshold.
- 5.4 Individual contracts can be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Corporate Resources and Governance Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 5.5 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.
- 5.6 A briefing note including financial information is appended to the Private report for each item on the schedule.

6. Evaluation of alternative option(s):

- 6.1 A report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process. The alternative option is that individual procurements are referred to Cabinet for decision.

7. Reasons for Decision(s):

- 7.1 To enable 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.

Signatures:**Date:**

.....
Nigel Kletz – Assistant Director (Procurement)

.....

.....
Councillor Majid Mahmood - Value for Money and Efficiency

.....

List of Background Documents used to compile this Report:**List of Appendices accompanying this Report (if any):**

Appendix 1 - Planned Procurement Activity August 2016 – October 2016

Report Version	1	Dated	13/06/2016
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APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (AUGUST 2016 – OCTOBER 2016)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Value for Money and Efficiency Plus	Finance Officer	Contact Name	Planned CO Decision Date	Comments - including any request from Cabinet Members for more details	Living Wage apply Y / N
Approval to Tender Strategy	Mortality Services	P0332	A framework agreement for the provision of the following goods and services for Bereavement Services split by lot suitable for: Lot 1 – Memorial Benches Lot 2 – Memorial Products including urns for cremated remains, memorial wall plaques and book of remembrance, Lot 3 – Inspection and Making Safe of Memorials, Lot 4 – Collection of Deceased Persons from hospitals, road accidents and scenes of crime to HM Coroner, Lot 5 – Provision of Funerals	4 years	People / Place	Deputy Leader	Simon Hunt	Nel Planas	01/08/2016		Y
Strategy / Award	Procurement Legal Advice to Support the Development of the Future Waste Strategy and the undertaking of new waste disposal services	TBC	The Council is currently developing a new Waste Strategy for the management and disposal of waste that will take into account current and future projected technical and sustainable developments.	2 years, 4 months	Place	Clean Streets, Recycling and Environment	Sukvinder Kalsi	Mike Smith / Nicola Handley	22/07/2016		Y
Approval To Tender (SCN)	Children's Trust Development	TBC	The Council requires immediate support in identifying and exploring governance and organisation models for the delivery of children's social care, including trust options.	3 months	People	Children, Families and Schools	Denise Wilson	Seamus Gaynor	04/07/2016		Y

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	City Solicitor
Date of Decision:	28 June 2016
SUBJECT:	DATES OF MEETINGS, APPOINTMENT OF OTHER BODIES AND APPOINTMENTS TO OUTSIDE BODIES ETC 2016/2017
Key Decision: No	Relevant Forward Plan Ref:
If not in the Forward Plan: (please "tick" box)	Chief Executive approved: <input type="checkbox"/> O&S Chairman approved: <input type="checkbox"/>
Type of decision:	Executive
Relevant Cabinet Member:	Cllr John Clancy, Leader
Relevant O&S Chairman:	Cllr Mohammed Aikhlaq, Chairman of Corporate Resources and Governance Overview and Scrutiny Committee
Wards affected:	City Wide

1. Purpose of report:

The report seeks the approval of the Cabinet to the dates and time of Cabinet meetings, the appointment of other bodies and the appointment/re-appointment of representatives to serve on Outside Bodies.

2. Decision(s) recommended:

- 2.1 That meetings of the Cabinet be held on the dates and time set out in Appendix 'A'.
- 2.2 That the bodies detailed in Appendix B be appointed until the appropriate meeting of the Cabinet in the next Municipal Year which considers appointments, with the functions and delegations detailed in Appendix 'B' and that Members be appointed to serve thereon.
- 2.3 That representatives be appointed/re-appointed to serve on the Outside Bodies until the appropriate meeting of the Cabinet in the next Municipal Year which considers appointments (See Appendix 'C') and that those appointments which are continuing be noted.
- 2.4 That those appointments which are no longer needed, detailed in Appendix 'D', be noted.
- 2.5 That it be noted that updated Appendices 'B' and 'C' reflecting the final appointments made at today's meeting will be posted on the CMIS database.

Lead Contact Officer(s):	David Smith/Celia Janney
Telephone No:	Committee Services 0121 303 4465/303 7034
Email address:	david_smith@birmingham.gov.uk / celia_janney@birmingham.gov.uk

3. Consultation

3.1 Internal

Councillor Jon Clancy, the Leader of the City Council.

All Cabinet Members (via Cabinet Support Officers).

The relevant lead officers in respect of the bodies detailed in Appendix 'B' and Appendix 'C'.

3.2 External

Not applicable.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The appointments are consistent with the legal and constitutional requirements of the City Council.

4.2 Financial Implications. (Will decisions be carried out within existing finances and Resources?)

There are no additional resource implications.

4.3 Legal Implications

See paragraph 4.1.

4.4 Public Sector Equality Duty

5. Relevant background/chronology of key events:

5.1 At the Annual General Meeting on 11 June 2013, the City Council approved changes to the Constitution and Article 11 sets 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.

5.2 Members will recall that a fundamental review of appointments to Outside Bodies was carried out in 2010 with the level of Council representation on those bodies detailed in Appendix 'C' being agreed. (Report to Cabinet on 28 June 2010).

5.3 The lists of annual appointments in Appendices 'B' and 'C' to this report have been updated in accordance with the amendments to the Constitution approved by City Council on 22 May 2012 and to reflect appointments made by the Cabinet (and other developments which have occurred) during the course of the 2015/16 Municipal Year. The relevant lead officers in respect of the bodies detailed in Appendix 'B' and Appendix 'C' have been consulted and the review of appointments also identified that a number no longer need to be made and for completeness, these are detailed in Appendix 'D' to this report.

Relevant background/chronology of key events: (continued)

- 5.4 At its meeting on 28 June 2010 the Cabinet agreed that the Corporate Director of Governance (now City Solicitor) in consultation with appropriate Members be authorised to deal with any urgent appointments and related issues which might arise between meetings of the Cabinet in July and September of every year with any action taken being reported to Cabinet for noting.
- 5.5 It is recommended that the appointments referred to in this report (except those which are continuing) be made for the period until the appropriate meeting of the Cabinet, in the next Municipal Year which considers such appointments. This has been provisionally set for 27 June 2017.

6. Evaluation of alternative option(s):

- 6.1 Not applicable, as these appointments are a matter for the Cabinet to determine.

7. Reasons for Decision(s):

- 7.1 To approve dates and time of Cabinet meetings, the appointment of other bodies and representatives to serve on Outside Bodies.

Signatures (or relevant Cabinet Member approval to adopt the Decisions recommended):

City Solicitor:

Cabinet Member(s):

Dated:

List of Background Documents used to compile this Report:

1. Report of the Council Business Management Committee to City Council on 11 June 2013 – “Annual Review of the City Council's Constitution”; along with relevant e-mails/file(s)/ correspondence on such appointments.
2. Report of the Corporate Director of Governance to Cabinet on 28 June 2010 – “Dates of Meetings, Appointment of Cabinet Committees, Other Bodies and Appointments to Outside Bodies etc. 2010/2011”.

List of Appendices accompanying this Report (if any):

1. Appendix A - Dates and times of Cabinet Meetings in 2016/17.
2. Appendix B - Other bodies
3. Appendix C - Annual Appointments to Outside Bodies
4. Appendix D - Appointments which are no longer necessary

APPENDIX A

Dates and Time of Cabinet Meetings in the 2016/2017 Municipal Year

RECOMMENDED:-

That Cabinet agree that meetings be held on a (generally) monthly cycle on the dates set out below. Additional/urgent meetings can of course be called if they prove strictly necessary.

<u>2016</u>	<u>2017</u>
28 June*	24 January
26 July	14 February #
20 September	21 March
18 October	18 April
15 November	16 May
13 December	27 June (Provisional)*

(NB: In 2017 there will not be any City Council elections. The Annual Meeting of the City Council will be on 23 May)

- | | | |
|--|---|---|
| <p>* Scheduled to consider appointments</p> <p># Following consultation with Resource officers, scheduled to consider Budget and Council Plan (City Council Budget setting meeting is on 28 February 2017)</p> | } | <p>but not exclusively</p> <p>those items</p> |
|--|---|---|

APPOINTMENT OF OTHER BODIES**1. Teachers Grievance Procedures and Collective Disputes Procedures Appeals Body (Re-appointed by Cabinet on 29 June 2015)****Function**

To hear cases in accordance with the Collective Disputes Procedure set out in the Burgundy Book.

NB: the LEA representatives should reflect proportionality and for a 5 Member body in 2016/2017 - this is 3 (Lab), 1 (Con) and 1 (Lib Dem).

Membership**2015/2016 (5 Members)**
LEA Representatives

Cllr Barry Bowles (Lab)
Cllr Martin Straker-Welds (Lab)
Cllr Valerie Seabright (Lab)
Cllr Anne Underwood (Con)
Cllr Sue Anderson (Lib Dem)

Plus Independent Alternate Chairpersons

CBI Nominee
TUC Nominee

Plus

6 representatives nominated by the Teachers Associations

2016/2017 (5 Members)
LEA Representatives

Cllr (Lab)
Cllr (Lab)
Cllr (Lab)
Cllr (Con)
Cllr (Lib Dem)

Plus Independent Alternate Chairpersons

CBI Nominee
TUC Nominee

Plus

6 nominees of the Teachers Associations

2. Adoption and Fostering Panels (Re-appointed by Cabinet on 29 June 2015)

Regulations issued in 2011 made major changes to panel membership. There is no longer a requirement for an elected Member to serve and there is a central list of panel Members to ensure that panel Members are drawn from a number of backgrounds. To ensure that Panels are as representative of all Key Stakeholder groups as possible, it remains good practice to have elected Members on these panels and membership of them is an important contribution to the Council's overall Corporate parenting responsibilities.

