

Leicester  
City Council

## **MEETING OF THE ADULT SOCIAL CARE SCRUTINY COMMISSION**

**DATE: THURSDAY, 8 JANUARY 2015**  
**TIME: 5:45 pm**  
**PLACE: G.01 Meeting Room 1 - Ground Floor, City Hall,  
115 Charles Street, Leicester, LE1 1FZ**

### **Members of the Committee**

Councillor Chaplin (Chair)  
Councillor Riyait (Vice-Chair)

Councillors Alfonso, Cutkelvin, Dawood, Kitterick and Willmott  
(One vacancy)

### **Standing Invitee (Non-voting)**

Representative of Healthwatch Leicester

Members of the Commission are invited to attend the above meeting to consider the items of business listed overleaf.

for the Monitoring Officer

#### **Officer contacts:**

**Julie.Harget (Democratic Support Officer):**

Tel: 0116 454 6357, e-mail: [julie.harget@leicester.gov.uk](mailto:julie.harget@leicester.gov.uk)

**Kalvaran Sandhu (Scrutiny Support Officer):**

Tel: 0116 454 6344, e-mail: [Kalvaran.Sandhu@leicester.gov.uk](mailto:Kalvaran.Sandhu@leicester.gov.uk)  
Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

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- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

### Further information

If you have any queries about any of the above or the business to be discussed, please contact **Julie Harget, Democratic Support on 0116 454 6357 or email [julie.harget@leicester.gov.uk](mailto:julie.harget@leicester.gov.uk)** or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

# **PUBLIC SESSION**

## **AGENDA**

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

**3. MINUTES OF THE PREVIOUS MEETING**

**Appendix A**

The minutes of the meeting of the Adult Social Care Commission held on 20 November 2014 are attached and the Commission is asked to confirm them as a correct record.

**4. PETITIONS**

The Monitoring Officer to report on any petitions received.

**5. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE**

The Monitoring Officer to report on any questions, representations or statements of case.

**6. ADULT AND SOCIAL CARE REVENUE BUDGET 2015/16 - 2016/17**

**Appendix B**

The Director of Adult Social Care submits the draft General Fund Budget Report for 2015/16 – 2016/17. The Adult and Social Care Commission is asked to consider the 2015/16 – 2016/17 draft budget proposals for the Adult Social Care portfolio and make any comments to the Overview Select Committee for its meeting on 15 February 2015.

**7. LEICESTER SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2013/14**

**Appendix C**

Dr David Jones, Chair of the Leicester Safeguarding Adults Board, will present their Annual Report for 2013/14. This will be followed by a question and answer session.

**8. DEAR ALBERT SOCIAL ENTERPRISE PROJECT**

A representative from the Dear Albert Social Enterprise Project will give a presentation on the work of the project.

**9. NATIONAL LIVING WAGE IN ADULT SOCIALCARE**

**Appendix D**

The Director of Adult Social Care submits a report which summarises the work undertaken to estimate the approximate financial impact on Adult Social Care, of stipulating that all providers from which it commissions, pay their staff the Living Wage. Commission members are recommended to note the content of the report.

**10. TRANSFER OF ELDERLY PERSONS' HOMES** [Appendix E](#)

The commission is asked to consider a briefing note which relates to the sale of Abbey House and Cooper House and the engagement with residents, their families, carers and staff.

**11. INTERMEDIATE CARE UNIT UPDATE** [Appendix F](#)

Members are asked to consider the briefing note which outlines the timeline for the development of the Intermediate Care Unit.

**12. INDEPENDENT ADULT SOCIAL CARE COMMISSION UPDATE** [Appendix G](#)

There will be a verbal update on the Independent Adult Social Care Commission.

Details of the membership of the Independent Adult Social Care Commission are attached for information purposes.

**13. ADULT AND SOCIAL CARE SCRUTINY COMMISSION WORK PROGRAMME** [Appendix H](#)

The current work programme for the Commission is attached. The Commission is asked to consider this and make comments and/or amendments as it considers necessary.

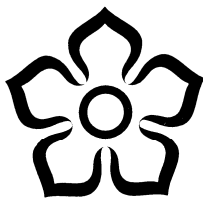
**14. DATES FOR DIAIRES**

Members of the commission are asked to note the following:

There will be a Joint Adult Social Care and Health and Wellbeing Scrutiny Commission on Tuesday 27 January 2015 commencing at 5.30pm.

A visit has been arranged to the ExtraCare facility at Danbury Gardens on Saturday 17 January at 10.00am.

**15. ANY OTHER URGENT BUSINESS**



Leicester  
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# Appendix A

Minutes of the Meeting of the  
ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: THURSDAY, 20 NOVEMBER 2014 at 5:30 pm

P R E S E N T :

Councillor Chaplin (Chair)

Councillor Alfonso  
Councillor Cutkelvin

Councillor Kitterick  
Councillor Willmott

In Attendance

Councillor Rita Patel – Assistant City Mayor (Adult Social Care)  
Councillor Palmer – (Deputy City Mayor)  
Councillor Dempster (Assistant City Mayor, Children, Young People and Schools)  
Councillor Dr Moore

\* \* \* \* \*

**44. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dawood, Riyait and Philip Parkinson, Healthwatch (Standing Invitee). Apologies for absence were also received from Councillor Cooke, Chair of the Health and Wellbeing Scrutiny Commission who had been invited to attend the item on the Winter Care Plan.

**45. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**46. MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

that the minutes of the meeting of the Adult Social Care Scrutiny Commission held on 25 September 2014 be confirmed as a correct record.

The Chair referred to minute item 34: Operation of the Winter Care Plan over the winter of 2013/14 and stated that a meeting between the Chair, Vice Chair and the Assistant City Mayor, Adult Social Care to discuss communication issues was still to be arranged.

The Chair added that proposed dates for a visit to the Extra Care Housing at Danbury Gardens would be circulated to members of the commission.

#### **47. PETITIONS**

There were no petitions.

#### **48. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE**

There were no questions, representations or statements of case.

#### **49. UPDATE ON THE EXECUTIVE RESPONSE TO THE SCRUTINY COMMISSION'S REVIEW ON DOMICILIARY CARE**

The Chair provided an update on the Executive response to the Adult Social Care Scrutiny Commission's review on Domiciliary Care and a briefing note is attached at the back of these minutes.

Members of the commission made the following queries and comments:

- Councillor Willmott sought confirmation in relation to 15 minute visits to service users, and as to whether call the 15 minute cases had been reviewed. The Director for Care Services and Commissioning responded that there were still a number of cases where clients received a 15 minute visit but this number was decreasing and being phased out. The Director offered to provide further details on this.
- Concern was raised in relation to zero hour contracts and members queried whether there was anything else the council could do to ensure this practice ceased. The Director for Care Services and Commissioning responded that the council recognised that this was an issue and this would be considered as part of the re-procurement process in 2016.
- Concerns were raised that not all staff employed as domiciliary care workers were in receipt of a living wage, and a view was expressed that if the council claimed to be a living wage employer, they should also ensure that their contractors did the same. It was recognised that this would be currently unaffordable, but assurances were sought and in addition, the necessary budget planning was needed. The Deputy City Mayor responded that it would cost approximately £10m if the living wage was to be paid for externally contracted Adult Social Care services. This was a national issue and what was really needed to address the problem was for the government to provide for a properly funded health and social care system. Councillor Kitterick requested a

financial breakdown of how the £10m figure had been arrived at and a list of options to help consider how much the council could afford to pay, if the £10m was not affordable.

It was agreed that the commission and Assistant City Mayor Patel would jointly write to the secretary of state to express concerns at the level of national funding for Adult Social Care. It was also agreed that the commission would send a draft to Assistant City Mayor Patel for her consideration before the letter was sent.

- The Chair explained that she had attended a national conference relating to Children and Adult Social Care, where the question of paying a living wage had arisen. At the conference, reference had been made to Wiltshire Council who ensured that carers were paid travelling time as well as a living wage. The Wiltshire model had been held up as being good practice.

Councillor Patel, Assistant City Mayor for Adult Social Care responded that she, the Director for Adult Social Care and the Assistant City Mayor for Children, Young People and Schools had attended the conference and had already established contacts there. As part of the model, travel times had been reduced and procurement had been organised in geographical areas within the city. Assistant City Mayor Patel added that they would be looking at the Wiltshire model and as more details came through, these would be shared with the commission.

- Views were expressed that home care workers needed to be paid for the time they spent travelling between service users. The Director for Care Services and Commissioning responded that the providers gave an assurance in relation to paying employees travel costs, but this issue would be considered as part of the next procurement exercise.

Members of the commission expressed concerns generally that the work of domiciliary care staff was significant and important and a strong desire was expressed that these issues could be addressed.

The Chair concluded the discussion and sought assurance from Assistant City Mayor Patel that the commission would be given an opportunity to help shape the pre-procurement process.

RESOLVED:

- 1) that commission members receive a breakdown of the £10m cost, if the council was to insist that the externally contracted Adult Social Care providers were required to pay their staff the living wage;
- 2) that in relation to 15 minute visits, the commission receive an update on the number of cases still outstanding;
- 3) that it be requested that the commission be given an opportunity to help shape the new pre-procurement process; and

- 4) that a letter be written by the commission to the Secretary of State to express concerns at the level of funding for Adult Social Care.

## **50. HOSPITAL TRANSPORT FOR PATIENTS**

The Chair moved this item forward on the agenda.

Councillor Palmer, Deputy City Mayor provided a verbal update on the hospital transport for patients service. Arriva had been given the contract to deliver the service and due to concerns about performance, a meeting was being arranged with East Leicestershire and Rutland Clinical Commissioning Group (CCG), who manage Arriva. The Deputy City Mayor added that he was seeking performance data from the CCG, as he wished to establish whether they were monitoring Arriva appropriately, but he had not yet received this. Members were advised that this data would be circulated to them once it had arrived.

Members questioned whether there had been any improvement in the service that Arriva provided. The Deputy City Mayor responded that unfortunately, judging by reports in the media, the performance had deteriorated further. Not only did poor service result in distress to the patients and their families, there was a financial cost to the social care budget where carers turned up but the patient / service user had not arrived home. Additionally, further costs were incurred if the patient needed to stay another night in hospital due to delays in the arrangements for sending him/her home. The Deputy City Mayor further reported that the same situation was occurring across the country where Arriva had won contracts for hospital transport for patients.

When questioned as to the practicalities of using an alternative provider, the Deputy City Mayor responded that there were other providers who performed better than Arriva and there was also an option of an 'in-house' service.

The Deputy City Mayor informed the commission that a further report might be requested once the performance data had been received, or the CCG might be invited to come to talk to the commission.

RESOLVED:

- 1) that the update on hospital transport for patients be noted; and
- 2) that the commission express disappointment at the lack of performance data from the East Leicestershire and Rutland Clinical Commissioning Group, but look forward to this being circulated to them when the data has been submitted to the Deputy City Mayor.

## **51. WINTER CARE PLAN**

Councillor Palmer, Deputy City Mayor presented an update on the Winter Care Plan and stated that he felt confident that the plans for the coming winter would prove adequate in the event of extreme weather.



A member raised a concern relating to icy roads and pavements and questioned whether there would be sufficient supplies of grit, not just for the roads but also for grit bins. The Deputy City Mayor replied that there were sufficient grit stocks and there were also approximately 100 more grit bins around Leicester than there had been a few years ago. Members of the community had been asked for suggestions for locations for extra bins and the council welcomed people helping to grit footpaths as the council did not have the capacity to grit all the roads and pavements in Leicester.

Members suggested that more publicity was needed to make people aware that they were entitled to use the grit bins. The Deputy City Mayor explained that in the event of any extreme weather, plenty of information would be circulated via social media. A further suggestion was made for notices to be put on grit bins, advising members of the public that they were entitled to use the grit for footpaths etc.

A query was raised relating to liability issues that might arise where members of the public used the grit bins and a request was made for this to be checked with Legal Services.