NB: Representation is to be as follows:-

5 Labour, 2 Conservative, 1 Liberal Democrat

(i) Adoption Panels**Membership****2015/2016**

“Red” Adoption Panel (meets fortnightly
Monday Morning 0915-1330)
Cllr Sue Anderson (Lib Dem)

2016/2017

Cllr (Lib Dem)

“Blue” Adoption Panel (meets fortnightly
Monday afternoon 1315-1730)
Cllr Chaudhry Rashid (Lab)

Cllr (Lab)

“Green” Adoption Panel (meets fortnightly
Wednesday Morning 0915-1330)
Cllr Alex Yip (Con)

Cllr (Con)

“Purple” Adoption Panel (meets fortnightly
Thursday Morning 0915-1330)
Cllr Margaret Waddington (Con)

Cllr (Con)

“Cream” Adoption Panel – (meets fortnightly
Wednesday morning 0915-1330)
Cllr Barry Bowles (Lab)

Cllr (Lab)

(ii) Fostering Panels**Membership****2015/2016**

“Orange” Fostering Panel (meets fortnightly
Tuesday Morning 0915-1330)
Cllr Valerie Seabright (Lab)

2016/2017

Cllr (Lab)

“Yellow” Fostering Panel (meets fortnightly
Wednesday Morning 0915-1330)
Cllr Elaine Williams (Lab)

Cllr (Lab)

“Pink” Fostering Panel (meets monthly
Tuesday morning 0915-1330)
Cllr Anita Ward (Lab)

Cllr (Lab)

3. The Contest Board (replaced the Public Service Project Management Board – Prevent Programme – Preventing Violent Extremism)(reappointed by Cabinet on 29 June 2015)

Membership

2015/2016

1. Deputy Leader, Birmingham City Council as Chairman
2. Cabinet Member for Inclusion and Community Safety, Birmingham City Council
3. Cllr Ansar Ali Khan (Lab)
4. Chief Executive, Birmingham City Council
5. Strategic Director of Place, Birmingham City Council
6. Director, Highways and Resilience, Birmingham City Council
7. Prevent Lead, Assistant Director, Equalities & Human Resources, Birmingham City Council
8. Prevent Co-ordinator, Birmingham City Council
9. Head of Counter Terrorism, West Midlands Police
10. Assistant Chief Constable for Security, West Midlands Police
11. Assistant Chief Constable, Local Policing and Service Improvement, West Midlands Police

2016/2017

1. Deputy Leader, Birmingham City Council as Chairman
2. Cabinet Member for Transparency, Openness and Equality, Birmingham City Council
3. Conservative Group representative, Birmingham City Council
4. Liberal Democrat Group representative, Birmingham City Council
5. Labour Group representative, Birmingham City Council
6. Chief Executive, Birmingham City Council
7. Strategic Director for Place Directorate, Birmingham City Council
8. Strategic Director for People Directorate, Birmingham City Council
9. Head of Resilience and Local Engineering, Birmingham City Council
10. Assistant Director, Equalities, Community Safety and Cohesion, Birmingham City Council
11. District Chair's representative

2015/2016

12. Chief Superintendent, Local Policing Unit Commander, Birmingham East, West Midlands Police
13. Head of Protect, Prepare and Prevent, West Midlands Police
14. Head of Local Delivery, OSCT Prevent, Home Office
15. Head of Probation, Staffordshire and West Midlands Probation Service
16. Cllr Ewan Mackey (Con)
17. Cllr Roger Harmer (Lib Dem)
18. Director of Highways

2016/2017

12. Assistant Chief Constable with Responsibility for Birmingham
13. Assistant Chief Constable CT
14. Head of WMP CTU (Ch Supt)
15. WMP CTU Intelligence
16. Police lead in WMP for Prevent
17. Head of Birmingham Probation CRC
18. Director for Strategy, OSCT

4. Corporate Parenting Board (Re-appointed by Cabinet on 29 June 2015)**Membership****2015/2016**

- Cabinet Member for Children's Services – Cllr Brigid Jones
- Chair of Education and Vulnerable Children Overview and Scrutiny Committee – Cllr Susan Barnett
- Cllr Valerie Seabright (Chair) (Lab)
- Cllr Matt Bennett (Con)
- Cllr Sue Anderson (Lib Dem)

2016/2017

- Cabinet Member for Children, Families and Schools
- Chair of Schools, Children and Families Overview and Scrutiny Committee
- Cllr (Lab)
- Cllr (Con)
- Cllr (Lib Dem)

5. Birmingham Integrated Commissioning Board for Learning Disability and Mental Health (re-appointed by Cabinet on 29 June 2015)

8 representatives to be nominated by the City Council being 5 elected Members and 3 officers.

2015/2016

Elected Members

Cllr Paulette Hamilton (Lab)
Cllr Brigid Jones (Lab)
Cllr Stewart Stacey (Lab)
Cllr Sue Anderson (Lib Dem)
Cllr Andrew Hardie (Con)

Officers

Peter Hay, Strategic Director of People

Paul Dransfield, Deputy Chief Executive

Louise Collett, Service Director, Policy and
Commissioning

2016/2017

Elected Members

Cllr (Lab)
Cllr (Lab)
Cllr (Lab)
Cllr (Lib Dem)
Cllr (Con)

Officers

Peter Hay, Strategic Director of People

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6. Health and Wellbeing Board (reappointed by Cabinet on 29 June 2015)

In accordance with paragraph 6.9 of Article 6 (The Executive) of the City Council Constitution, the board is constituted as a Committee under the chairmanship of the Cabinet Member for Health and Social Care in order to discharge the functions of the board as set out in the Health and Social Care Act 2012, including the appointment of board members as set out in the schedule of required board members in the Act.

Functions

To discharge the functions of a Health and Wellbeing Board as set out in the Health and Social Care Act 2012, including the appointment of Board Members as set out in the schedule of required Board Members in the Act.

The Health and Wellbeing Board will:

- a) promote the reduction in Health Inequalities across the City through the commissioning decisions of member organisations
- b) report on progress with reducing health inequalities to the Cabinet and the various Clinical Commissioning Group Boards
- c) be the responsible body for delivering the Joint Strategic Needs Assessment for Birmingham (including the Pharmaceutical Needs Assessment)

- d) deliver and implement the Joint Health and Wellbeing Strategy for Birmingham
- e) participate in the annual assessment process to support Clinical Commissioning Group authorisation
- f) identify opportunities for effective joint commissioning arrangements and pooled budget arrangements
- g) provide a forum to promote greater service integration across health and social care.

Terms of Reference

Under the Health and Social Care Act 2012 the composition of Board must include:-

The Leader of the Council or their nominated representative to act as Chair of the Board
The Strategic Director of Adults and Communities Directorate/The Strategic Director of Children Young People and Families Directorate (now covered by the Strategic Director for People)

Nominated Representatives of each Clinical Commissioning Group in Birmingham

The Joint Director of Public Health

Nominated Representative of Healthwatch Birmingham

Each Local Authority may appoint additional Board Members as agreed by the Leader of the Council or their nominated representative. If additional appointments are made these will be reported to Cabinet by the Chair of the Board.

For the Board to be quorate at least one third of Board Members and at least one Elected Member must be present

Members of the Board will be able to send substitutes with prior agreement of the Chair. Each member is to provide the name of an alternate/substitute member.

Membership

2015/2016

City Council Appointments to the Health and Wellbeing Board

Cabinet Member for Health and Social Care as Chair: Cllr Paulette Hamilton (Lab)

Cabinet Member for Children's Services: Cllr Brigid Jones (Lab)

Opposition Spokesperson on Health and Social Care – Cllr Lyn Collin (Con)

2016/2017

City Council Appointments to the Health and Wellbeing Board

Cabinet Member for Health and Social Care as Chair

Cabinet Member for Children, Families and Schools

Opposition Spokesperson on Health and Social Care

2015/2016

Vice Chair for 2015/2016 to be a Clinical Commissioning Group (CCG) representative (to be advised by the CCGs) instead of the Cabinet Member for Children's Services - to reinforce the Board as a joint body rather than a solely LA committee

Strategic Director of People

Director of Public Health

External Appointments to the Health and Wellbeing Board

Representative of Healthwatch Birmingham

Representative of Birmingham Cross City Clinical Commissioning Group

Representative of Birmingham South Central Clinical Commissioning Group

Representative of Sandwell and West Birmingham Clinical Commissioning Group

Representative of Third Sector Assembly

Representative of NHS Commissioning Board Local Area Team

Chair of the Birmingham Community Safety Partnership

1 local NHS Provider representative

2016/2017

Vice Chair for 2016/2017 to be a Clinical Commissioning Group (CCG) representative (to be advised by the CCGs) - to reinforce the Board as a joint body rather than a solely LA committee

Strategic Director of People

Director of Public Health

External Appointments to the Health and Wellbeing Board

Representative of Healthwatch Birmingham

Representative of Birmingham Cross City Clinical Commissioning Group

Representative of Birmingham South Central Clinical Commissioning Group

Representative of Sandwell and West Birmingham Clinical Commissioning Group

Representative of Third Sector Assembly

Representative of NHS Commissioning Board Local Area Team

Chair of the Birmingham Community Safety Partnership

1 local NHS Provider representative

Member of the Birmingham Social Housing Partnership

7. Children's Joint Commissioning Partnership Board (re-appointed by Cabinet on 29 June 2015)

For background, see report to Cabinet on 29 July 2013.

2015/2016

1. Cllr Paulette Hamilton (Lab)
2. Cllr Stewart Stacey (Lab)
3. Cllr Brigid Jones (Lab)
4. Strategic Director of People (or nominee)
5. Director of Public Health
6. Director of Joint Commissioning, People Directorate

2016/2017

1. Cllr (Lab)
2. Cllr (Lab)
3. Cllr (Lab)
4. Strategic Director of People (or nominee)
5. Director of Public Health
6. Director of Joint Commissioning, People Directorate

8. Supervisory Board for the Greater Birmingham and Solihull Local Enterprise Partnership (reappointed by Cabinet on 29 June 2015)

At its meeting on 16 September 2013, the Cabinet agreed to the creation of a Joint Committee with local authorities in the GBS LEP area and its terms of reference.

The terms of reference provide that:-

- 1.1 The Supervisory Board acts as a Joint Committee.
- 1.2 Political proportionality rules will not apply to board as constituted.
- 4.1 One member from each constituent authority – to be the Leader (or other appointed Member)
- 4.3 An Executive Member to be alternate

2015/2016

Cllr John Clancy as voting Member
– from 8 Dec 2015
Cllr Ian Ward as alternate

2016/2017

Cllr as voting Member
Cllr as alternate

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016 /2017 Representatives</u>
1. Marketing Birmingham	1. Cllr John Clancy (Lab) – from Dec 2015 (Cllr Ian Ward (Lab) as Observer) 2. Cllr Timothy Huxtable (Con) (Cllr Randal Brew) (Con) as Observer) 3. Chief Executive – Observer (Deputy Chief Executive as Substitute Observer)	3	In July 2006, the organisation advised no provision for alternates but, in recognition of the role of City Council as a principal shareholder, observers can be appointed to attend in place of Directors when necessary.	1. Cllr (Lab) (Cllr (Lab) as Observer) 2. Cllr(Con) (Cllr (Con) as Observer) 3. Chief Executive – Observer (Paul Dransfield, Strategic Director Major Programmes and Projects as Substitute Observer)
2. Innovation Birmingham Limited			The addendum to the Appointments to Outside Bodies report to Cabinet on 18/11/14 detailed the company restructuring:-	
(a) Innovation Birmingham Ltd Board	<u>Directors</u> Cllr Cllr John Clancy (Lab) – from Dec 2015 Cllr Lisa Trickett (Lab) Cllr Timothy Huxtable (Con) <u>Alternate Directors</u> Cllr Tahir Ali (Lab) Cllr Victoria Quinn (Lab) Cllr John Alden (Con) Cllr Lisa Trickett (Lab)	3 3	(a) Innovation Birmingham Ltd 3 Directors 3 Alternate Directors (to attend only in their place)	<u>Directors</u> Cllr(Lab) Cllr(Lab) Cllr(Con) <u>Alternate Directors</u> Cllr(Lab) Cllr(Lab) Cllr(Con)
(b) Birmingham Science Park Aston Ltd	Cllr Lisa Trickett (Lab)	1	(b) Birmingham Science Park Aston Ltd – 1 nominee	Cllr (Lab)
(c) Birmingham Technology (Venture Capital) Ltd	Cllr Lisa Trickett (Lab)	1	(c) Birmingham Technology (Venture Capital) Ltd – 1 nominee	Cllr (Lab)
(d) Birmingham Technology (Property) Ltd	Cllr Lisa Trickett (Lab)	1	(d) Birmingham Technology (Property) Ltd – 1 nominee	Cllr (Lab)
(e) Birmingham Technology (Property One) Ltd	Cllr Lisa Trickett (Lab)	1	(e) Birmingham Technology (Property One) Ltd – 1 nominee	Cllr (Lab)
NB: representation on each Group business is to be drawn from main Board				

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

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<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016 /2017 Representatives</u>
3. Birmingham Airport Holdings Ltd (Main Board)	Cllr Cllr John Clancy (Lab) – from Dec 2015 Cllr Tahir Ali (Lab) Cllr Paul Tilsley (Lib Dem) Paul Dransfield, Deputy Chief Executive	4	Shareholders' Agreement provides City Council entitled to nominate 4 persons to the West Midlands Joint Committee for appointment to the Board for a 2 year period of office. Directors may but need not be Members of the City Council. 2 year period City Council nominate via West Midlands Joint Committee - goes annually to Cabinet to review if necessary. A nomination to the Management Board is no longer required.	Cllr (Lab) Cllr (Lab) Cllr(Lib Dem) Paul Dransfield, Strategic Director Major Programmes and Projects
4. Birmingham Airport Community Trust Fund	Cllr Majid Mahmood (Lab) Cllr Mike Ward (Lib Dem)	2	Appointments made by Cabinet on 10 June 2013	Cllr (Lab) Cllr(Lib Dem)
5. Birmingham Airport Consultative Committee	1. Cllr Anita Ward (Lab) 2. Cllr Robert Alden (Con) 3. Cllr Mike Ward.(Lib Dem)	7	Members may recall that this body's composition has been revised twice. Cabinet most recently revised the City Council representation at its meeting on 15/9/14 – See Appointments to Outside Bodies report and Cabinet record of decision for 15/9/14 meeting. NB: This is now an Annual Appointment – see report to Cabinet July 2015.	1. Cllr(Lab) 2. Cllr(Con) 3. Cllr(Lib Dem)
6. Birmingham International Airport's Air Transport Forum	Cllr Majid Mahmood (Lab)	1	Must be a Member. 1 year period of office.	Cllr (Lab)
7. The National Exhibition Centre (Developments) PLC	Paul Dransfield, Deputy Chief Executive Peter Jones, Director of Property	2	See Appointments to Outside Bodies report to Cabinet on 18/10/10. See Appointments to Outside Bodies report to Cabinet on 29/11/10.	Paul Dransfield, Strategic Director Major Programmes and Projects Peter Jones, Director of Property

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<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016 /2017 Representatives</u>
8. University Hospital Birmingham NHS Foundation Trust (Board of Governors)	Cllr Valerie Seabright (Lab)	1	City Council appoints 1 stakeholder Governor	Cllr (Lab)
9. West Midlands Ambulance Service NHS Trust	Cllr Mick Brown (Lab)	1	1 BCC representative appointed – see Appointments to Outside Bodies report to Cabinet on 17/9/12. Must be an elected Member.	Cllr(Lab)
10. Heart of England N.H.S. Foundation Trust	Cllr Mohammed Aiklaq (Lab)	1		Cllr (Lab)
11. Birmingham Women's Health Care NHS Trust Members Council	Cllr Karen McCarthy (Lab)	1	Appointment first made by Cabinet on 12/11/07. The Members Council meets between 4 and 6 times a year and there are also some informal meetings to which Governors are invited.	Cllr (Lab)
12. Birmingham Children's Hospital NHS Foundation Trust – Council of Governors	Cllr Mike Leddy (Lab)	1	May but need not be a Member. See Appointments to Outside Bodies report to Cabinet on 29/10/12.	Cllr (Lab)
13. Birmingham Community Healthcare NHS Trust – Council of Governors	Cllr Josh Jones (Lab)	1	See Appointments to Outside Bodies record of decision at Cabinet on 14/1/13.	Cllr (Lab)
14. Royal Orthopaedic Hospital Board of Governors	Cllr Peter Griffiths (Lab)	1	Appointment is for a 3 year period, but review annually in line with established practice. See Appointments to Outside Bodies report to Cabinet on 16/2/15 for background.	Cllr(Lab)
15. Birmingham & Solihull Mental Health NHS Foundation Trust	Cllr Mick Brown (Lab)	1	City Council appoint 1 stakeholder governor – appointment made by Cabinet on 10/6/13	Cllr (Lab)
16. Warwickshire County Cricket Club – General Committee	Cllr Ian Ward (Lab) Cllr Fergus Robinson (Con)	2	See report to Cabinet on 29 March 2010.	Cllr (Lab) Cllr (Con)
17. Greater Birmingham and Solihull Local Enterprise Partnership Ltd Board	1. Cllr John Clancy (Lab), Leader as Director – from Dec 2015 2. Cllr Ian Ward, Deputy Leader as Alternate Director.	2	1 Director appointed – must be an Executive Member. 1 Alternate Director appointed – must be an Executive Member.	1. Cllr 2. Cllr

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

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<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016 /2017 Representatives</u>
18. Birmingham Opera Company	Cllr Karen McCarthy (Lab)	1		Cllr (Lab)
19. Committee of Association of Friends of the Museum and Art Gallery	Cllr Anita Ward (Lab) Cllr John Alden (Con)	2	2 City Council appointees	Cllr (Lab) Cllr (Con)
20. Millennium Point Property Ltd	Peter Jones, Director of Property	1	1 Director appointed by the City Council	Peter Jones, Director of Property
21. Millennium Point Trust	Cllr Ian Ward (Lab) Cllr Paul Tilsley (Lib Dem)	2	City Council, as corporate Member, has the right to appoint 2 Trustees	Cllr (Lab) Cllr (Lib Dem)
22. The Drum	Cllr Paulette Hamilton (Lab)	1	The City Council is entitled to appoint 1 person to be a Member of the board.	Cllr (Lab)
23. DanceXchange	Cllr Karen McCarthy (Lab)	1		Cllr (Lab)
24. Ikon Gallery	Cllr Tristan Chatfield (Lab)	1		Cllr (Lab)
25. Ex Cathedra	Cllr Tony Kennedy (Lab)	1	The Subscribers to the Memorandum of Association and such other persons as the Committee shall admit shall be members of the Company.	Cllr (Lab)
26. Board of Birmingham Royal Ballet	Des Hughes (Lab) Cllr Deirdre Alden(Con)	2		Cllr (Lab) Cllr (Con)
27. Birmingham Repertory Theatre (Board)	Cllr Narinder Kooner (Lab) Cllr Gary Sambrook (Con)	2	Directors appointed by the City Council not to exceed two fifths of total number of Directors.	Cllr (Lab) Cllr (Con)
28. City of Birmingham Symphony Orchestra	Cllr Matthew Gregson (Lab) Cllr Randal Brew (Con)	2	City Council nominates 2 persons as Trustees (not necessarily being Members of the City Council)	Cllr (Lab) Cllr (Con)
29. Midlands Arts Centre (Board)	Cllr Martin Straker-Welds (Lab) Cllr Matt Bennett (Con)	2	City Council entitled to appoint 2 nominated Board Members.	Cllr (Lab) Cllr (Con)
30. Cycling Advisory Group	Cllr Lisa Trickett (Lab)	1		Cllr (Lab)
31. Sutton Park Advisory Committee	Referred to Sutton Coldfield District Committee to appoint	3		Refer to Sutton Coldfield District Committee to appoint 3 representatives.

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<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016 /2017 Representatives</u>
32. Birmingham Wheels and Birmingham Wheels (Enterprises) Ltd	No appointment made pending the outcome of consideration of board membership issues.	1	See Appointments to Outside Bodies report to Cabinet on 10/12/12.	Cllr (Lab)
33. Performances Birmingham Ltd (formerly Symphony Hall)	Cllr Sir Albert Bore (Lab) Cllr Ewan Mackey (Con)	2		Cllr (Lab) Cllr (Con)
34. Birmingham Trees for Life Tree Committee	Cllr Fiona Williams (Lab)	1	See report to Cabinet on 12 February 2007.	Cllr (Lab)
35. Castle Bromwich Hall Gardens Trust	Referred to Hodge Hill District Committee to appoint	2	Appointment reinstated at the request of the organisation. BCC entitled to appoint 2 Governors.	Refer to Hodge Hill District Committee to appoint 2 representatives.
36. Birmingham Museum Ltd	Cllr Muhammad Afzal (Lab) appointed as Director Cllr Randal Brew (Con) appointed as Director	2	New appointment in 2012/13 – see Appointments to Outside Bodies report to Cabinet on 12/12/11. BCC has right to appoint 2 Directors to be elected Members or officers.	Cllr..... (Lab) Cllr.....(Con) appointed as Directors
37. Birmingham Proof House	Cllr Mike Leddy (Lab) Cllr Stewart Stacey (Lab) Cllr Robert Alden (Con)	3	3 Members of the City Council as Guardians of Birmingham Proof House. Must be Members. 1 year period of office	Cllr (Lab) Cllr (Lab) Cllr (Con)
38. Birmingham Citizens Advice Bureau Ltd – Trustee Board	Cllr Victoria Quinn (Lab) Cllr Gareth Moore (Con)	2	Need not be a Member. 1 year period of office.(Lab) (Con)
39. Birmingham Voluntary Service Council – Board of Management	Cllr James McKay (Lab) Mr G Hordern (Con))	2	Need not be a Member 1 year period of office. (Lab) (Con)
40. Veterans Champion	Cllr Anita Ward (Lab)	1	Appointed by Cabinet on 25/3/13.	Cllr (Lab)
41. Corporate Parent Ambassador	Cllr Valerie Seabright (Lab)	1	First appointed by Cabinet on 28/7/14 – for details see record of decision.	Cllr(Lab)
42. Gallery 37 Foundation Ltd	Cllr Penny Holbrook (Lab) Cllr Margaret Waddington (Con) Val Birchall, Assistant Director Culture and Visitor Economy Emma Leaman, Head of Education and Skills Strategy	4	BCC appointed 4 representatives to serve as Trustees – need not be Members. (Lab) (Con) Val Birchall, Assistant Director Culture and Visitor Economy Emma Leaman, Head of Education and Skills Strategy

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<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016 /2017 Representatives</u>
43. Greater Birmingham and Solihull Local Transport Board	Cllr John Clancy (Lab) – from Dec 2015	1	See report to Cabinet 11/2/13.	Cllr (Lab)
44. Paradise Circus Ltd Partnership and Paradise Circus General Partnership Ltd	1. Deputy Chief Executive 2. Director of Property	2	See Appointments to Outside Bodies report to Cabinet 2/9/13.	1. Strategic Director - Major Programmes and Projects 2. Director of Property
45. West Midlands Strategic Migration Board	Cllr James McKay (Lab)	1	First appointed by Cabinet on 16/6/14 – see record of decision for background.	Cllr(Lab)
46. Birmingham and Midlands Institute		5	City Governors - Lord Mayor of Birmingham (ex-officio) together with <u>four Members of the City Council</u> subject to the proportionality 2 Labour, 1 Conservative, 1 Liberal Democrat	Cllr(Lab) Cllr(Lab) Cllr(Con) Cllr.....(Lib Dem)
47. West Midlands Rail Ltd (W M R Ltd) Board	Leader of the Council, as a principal Director Cabinet Member with responsibility for transport, as substitute Director	1	First appointed by Cabinet on 17 11 15 – see also 16 02 16 record of decision for background.	Leader of the Council, as a principal Director Cabinet Member with responsibility for transport, as substitute Director