A reference was made relating to a Home from Hospital Service which was run by the Royal Voluntary Service (RVS) and currently being evaluated by the Nuffield Trust. The Chair questioned how this service could be accessed and a request was made for more information on the scheme. The Director of Adult Social Care and Safeguarding offered to bring an evaluation on the scheme back to the commission.

RESOLVED:

- 1) that the commission note the update on the Winter Care Plan;
- 2) that the commission request that the liability issues relating to members of the public using grit bins be checked with Legal Services; and
- 3) that further information relating to the Hospital to Home scheme, run by the RVS be brought back to the commission.

## **52. LEICESTER AGEING TOGETHER**

During the consideration of this item, Councillors Kitterick and Alfonso withdrew from the meeting, in order to attend another meeting.

Members of the commission received an update on the Leicester Ageing Together Programme from Paul Bott, the Chief Executive at Vista. During Mr Bott's update, the following points were made:

- Vista will receive £5m of Big Lottery Funding over the next five years to reduce social isolation amongst people over the age of 50 in Leicester. Of this, £3m would be spent on providing proper jobs with proper wages.
- Approximately 1000 volunteers would be trained who would then be better skilled and active in the community.
- Vista was chosen by older people to manage the funding; the priorities

were also chosen by older people. Out of those priorities, transport emerged as one of the big issues.

- The providers were also chosen by older people during a 'Dragons' Den' type meeting.
- The Leicester Ageing Together programme would consist of 23 projects which would be delivered by 17 delivery partners. These partners included the Alzheimer's Society, the Quakers, East Midlands Homes, Citizens Advice Bureau and Leicester Living Streets. The organisations were predominantly local, but where they were national organisations, they also worked locally.
- In response to a query relating to whether there were any projects to work with people who could not leave their homes, Paul replied that often, people who did not leave their homes had good social networks. However they would be looking across the city at people who could not leave their home, or who were Afro-Caribbean or were affected by hearing loss.

It was noted that there was an intention to share the learning from the programme with the wider partners in the statutory, voluntary and private sector and a concern was expressed that elsewhere, an intention to share information had failed and subsequently all data had been lost. Mr Bott responded that there would be a mechanism to share the data and he guaranteed that this would happen.

Mr Bott cautioned that there was a risk to the scheme as though the funding to Vista was guaranteed, there was no guarantee of funding streams to the partners involved in the project.

The Chair requested that this item be put onto the long term work programme for the commission.

RESOLVED:

- 1) that the update on Leicester Ageing Together be noted; and
- 2) that the item be added to the long term work programme for the commission.

### **53. ADULT SOCIAL CARE PERIOD 4 REVENUE MONITORING REPORT**

The Director of Finance provided an update on the Revenue Budget Monitoring Report, Period 4, 2014/15 for Adult Social Care.

The Director drew members' attention to Section 4 of the report which stated that the early forecast for Adult Social Care indicated that there would be an overspend of £2.6m but latest predictions showed that this overspend was likely to be £3.7m. The Director added that she would be reviewing the reserves, but it would not be possible to address the overspend purely from the reserves. She also commented that there was a corporate contingency fund, but this was not done by department.

Members acknowledged that much of the overspend were one off costs which

would rectify as the projects progressed, but other pressures, particularly the increasing demand for services, needed addressing. The Chair sought assurances from Councillor Patel, Assistant City Mayor, Adult Social Care as to what would be affected

The Strategic Director, Adult Social Care explained that she had only been in post for a few days, but she would be spending time reviewing the situation and anticipated that a plan of action would be drawn up by Christmas time. She would be looking at all areas of Adult Social Care to try to reduce spending.

The Chair sought assurances from the Councillor Patel, Assistant City Mayor, Adult Social Care, that the vulnerable would be protected. The Assistant City Mayor responded that the council's priorities would be with those people who were the most vulnerable.

Members requested details as to the council's statutory duty and what would happen to those people who would no longer receive social care support. They also asked that Equality Impact Assessments were completed to ensure that the council were catering for those in need, should budget cuts be made.

The Strategic Director responded that they would be looking at different ways of working, but the ultimate goal would be to protect the most vulnerable.

The Director of Finance added that the team were already looking at what could be done to slow down demand for the service. However, some of the costs could not have been foreseen.

The Chair expressed concern that this presented a very considerable challenge and that the problem of the increased demand for the Adult Social Care was not going to go away. Members questioned whether more money could be invested and assurances were sought that realistic sums of money were being put aside to meet the demands of the service.

The Chair sought an assurance from Assistant City Mayor Patel that the Adult Social Care Scrutiny Commission would be kept informed of future developments. Assistant City Mayor Patel responded that she wanted to have an opportunity to look at what was being put forward, but there would also be an opportunity for the commission to see it as well. However, action needed to be taken promptly.

The Chair acknowledged Assistant City Mayor Patel's assurance that the commission would have an opportunity to give their comments on the proposals concerning the forecasted overspend on the Adult Social Care budget. It was proposed that a special meeting of the commission would be convened if necessary to consider the proposals when the information was available.

RESOLVED:

that a special meeting of the Adult Social Care Scrutiny Commission be arranged if necessary to consider the proposals

concerning the forecasted overspend on the Adult Social Care budget.

#### **54. INTERMEDIATE CARE FACILITY UPDATE**

During the consideration of this item, Councillor Cutkelvin withdrew from the meeting, which resulted in the meeting becoming inquorate. The Chair and members agreed to continue, but to note the items of business only.

The Chair invited Councillor Dr Moore to join commission members at the table in order to participate in the discussion on this item. During the discussion a number of points were made; these included the following:

- Disappointment was expressed that the facility was not going to be a single storey building and that an argument that a two storey building would result in savings on heating costs was unconvincing. However, the Executive position on this was acknowledged.
- It was questioned whether service users would be given a proper care plan which as well as assessing physical needs, would look carefully at a person's mental and psychological re-enablement and thus help them to try to live as independently as possible when they returned home. The Director of Adult Social Care and Safeguarding confirmed that they would work closely with a range of professionals to help support people, as it would not be possible to help them move back home without addressing all their needs.
- A query was raised relating to the mixed-gender units, as there was concern that people might feel uneasy if someone of the opposite sex was next door. The Director responded that, the care facility would be a residential home and there would be no mixed wards. People would have their own en-suite rooms.

The Chair asked for an update on the Intermediate Care Facility to be a standing item on the agenda for the foreseeable future and questioned what members could be updated on at the next meeting on 8 January 2015. The Director responded that there were no tangible plans as yet; a procurement exercise was needed, but a verbal update could be brought to the next meeting.

Councillor Dr Moore took the opportunity to state that she wished to congratulate everyone involved on the Shared Lives Pilot Scheme. Assistant City Mayor Patel in turn thanked Councillor Dr Moore for her interest and guidance on the scheme.

#### **55. INDEPENDENT LIVING SUPPORT SPENDING REVIEW**

The Director of Care Services and Commissioning (Adult Social Care) explained that different options under the Independent Living Support Spending Review needed to be considered in order to make necessary financial efficiencies. The Director explained that the service had been identified as part

of the council's savings programme for 2016/17 and work would need to be completed over the coming months to look at options for making savings. The Director added that this would be brought back to the commission at a later date.

#### **56. IMPLEMENTING THE CARE ACT 2014**

It was agreed that the planned presentation on Implementing the Care Act 2014 would be deferred to the next meeting in January 2015.

Assistant City Mayor Patel reported that in the meantime, information on the Act would be sent to all councillors to help them respond to queries raised by constituents.

#### **57. RE-PROCUREMENT OF ADULT SOCIAL CARE VOLUNTARY AND COMMUNITY SECTOR PREVENTATIVE SERVICES**

The Director of Care Services and Safeguarding presented the report on the Re-procurement of the Adult Social Care Voluntary and Community Sector Preventative Services. The Director confirmed that the procurement exercise had been subject to a Cabinet Office spot check in August to ascertain whether the Council had met the requirements of the Public Services (Social Value) Act 2012. In October the Cabinet Office had confirmed that the council's approach had passed the spot check and was compliant with the act. No other feedback had been given.

A query was raised relating to contract performance and the Director explained that this was monitored to ensure that the provider was delivering the service as set out in the contract and remedial action would be taken as required. Contracts lasted for two years.

The Chair suggested that in the new municipal year, the Adult Social Care Scrutiny Commission may wish to add procurement to their work programme. The Chair expressed a hope that if there were any concerns relating to procurement, the commission would be made aware.

#### **58. INDEPENDENT ADULT SOCIAL CARE COMMISSION**

Assistant City Mayor Patel provided an update on the Independent Adult Social Care Commission. Six people had now committed themselves to joining the commission as follows:

- Mike Kapur: Chief Executive Officer, SemperVox Ltd
- Liz Kendall MP (Leicester West)
- Dr Nitin Joshi, General Practitioner
- Emily Georghiou, National Advisor, Age UK
- Ranjit Thaliwal, Solicitor, Thaliwal and Co Solicitors
- Penny Tremayne, Senior Lecturer (Adult Nursing), DeMontfort University

In addition it was hoped that Dr David Sharp, Director, Leicestershire and

Lincolnshire Area, NHS England would also join the commission.

Assistant City Mayor stated that she hoped that at the next meeting of the Adult Social Care Commission she would have the dates for meetings of the Independent Commission along with a revised Terms of Reference.

**59. ADULT AND SOCIAL CARE SCRUTINY COMMISSION WORK PROGRAMME**

The work programme for the Adult Social Care Scrutiny Commission was noted.

**60. CLOSE OF MEETING**

The meeting closed at 7.40 pm.

## Report to Scrutiny Commission

Adult Social Care

Date of Commission meeting: 8<sup>th</sup> January 2015

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### **General Fund Budget 2015/16 to 2016/17**

Report of the Director of Adult Social Care

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**Useful Information:**

- Ward(s) affected: All
- Report author: Mark Noble, Rod Pearson
- Author contact details
  - Phone 01162544002
  - Email [rod.pearson@leicester.gov.uk](mailto:rod.pearson@leicester.gov.uk)

**1. Introduction**

The Adult Social Care Scrutiny Commission is asked to consider the 2015/16 – 2016/17 draft budget proposals for the Adult Social Care portfolio.

**2. Recommendation(s) to scrutiny**

The Commission is asked to make any comments to the Overview Scrutiny Committee (OSC) for its meeting on 15<sup>th</sup> February. The OSC will consider the comments before reporting its views to the City Mayor, prior to the City Mayor making his final proposals to the Council. The Council will set the final budget on 25<sup>th</sup> February, 2015.

**3. Supporting Information**

See attached draft report



#### **4. Financial and legal implications**

##### 4.1 Financial implications

The attached draft report is exclusively concerned with financial issues

##### 4.2 Legal and other implications

These are included in the draft report to Council.

#### **5. Background information and other papers:**

**6. Summary of appendices:** See above

**7. Is this a private report ?** No

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**General Fund Revenue Budget 2015/16 to 2016/17**

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**Report of the Director of Finance****1. Purpose**

- 1.1 The purpose of this report is to request the Council to consider the City Mayor's proposed budget for 2015/16 to 2016/17. The budget plan covers the same period as the Government's national spending plans but this report also identifies the subsequent impact.
- 1.2 The proposed budget is described in this report, subject to any amendments the City Mayor may wish to recommend when he makes a firm proposal to the Council.
- 1.3 This is a draft of the report which will be presented to Council. The figures shown are provisional, and will be revised for the final report. In particular, they may need updating for Government announcements in December, 2014.