(B) FINANCE, CORPORATE AND HUMAN RESOURCES

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
1. Wolverhampton City Council Pensions Committee and Investment Advisory Sub-Committee	<u>Co-opted Member</u> Cllr Muhammad Afzal (Lab) <u>Substitute Co-Opted Member</u> Cllr Penny Holbrook (Lab) <u>Deputy Substitute Co-Opted Member</u> Cllr Rob Pocock (Lab)	3	Bodies comprise 1 Member from each of the 7 constituent authorities.	<u>Co-opted Member</u> Cllr (Lab) <u>Substitute Co-Opted Member</u> Cllr (Lab) <u>Deputy Substitute Co-Opted Member</u> Cllr (Lab)
2. Local Authority Building Control Advisory Services (Ltd) LABCAS)	Cllr Mike Sharpe (Lab) as a Director	1	See report of the Director of Planning and Regeneration to Cabinet on 8 August 2005 "Ministry of Defence Single Living Accommodation Modernisation (SLAM) Project Building Consultancy"	Cllr (Lab) as a Director
3. The Regional Employers Organisation (The REO) also known as West Midlands Employers Management Board.	Cllr Ian Ward (Lab)	1	New Body considered by Cabinet on the 29 June 2015	Cllr (Lab) Representative
4. INReach (Birmingham) Ltd	Waheed Nazir, Director of Planning & Regeneration Paul Dransfield, Strategic Director of Major Programmes and Projects	1	New Appointment.in 2015/16	Waheed Nazir, Director of Planning & Regeneration

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

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(C) SOCIAL CARE, HEALTH AND WELLBEING AND SUPPORT OF VULNERABLE ADULTS

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/ Articles of Association /Comments</u>	<u>2016/17 Representatives</u>
1. Apna Ghar	Cllr Mohammad Afzal (Lab)	1		Cllr (Lab)
2. Age Concern Birmingham	Cllr Mike Sharpe (Lab) Cllr Margaret Waddington (Con)	2		Cllr (Lab) Cllr (Con)
3. Birmingham Disability Resource Centre	Cllr Tony Kennedy (Lab)	1		Cllr (Lab)
4. Golden Hillock Community Care Centre	Referred to Ladywood District Committee to appoint	1		Refer to Ladywood District Committee to appoint 1 representative.
5. SIFA Fireside (Supporting Independence from Alcohol)	Cllr Claire Spencer (Lab)	1		Cllr (Lab)
6. Mind in Birmingham	Cllr Chauhdry Rashid (Lab)	1		Cllr (Lab)
7. St Basil's Centre Board of Directors	Cllr Sharon Thompson (Lab) Cllr Debbie Clancy (Con)	2	The organisation in January 2007 advised that Mems and Arts provide that the City Council nominate 2 or such lesser number than the Council requires the Company to allow it to appoint as a condition of providing a grant to the Company.	Cllr (Lab) Cllr (Con)
8. Foundation for Conductive Education	Cllr Martin Straker-Welds (Lab)	1	See appointments to Outside Bodies report to Cabinet on 29/11/10.	Cllr (Lab)
9. Birmingham Retirement Council	Cllr Mike Sharpe (Lab) Cllr Sue Anderson (Lib Dem)	2		Cllr (Lab) Cllr (Lib Dem)
10. Clearance Forum (formerly Community Clearance Standing Conference)	1. Cllr Josh Jones (Lab) 2. Cllr Peter Griffiths (Lab) 3. Cllr Vivienne Barton (Con) 4. Cllr Paul Tilsley (Lib Dem)	4		1 Cllr (Lab) 2 Cllr (Lab) 3 Cllr (Con) 4 Cllr (Lib Dem)
11. Birmingham Crisis Centre	Cllr Paulette Hamilton (Lab) Cllr Andrew Hardie (Con)	2		Cllr (Lab) Cllr (Con)

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<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/ Articles of Association /Comments</u>	<u>2016/17 Representatives</u>
12. St Anne's Accommodation	Referred to Ladywood District Committee to appoint	1		Refer to Ladywood District Committee to appoint 1 representative.
13. Asian Resource Centre	Cllr Mahmood Hussain (Lab)	1		Cllr (Lab)
14. Stockfield Community Association	Referred to Acocks Green Ward Committee to appoint	2	The Association has expressed a preference for an Acocks Green Ward Councillor to be appointed. 1 Member and 1 Officer to be appointed.	Refer to Acocks Green Ward Committee to appoint 2 representatives.
15. Witton Lodge Community Association	Referred to Erdington District Committee to appoint	2	1 Member and 1 Officer to be appointed.	Refer to Erdington District Committee to appoint 2 representatives – 1 Member and 1 Officer
16. Association of Retained Council Housing Ltd	Cllr Peter Griffiths (Lab) Rob James, Service Director, Housing Transformation	2	2 BCC representatives to be appointed as Directors – see Appointments to Outside Bodies report to Cabinet 28/11/13.	1. Cllr..... (Lab) 2. Rob James, Service Director, Housing Transformation
17. Enabling Specialist Care Services for Vulnerable Adults to operate outside the Council – A Mutually Owned Social Enterprise	Cllr Paulette Hamilton (Lab) as Chairman Cllr Stewart Stacey (Lab) Cllr Andrew Hardie (Con) The Shadow Board has the authority to appoint at its discretion up to 2 non-executive directors from commerce or industry.	3	Report to Cabinet on 28/4/14 approved creation of a shadow board and arrangements for the appointment of board Members.	Cllr (Lab) as Chairman Cllr (Lab) Cllr (Con) The Shadow Board has the authority to appoint at its discretion up to 2 non-executive directors from commerce or industry.

(D) EDUCATION AND CARE FOR CHILDREN, YOUNG PEOPLE AND FAMILIES

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
1. Birmingham E-Learning Foundation	Cllr Brigid Jones (Lab)	1		Cllr (Lab)
2. City of Birmingham School Management Committee (formerly Pupil Referral Unit Management Committee)	Cllr Barry Bowles (Lab)	1	Elected Member is a core (+ voting Member). Nominee of Member appointed be acceptable provided no conflict of interests. NB: this is an internal body.	Cllr (Lab)
3. Birmingham and Solihull Learning Exchange	<u>Director and Member</u> Strategic Director of People	1	City Council entitled to appoint 1 rep as Director and Member	<u>Director and Member</u> Strategic Director of People
4. Local Government Information Unit	Cllr Stewart Stacey (Lab)	1		Cllr (Lab)
5. Convocation of the University of Aston	Cllr Penny Holbrook (Lab)	1		Cllr (Lab)
6. CTC Kingshurst Academy (formerly City Technology College Kingshurst)	Referred to Hodge Hill District Committee to appoint	1		Refer to Hodge Hill District Committee to appoint 1 representative.
7. Workers Education Association – Local Management Committee	Cllr Penny Holbrook (Lab)	1		Cllr (Lab)
8. Priority Area Play Groups	Cllr Mick Brown (Lab)	1		Cllr (Lab)
9. School Governors' Vacancies	Cllr Martin Straker-Welds (Lab) Cllr Matt Bennett (Con) Cllr Mike Ward (Lib Dem)	3	NB: This is an internal body	Cllr (Lab) Cllr (Con) Cllr (Lib Dem)
10. YMCA Board	Cllr Sam Burden (Lab) Cllr Gary Sambrook (Con)	2		Cllr (Lab) Cllr (Con)
11. The Scout Association	Cllr Mike Leddy (Lab) Cllr Robert Alden (Con)	2		Cllr (Lab) Cllr (Con)

ANNUAL APPOINTMENTS TO OUTSIDE BODIES**APPENDIX C**

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
12. Birmingham Clubs for Young People	1. Cllr Andy Cartwright (Lab) 2. Cllr Randal Brew (Con) 3. 1 officer to be nominated by the Strategic Director of People	3		1. Cllr (Lab) 2. Cllr (Con) 3. 1 officer to be nominated by the Strategic Director of People
13. Local Education Partnership Board	The Deputy Chief Executive as a Director		Appointment made by Cabinet on 8/6/09	Strategic Director - Major Programmes and Projects as a Director
14. Foundation for Conductive Education	Cllr Susan Barnett (Lab)	1	See appointments to Outside Bodies report to Cabinet on 29/11/10. 1 Member also appointed via Social Care, Health and Wellbeing and Support of Vulnerable Adults.	Cllr (Lab)
15. Bordesley Birmingham Trust	Referred to Hodge Hill District Committee to appoint.	1	See Appointments to Outside Bodies report to Cabinet on 7/11/11. BCC entitled to nominate 1 Member and Director – must be an elected Member.	Refer to Hodge Hill District Committee to appoint 1 representative.

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

APPENDIX C

(E) JOBS AND PROSPERITY

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
1. City Centre Strategic Board (formerly the City Centre Partnership)	Cllr Ian Ward (Lab)	2	<p>In May 2012, the Head of City Centre Management advised that the City Council had on the City Centre Partnership:-</p> <ol style="list-style-type: none"> 1. 3 "full" members but not specified who these should be. 2. Terms of Reference provide for "proxy" to attend when representatives cannot attend. 3. 1 Co-opted representative for the Council's events/arts portfolio 4. A no. of officers regularly attend in a support capacity (Director of Regulation and Enforcement (Acting) Alison Harwood or delegate and Assistant Director Planning and Development). <p>Now known as City Centre Strategic Board, with the Deputy Leader as an appointee and the City Council also invited to appoint 1 opposition Member.</p>	<p>Cllr (Lab) Cllr (Con)</p>
2. PATROL Adjudication Joint Committee (formerly National Parking Adjudication Service Joint Committee)	<u>Voting Member</u> Cllr Tahir Ali (Lab) <u>Substitute Member</u> Cllr Kath Hartley (Lab)	<p>1 1</p>	1 representative of each of the Parking Authorities appointed in accordance with law and their own Constitutional arrangements. Substitute Members permitted.	<u>Voting Member</u> Cllr (Lab) <u>Substitute Member</u> Cllr(Lab)
3. Bus Lane Adjudication Services Joint Committee	<u>Voting Member</u> Cllr Tahir Ali (Lab) <u>Substitute Member</u> Cllr Kath Hartley (Lab)	<p>1 1</p>	<p>To be same Members on PATROL Committee at 2. above.</p> <p>New appointment on 10 June 2013</p>	<u>Voting Member</u> Cllr (Lab) <u>Substitute Member</u> Cllr (Lab)

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ANNUAL APPOINTMENTS TO OUTSIDE BODIES

APPENDIX C

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
4. City of Birmingham Local Access Forum	Cllr Tahir Ali (Lab) Cllr Gareth Moore (Con)	2	See Cabinet (14/11/05)	Cllr (Lab) Cllr (Con)
5. Westside (Business Improvement District) formally Broad Street Partnership Ltd (Business Improvement District)	Cllr Shafique Shah (Lab) as Board Member Cllr Carl Rice (Lab) as second Board Member Director of Planning and Regeneration as Observer (through Head of City Centre Management)	2 Board Members 1 Observer	See reports to Cabinet 10/1/2005, 27/9/2009 and 18/5/2015.	Cllr (Lab) as Board Member Cllr(1) – this appointment referred to Ladywood District Committee to appoint 1 representative as a Board Member Director of Regulation and Enforcement (Acting) Alison Harwood or delegate as observer.
6. Retail Birmingham Ltd (Business Improvement District)	Cllr Lisa Trickett (Lab) as stakeholder Cllr Kath Hartley (Lab) as second stakeholder Head of City Centre Management as Co-optee.	3	Body established on 1/4/2007 for a 5 year period. Second BID term ends on 31/3/17. City Council entitled to appoint 2 Directors to the Board. See reports to Cabinet on 26 June 2006 and 25 July 2011.	Cllr (Lab) as stakeholder Cllr() – this appointment referred to Ladywood District Committee to appoint 1 representative as stakeholder. Director of Regulation and Enforcement (Acting) Alison Harwood or delegate as Co-optee.
7. Colmore Business District Ltd	Cllr John Clancy (Lab) as stakeholder – from December 2015 Cllr Kath Hartley (Lab) as second stakeholder Head of City Centre Management as Co-optee	3	1. Report to Cabinet on 27/10/08 detailed proposed Board Structure – 2 BCC reps as stakeholders and City Centre Director as Co-optee. 2. Report to Cabinet on 29/7/13 approved BID renewal. Second BID term ends on 31/3/17.	Cllr (Lab) as stakeholder Cllr() – this appointment referred to Ladywood District Committee to appoint 1 representative as stakeholder. Director of Regulation and Enforcement (Acting) Alison Harwood or delegate as Co-optee.

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

APPENDIX C

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
8. Birmingham Research Park Ltd	Cllr Tahir Ali (Lab) Cllr John Alden (Con) Mohammed Zahir, Head of Business Enterprise and Innovation.	1	BCC's involvement in this company is being withdrawn by the end of June 2016. It is recommended that once the transaction is complete that all Directors resign and 1 Councillor is appointed as an observer with no voting rights.	Cllr (Lab)
9. Birmingham Venture Capital Ltd	1. Mohammed Zahir, Economy Directorate. 2. Karen Price, Economy Directorate 3. Alison Jarrett, Economy Directorate 4. Suresh Patel, Economy Directorate 5. Jean Robb, Economy Directorate	3	In 2005, 1 Director was appointed. In 2006, the Development Directorate recommended that 2 additional officers be appointed as Directors, making 3 in total. In 2010, the Development Directorate recommended that 2 further officers be appointed as Directors, making 5 in total, but in 2012 this was revised to 4 Directors. In 2015, the Economy Directorate advised that 5 Directors to be appointed. From May 2016, the Economy Directorate has advised that 3 Directors are to be appointed.	1. Karen Price, Economy Directorate 2. Alison Jarrett, Economy Directorate 3. Jean Robb, Economy Directorate
10. A38 Technology Corridor – Birmingham to Worcester Investment Vehicle Company Board	<u>Director/Member</u> Cllr Tahir Ali (Lab)	1	1 City Council Director / Member	<u>Director/Member</u> Cllr (Lab)
11. Access Committee for Birmingham	Cllr James McKay (Lab)	1		Cllr (Lab)
12. River Trent Regional Flood and Coastal Committee	Cllr Tahir Ali (Lab)	1		Cllr (Lab)
13. Birmingham Business Support Centre Ltd 3 Directors	1. Cllr Tahir Ali (Lab) 2. Cllr Fergus Robinson (Con) 3. Mohammed Zahir, Head of Business Enterprise and Innovation	3 Directors 8 Members	Appointments to continue until alternative arrangements are made with Corporate Finance.	1. Cllr (Lab) 2. Cllr (Con) 3. Mohammed Zahir, Head of Business Enterprise and Innovation

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

APPENDIX C

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
8 Members	1. Cllr Tahir Ali (Lab) 2. Cllr Victoria Quinn (Lab) 3. Cllr Tristan Chatfield (Lab) 4. Cllr Josh Jones (Lab) 5. Cllr Habib Rehman (Lab) 6. Cllr Fergus Robinson (Con) 7. Cllr Ewan Mackey (Con) 8. Cllr Jerry Evans (Lib Dem)			1. Cllr (Lab) 2. Cllr (Lab) 3. Cllr (Lab) 4. Cllr (Lab) 5. Cllr (Lab) 6. Cllr (Con) 7. Cllr (Con) 8. Cllr (Lib Dem)
4. Erdington Town Centre Partnership Ltd (formerly Erdington Business Improvement District Company Ltd)	Cllr Robert Alden (Con)	1	Body formally commenced on 1 July 2007 for an initial 5-year period until 30 March 2012. Renewed through successful renewal ballot up to 31 March 2017. City Council appoint 2 Directors to the Board. See report t to Cabinet on 26 March 2007. In reviewing appointments in April 2011, the Development Directorate advised that BCC to reduce representation to 1 Director to avoid the company being deemed as being under the control or subject to the influence of the local authority.	Refer to Erdington Ward Committee to appoint 1 representative.
5. Southside Business Ltd (Business Improvement District)	Cllr Penny Holbrook as stakeholder Cllr Chaudry Rashid (Lab) – this appointment referred to Ladywood District Committee to appoint 1 representative as stakeholder. Head of City Centre Management as co-optee Jacqui Kennedy, Director of Regulation and Enforcement as Co-optee	4	See report to Cabinet on 26 July 2010 – City Council appoints – 2 reps as Stakeholder Directors on the Board.	Cllr (Lab) Cllr () – this appointment referred to Ladywood District Committee to appoint 1 representative as stakeholder. Jacqui Kennedy, Strategic Director of Place (acting) as Co-optee Director of Regulation and Enforcement (acting), Alison Harwood, or delegate as co-optee
6. Birmingham City Council Strategic Flood Management Board (formerly Birmingham Water Group Board)	Cllr Victoria Quinn (Lab)	1	See Appointments to Outside Bodies report to Cabinet on 27/9/10	Cllr (Lab)

ANNUAL APPOINTMENTS TO OUTSIDE BODIES

APPENDIX C

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
7. Midlands Industrial Association	Cllr Victoria Quinn (Lab)	1	Appointment made by Cabinet on 27 September 2010 – See Appointments to Outside Bodies report.	Cllr (Lab)
8. Finance Birmingham (FB)	1. Deputy Leader 2. Cllr Randal Brew (Cons) 3. Sue Summers, Chief Executive of FB 4. John Handley, Investment Adviser 5. Paul Dransfield, Deputy Chief Executive, BCC (or nominee) 6. Alison Jarrett, Assistant Director of Financial Services, BCC	6	This is a company limited by guarantee created on 1 November 2010 following Cabinet decision on 18 October 2010 "Continuation of the Birmingham Business Loan Fund". As a result of a Board expansion reported to Cabinet on 22 March 2016, 2 Members were appointed to Finance Birmingham – the Deputy Leader and an opposition Member.	1. Deputy Leader 2. Cllr (Cons) 3. Sue Summers, Chief Executive of FB 4. John Handley, Investment Adviser 5. Paul Dransfield, Strategic Director - Major Programmes and Projects, BCC (or nominee) 6. Alison Jarrett, Assistant Director of Financial Services, BCC
9. Jewellery Quarter Development Trust	Cllr John Clancy (Lab) – from Dec 2015 Cllr Kath Hartley (Lab) as second representative	2	This is a Community Interest Company that has evolved from the former Jewellery Quarter Regeneration Partnership. There is provision on the Board of Directors for 2 City Council representatives: a Cabinet Member and a Ladywood Ward Councillor.	Cllr (Lab) Cllr () – appointment of a second representative referred to Ladywood Ward Committee.
10. Acocks Green Business Improvement District (BID)	Cllr John O'Shea (Lab)	1	New BID report to Cabinet on 25/7/11 Provision for 1 City Council representative – an Acocks Green Ward Councillor.	Cllr () – appointment referred to Acocks Green Ward Committee.
11. Northfield Business Improvement District (BID)	1. Cllr Randal Brew (Con) 2. Cllr Peter Douglas Osborn (Con)	2	New BID report to Cabinet on 25/7/11. Provision for 2 City Council representatives to be 1 Northfield Ward Councillor and 1 Weoley Ward Councillor	1. Cllr () – appointment referred to Northfield Ward Committee 2. Cllr () – appointment referred to Weoley Ward Committee

ANNUAL APPOINTMENTS TO OUTSIDE BODIES**APPENDIX C**

<u>Organisation</u>	<u>2015/2016 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
12. Sutton Coldfield Town Centre Business Improvement District (BID)	Cllr David Barrie (Con) Cllr Anne Underwood (Con)	2	Provision for 2 City Council representatives as stakeholder Directors. See appointments to Outside Bodies report to Cabinet on 16/7/12. Cabinet on 16/6/14 agreed that the appointment of both of the stakeholder Directors be referred to Sutton Coldfield District Committee	Appointment of both stakeholder Directors referred to Sutton Coldfield District Committee
13. Jewellery Quarter Business Improvement District Management Committee (BID)	Cllr Stewart Stacey (Lab) as representative of the Executive. Appointment of second representative referred to Ladywood Ward Committee	2	Provision for 2 City Council representatives. See appointments to Outside Bodies report to Cabinet on 29/10/12.	Cllr (Lab) as representative of the Executive. Appointment of second representative referred to Ladywood Ward Committee
14. Kings Heath Business Improvement District (BID)	Cllr Lisa Trickett (Lab)	1	BID renewal report to Cabinet on 30/1/12. Provision for 1 City Council representative – to be a Moseley and Kings Heath Ward Councillor.	Cllr () – appointment referred to Moseley and Kings Heath Ward Committee.
15. Soho Road Business Improvement District	Cllr Lal (Lab)	1	At its meeting on 20/5/13, the Cabinet approved outline proposals for a new BID. Report Appendix 4 said at least 2 board Members will be invited, one each from Birmingham City Council and WM Police.	Cllr ()

(F) VALUE FOR MONEY/COMMISSIONING/CONTRACTING AND IMPROVEMENT

<u>Organisation</u>	<u>2014/2015 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
1. Service Birmingham (Joint Venture Company – Directors)	Cllr Barry Henley (Lab) as Director Cllr Carl Rice (Lab) as Director Cllr Narinder Kooner (Lab) as Alternate Director Cllr John O'Shea (Lab) as Alternate Director	2 Directors Provision also exists for Alternate Directors	The City Council has 2 Directors on the Joint Venture Board. The contract does not specify if they are Member or officer. See Appointments to Outside Bodies report to Cabinet 10/12/12. In May 2014, the Deputy Leader and Deputy Chief Executive agreed that Directors and Alternate Directors should be elected Members.	Cllr (Lab) as Director Cllr (Lab) as Director Cllr (Lab) as Alternate Director Cllr(Lab) as Alternate Director
2. Service Birmingham Joint Partnership Board (formerly Business Transformation Strategic Partnership Board (BTSP))	Cllr Ian Ward (Lab) Cllr Muhammad Afzal (Lab) Cllr Randal Brew (Con) BCC Chief Executive BCC Assistant Director of Corporate Procurement Services BCC Strategic Director of People Officer named to be notified.	7	BTSP Board to consist of: - political representation on proportionate basis – 3 - members of the Corporate Management Team or other officers of suitable seniority and experience - 4	Cllr (Lab) Cllr (Lab) Cllr (Con) BCC Strategic Change and Integrated Services BCC Strategic Director of People BCC Assistant Director of Corporate Procurement Services BCC Interim Information & Technology Director.
3. Acivico Ltd	<u>Directors</u> Cllr Kerry Jenkins (Lab) Cllr Matthew Gregson (Lab) Cllr Randall Brew (Con) <u>3 External, Non Executive Directors</u> Mr Don Ward Mr Ian Briggs Mr David Bucknell appointed as Chairman		At its meeting on 28 April 2014, Cabinet approved changes to the structure of the Board of Acivico Ltd: - Removal of the Council Strategic Directors - Appointment to the board of 2 elected Members nominated by the Controlling Group to serve as Directors - Appointment to the board of 1 elected Member nominated by the	<u>Directors</u> Cllr (Lab) Cllr (Lab) Cllr (Con) <u>Non Executive Directors</u> Mr Don Ward Mr Ian Briggs Chairman