**2. Summary**

- 2.1 Members will not need reminding of the severity of the Council's medium term financial position.
- 2.2 In the budgets approved since 2011, £85m per annum of savings have been approved. Based on the public spending cuts implied by the Chancellor's March 2014 budget, further substantial savings are expected between now and 2018/19.
- 2.3 The Council changed its approach to budgeting with effect from 2014/15. The current approach can be summarised as follows:-

- (a) Budgets for 2013/14 and 2014/15 provided for significant sums to be added to reserves. As at 31<sup>st</sup> March 2015, it is estimated that general reserves will stand at £48m;
  - (b) Apart from a minimum working balance, these reserves will be used in future years' budgets to reduce the scale of savings required. This buys time to properly review services and make savings in a managed way. We have termed this approach the "managed reserves strategy";
  - (c) The current plan to achieve savings is the "spending review programme" – a programme of 18 service reviews designed to save up to £35m per annum;
  - (d) The outcome of individual service reviews will be given effect by changing the budget at the time review conclusions are approved – we will not wait until February when the next budget is set. This enables savings to be achieved as early as possible;
  - (e) Any savings from the spending review programme achieved before they are needed will enable the managed reserves strategy to be extended (i.e. the savings can be used to buy more time);
  - (f) The approved budget each year will consequently reflect spending review decisions already taken. No savings expectations have been placed on departments beyond this, except that they manage within their existing bottom line budgets.
- 2.4 The budget is, therefore, best perceived as a snapshot of decisions taken by a point in time. It does not of itself introduce new policy decisions affecting service levels.
- 2.5 In practice, the 2015/16 budget is broadly balanced: a small amount can nonetheless be added to reserves. It is planned to use the reserves we do have to reduce the burden of cuts required in both 2016/17 and 2017/18 in a way which avoids a "cliff edge" situation in 2017/18.
- 2.6 Some spending review decisions are now reflected in this budget. Further savings will be incorporated into the budget in due course.
- 2.7 Even if the spending review achieves the full £35m of savings, it is anticipated that £25m of additional savings will be required by 2018/19. Plans to achieve

these will be developed after the next Government has published its detailed plans for public spending.

- 2.8 Whilst departments have been asked to plan to a balanced bottom line, this has proved a challenge for the Adult and Social Care Department. This is largely due to the Government underfunding the costs of new Care Act responsibilities, and due to the pressures of increasing need which are only partly being met with monies from the Better Care Fund.
- 2.9 The budget proposes a tax rise of 1.99%, and assumes a further increase of 2% in 2016/17. At the time of writing, details of the requirement to hold referenda in 2015/16 are awaited.
- 2.10 In the exercise of its functions, the City Council (or City Mayor) must have due regard to the Council's duty to eliminate discrimination, and advance equality of opportunity for protected groups and foster good relations between protected groups and others. As stated above, the budget under consideration is a continuation of the status quo in terms of main policy commitments; and instead of policy changes, identifies financial pressures on existing plans and policies. There are no proposals for decision on specific courses of action that could have an impact on different groups of people. Therefore, there are no proposals to carry out an equality impact assessment on the budget per se (this is further explained in paragraph 10 and the legal implications at paragraph 20). Where necessary, the City Mayor has considered equality impact assessments for decisions already taken which affect service quality, and will do so for future spending review decisions. However, the Council is committed to promoting equality of opportunity for its residents; and regardless of where the legal duty 'bites', it is unarguable that huge cuts have had an impact, particularly on vulnerable residents. Consequently, at paragraph 10 below, an overview of the cumulative impacts is provided; together with some mitigating actions.
- 2.11 Government funding announced for 2015/16 is a matter of particular concern, not solely because of the level of cuts, but also because of the disproportionate impact of the cuts on deprived authorities. This is further discussed in paragraph 11 below.

### 3. **Recommendations**

3.1 Subject to any amendments recommended by the Mayor, the Council is asked to:-

- (a) approve the budget strategy described in this report, and the formal budget resolution for 2015/16 which will be circulated separately;
- (b) note the outcome of the local government finance settlement for 2015/16 [when we have this];
- (c) note the comments received on the draft budget from scrutiny committees, trade unions and other partners [when we have them];
- (d) approve the budget ceilings for each service, as shown at Appendix One to this report;
- (e) approve the scheme of virement described in Appendix Two to this report;
- (f) note my view that reserves are adequate and estimates used to prepare the budget are robust;
- (g) note the equality implications arising from the cumulative impact of service cuts in recent years, as described in paragraph 10;
- (h) approve the prudential indicators described in paragraph 17 of this report and Appendix Three;
- (i) approve the proposed policy on minimum revenue provision described in paragraph 18 of this report;
- (j) agree that finance procedure rules applicable to trading organisations (4.9 to 4.14) shall be applicable only to City Catering, operational transport, highway maintenance and fleet management functions;

#### 4. **Budget Overview**

4.1 The table below summarises the proposed budget, and shows the forecast position for the following three years:-

	<b>2015/16</b> £m	<b>2016/17</b> £m	<b>2017/18</b> £m	<b>2018/19</b> £m
<b><u>Service budget ceilings</u></b>	242.7	242.7	242.7	242.7
<b><u>Corporate Budgets</u></b>				
Capital Financing	14.1	14.4	14.2	13.6
Building Schools for the Future	1.0	1.0	1.0	1.0
Hardship awards (council tax)	0.5	0.5	0.5	0.5
Miscellaneous	1.3	1.0	1.4	1.4
Contribution to Capital	6.0			
Contingency	3.0			
<b><u>Future Provisions</u></b>				
Inflation		3.0	6.0	9.0
National Insurance increase		3.0	3.0	3.0
Planning provision		3.0	6.0	9.0
Severance		8.0		
<b><u>Managed reserves policy</u></b>	4.1	(20.0)	(16.9)	
<b>TOTAL SPENDING</b>	<b>272.6</b>	<b>256.7</b>	<b>257.8</b>	<b>280.2</b>
<b><u>Resources – Grant</u></b>				
Revenue Support Grant	76.9	52.7	29.1	15.8
Business rates top-up grant	44.5	45.9	47.5	49.3
New Homes Bonus	7.3	8.5	8.2	7.8
New Homes Bonus Adjustment Grant	0.8			
<b><u>Resources – Local Taxation</u></b>				
Council Tax	85.8	88.2	90.6	93.1
Business Rates	54.2	55.5	56.8	58.2
Collection Fund Surplus	3.1			
<b>TOTAL RESOURCES</b>	<b>272.6</b>	<b>250.7</b>	<b>232.2</b>	<b>224.1</b>
Projected tax increase	1.99%	2.0%	2.0%	2.0%
Gap in resources		5.9	25.6	56.1
Underlying gap in resources		25.9	42.5	56.1

4.2 Future forecasts are volatile and will change. At present, the Council only has certainty over its grant position for 2015/16 (although this may change in the 2015/16 settlement).

4.3 The forecast gap in 2018/19 makes no allowance for inflation other than for pay awards. In real terms, the gap for that year is £7m higher. Even this figure does not make allowance for increasing demand on services.

## 5. **Council Tax**

5.1 The City Council's proposed tax for 2015/16 is £1,301.95, an increase of 1.99% on 2014/15.

5.2 The tax levied by the City Council constitutes only part of the tax Leicester citizens have to pay (albeit the major part). Separate taxes are raised by the police authority and the fire authority. These are added to the Council's tax, to constitute the total tax charged.

5.3 The total tax bill in 2014/15 for a Band D property was as follows:-

	<b>£</b>
City Council	1276.55
Police	176.48
Fire	59.25
<b>Total tax</b>	<b>1512.28</b>

5.4 The actual amounts people are paying in 2014/15, however, depend upon the valuation band their property is in and their entitlement to any discounts, exemptions or benefit. 80% of properties in the city are in band A or band B.

5.5 The formal resolution sets out the precepts issued for 2015/16 by the Police and Crime Commissioner and the fire authority, together with the total tax payable in the city.

## 6. **Construction of the Budget**

6.1 By law, the role of budget setting is for the Council to determine:-

- (a) The level of council tax;
- (b) The limits on the amount the City Mayor is entitled to spend on any service ("budget ceilings").

6.2 The proposed budget ceilings are shown at Appendix One to this report.

- 6.3 The ceilings for each service have been calculated as follows:-
- (a) The starting point is last year's budget, subject to any changes made since then which are permitted by the constitution (e.g. virement);
  - (b) Decisions taken by the Executive in respect of spending reviews which are now being implemented have been deducted from the ceilings.
- 6.4 Ceilings have been increased for the costs of the recently announced pay award, and reflect the current level of the living wage commitment.
- 6.5 Following a decision of the Council when approving the 2013/14 budget, no inflation has been added to budgets for either running costs or income, except for:-
- (a) Payments to independent sector providers of adult social care;
  - (b) Payments to BIFFA under the waste disposal PFI contract.
- 6.6 In practice this means that, apart from the above exceptions, departments are seeing cash freezes in their non-pay budgets.
- 6.7 The following spending review decisions have been formally taken by the Executive, and budgets reduced accordingly:-

	<u>2014/15</u> £000	<u>2015/16</u> £000	<u>Full Year</u> £000
Neighbourhood Services (South)	0	80	106
Neighbourhood Services (West)	32	66	132
Voluntary and Community Sector	66	132	132
<b>Total</b>	<b>98</b>	<b>278</b>	<b>370</b>

- 6.8 It is planned to consult further on the VCS review in the new year, and the original proposals may be redeveloped.
- 6.9 The following spending review conclusions have not been subject to a formal executive decision, but have been actioned under management authority:-

	<u>2014/15</u> £000	<u>2015/16</u> £000	<u>2016/17</u> £000
Highways efficiency savings	0	309	309



External communications	85	105	105
<b>Total</b>	<b>85</b>	<b>414</b>	<b>414</b>

6.10 As can be seen, some reviews also include adjustments to the 2014/15 budget, which will be reflected in that year's outturn.

6.11 The two reviews which have not been formally reported reflect the following:-

- (a) Highways efficiency savings arise from offsetting management costs with off-street parking income, reduction in the costs of service level agreements with the County Council, implementation of fixed penalty notices, and the use of parking income to pay for travel concessions;
- (b) The review of external communications resulted in the reduction of Leicester Link to three issues per year supported by other communication channels, and the generation of extra income from the CCG (for dedicated space) and the HRA (for incorporating the former "Housing News").

6.12 When the budget is formally proposed to the Council in March, the figures will be adjusted to reflect any further decisions. In particular, members are asked to note:-

- (a) Engagement with the trade unions is taking place, regarding proposals to reduce budgets for corporate support services by £4m per annum in a full year;
- (b) At the time of writing, an intention notice is being prepared to reduce the budgets of the Housing Department by £0.7m in a full year.

## 7. **How Departments will live within their Budgets**

7.1 As stated above, the role of the Council is to determine the financial envelopes within which the City Mayor has authority to act. In some cases, changes to past spending patterns are required to enable departments to live within their budgets. Action taken, or proposed by the City Mayor, to live within these budgets is described below. As stated above, these budgets have already been reduced to reflect the effect of spending review decisions.  
Adult Social Care

7.2 The position of the Adult Social Care Department is strongly influenced by:-

- (a) The pressures of continuing to provide services, and to contain the cost. In practice, this has proved difficult to achieve as explained below;
  - (b) The creation of new statutory duties, funding for which will be made available by the Government but which is expected to be substantially short of the amount required.
- 7.3 In 2015/16, the Better Care Fund will come into existence. The BCF amounts to £3.8bn nationally (although none of it is new public spending). The fund is controlled by the Health and Wellbeing Board; and is intended to help integrate health and social care services, reduce hospital stays and protect social care. In creating the BCF, the Government has explicitly recognised the pressures on social care services arising from increased demand, and stated that the fund can be used to support them.
- 7.4 The Health and Wellbeing Board has agreed that £5.65m of additional monies will be provided for social care services in 2015/16, rising to £6m in 2016/17.
- 7.5 In part, the BCF will address the budget pressures faced by the department, including the impact of growing numbers of people requiring services. Nonetheless, the department has experienced severe budget difficulties in 2014/15 (amounting to £3.7m at period 6); some of these pressures will continue into 2015/16 and beyond.
- 7.6 The more significant pressures which will continue into 2015/16 include the impact of growth in the cost of care (over and above the forecast costs arising from demographic growth). In 2015/16, these pressures will be compounded by the effect of delay in achieving previously agreed savings (particularly in relation to in-house elderly persons' homes) but offset by the fact that previous years' budget savings will achieve greater reductions in 2016/17 than were built into previous budgets. The pressures are being, or will be, contained by:-
- (a) Promoting the independence of customers, so they will be less reliant on statutory social care;
  - (b) Ensuring that eligibility criteria are strictly applied, which will reduce the numbers of new customers receiving support and contain the level of support offered to individuals in line with eligible needs;

- (c) Reviewing the entitlement of customers to ongoing care, including free care under the Mental Health Act;
- (d) Additional funding from the CCG.

7.7 Apart from the specific growth pressures identified below, it is forecast that the budget will be balanced in 2016/17 although the underlying position is volatile. In 2015/16, it is proposed to seek a further £1m from the Better Care Fund to manage the pressures described above. If this is not forthcoming, the cost will be met from a reserve for adult social care budget pressures. The balance on this reserve currently stands at £3.2m.

7.8 In addition to the general pressures facing the service, the following growth pressures remain:-

	<u>2015/16</u> £000	<u>2016/17</u> £000
Better Care Fund – Shortfall	274	654
Care Act – expected funding shortfall	798	1,498
Independent Sector Inflation	292	584
Project Team to deliver Spending Review	332	332
	1,696	3,068

7.9 The items in the above table are:-

- (a) The amount the Better Care Fund could afford falls short of the amount which was requested earlier in the year;
- (b) The Care Act creates new rights for service users and carers. The most significant financial impact arises from the “lifetime cap”. At present, customers with savings or higher levels of income must fund their own care. From 2016/17, once care costs have exceeded £72,000 in an individual’s lifetime, the Council must fund any further costs. Records will need to be created well in advance of 2016/17. Funding arrangements for the new responsibilities have not been finalised, but under all models proposed by the Government a substantial shortfall is envisaged (a common position across the country);

- (c) As stated in paragraph 6 of this report, when calculating budget ceilings, fees to independent sector care providers are excluded from the general rule that running cost budgets are not inflated. Despite this, it is envisaged that independent sector fees will increase by more than inflation, and the estimated costs of this are reflected in the above table. This arises in large part because the minimum wage is expected to continue increasing in real terms;
- (d) A project team is being created, to help generate savings expected from the spending review programme and to deliver this budget.

7.10 The following actions are planned to meet the above pressures:-

	<u>2015/16</u> £000	<u>2016/17</u> £000
Social Care Team redirected to Care Act duties	556	556
Efficiency savings	271	710
Promoting Independence Reviews	950	950
	<u>1,777</u>	<u>2,216</u>

7.11 The items in the above table are explained below:-

- (a) In previous budgets, a saving of £556,000 was planned from deletion of a social care team. This was not actioned, as the new duties of the Care Act became apparent before the proposal could be implemented. The team has been retained, and will be redirected to carry out these new duties (thus avoiding additional recruitment);
- (b) A number of efficiency measures are proposed. These include a reduction in use of in-house transport by maximising independent travel, a reduction in the safeguarding and commissioning teams, and introduction of a £5 per week charge for managing an individual's finances (which other authorities also charge);
- (c) "Promoting Independence Reviews" are detailed reviews of packages of care costing between £100 and £500 per week with a view to reducing reliance on statutory services. Work on a sample of such cases suggests that 30% of reviews would result in reductions to packages of £50 per person per week on average. The newly created

project team will work on these reviews. Members will recall that a review of high cost packages has taken place over the last two years.

- 7.12 Additionally, the department faces the pressure of increasing numbers of “deprivation of liberty” applications following Supreme Court rulings. These are estimated to cost £0.2m per annum. It is believed, although currently unconfirmed, that new funding will be made available for these costs.
- 7.13 The above measures will leave a shortfall of £0.9m in 2016/17. Additional BCF monies may be made available in that year (firm figures for the BCF nationally only exist for 2015/16) and the department will continue to seek further savings. The department’s services are also being reviewed as part of the spending review programme.

#### Public Health

- 7.14 In 2013/14, public health responsibilities transferred from the NHS to the Council. A new grant was paid for these services. This grant will increase from £22.0m in 2014/15 to an estimated £26.0m in 2015/16; the increase covers the costs of new responsibilities for the Healthy Child Programme from October 2015. In a full year, the estimated extra funding will rise from £4.1m to £8.3m.
- 7.15 The Council is taking the opportunity provided by the transfer of functions to consider its public health duties holistically, and to consider which services (pre-existing or inherited) best promote public health. The amount we spend on public health exceeds the grant available, and the Council has the opportunity to reshape services (whether funded by the grant or the General Fund) to improve outcomes. Thus, for instance, in 2014/15 some grant monies were used to create outdoor gyms in parks.
- 7.16 The function is directed by the Public Health Division of the Adult Social Care Department, which also commissions the majority of services funded by grant.
- 7.17 Substance misuse services are commissioned from the Public Health Division, and provided (in the main) by Leicestershire Partnership Trust. These services are within the scope of the spending review programme, and efficiency savings are being sought.
- 7.18 The new services transferring in October include health visiting services for children aged 5 and under, and family nurse partnership services (a targeted service for teenage mothers).

## Education and Children's Services

7.19 The Education and Children's Services portfolio has faced substantial spending reductions since 2010/11, largely as a result of specific grant streams ceasing or being cut back rapidly.

7.20 Pressures facing the service include:-

- (a) Cuts of £1.5m in Education Services Grant (ESG). ESG is a grant paid to local authorities and academies to cover the cost of services which are not reflected in individual schools' budgets. These include school improvement, education and welfare services, and some regulatory functions. It is paid per pupil, and the Government is reducing the rate from £115 to £87 per pupil in 2015/16. This will create a budget pressure of £1.35m. This pressure is exacerbated by the expected loss of Education Services Grant arising from conversions of Rushey Mead and Northfields schools to academies. It is offset slightly due to the effect of increasing pupil numbers.
- (b) Costs of home to school transport have continued to exceed the available budget in recent years – in 2014/15 an over-spend of £0.5m is estimated. Approximately 1100 SEN pupils receive transport from our in-house service or from taxis. The Government has legislated to put in place Education Health and Care Plans (EHCPs), which replace statements of educational need. As part of the process of implementing EHCPs, travel requirements will be discussed face to face with parents to ensure that the best arrangements are in place. Where appropriate, independent travel training will be arranged which is in the best interest of the young person. It will take 3 years to convert all SEN pupils to EHCPs, but it is envisaged that this work will reduce the current budget pressure by around £0.1m in 2016/17;
- (c) The budget for 2014/15 assumed savings from a review of adventure playgrounds: the existing budget has subsequently been maintained.

7.21 The paragraphs below describe actions taken to address these budget pressures.

7.22 Non-statutory work in PRUs, special schools and in children's centres by the educational psychology service will now be commissioned by the Council from the high needs block of Dedicated Schools' Grant rather than be paid for by

the General Fund. Other services provided for the youth offending service and social care will be paid for by these areas, rather than by the educational psychology service. This will result in savings to the General Fund of £0.5m.

- 7.23 The Council currently spends £0.1m to support quality improvements across the childcare sector in Leicester from the General Fund. A substantial amount of funding was transferred from local authorities to the early years block of DSG, to support early years' education following the demise of the Early Intervention Grant. Given the substantial funds in this block, it is far more appropriate that this is used to fund the quality improvement programme. This will require approval by Schools' Forum.
- 7.24 An intention to carry out a review of the school improvement service was included in the previous year's budget. The DfE carried out a consultation on reductions to the Education Services Grant earlier this year. As part of this, they clarified their expectation that local authorities should only fund a statutory school improvement service with any additional school improvement work paid for by schools. As a result of this and the reduction in the grant, it has been necessary to reduce the size of the service further saving a further £0.3m.
- 7.25 There are a number of other areas where savings will be made totalling £0.4m. These include efficiencies from children's social care running costs following a recent reorganisation and integration of teams, IT related savings in Early Help and additional non-budgeted income from fines for non-school attendance.
- 7.26 If the Council approves the budget, there will be ongoing pressures of £0.8m in 2015/16 falling to £0.65m in 2016/17. Work is taking place to identify additional savings, but the shortfall could be financed from departmental reserves if necessary.

#### City Development and Neighbourhoods

- 7.27 The department provides a wide range of statutory and non-statutory services which contribute to the well-being and civic life of the city. It aims to make Leicester a great city for living, working, visiting and staying. The department brings together divisions responsible for local services in neighbourhoods and communities, economic strategy, regeneration, the environment, culture, heritage, sport, libraries, tourism and property management. The department's budget in 2014/15 is £70m.

7.28 The department is able to live within its budget for 2015/16 to 2016/17. It is also contributing to the savings required by the Council from the spending review programme. Projects include:-

- (a) Transforming Neighbourhood Services, which is reviewing the local services in the city area by area. The review covers library services, community services, adult skills and neighbourhood based customer services; and is considering how local services can be reconfigured to protect provision whilst saving costs. In the areas which have been reviewed to date, this has resulted in the relocation of services into a reduced number of buildings, thus saving money on maintaining facilities. Community engagement has been paramount throughout;
- (b) Sports and Leisure, which is examining how these services can best be run in future; a consultation on the future of golf has just concluded;
- (c) A review of parks and open spaces, covering the cost of the activity and a review of the land being maintained. A database of assets has been prepared, and cost attributable to the maintenance of each can be calculated as an aid to decision making;
- (d) A review of technical services (property, highways design and maintenance, facilities management, fleet management and housing maintenance).

7.29 The department is also delivering a major programme of strategic initiatives, including the market redevelopment, and the "Connecting Leicester" programme.

7.30 The main budget pressures facing the department are:-

- (a) The challenge of maintaining sports income in a competitive environment. Initiatives have been put in place and are planned to increase usage, and a business manager has been recruited. Non-essential expenditure has been curtailed. This service is also subject to a spending review;
- (b) A pressure of £250,000 due to a shortfall in landscaping work.

7.31 These pressures are being addressed by management action, supported by the street lighting project delivering savings ahead of schedule.



## Housing Portfolio

- 7.32 The costs of providing rented housing to tenants are not part of the general fund, and are reported as part of the Housing Revenue Account which is approved separately. In 2014/15, the Council plans to spend £85m on this function.
- 7.33 The general fund includes £6m for other housing services, the majority of which is spent on housing advice; and services which prevent and respond to homelessness. Sums are also spent on renewal and development.
- 7.34 There are no significant pressures to be addressed, and savings of £0.3m in 2014/15 rising to £0.7m in 2016/17 have been identified as part of spending review work. These savings arise from internal efficiencies and will not require changes to the current homelessness strategy.

## Corporate Support and Resources

- 7.35 The key challenge facing the Corporate Resources and Support Department is to be as cost effective as possible, in order to maximise the amount of money available to run public facing services. In this context, the department has reduced staffing by around 200 in recent years, and made savings of some £12m per annum.
- 7.36 The department will continue to face significant challenge to be cost effective, and expects to save £4m per annum as a consequence of spending review proposals.
- 7.37 The department is able to manage within its budget ceilings for 2015/16, having absorbed new spending pressures. These pressures include:-
- (a) Pressures on the Legal Services budget, due to reduced funding as work on BSF and equal pay claims approaches its end;
  - (b) The loss of a net £75,000 income in a full year arising from the transfer of land charges work to the Land Registry (dependent upon the passage of legislation);
  - (c) Pressures on IT Services amounting to some £0.4m per annum, arising from the need to retain key staff in a competitive market and to support increased demand (e.g. for network connectivity, devices for remote working and systems development to support service transformation);

- (d) A cut of £0.2m in the housing benefit and council tax support administration grant;
- (e) Loss of £0.1m income as a consequence of withdrawal from ESPO (although in reality this was simply re-cycled money from within the ESPO membership);
- (f) Pressures on the coroner's service.