ANNUAL APPOINTMENTS TO OUTSIDE BODIES**APPENDIX C**

<u>Organisation</u>	<u>2014/2015 Representatives</u>	<u>No. to be appointed</u>	<u>Provisions of Constitution/Articles of Association/Comments</u>	<u>2016/17 Representatives</u>
			opposition parties to serve as Director - the appointment of 3 external non-executive directors - the appointment of 1 of the above 6 as Chair of Acivico - all of the above appointments are to be made by the Council	
4. Acivico (Building Consultancy Service) Ltd	Trevor Haynes, Operational Director, Acivico as a Director			Trevor Haynes, Operational Director, Acivico as a Director
5. Acivico (Design, Construction and Facilities Management) Ltd	Trevor Haynes, Operational Director, Acivico as a Director			Trevor Haynes, Operational Director, Acivico as a Director

APPOINTMENTS TO THE FOLLOWING BODIES ARE NO LONGER NECESSARY

1. Birmingham Sports Association – no longer receives a grant from Birmingham City Council.
2. Plantsbrook Community Nature Park Advisory Committee – Councillor representation is no longer required.
3. S4E Ltd – Birmingham City Council place is no longer required.
4. Library of Birmingham Development Trust – disbanded.
5. Local Government Association - City Regions Board – as reported in December 2015, this is a personal appointment (of Councillor Sir Albert Bore) by the LGA and is not appointed by Cabinet.
6. Birmingham Hippodrome Theatre Trust – City Council representation is no longer required.
7. Heritage Champion – role discontinued.
8. Victims Champion – role discontinued.
9. Mental Health Champion – role discontinued.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	City Solicitor
Date of Decision:	28 June 2016
SUBJECT:	APPOINTMENTS TO OUTSIDE BODIES
Key Decision: No	Relevant Forward Plan Ref:
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/>
	O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr John Clancy
Relevant O&S Chairman:	Cllr Mohammed Aikhlaq, Chairman of Corporate Resources and Governance Overview and Scrutiny Committee
Wards affected:	City Wide

1. Purpose of report:
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. Decision(s) recommended:
That representatives be appointed to serve on the Outside Bodies detailed in the appendix to this report.

Lead Contact Officer(s):	Celia Janney
Telephone No:	Committee Services
E-mail address:	Tel: 0121 303 7034
	e-mail: celia.janney@birmingham.gov.uk

3. Consultation

3.1 Internal

Councillor John Clancy, Leader of the Council.

For appropriate items, the Secretaries to the Political Groups represented on the Council.

3.2 External

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The appointments are consistent with the legal and constitutional requirements of the City Council.

4.2 Financial Implications (Will decisions be carried out within existing finances and Resources?)

There are no additional resource implications.

4.3 Legal Implications

See paragraph 4.1.

4.4 Public Sector Equality Duty

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.

5. Relevant background/chronology of key events:

At the Annual General Meeting on 22 May, 2012, the City Council approved changes to the Constitution and Article 11 sets 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.

6. Evaluation of alternative option(s):

Not applicable, as these appointments are a matter for the Cabinet to determine.

7. Reasons for Decision(s):

To approve the appointment of representatives to serve on Outside Bodies

Signatures**Date**

Cabinet Member

Chief Officer

List of Background Documents used to compile this Report:

1. Report of the Council Business Management Committee to City Council on 24 May 2005 "Annual Review of the City Council's Constitution"; along with relevant e-mails/ file(s)/correspondence on such appointments.

List of Appendices accompanying this Report (if any):

1. Appendix to Report to Cabinet 28 June 2016 – Appointments to Outside Bodies

APPENDIX TO REPORT TO CABINET 28 June 2016
APPOINTMENTS TO OUTSIDE BODIES

1. Summary of Decisions

With reference to those bodies included in this report where the terms of office of City Council representatives expire, the Cabinet is asked to note that, where appropriate, the representatives have been contacted and in accordance with the practice agreed by Resolution No. 2769, of the former General Purposes Committee unless indicated, are not willing to be re-appointed. Accordingly, unless indicated in this report, such representatives are not willing to be re-appointed.

2. Fircroft College of Adult Education

To appoint Cllr Chauhdry Rashid JP BA (Labour) to serve as Representative for a Three year term of office.

There is no other representation on this body.

RECOMMENDED:-

That Cllr Chauhdry Rashid JP BA (Labour) be appointed to serve as a Representative on Fircroft College of Adult Education from 28 June 2016 until 27 June 2019.

3. Sutton Coldfield Charitable Trust

The Trustees of the Sutton Coldfield Charitable Trust have agreed to adopt the following best practice guidelines in respect of Trustees' Terms of Office:

- Co-opted Trustees should normally only serve for a maximum of three five year terms, with Trustees who had already served three such terms retiring on completion of their current period of office.
- If a Trustee holds office as Chairman at the date on which he or she should normally retire from the Board of Trustees, their retirement date may be extended to the first anniversary following the conclusion of his or her period of office.
- In certain circumstances, a co-opted Trustee may be invited to continue to serve beyond three five-year terms, at the discretion of the Board of Trustees.
- Following a Trustee's retirement from the Board of Trustees, he or she may be re-appointed after a period of twelve months has elapsed.

RECOMMENDED:-

That Cabinet:

- a) agrees to City Council nominees serving for a maximum of three terms of five years, with Trustees who have already served three such terms retiring on completion of their current period of office;

- b) notes that Councillor Margaret Waddington and Honorary Alderman David Roy will both be affected by this change when they complete their current terms of office on 16 May 2020 and 2 April 2017 respectively.

4. **Bodenham Trust**

Councillor Barry Bowles has advised that he wishes to discontinue his role as a Nominated Trustee on the Bodenham Trust. His current term is due to end on 6 September 2017. The other current representatives are Honorary Alderman David Osborne (term ends 06/09/2017) and Councillor Zafar Iqbal (term ends 05/09/2019).

3 Nominated Trustees are appointed for a 4-year period of office and Trustees may, but need not be, a Member of the City Council.

RECOMMENDED:-

That (Lab) be appointed to replace Councillor Barry Bowles as a Nominated Trustee on the Bodenham Trust for the remainder of his term of office ending on 6 September 2017.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET	
Report of:	Acting Strategic Director of Place	
Date of Decision:	28 June 2016	
SUBJECT:	Update on the Development of a Waste Strategy for Birmingham	
Key Decision: Yes	Relevant Forward Plan Ref:001104/2016	
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/>	
	O&S Chairman approved <input type="checkbox"/>	
Relevant Cabinet Member(s):	Councillor Lisa Trickett - Clean Streets, Recycling and Environment Councillor Majid Mahmood – Value for Money and Efficiency	
Relevant O&S Chairman:	Councillor John Cotton – Health, Well-Being & the Environment Councillor Mohammed Aikhlaq – Corporate Resources and Governance	
Wards affected:	All	

LATE REPORT

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

Reasons for Lateness

The key issues set out in the report were considered at a meeting of EMT, held on Tuesday 21st June 2016. Feedback from that meeting has been used to update the report accordingly.

Reasons for Urgency

The timetable for the procurement of a new contract for the treatment and disposal of waste has been identified as a key project risk. This report updates Cabinet on recent progress and sets out a challenging timetable to complete the required procurement.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET	
Report of: Date of Decision:	Acting Strategic Director Place 28th June 2016	
SUBJECT:	Update on the Development of a Waste Strategy for Birmingham	
Key Decision: Yes	Relevant Forward Plan Ref: 001104/2016	
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>	
Relevant Cabinet Member(s)	Councillor Lisa Trickett, Cabinet Member for Clean Streets, Recycling and Environment Councillor Majid Mahmood, Cabinet Member for Value for Money and Efficiency	
Relevant O&S Chair:	Councillor John Cotton, Health, Well-Being & the Environment Councillor Mohammed Aikhlaq, Corporate Resources & Governance	
Wards affected:	All	

1. Purpose of report:
<p>1.1 This public report provides Cabinet with details on progress towards a new waste strategy for Birmingham including a relevant procurement timetable for the treatment and disposal of waste from 18th January 2019 onwards.</p> <p>1.2 The private report contains recommendations around the commercial framework for the Overrun Agreement.</p>

2. Decision(s) recommended:
<p>That Cabinet:-</p> <p>2.1 Notes progress made to develop a new waste strategy for Birmingham.</p> <p>2.2 Notes the provisional procurement timetable, being developed as part of a new waste strategy for Birmingham, for the treatment and disposal of household and municipal waste due to expire on 17th January 2019.</p>

Lead Contact Officer(s):	Alan Bowley, Reduce Reuse Recycle Programme Manager
Telephone No:	t: 0121 675 9926 m: 07595 024 720
E-mail address:	alan.bowley@birmingham.gov.uk

3. Consultation

3.1 Internal

Members of the cross-party Steering Group have been actively involved in developing the principles, aims and objectives that are reflected in the future vision for waste. The Steering Group has also received regular progress reports against each of the workstreams set out in this report. A copy of the Steering Group Terms of Reference and the overarching governance arrangements for the Future Waste project are included at Appendix 1 to this report.

Senior officers from Legal, Finance, Procurement and Birmingham Property Services have been involved in the preparation of this report.

3.2 External

Although no external public consultation has been undertaken in respect of the preparation of this report section 5.5 provides details of:

- a) the public engagement workstream commissioned to support the development of a new waste strategy, and
- b) a further public consultation exercise due to run from 29th June for four weeks that will seek views on the vision, aims and objectives of the new waste strategy. The results of this consultation exercise will be reported to a subsequent Cabinet meeting.