7.38 These pressures are being addressed by adjusting staffing levels to reflect reduced workload, where applicable; careful budget management and the holding of vacancies in advance of the spending review; and the creation of a provision to manage external pressures on the coroner's budget.

7.39 Additionally there is risk to the budget in 2015/16 and 2016/17 arising from:-

- (a) The ongoing cost of individual electoral registration. £200,000 per annum has been added to the budget in previous years, and transitional grant was received from the Government in 2014/15. It is currently unknown if the Government will provide any further funding from 2015/16 onwards;
- (b) The impact of the introduction of Universal Credit, which will see a reduction in housing benefit workload as it transfers to the DWP. Further cuts in housing benefit administration grant are anticipated as a consequence.

7.40 Contracts for the Council's main finance and HR systems are due to end in 2017. Projects to re-tender these are being funded from departmental reserves, and the outcome of re-tendering may be further revenue savings. Potentially, however, there will be a requirement for future capital investment in order to achieve these savings.

7.41 In 2013/14, the DWP ceased to provide crisis grants to vulnerable people. The function transferred to local authorities, and £1.9m was made available in each of 2013/14 and 2014/15. The Government has announced that this funding will cease – section 10 of this report explains how it is proposed to mitigate the effect of this on vulnerable residents.

## 8. **Corporately held Budgets**

- 8.1 In addition to the service budget ceilings, a number of budgets are held corporately. The key ones are described below (and shown in the table at paragraph 4).
- 8.2 The budget for **capital financing** represents interest and debt repayment costs on past years' capital spending. This budget is not managed to a cash ceiling, and is controlled by the Director of Finance. Costs which fall to be met by this budget are driven by the Council's approved treasury management strategy.
- 8.3 **Building Schools for the Future (BSF)** is a substantial programme of investment in secondary schools, partly funded by conventional finance and partly through the Private Finance Initiative (PFI). At the inception of the programme, the Council agreed to share the additional costs arising from this scheme with schools. The programme will be substantially complete by 2015/16. The sum remaining in corporate budgets represents the Council's contribution to costs for schools in the later phases of the programme, and will be added to the budget of the Education and Children's Services Department on completion.
- 8.4 £0.5m per annum has been set aside for the costs of **hardship awards** to council tax payers who find it difficult to pay. In 2013/14, Government welfare reforms required the Council to introduce a council tax reduction scheme; this resulted in low income taxpayers being required to contribute to their council tax for the first time.
- 8.5 **Miscellaneous corporate budgets** include external audit fees, pensions costs of some former staff, levy payments to the Environment Agency, monies to mitigate the impact of budget reductions on protected groups under the Equality Act, bank charges, the carbon reduction levy, monies approved for the accommodation review, the effect of pension increases, and other sums it is not appropriate to include in service budgets. These budgets are offset by the effect of charges from the general fund to other statutory accounts of the Council. Charges to other statutory accounts will increase as a consequence of additional charges proposed to the HRA following review. These increases are further described in the report to Council on the HRA budget.
- 8.6 The budget includes a proposed contribution of £6.0m to the **capital programme**. This is further explained in the report seeking approval to the capital programme, but in essence enables us to plan capital spending on the basis of capital receipts received rather than receipts forecast to be received. The £6m provides money to plug a one-off gap caused by this policy change.

The policy change itself is designed to make the capital programme “crisis proof” if there is a mid-year market downturn, given that compensatory revenue monies are unlikely to be available.

- 8.7 A **contingency** of £3m has been included in the budget for 2015/16. This reflects the risks identified in section 15 of this report. The contingency will only be used as a very last resort.

## 9. **Future Provisions**

- 9.1 This section of the report describes the future provisions shown in the table at paragraph 4 above. These are all indicative figures – budgets for these years will be set in February prior to the year in question.

- 9.2 The provision for **inflation** includes money for:-

- (a) An assumed 1% pay award each year from 2016/17;
- (b) A contingency for inflation on running costs for services unable to bear the costs themselves. These are: waste disposal, and independent sector residential and domiciliary care.

- 9.3 Provision has also been made for an increase in the costs of **national insurance** in 2016/17. This arises from the Government’s decision to replace the state second pension with a single flat rate scheme. Organisations which have previously “opted out” of the state second pension have received a rebate in their national insurance contributions; this includes local authorities, who have their own occupational pension scheme. This rebate will cease in 2016/17, at an estimated cost of £3m per annum.

- 9.4 A **planning provision** has been provided in future years to reflect the severe difficulties in making accurate forecasts and to manage uncertainty. This is reviewed on an annual basis.

- 9.5 Provision has been made for further **severance** costs (see paragraph 14 below).

## 10. **Budget and Equalities (Irene Kszyk, Head of Equalities)**

- 10.1 The Council is committed to promoting equality of opportunity for its local residents; both through its policies aimed at reducing inequality of outcomes experienced by local residents, and through its practices aimed at ensuring

fair treatment for all and the provision of appropriate and culturally sensitive services that meet local people's needs.

10.2 Since April 2011, in accordance with section 149 of the Equality Act, the Council has been required by law to "have due regard" to the need to:-

- (a) eliminate discrimination;
- (b) advance equality of opportunity between protected groups and others;
- (c) foster good relations between protected groups and others.

10.3 Protected groups under the public sector equality duty are characterised by age, disability, gender re-assignment, pregnancy/maternity, race, religion or belief, sex and sexual orientation.

10.4 Advancing equality of opportunity under our public sector equality duty includes removing and minimising disadvantage, meeting the needs of protected groups which are different to others (particularly the disabled), and encouragement to participate in public life.

10.5 Consideration of equality implications is a continuing requirement under the duty, and this is reflected in the way that we approach equality impact assessments for service changes. The starting point for any equality assessment is to understand who may be affected by a course of action under consideration, and how people with a protected characteristic(s) could be affected. The effect could be positive (where a person achieves improved outcomes) or negative (where a person is disadvantaged by a proposed course of action). Where people/service users are likely to be disadvantaged, consideration is given to how that disadvantage can be reduced or removed. The duty does not require us to avoid any such disadvantage, but to be aware that it could take place. It is the responsibility of the decision maker to balance the need for change which may disadvantage people on the basis of their protected characteristic(s) against public benefits that would arise from the decision being made. Consequently, it is a requirement of our public sector equality duty that decision makers give due regard to anticipated equalities implications arising from a proposal, whether they are positive or negative. The process for developing proposals can include consultation with the public in general and service users specifically, in order to better understand potential impacts and mitigating actions that would reduce disadvantage. The main equality implications are summarised in reports to decision makers as a record of what has been considered. We also seek to understand the wider implications of decisions being taken, and periodically aggregate the equality impacts of individual decisions to ensure (as far as possible) that no one

protected characteristic is being disproportionately disadvantaged by our decisions.

- 10.6 The budget sets financial ceilings for each service which act as maxima above which the City Mayor cannot spend (subject to his power of virement). The ceilings set reflect the budget strategy approved by the Council in February 2014 (and, indeed, February 2013) – no additional savings targets have been allocated to services other than those implied by spending review decisions. Decisions to live within the ceilings have been, or are being, taken by managers or the City Mayor; and where necessary these decisions are subject to a full equality assessment. Hence, a specific impact assessment has not been done for the budget as a whole (because there are no specifically identifiable impacts). When spending review decisions are taken, these are also subject to their own impact assessments.
- 10.7 The period of national spending restraint (and local spending cuts) that we are living through has undoubtedly, however, had an impact on service users and city residents. Consequently, it is felt important that the cumulative impact of changes in recent years is summarised for members, and that mitigating measures for anticipated negative impacts are identified.
- 10.8 The impact of service changes over the last three years should be considered against the background of the socio-economic profile of the city's residents:-
- (a) The city's population is young compared to the rest of the country, and is increasing. 55% of the city's population is under the age of 34; the number of senior citizen households has declined from 23,000 in 2001 to 18,000 in 2011;
  - (b) The city has relatively low educational attainment and skills levels, particularly for disadvantaged children (notwithstanding improvements between 2001 and 2011). There remain 29% of adults in the city with no qualifications; and as of October 2014, there were 6,810 job seekers' allowance claimants;
  - (c) There is high and increasing ethnic diversity – 51% of residents classified themselves as white in the 2011 census, compared to 64% in the 2001 census;
  - (d) Leicester is a deprived city, ranking as the 25<sup>th</sup> most deprived in the country (IOD 2010). However, unlike other cities in the country, there is no strong link between ethnicity and poverty. There are currently 34,000 people claiming housing benefit in the city, and 43,000 claiming council tax support. Whilst 44,000 people receive universal child

benefit, 33,000 also receive income support in the form of child tax credit.

- 10.9 Taking together all our budgets since 2011/12, the focus of service change proposals has been to minimise frontline service impacts in general, and the impacts on the most disadvantaged/deprived residents in particular. This includes:-
- (a) substantial reductions being made in management, administration and back office services;
  - (b) the generation of efficiency savings wherever possible;
  - (c) in many cases, targeting of services where reductions have been made, moving away from universal models of provision;
  - (d) service re-design.
- 10.10 During this continuing process of change, our public sector equality duty requires us to continually assess whether we are continuing to meet the needs of our service users, and that our actions do not unintentionally disadvantage anyone on the basis of their protected characteristic(s). Service changes have been made in consultation with our service users to ensure that we reflect their concerns and priorities.
- 10.11 An example of this is the work being undertaken within the Transforming Neighbourhood Services programme. The city has been divided into six areas, and officers meet with local residents in each to determine what local infrastructure or services are important to them. In the two areas that have been completed, local residents have prioritised retention of local service provision (as distinct from the facility which provides it). This has had the result that some community facilities have been 'decommissioned' for alternative use. Remaining facilities are redeveloped where necessary, and services relocated within retained premises to continue serving the local community. The result has been expanded local library service provision and co-location of local services for easier access. It has also enabled us to transfer assets to local community groups so that community resources continue to be maintained. This methodical, planned, approach will in turn take place in other areas of the city.
- 10.12 These service changes are continually being assessed from an equalities perspective, to ensure that potential negative impacts on people are identified early on in the process. In this way, action can be planned to reduce those impacts where possible. Impacts are assessed against other broader changes as well, such as the Government's welfare reforms, to ensure (as far as possible) that no one group of protected characteristics is disproportionately

disadvantaged. Currently those most at risk of finding it hard to make ends meet are households with children (where women are often lone parents); and households without work, including those who cannot work because of a sickness or disability. Prospects remain challenging, as a higher than average proportion of Leicester's full time paid employees are in low paid/low skill jobs.