3.3 External stakeholder workshops were held in March 2015 and March 2016 with participants drawn from the local business community, academic institutions such as Birmingham and Aston Universities, organisations that have a waste policy remit such as Friends of the Earth, and companies from the wider waste sector. Their views and feedback has been used to inform the vision, aims and objectives that will form the basis of the consultation described in 3.2(b) above.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 The work undertaken to date will contribute to the following outcomes set out within the Council's Business Plan and Budget 2016+

Sustainable Neighbourhoods – Clean & Green

- **SN6: Reduce Reuse Recycle – Reconfiguration of waste services**

4.2 Financial Implications

- 4.2.1 The proposed Waste Strategy sets out the longer term vision and targets for the service and the commissioning/procurement process will ensure that the services are delivered cost effectively for the citizens of Birmingham.
- 4.2.2 The future service will need to be delivered within the current service approved cash limits as set out in the of the Council's Business Plan and Budget 2016+ (for 2016/17 to 2019/20 after taking into account the approved step up and new savings). These cash limits will be subject to further review and may be updated to take into account future local government resource allocation settlements.
- 4.2.3 The full financial implications will be evaluated as the option appraisal process is completed as part of the Commissioning and Procurement process. These will be detailed in full as part of the procurement strategy report that will be presented to Cabinet in December 2016. Any financial implications will need to be included in the long term financial plans of the City Council over the duration of the life of the contract.
- 4.2.4 The Council has approved resources of £1.2m for the development of the Waste Strategy and the procurement of the new service in 2019. This is being phased at £0.220m in 2015/16, £0.490m in 2016/17 and £0.490m in 2017/18. This resource will be used for project support, specialist technical advisors, legal advisors and financial advisors. Any additional resources that may be necessary to complete the project will be considered as part of setting the Budget for 2018/19.

4.3 Legal Implications

- 4.3.1 The development of the waste strategy facilitates the discharge of the Council's duty as a waste disposal authority under Section 51 Environmental Protection Act 1990.
- 4.3.2 The Council has authority to grant leases, under S123 LGA 1972, on sites required for waste facilities that are owned by the Council and currently used for the delivery of the service.
- 4.3.3 Any outcome from the proposed options appraisal process that may result in a potential disposal of land will be subject to best value requirements and relevant approvals.

4.4 Public Sector Equality Duty

- 4.4.1 An Equality Impact Analysis will be completed and presented as part of the Outline Business Case which will be considered at the December 2016 Cabinet meeting.

5. Relevant background / chronology of key events:

- 5.1 In July 2014 a report from Overview and Scrutiny Committee set out a series of recommendations in respect of measures needed to ensure that waste management services were in a position to address the challenges and opportunities linked to the expiry of the 25-year contract with Veolia ES (UK) Limited and Veolia ES Birmingham Ltd (both collectively termed “**Veolia**”) for the management, treatment and disposal of the Council’s waste (the “**Council’s Waste Disposal Contract**”).
- 5.2 The scrutiny process set out a programme of eight recommendations that would ensure that Birmingham has the most sustainable and efficient waste and recycling strategy post January 2019.
- 5.3 In response to the scrutiny findings a programme of work (Future Waste) has been established, with the intention of addressing the eight recommendations and leading to the production of a new waste strategy The following workstreams have been set up as follows:
- A. Citizen Engagement
 - B. Technology Foresighting & Best Practice
 - C. Understanding our Assets & Partnership Working
 - D. Developing A Future Commissioning Model
- 5.4 By undertaking this work the Council has a unique opportunity to fundamentally review how it manages waste going forward. In particular, the outcomes of the sub-programmes work needs to ensure that proper consideration is given to key issues such as:
- determining the optimal contract length to deliver value for money whilst offering flexibility over the longer term;
 - ensuring that new and emerging treatment technology is evaluated alongside existing disposal methods; and
 - that the value of waste, as a resource, is retained for the benefit of Birmingham residents.
- 5.5 The rest of this report provides details of progress to date, emerging key issues and key next steps.

5.6 Citizen Engagement Workstream: Utilising a range of engagement tools such as structured interviews and surveys has allowed the Council to better understand current behaviours, attitudes and awareness to current initiatives and potential barriers to change as they relate to reduce, reuse and recycle (3Rs)

The outputs from the engagement work have directly informed the development of a new vision and eight supporting objectives for the draft waste strategy and are set out below:

Draft Vision:

By 2035 Birmingham will be a City where:

- Waste is reduced wherever possible
- Recycling and reuse is maximised and the value of waste is realised
- Where we cannot prevent, reuse or recycle waste we will maximise recovery through generating energy
- Waste as a resource contributes to health, wellbeing and prosperity

The eight supporting objectives are:

1. We want Birmingham to reduce the amount of waste that is created, reusing and recycling what we can and recovering energy from any remaining waste
2. By 2030 we will recycle 70% of all our household and municipal waste (e.g. from litter bins and street sweepings)
3. We aim to reduce the amount of waste generated per person by 10% (compared to a 2014/15 baseline of 345kg per person) by 2020
4. We send about 7.5% of our waste to landfill. Sending waste to landfill is the least desirable option environmentally and the cost of doing so continues to increase because of Landfill Tax. We therefore aim to eliminate waste sent to landfill by 2035
5. Managing our waste in a more sustainable way can make a positive contribution to climate change and help reduce carbon emissions. We will identify different ways to collect waste that provide better outcomes in respect of carbon reduction
6. As the composition and type of waste we collect changes over time, we will develop ways of prioritising the collection of recycling
7. Innovation and efficiency have an important part to play in ensuring that we improve our services, reduce costs and use the most appropriate technologies, now and in the future, to manage our waste
8. To achieve our recycling targets and to eliminate waste sent to landfill we need to increase the range of materials we (and our partner organisations) collect separately from other waste, for example food waste and/or textiles)

5.7 At the time of completing this report a new corporate Clean and Green campaign has gone live initially focusing on Sparkling Sparkbrook and local community litter picks. A mini- campaign focusing on reduce, reuse and recycle (3Rs) will launch at the end of July 2016 with further 3Rs campaigns scheduled through to 2019. In addition, the waste management service has been tasked with developing a new approach to public engagement to ensure that the views of residents, local businesses and other

stakeholders are routinely captured and used to directly inform future service improvements.

5.8 Technology Foresighting and Best Practice Workstream: This workstream has been prioritised, as part of the waste management service response to the Scrutiny recommendation RO3, in order to ensure that any future strategy and related procurement is informed by current and emerging best practice across each element of the waste hierarchy. External advisers (Ricardo-AEA) were appointed to undertake two separate but related reviews covering i) reduce, reuse and recycling best practice and ii) recycling and recovery technologies.

5.8.1 Report One looked at best practice in waste prevention, reuse, recycling and recovery. Across each element of the waste hierarchy the report examines a range of case studies from across the UK, Europe and internationally. In particular, each example of best practice highlights the type of measures undertaken, the target audience, the affected waste stream, the objectives and the outcomes.

5.8.2 Report Two examined existing and emerging waste treatment technologies that could be used by the Council to help deliver a more sustainable waste management strategy. A range of recycling systems, thermal treatment and biological treatment technologies were assessed against a set of criteria including cost, deliverability, community impact, carbon reduction and implications on waste collection arrangements.

5.8.3 The purpose of both these reports has been to allow the Council to consider a range of technical information and evidence when considering suitable future arrangements for waste treatment and disposal. The outputs from these reports will inform the decision making processes described in more detail in section 5.10 of this report.

5.9 Understanding our Assets & Partnership Working Workstream:

5.9.1 With the current treatment and disposal contract due to expire in January 2019 advance work needs to be completed to ensure that the Council maximises the value of Tyseley ERF and other related assets (e.g. household recycling centres, vehicles and plant used to support the current contract) and avoids inheriting unknown liabilities at the point when contract assets revert to the Council. Work is underway to determine the following critical exit information including:

- Current condition of the reverting assets (which will update the February 2015 partial condition survey completed by Veolia with detailed cost information)
- Veolia obligations in respect of the reverting assets
- Responsibility and cost of rectification 'to standard' at contract expiry
- Transfer of permit and licence obligations including any remediation of ground contamination
- Determining which non-fixed asset will revert for example, computer systems, operating manuals, safety equipment, etc.

- 5.9.2 Outputs from the due diligence work identified above will inform a handback strategy for Tyseley which will be reported to the Cabinet in December 2016 as part of the work to complete an outline business case. Section 5.10.7 of this report provides more detail. Relevant cost information in relation to post-2019 maintenance requirements (determined as part of the condition survey) will also inform the options appraisal exercise to ensure that future opex and capex requirements are properly considered when evaluating alternative arrangements.
- 5.9.3 In addition to the requirements to plan for the handback of Tyseley ERF in January 2019 the Council is exploring opportunities to develop a local heat network capable of meeting heat demands in and around the Tyseley Environmental Enterprise District (TEED) with one option connecting into the existing city centre heat network owned and operated by Cofely. An initial feasibility study has been commissioned by the Council's Energy Team to assess energy demand and supply and relevant distribution systems that will include assessing the costs and deliverability of the council-owned plant playing a central role from 2019 onwards. The feasibility study is due to report in September 2016.
- 5.9.4 The initial assessment is due to be completed by 29th June 2016 (with the detailed modelling being completed by the September deadline set out in section 5.9.3 above) and will need to inform the outcome of the waste strategy options appraisal because of the dependency of the heat network project on suitable, local energy producing facilities. Regular review meetings between officers from the waste and energy teams are taking place to ensure that the opportunities and risks linking both projects are managed effectively.
- 5.9.5 This workstream also includes a requirement to look at opportunities to work in partnership with neighbouring councils and other local organisations to support the development of projects and programmes to promote the 3Rs.
- 5.9.6 The Council has been approached by Local Partnerships (a body jointly owned by the LGA and HM Treasury) with a view to assisting the process of identifying any neighbouring councils that may wish to work more closely with Birmingham. A potential first output will map current treatment capacity and the associated contractual arrangements for waste facilities across the West Midlands. This will help identify neighbouring councils that may be working towards a similar process and timetable for procuring disposal contracts.
- 5.9.7 One of the tangible benefits of the extensive programme of stakeholder engagement has seen a strengthening in the relationships between the Council and a range of organisations delivering reduce and reuse projects. By working more closely with partners such as the Jericho Foundation and the Birmingham Recycling Network the Council can seek to extend the reach of its 3Rs key messages. A new waste prevention plan, which will be completed by November 2016 and submitted to Cabinet for approval in December 2016, will further promote the work of local charities, social enterprises and other voluntary organisations.

5.10 Developing a Future Commissioning Model Workstream:

- 5.10.1 To underpin the development of a new waste strategy work has been commissioned to model a long term view of future waste arisings, associated costs and relevant technologies capable of achieving the Council's draft objectives as follows:
- Reducing the amount of waste collected per person by 10% (compared to a 2014/15 baseline) by 2020,
 - Recycling 70% of all municipal waste by 2030
 - Achieving zero untreated residual waste to landfill by 2035
- 5.10.2 The waste flow modelling exercise will test the Council's objectives and allow the development of a range of costed scenarios that will inform any decision in respect of the re-procurement of the current treatment and disposal contract and/or the consideration of any alternative commissioning models. Further details of how this process will be managed are explained in sections 5.10.5 and 5.10.6 of this report.
- 5.10.3 Although the current contract with Veolia is not due to expire until January 2019 the re-procurement is considered to be complex and sufficient time therefore needs to be factored into the council's decision-making process to ensure that any new contracting arrangements can be properly mobilised ahead of January 2019.
- 5.10.4 Table 1 below sets out a provisional high level timetable to support the commissioning and procurement of the council's preferred solution.