- 10.13 During the past four years the council has prioritised keeping frontline services in place. But our approach to providing them has changed, requiring us to focus on a stricter assessment of statutory entitlement and encouraging self-service where possible to reduce delivery costs. The council has provided support to service users to become more independent where possible, while ensuring that their needs continue to be met. For services such as homelessness, this has become a strategic approach to delivery, providing support as and when required to prevent people from becoming homeless instead of dealing with the problem after it has arisen. The council actively monitors the implementation of these actions to ensure service users' needs continue to be met appropriately. The main protected characteristics affected by service changes so far have tended to be age (both elderly in regard to adult social care provision, and children through early years, school and play provision); and disability (through children's and adult social care right to control initiatives). Other protected groups have tended to be affected in proportion to the overall population.
- 10.14 The city's diverse population requires the council to manage diversity effectively, and ensure that the needs of specific protected characteristics are met appropriately within the relevant service context. The protected characteristic of race (and the need to be mindful of resulting cultural and language differences across different racial groups) must be considered to ensure user access and take up. Religion and belief can shape service provision as well (e.g. for burial services and school catering). Patterns of service use and take up can also be shaped by gender preferences; differing needs (for pregnant women or women with babies); or social practices (for example, single sex leisure provision). Gender can influence personal outcomes, and the council monitors provision and take up to ensure that there is no indirect discrimination in the way that it delivers its services. The council works with the local LGBT community to remove barriers that prevent this specific area of need being met within its service provision. The nature of the equality impacts by protected characteristic vary as illustrated above, reflecting the wide range of services provided by the council.
- 10.15 The Council is taking a number of steps to help mitigate the impact of its budgets, and wider changes, on its citizens. Given the likelihood of considerably more cuts in our funding, these will become all the more vital in the coming years. These include:-



- (a) The setting aside of a provision of £0.2m per year for the Executive to spend on measures to mitigate the most significant impacts, particularly where these are cumulative on any given group (whether protected or not);
- (b) A review of advice provision, as part of the Spending Review Programme. It is recognised from the outset that there is not the same expectation of savings from this review as there is from the others, and one of its objectives is to develop common service standards for all funded advice services;
- (c) The setting aside of £0.5m per annum in the budget to support people unable to pay council tax charges due to hardship;
- (d) A continued emphasis on supporting businesses who recruit apprentices to help promote employment and address skills levels. A key aim of the Economic Action Plan more generally is to improve employment opportunities and skills;
- (e) Administration of a number of programmes of discretionary relief, including discretionary housing payments. Underspendings on such funds in 2013/14 have been consciously set aside to provide continued support in future years, and to compensate for the cessation of the Government's welfare support grants. This policy will continue with any underspends in 2014/15;
- (f) A rigorous approach to carrying out equality impact assessments for individual proposals affecting service provision (and the setting aside of a contingency in the budget to enable proposals to be modified if the impact on a protected group is too severe).

## 11. **Government Grant**

11.1 As can be seen from the table at paragraph 4, Government grant is a major component of the Council's budget. The system of providing grant support changed in 2013/14, when local government started to keep 50% of business

rates; prior to 2013/14, business rates were collected locally but handed over to central Government to redistribute on the basis on need.

11.2 Government grant support now principally consists of:-

- (a) Revenue Support Grant, which is distributed on the basis of needs formulae that existed prior to 2013/14. Cuts in Government funding, however, have been applied simply by cutting each authority’s RSG allocation proportionately. This has had a disproportionate impact on those authorities who are most dependent on Government grant (i.e. deprived authorities such as Leicester);
- (b) A top-up to local business rates. The sums payable were calculated in 2013/14, and now simply increase by inflation each year. Business rates top-up grant is designed to reflect authorities’ differing abilities to raise business rates (authorities with substantial amounts of highly rated businesses pay a tariff into the system, which funds the top-ups to less affluent authorities);
- (c) New Homes Bonus. This is a grant paid to authorities which roughly matches the council tax payable on new homes, and homes which have ceased to be empty on a long-term basis. The grant is calculated with reference to a 2010/11 baseline, and will grow each year until 2016/17; in 2017/18, 2011/12 will be used as the baseline, and the baseline will roll forward in the following years. Members are asked to note that New Homes Bonus is not additional money; the money to fund it has been “topslliced” from the national provision for Revenue Support Grant.

11.3 The impact of these policies, and Government cuts, can be seen from the table below. At the time of writing, we do not have the final settlement for 2015/16. The grant for 2015/16 was announced last year; it is possible that this may change:

2013/14	2014/15	2015/16	Cuts
£m	£m	£m	13/14 to 15/16

Revenue Support Grant	133.0	108.7	76.9	42.2%
Top-Up Grant	42.2	43.5	44.5	
New Homes Bonus	3.9	5.9	7.3	
New Homes Bonus Adjustment	0.8	0.3	0.8	
<b>Grant Total</b>	<b>179.9</b>	<b>158.4</b>	<b>129.5</b>	28.0%

11.4 The Government uses a concept called “spending power” to measure the impact of cuts on the totality of an authority’s ability to spend. This includes all grants (including specific grants), council tax and business rates. The grants included in the definition are arguable. However, adopting the Government’s own definition, outcomes over the 2 years from 2013/14 to 2015/16 range from growth of 3.25% (Wokingham) and 3.0% (Surrey) to cuts of 11.3% (Knowsley) and 11.2% (Newham) amongst single purpose/upper tier authorities. Leicester, on this definition, loses 9.6%. A more appropriate definition produces a figure for Leicester of 15.3%.

11.5 The Council is seeing significant increases in its New Homes Bonus entitlement. This is partly because of the effect of using a 2010/11 baseline as described above. However, significant efforts have been made to reduce the stock of empty properties, and to ensure that only properties which are truly empty are recorded as such. In total this has led to an increase of £0.5m in New Homes Bonus when compared to the stock of empty properties in 2013/14.

11.6 We have no grant figures for years beyond 2015/16, and 2016/17 spending plans will be set after the general election. However, plans published by the Chancellor of the Exchequer in March indicate substantial further spending reductions in the period to 2018/19. The table at paragraph 4 assumes the national amounts available for local government will fall by:-

- (a) 2016/17 – 10%
- (b) 2017/18 – 11%
- (c) 2018/19 – 6%

11.7 These figures assume the public spending plans implicit in the March budget will be followed through, and assume continued protection for education and the NHS.

11.8 It is not assumed that cuts will cease after 2018/19 – this is simply the last year of the current Treasury forecasts.

## 12. Local Taxation Income

12.1 Local tax income consists of three elements:-

- (a) the retained proportion of business rates;
- (b) council tax;
- (c) surpluses arising from previous collection of council tax and business rates.

### Business Rates

12.2 Local government now retains 50% of the rates collected, as discussed above. In Leicester, 1% is paid to the Fire Authority, and 49% is retained by the Council. This is known as the “business rate retention scheme”.

12.3 Estimates of rates payable by businesses have been based upon:-

- (a) the existing rateable value;
- (b) changes in rateable value for known developments;
- (c) estimates of the cost of new reliefs;
- (d) provision for successful appeals; and
- (e) an assumed real terms decline in our rates base after 2015/16, of 0.7% per annum (consistent with recent years).

12.4 The most difficult element in estimating rates income is the effect of appeals by rate payers, which can result in refunds going back a number of years. 49% of any such refunds fall to be paid by the Council, even where they relate to periods prior to introduction of the business rate retention scheme.

12.5 Any future academy conversions will have an impact on rates income, as academies are entitled to mandatory rate relief. The conversion of Rushey Mead and Northfields schools to academy status will cost £140,000 per annum in lost income.

12.6 During 2013/14, the Council was part of a “business rates pool” with the other authorities in Leicestershire. Pools are beneficial in cases where shire district councils’ rates are expected to grow, as pooling increases the amount of rates

which can be retained in these areas. Conversely, if district councils' rates decline, this transfers risk to the pool authorities. The pool benefitted Leicester and Leicestershire by £0.7m in 2013/14.

- 12.7 The pool was suspended for 2014/15, owing to lack of clarity on the DCLG's financial framework, and the late production of accounting regulations. At the time of suspension, the pool faced an unacceptable level of risk. Regulations are now in place, and discussions are taking place about reforming a pool for 2015/16.

### Council Tax

- 12.8 Council tax income is estimated at £85.8m in 2015/16, based on a tax increase of 1.99%. For planning purposes, a tax increase of 2% has been assumed in 2016/17 and thereafter.
- 12.9 Council tax income is expected to be higher than was forecast when the budget was set for 2014/15. This is because of an increase in our council tax base (the number of properties/people liable to pay tax). The base has been increasing partly due to new properties, partly due to the work which has taken place to reduce the numbers of empty properties, and partly due to reductions in the number of people claiming council tax support.
- 12.10 At the time of writing, the Government has not published details of the council tax freeze grant offered for 2015/16, or the rules requiring referenda to be held where increases are deemed "excessive". This detail will be complete prior to the Council meeting.

### Collection Fund Surplus

- 12.11 Collection fund surpluses arise when more tax is collected than assumed in previous budgets. Deficits arise when the converse is true. Since business rates retention was introduced, collection fund surpluses or deficits can arise in respect of both council tax and business rates.
- 12.12 A surplus of £3.1m has arisen in respect of council tax. This is greater than the usual level of surplus: this has happened because of the introduction of council tax reduction schemes in 2013/14. A number of assumptions had to be made for the first time that year, including the amount required for non-payment in respect of taxpayers with low income. Those assumptions have proved to be too pessimistic.

12.13 At the time of writing, the surplus or deficit in respect of business rates has not been calculated. This will be carried out in January, when the Government issues its annual returns and confirms the methodology for 2014/15.

13. **General Reserves and the Managed Reserves Strategy**

13.1 It is essential that the Council has a minimum working balance of reserves in order to be able to deal with the unexpected. This might include:-

- (a) an unforeseen overspend;
- (b) a contractual claim;
- (c) an uninsured loss.

13.2 In the current climate, the Council also needs to guard against slippage in the achievement of budget savings.

13.3 The Council has agreed to maintain a minimum balance of £15m of reserves. The Council also has a number of earmarked reserves, which are further described in section 14 below.

13.4 In the 2013/14 budget strategy, the Council approved the adoption of a managed reserves strategy. This involved contributing monies to reserves in 2013/14 and 2014/15, and drawing down reserves in later years. In practice, this policy has “bought time” to more fully consider how we address the substantial cuts we are facing.

13.5 As a consequence of the managed reserves strategy, cuts required in 2016/17 and 2017/18 are less than would otherwise have been the case. Forecast reserve balances are:-

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Brought forward	47.7	51.8	31.8
Planned increases	4.1		
Planned reductions		(20.0)	(16.9)

<b>Carried forward</b>	<b>51.8</b>	<b>31.8</b>	<b>15.0</b>
Less minimum required balance			<u>(15.0)</u>
<b>Available balance</b>			<u><b>0.0</b></u>

13.6 Clearly these forecasts are volatile, accumulating as they do the risk inherent in every expenditure and income forecast in this budget report.

#### 14. **Earmarked Reserves**

14.1 Appendix Four shows the Council's earmarked revenue reserves as they stood on 31<sup>st</sup> March 2014, and as projected by March 2015. These have been set aside, sometimes over a number of years, for specific purposes. Of the ringfenced reserves:-

- (a) school monies are ringfenced by law, and cannot be spent on other purposes;
- (b) NHS monies have been given for specific purposes by the NHS.

14.2 The balance on the BSF reserve is falling substantially, as the BSF programme moves to completion. Part of the reserve has now been specifically allocated to contribute to the costs of maintaining the newly improved buildings (as agreed with the Education Funding Agency).

14.3 The capital reserve is committed to fund the capital programme, and the forecast balance will be used to fund slippage.

14.4 In 2011/12, the Council set up an earmarked reserve to meet the costs of severance. Since then, severance costs have been incurred in respect of 1000 employees (800 FTEs) at a cost of over £15m. The balance on this reserve is projected to be £9m at the end of 2014/15, and it is believed that this will be sufficient to meet costs of severance arising from the Spending Review Programme. There is not sufficient funding to meet any additional severance costs required to achieve the total of £56m per annum by 2018/19 and it is estimated that a further £8m will be required for severance in 2016/17. This will be reviewed when the 2016/17 budget is set.

14.5 The insurance fund exists to meet claims against the Council for which we act as our own insurer (there is a further "provision" for actual known claims which stood at £5.3m in March 2014).

14.6 The welfare reserve is described in paragraph 10, and will be used to support individuals in crisis. Grant for this purpose (formerly received from the DWP) will cease.

15. **Risk Assessment and Adequacy of Estimates**

15.1 Best practice requires me to identify any risks associated with the budget, and the Local Government Act 2003 requires me to report on the adequacy of reserves and the robustness of estimates.

15.2 In the current climate, it is inevitable that the budget carries significant risk.

15.3 In my view, whilst very difficult, the budget for 2015/16 is achievable subject to the risks and issues described below. For budgetary control purposes, the budget of the Council is split into departments, with a strategic director accountable for spending within budget. Inevitably, some individual service reductions will not achieve the full expected savings, and issues will surface during the course of the year which will unexpectedly cost money. The Council has always, however, operated flexible budget management rules which enable pressures to be dealt with as they arise.

15.4 The paragraphs below deal with what I believe to be the most significant risks in the budget.

15.5 The most significant risk in 2015/16 is the pressures on the Adult Social Care budget, and the implications of the Care Act. The ASC budget has been under considerable pressure in 2014/15; these pressures totalled £3.7m at the end of period 6, and essentially arise from the cost of new placements and delays in achieving previously approved savings. The Care Act will impose new duties, as described above in paragraph 7.

15.6 Beyond 2015/16, there is uncertainty about the level of funding available to the Better Care Fund. It is explicitly permitted to use the Better Care Fund to cover the costs of demographic growth in adult care, but we do not know whether the fund will increase in future years to reflect further growth at national level.

15.7 In the longer term, risks to the budget strategy arise from not delivering the Spending Review Programme (or slippage in delivering the programme) and the risk that future grant levels are below current assumptions.



15.8 A further risk is economic downturn, nationally or locally. This could result in further cuts to revenue support grant, falling business rate income, and increased cost of council tax reductions for tax payers on low incomes. It could also lead to a growing need for Council services and an increase in bad debts.

15.9 The budget seeks to manage these risks as follows:-

- (a) a £3m contingency has been included in the 2015/16 budget. In addition to managing risk, this provides resource for the City Mayor to revisit any proposed service reductions, particularly if needed to satisfy our equality duties. Should the contingency prove insufficient, the managed reserves strategy will need to be revisited;
- (b) a minimum balance of £15m reserves will be maintained;
- (c) a planning contingency is included in the budget from 2016/17 onwards (£3m per annum accumulating).

15.10 Subject to the above comments, I believe the Council's general and earmarked reserves to be adequate. I also believe estimates made in preparing the budget are robust. (Whilst no inflation is provided for the generality of running costs in 2015/16, some exceptions are made, and it is believed that services will be able to manage without an allocation).

## 16. **Consultation on the draft Budget**

16.1 The Council is committed to consulting the public and service users on significant decisions which affect them. Consultation took place on the budget strategies for 2012/13 and 2013/14, and takes place with those affected by proposed changes arising from spending reviews.

16.2 Given the nature of the budget, consultation has been tailored to reflect the scope of the decisions being taken. Thus, a public consultation exercise has not been carried out. Comments will be sought from:-

- (a) Business community representatives (a statutory consultee);
- (b) The Council's scrutiny function;
- (c) The Council's trade unions;
- (d) Key partners and other representatives of communities of interest.

16.3 Comments received will be reported to members when the final version of this report is presented in February.

16.4 It is intended to carry out a substantial public consultation exercise in preparation for the 2016/17 budget, after the new Government has published its spending plans.

## 17. **Borrowing**

17.1 Local authority capital expenditure is self-regulated, based upon a code of practice (the “prudential code”).

17.2 The Council complies with the code of practice, which requires us to demonstrate that any borrowing is affordable, sustainable and prudent. To comply with the code, the Council must approve a set of indicators at the same time as it agrees the budget. The substance of the code pre-dates the recent huge cutbacks in public spending.

17.3 Since 2011/12, the Government has been supporting all new general fund capital schemes by grant. Consequently, any new borrowing has to be paid for ourselves and is therefore minimal.

17.4 Attached at Appendix Three are the prudential indicators which would result from the proposed budget. A limit on total borrowing, which the Council is required to set by law, is approved separately as part of the Council’s treasury strategy.

17.5 The Council will continue to use borrowing for “spend to save” investment which generates savings to meet borrowing costs.

## 18. **Minimum Revenue Provision**

18.1 By law, the Council is required to charge to its budget each year an amount for the repayment of debt. This is known as “minimum revenue provision” (MRP). The purpose of this section of the report is to propose a policy in respect of calculating MRP.

18.2 Historic supported borrowing will be charged to revenue at a rate equal to 4% of outstanding debt.

18.3 For other borrowing, the policy statement members are asked to endorse is as follows:-

- (a) **basis of charge** – where borrowing pays for an asset, the debt repayment calculation will be based on the life of the asset; where borrowing funds a grant or investment, the debt repayment will be based upon the length of the Council’s interest in the asset financed (which may be the asset life, or may be lower if the grantee’s interest is subject to time limited restrictions); where borrowing funds a loan to a third party, the basis of charge will normally be the period of the loan. The charge would normally be based on an equal instalment of principal, but could be set on an annuity basis where the Director of Finance deems appropriate;
- (b) **commencement of charge** – debt repayment will normally commence in the year following the year in which the expenditure was incurred. However, in the case of expenditure relating to the construction of an asset, the charge will commence in the year in which the asset becomes operational. Where expenditure will be recouped from future income, and the receipt of that income can be forecast with reasonable certainty, the charge may commence when the income streams arise;
- (c) **asset lives** – the following maximum asset lives are proposed:-
- Land – 50 years;
  - Buildings – 50 years;
  - Infrastructure – 40 years;
  - Plant and equipment – 20 years;
  - Vehicles – 10 years;
  - Loan premia – the higher of the residual period of loan repaid and the period of the replacement loan;
- (d) **voluntary set-aside** – authority to be given to the Director of Finance to set-aside sums voluntarily for debt repayment, where she believes the standard depreciation charge to be insufficient, subject to such decisions being reported annually as part of the revenue outturn.

18.4 The treasury strategy for 2015/16 (scheduled for Council approval in January) will seek to use investment balances to support some investment projects which achieve a return. Subject to approval of this strategy, approval is also sought to permit the Director of Finance to adopt different approaches to the above policies where appropriate to reflect the financing costs of such schemes.

19. **Financial Implications**

19.1 This report is exclusively concerned with financial issues.

19.2 Section 106 of the Local Government Finance Act 1992 makes it a criminal offence for any member with arrears of council tax which have been outstanding for two months or more to attend any meeting at which a decision affecting the budget is to be made unless the member concerned declares the arrears at the outset of the meeting and that as a result s/he will not be voting. The member can, however, still speak. The rules are more circumscribed for the City Mayor and Executive. Any executive member who has arrears outstanding for 2 months or more cannot take part at all.

20. **Legal Implications (Kamal Adatia, City Barrister)**

20.1 The budget preparations have been in accordance with the Council's Budget and Policy Framework Procedure Rules – Council's Constitution – Part 4C. The decision with regard to the setting of the Council's budget is a function under the constitution which is the responsibility of the full Council.

20.2 At the budget-setting stage, Council is estimating, not determining, what will happen as a means to the end of setting the budget and therefore the council tax. Setting a budget is not the same as deciding what expenditure will be incurred. The Local Government Finance Act, 1992, requires an authority, through the full Council, to calculate the aggregate of various estimated amounts, in order to find the shortfall to which its council tax base has to be applied. Council can allocate more or less funds than are requested by the Mayor in his proposed budget.

20.3 As well as detailing the recommended council tax increase for 2015/16, the report also complies with the following statutory requirements:-

- (a) Robustness of the estimates made for the purposes of the calculations;
- (b) Adequacy of reserves;
- (c) The requirement to set a balanced budget.

20.4 Section 65 of the Local Government Finance Act, 1992, places upon local authorities a duty to consult representatives of non-domestic ratepayers before setting a budget. There are no specific statutory requirements to consult residents, although in the preparation of this budget the Council will undertake tailored consultation exercises with wider stakeholders.

- 20.5 As set out at paragraph 2.10 the discharge of the ‘function’ of setting a budget triggers the duty in s.149 of the Equality Act, 2010, for the Council to have “due regard” to its public sector equality duties. These are set out in section 10. There are considered to be no specific proposals within this year’s budget that could result in new changes of provision that could affect different groups of people sharing protected characteristics. As a consequence, there are no service-specific ‘impact assessments’ that accompany the budget, and instead the Council has considered the cumulative impact of the budget proposals over time when applying “due regard” to approving this year’s budget. There is no requirement in law to undertake equality impact assessments as the only means to discharge the s.149 duty to have “due regard”. The discharge of the duty is not achieved by pointing to one document looking at a snapshot in time, and the report evidences that the Council treats the duty as a live and enduring one. Indeed case law is clear that undertaking an EIA on an ‘envelope-setting’ budget is of limited value, and that it is at the point in time when policies are developed which reconfigure services to live within the budgetary constraint when impact is best assessed.
- 20.6 Judicial review is the mechanism by which the lawfulness of Council budget-setting exercises are most likely challenged. There is no sensible way to provide an assurance that a process of budget setting has been undertaken in a manner which is immune from challenge. Nevertheless the approach taken with regard to due process and equality impacts is regarded by the City Barrister to be robust in law.

21. **Other Implications**

<b>Other Implications</b>	<b>Yes/ No</b>	<b>Paragraph References within the report</b>
Equal Opportunities	Y	Paragraph 10
Policy	Y	The budget sets financial envelopes within which Council policy is delivered

Sustainable and Environmental	N	The budget is a set of financial envelopes within which service policy decisions are taken. The proposed 2015/16 budget reflects existing service policy.
Crime & Disorder	N	
Human Rights Act	N	
Elderly People/People on Low Income	N	

22. **Report Author**

Mark Noble  
Head of Financial Strategy  
4<sup>th</sup> December 2014

DRAFT

**Budget Ceilings 2015/16**

	Budget 2014/15 £k	From previous budgets £k	Spending Reviews £k	Inflation & cost changes £k	Other changes £k	Budget ceilings 15/16 £k
<b>1. City Development &amp; Neighbourhoods</b>						
<b>1.1 Local Services and Enforcement</b>						
Divisional Management	307.7			2.2		309.9
Street Scene Enforcement	2,030.8			42.7		2,073.5
Business Regulation	1,575.5			29.7		1,605.2
Licensing & Pollution	(266.3)			15.3		(251.0)
Cleansing & Waste Management	15,113.6			287.5		15,401.1
Parks & Open Spaces	6,892.2			194.2		7,086.4
Standards & Development	569.1			16.3		585.4
Community Safety	874.1			6.2		880.3
Car Parks	0.0					0.0
<i>Divisional sub-total</i>	<b>27,096.7</b>	0.0	0.0	594.1	0.0	<b>27,690.8</b>
<b>1.2 Culture &amp; Neighbourhood Services</b>						
Arts & Museums	5,560.8			84.5		5,645.3
Library Services	3,439.8			55.5		3,495.3
Sports Services	3,387.3			112.4		3,499.7
Community Services	2,897.1		(113.3)	44.4		2,828.2
Divisional Management	251.3			2.8		254.1
<i>Divisional sub-total</i>	<b>15,536.3</b>	0.0	(113.3)	299.6	0.0	<b>15,722.6</b>
<b>1.3 Planning, Transportation &amp; Economic Development</b>						
Transport Strategy	9,376.5			49.4		9,425.9
Traffic Management	2,085.6			43.0		2,128.6
Highways Design & Maintenance	6,437.4		(309.0)	4.6		6,133.0
Planning	1,153.4			38.3		1,191.7
Economic Regeneration & Enterprise	416.5			23.2		439.7
Divisional Management	62.0			3.3		65.3
<i>Divisional sub-total</i>	<b>19,531.4</b>	0.0	(309.0)	161.8	0.0	<b>19,384.2</b>
<b>1.4 City Centre</b>						
	<b>518.3</b>			5.1		<b>523.4</b>
<b>1.5 Property Services</b>						
Property Management	7,085.6			139.6		7,225.2
Environment team	311.6			6.6		318.2
Markets	(420.8)			10.9		(409.9)
Energy Management	183.5			10.9		194.4
Fleet Management (Trading)	(247.2)	(400.0)		7.9		(639.3)
<i>Divisional sub-total</i>	<b>6,912.7</b>	(400.0)	0.0	175.9	0.0	<b>6,688.6</b>
<b>1.6 Departmental Overheads</b>						
	<b>786.0</b>					<b>786.0</b>
<b>DEPARTMENTAL TOTAL</b>	<b>70,381.4</b>	<b>(400.0)</b>	<b>(422.3)</b>	<b>1,236.5</b>	<b>0.0</b>	<b>70,795.6</b>