Table 1

Milestone:	Deadline:
Develop waste flow model	July 2016
Complete options appraisal exercise	September 2016
Undertake relevant soft market testing	September 2016
Draft outline business case	October 2016
Agree outline business case	December 2016
Issue relevant OJEU Notice	January 2017
Complete short-listing of potential bidders	March 2017
Invite bidders to submit outline solutions	April 2017
Invite bidders to submit detailed solutions	September 2017
Complete competitive dialogue including financial close	June 2018
Contract Award	July 2018
Commence mobilisation of new contract (or commissioning model)	August 2018
Commence new contract (or commissioning model)	January 2019

- 5.10.5 One of the key tasks now underway is the identification of a preferred option in respect of the future treatment and disposal of residual waste. A working group consisting of officers and elected members will be participating in an option appraisal exercise, managed jointly by external advisers Ricardo and PWC, will be completing a series of technical working sessions designed to systematically review, test and

evaluate the range of technical options available to the council.

5.10.6 Over four separate working sessions, starting in mid-July 2016 and finishing in late September 2016, the group will undertake the following activities:

- Agree objectives, priorities and evaluation criteria against which all potential options will be evaluated
- Evaluate a potential long list of options against the agreed weighted evaluation criteria
- Determine a short list of the best ranking options for further detailed performance and cost modelling
- Evaluate the modelled short list options to identify a preferred option
- Consider the deliverability of the preferred option in terms of funding, technical deliverability, contractual and commercial frameworks.

5.10.7 The identification of a preferred option which will include a preferred technical solution and a financing strategy, will inform the development of an outline business case (OBC) for approval by Cabinet in December 2016 that sets out the council's approach to treatment and disposal of municipal waste beyond the expiry of the current contract. The OBC will include reference to:

- Council's strategic objectives
- Procurement strategy including outcome of the options appraisal
- Risk management
- Contract structure including output specification, payment mechanism and performance framework
- Sites and planning issues
- Cost, budget and finance issues
- Project management, governance arrangements and project resources
- Stakeholder management
- Project timetable

All of the above elements will inform a detailed procurement / commissioning plan that will form the basis for managing the procurement going forward. It should be noted that the detailed procurement plan will only be confirmed once the preferred option has been identified as the method of procurement and stages of selection may be influenced by the type of service / technology to be procured.

5.10.8 Cabinet is asked to note that the main purpose of selecting a preferred option is to allow the Council to plan for the procurement based on having selected an option that delivers the Council's objectives for the service within an agreed affordability envelope. However, it should be noted that the identification of a preferred option does not restrict the market from bringing forward technical solutions that may perform better than the preferred option against the Council's objectives. It is anticipated that a competitive dialogue process will best allow the Council to consider a range of innovative and alternative solutions.

- 5.10.9 The Council is advised to plan for the contingency of a delay in the award of new contract(s) and service commencement under the new arrangements being after the date of the expiry of the Waste Disposal Contract. This may be managed by the Council entering into an Overrun Agreement with Veolia prior to the commencement of the procurement. The Overrun Agreement would set out the terms for the continuation of the Council's Waste Disposal Contract. The Overrun Agreement would only become operative when triggered by the Council in the event that this contingency is needed.
- 5.10.10 Further information in respect of the Overrun Agreement is set out in the Private Report.

6. Evaluation of alternative option(s):

- 6.1 Alternatives to entering into an Overrun Agreement are set out in the Private Report.

7. Reasons for Decision(s):

- 7.1 Detailed work is now underway to develop a new waste strategy for Birmingham that addresses a number of key recommendations from the former Transport, Connectivity and Sustainability Overview and Scrutiny Committee. This report therefore updates Cabinet on recent progress.
- 7.2 As part of the development of a new waste strategy for Birmingham the Council will need to re-procure or commission alternative arrangements, for the treatment and disposal of all household and municipal waste (i.e. all waste not sent for recycling), which is currently under contract to Veolia ES until January 2019. This report sets out a provisional timetable necessary to complete a relevant options appraisal, develop and approve an outline business case, and to procure (where necessary) a new contractor to be responsible for the treatment and disposal of the Council's municipal waste not sent for recycling.
- 7.3 Section 5.10.4 of this report sets out an overarching timetable for the completion of the waste strategy and the implementation of a relevant tender strategy. However, given the complexity of the arrangements under consideration it is considered prudent to put in place suitable contingency arrangements should competitive dialogue need to continue beyond the time allowed within the tender strategy. This will take the form of the Overrun Agreement as set out in the Private Report.

Signatures	Date
Cllr Lisa Trickett Cabinet Member for Clean Streets, Recycling & Environment
Cllr Majid Mahmood Cabinet Member for Value for Money and Efficiency
Jacqui Kennedy Acting Strategic Director, Place

List of Background Documents used to compile this Report:
1. From Waste to Resource: A Sustainable Strategy for 2019. A report by Overview & Scrutiny, Birmingham City Council. 1 July 2014
2. Best Practice in Waste Prevention, Reuse, Recycling and Recovery. A report by Ricardo-AEA for Birmingham City Council. December 2015
3. Waste Treatment Technology Foresighting. A report by Ricardo-AEA for Birmingham City Council. December 2015.
4. Progress Report on Implementation: From Waste to Resource. A Report to Economy, Skills and Sustainability Overview and Scrutiny Committee. December 2015.

List of Appendices accompanying this Report (if any):
Appendix 1. Waste to Resource Steering Group Terms of Reference
Dated 21st June 2016

Appendix 1. Waste to Resource Steering Group Terms of Reference

September 2015

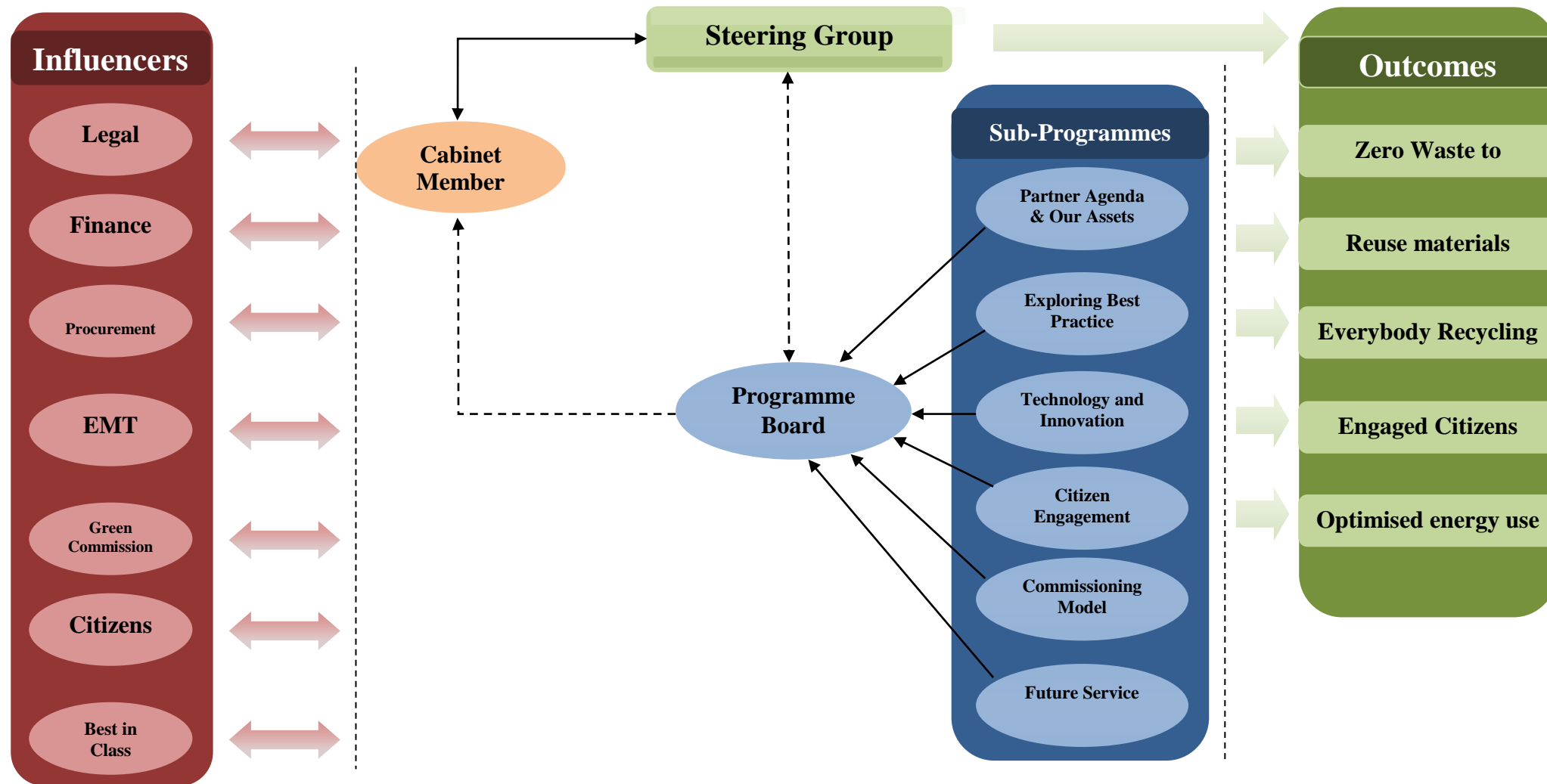
Terms of Reference

Objective

To produce a vision and develop a strategy detailing the Council's approach to all aspects of waste management, from 2019 and beyond; including aspirations to reduce; reuse; recycling and disposal, to achieve cleaner streets. The Future Waste to Resource Programme has the following aims:

1. To engage citizens in the development of the new waste vision and strategy; ensuring that citizens are involved in the development of policy and options that take into account more localised views.
2. To develop a long term vision for citizen engagement that will enable, educate, and encourage citizens to take responsibility for minimising, re-using and recycling waste. In addition, educating, encouraging and enabling local businesses to support the implementation of the waste vision.
3. To consider best practice in the management of waste throughout the UK and Europe, whilst also appreciating the wider city and regional context; the strategy is to be complimentary and not at cross-purposes with other activities.
4. To understand the opportunities that partnerships can bring and to consider how the Council can develop future strategic and operational partnerships with local businesses; third sector; West Midlands metropolitan authorities and the wider waste industry.
5. To explore the potential of creating a Strategic Waste partnership and the potential role of the Combined Authority.
6. To understand the prevailing condition of the Council's existing assets (and/or liabilities) and to consider how these can be effectively optimised. Also, to develop an options appraisal, for the future operation of the Tyseley plant and the commercial opportunities to be exploited.
7. To undertake a review and produce an options appraisal of technological alternatives for waste treatment infrastructure and systems.
8. To develop an innovative commissioning and finance model to deliver the priority outcomes; also considering alternative delivery models and funding opportunities into the future.
9. To monitor the successful implementation of the agreed strategy and ensure appropriate resources (funding, skills and capabilities) are in place; to allow programme to succeed; including external tactical contracts
10. To develop the future service to enable the successful delivery of the strategy and manage any implications for staff.

Future Waste Strategy - 'Reduce, Reuse & Recycle' Programme Governance Arrangements



Cabinet Member –
Steering Group Chair

Steering Group –
Cabinet Members &
Senior Officers

Programme Board – Officers and
Partners