	<b>Budget 2014/15 £k</b>	<b>From previous budgets £k</b>	<b>Spending Reviews £k</b>	<b>Inflation &amp; cost changes £k</b>	<b>Other changes £k</b>	<b>Budget ceilings 15/16 £k</b>
<b><u>2.Adults &amp; Housing</u></b>						
<b><u>2.1 Adult Social Care &amp; Safeguarding</u></b>						
Management	443.5			8.4		451.9
Safeguarding & Emergency Duty Team	1,232.4			17.0		1,249.4
Independent Living	4,402.6			109.2		4,511.8
Assessments & Commissioning	62,668.8	(2,200.0)		1,117.8		61,586.6
<i>Divisional sub-total</i>	<b>68,747.3</b>	<b>(2,200.0)</b>	<b>0.0</b>	<b>1,252.4</b>	<b>0.0</b>	<b>67,799.7</b>
<b><u>2.2 Care Services &amp; Commissioning</u></b>						
Care Services Management	243.0			2.9		245.9
Residential Care (In-House)	1,398.1			105.0		1,503.1
Day Opportunities (In-House)	4,085.2			83.7		4,168.9
Commissioned Services	7,993.8			70.6		8,064.4
Drugs & Alcohol Action Team	6,282.7			1.0		6,283.7
Directorate	404.3			8.3		412.6
<i>Divisional sub-total</i>	<b>20,407.1</b>	<b>0.0</b>	<b>0.0</b>	<b>271.5</b>	<b>0.0</b>	<b>20,678.6</b>
<b><u>2.3 City Public Health &amp; Health Improvement</u></b>						
Sexual health	4,192.6					4,192.6
NHS Health Checks	1,101.0					1,101.0
Children 5-19	1,801.7					1,801.7
Smoking & tobacco	1,227.0					1,227.0
Substance Misuse	462.5					462.5
Physical Activity	992.5					992.5
Other public health	3,675.7	149.0			(16.0)	3,808.7
<i>Divisional sub-total</i>	<b>13,453.0</b>	<b>149.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(16.0)</b>	<b>13,586.0</b>
<b><u>2.4 Housing Services</u></b>	<b>5,478.4</b>			<b>145.6</b>		<b>5,624.0</b>
<b><u>2.5 Public Health grant income</u></b>	<b>(21,995.0)</b>				<b>16.0</b>	<b>(21,979.0)</b>
<b>DEPARTMENT TOTAL</b>	<b>86,090.8</b>	<b>(2,051.0)</b>	<b>0.0</b>	<b>1,669.5</b>	<b>0.0</b>	<b>85,709.3</b>



	Budget 2014/15 £k	From previous budgets £k	Spending Reviews £k	Inflation & cost changes £k	Other changes £k	Budget ceilings 15/16 £k
<b>3. Education &amp; Children's Services</b>						
<b>3.1 Strategic Commissioning &amp; Business Support</b>						
Divisional Budgets	598.0			8.4		606.4
Operational Transport	(111.6)					(111.6)
School Support Services	4,728.5	(160.0)		10.4		4,578.9
<i>Divisional sub-total</i>	<b>5,214.9</b>	<b>(160.0)</b>	<b>0.0</b>	<b>18.8</b>	<b>0.0</b>	<b>5,073.7</b>
<b>3.2 Learning Quality &amp; Performance</b>						
Raising Achievement	2,484.0			33.7		2,517.7
Adult Skills	(896.9)					(896.9)
Learning Quality & Performance	2,055.4			40.3		2,095.7
Special Education Needs and Disabilities	3,379.1			56.3		3,435.4
<i>Divisional sub-total</i>	<b>7,021.6</b>	<b>0.0</b>	<b>0.0</b>	<b>130.3</b>	<b>0.0</b>	<b>7,151.9</b>
<b>3.3 Children, Young People and Families</b>						
Children In Need	7,155.7			85.0		7,240.7
Looked After Children	25,534.9			202.7		25,737.6
Early Help Targeted Services	9,824.8			170.0		9,994.8
Early Help Specialist Services	5,304.0			104.4		5,408.4
<i>Divisional sub-total</i>	<b>47,819.4</b>	<b>0.0</b>	<b>0.0</b>	<b>562.1</b>	<b>0.0</b>	<b>48,381.5</b>
<b>3.4 Departmental Resources</b>						
Departmental Resources	(488.8)			9.0		(479.8)
Education Services Grant	(6,273.6)					(6,273.6)
<i>Divisional sub-total</i>	<b>(6,762.4)</b>	<b>0.0</b>	<b>0.0</b>	<b>9.0</b>	<b>0.0</b>	<b>(6,753.4)</b>
<b>DEPARTMENTAL TOTAL</b>	<b>53,293.5</b>	<b>(160.0)</b>	<b>0.0</b>	<b>720.2</b>	<b>0.0</b>	<b>53,853.7</b>
<b>4. Corporate Resources Department</b>						
<b>4.1 Delivery, Communications &amp; Political Gov</b>						
	7,014.8		(86.1)	80.9		7,009.6
<b>4.2 Financial Services</b>						
Financial Support	6,217.5			160.5		6,378.0
Revenues & Benefits	4,829.5			179.3		5,008.8
<i>Divisional sub-total</i>	<b>11,047.0</b>	<b>0.0</b>	<b>0.0</b>	<b>339.8</b>	<b>0.0</b>	<b>11,386.8</b>
<b>4.3 Human Resources</b>						
	2,840.9			78.8		2,919.7
<b>4.4 Information Services</b>						
	8,876.6			147.0		9,023.6
<b>4.5 Legal Services</b>						
	1,943.0			70.7		2,013.7
<b>DEPARTMENTAL TOTAL</b>	<b>31,722.3</b>	<b>0.0</b>	<b>(86.1)</b>	<b>717.2</b>	<b>0.0</b>	<b>32,353.4</b>
<b>GRAND TOTAL -Service Budget Ceilings</b>	<b>241,488.0</b>	<b>(2,611.0)</b>	<b>(508.4)</b>	<b>4,343.4</b>	<b>0.0</b>	<b>242,712.0</b>

**Scheme of Virement**

1. This appendix explains the scheme of virement which will apply to the budget, if it is approved by the Council.

**Budget Ceilings**

2. Strategic directors are authorised to vire sums within budget ceilings without limit, providing such virement does not give rise to a change of Council policy.
3. Strategic directors are authorised to vire money between any two budget ceilings within their departmental budgets, provided such virement does not give rise to a change of Council policy. The maximum amount by which any budget ceiling can be increased or reduced during the course of a year is £500,000. This money can be vired on a one-off or permanent basis.
4. Strategic directors are responsible, in consultation with the appropriate Assistant Mayor if necessary, for determining whether a proposed virement would give rise to a change of Council policy.
5. Movement of money between budget ceilings is not virement to the extent that it reflects changes in management responsibility for the delivery of services.
6. The City Mayor is authorised to increase or reduce any budget ceiling. The maximum amount by which any budget ceiling can be increased during the course of a year is £5m. Increases or reductions can be carried out on a one-off or permanent basis.
7. The Director of Finance may vire money between budget ceilings where such movements represent changes in accounting policy, or other changes which do not affect the amounts available for service provision.
8. Nothing above requires the City Mayor or any director to spend up to the budget ceiling for any service.

**Corporate Budgets**

9. The following authorities are granted in respect of corporate budgets:

- (a) the Director of Finance may commit the council tax hardship fund;
- (b) the Director of Finance may incur costs for which there is provision in miscellaneous corporate budgets, except that any policy decision requires the approval of the City Mayor;
- (c) the City Mayor may determine the use of the in-year budget contingency, including using it to supplement any budget ceilings (within the limit at paragraph 6 above) or corporate budgets;
- (d) the Director of Finance may allocate the sum held for BSF.

### Earmarked Reserves

- 10. Earmarked reserves may be created or dissolved by the City Mayor. In creating a reserve, the purpose of the reserve must be clear.
- 11. Strategic directors may add sums to an earmarked reserve, from:
  - (a) a budget ceiling, if the purposes of the reserve are within the scope of the service budget;
  - (b) a carry forward reserve, subject to the usual requirement for a business case.
- 12. Strategic directors may spend earmarked reserves on the purpose for which they have been created.
- 13. When an earmarked reserve is dissolved, the City Mayor shall determine the use of any remaining balance.

**Recommended Prudential Indicators**

**1. Introduction**

1.1 This appendix details the recommended prudential indicators for general fund borrowing and HRA borrowing.

**2. Proposed Indicators of Affordability**

2.1 The ratio of financing costs to net revenue budget:

	<b>2015/16 Estimate %</b>	<b>2016/17 Estimate %</b>	<b>2017/18 Estimate %</b>
General Fund	5.3	6.0	6.3
HRA	9.9	9.7	9.7

2.2 The estimated incremental impact on council tax and rents of capital investment decisions proposed in the general fund budget and HRA budget reports (over and above capital investment decisions that have previously been taken) are:

	<b>2015/16 Estimate £</b>	<b>2016/17 Estimate £</b>
Band D council tax	0.0	0.0
HRA rent	0.0	0.0

### 3. Indicators of Prudence

- 3.1 The forecast level of capital expenditure to be incurred in the years 2014/15 and 2015/16 (based upon the Council's current and proposed capital programmes) is:

<b>Area of expenditure</b>	<b>2014/15 Estimate £000s</b>	<b>2015/16 Estimate £000s</b>
Children's services	10,768	27,920
Young People	1,003	0
Social Care & Safeguarding	116	0
Resources ICT	0	689
BSF	59,542	5,000
Transport	15,601	16,537
Cultural & Neighbourhood Services	4,657	855
Environmental Services	3,942	3,919
Economic Regeneration	29,422	18,965
Adult Care	1,318	6,455
Property	18,072	3,720
Housing Strategy & Options	5,312	2,809
<b>Total General Fund</b>	<b>149,753</b>	<b>86,869</b>
Housing Revenue Account	28,337	27,567
<b>Total</b>	<b>178,090</b>	<b>114,436</b>

- 3.2 The capital financing requirement measures the authority's underlying need to borrow for a capital purpose, and is shown below. This includes PFI recognised on the balance sheet:

	<b>2014/15 Estimate £m</b>	<b>2015/16 Estimate £m</b>	<b>2016/17 Estimate £m</b>	<b>2017/18 Estimate £m</b>
General Fund	388.5	384.9	367.3	350.2
HRA	217.1	215.5	214.1	213.0

### 4. Treasury Limits for 2015/2016

- 4.1 The treasury strategy, which includes a number of prudential indicators required by CIPFA's prudential code for capital finance, is the subject of a separate report to Council.

**Earmarked Reserves**

	<u>Year end balance</u> <u>31st March 2014</u> <u>£'000</u>	<u>Net Change in</u> <u>2014-15</u> <u>£000s</u>	<u>Forecast balance</u> <u>31st March 2015</u> <u>£'000</u>
<u>Ring-fenced Reserves</u>			
Schools' Balances	21,401	-	<b>21,401</b>
NHS Joint Working Projects	16,829	(9,461)	<b>7,368</b>
DSG not delegated to schools	14,586	-	<b>14,586</b>
School Capital Fund	4,545	-	<b>4,545</b>
Schools Buy Back	1,276	604	<b>1,880</b>
On Street Parking	800	(800)	-
<b>Total ring-fenced</b>	<b>59,437</b>	<b>(9,657)</b>	<b>49,780</b>
<u>Corporate reserves</u>			
Building Schools for the Future - Financing	23,566	(14,204)	<b>9,362</b>
Building Schools for the Future - Lifecycle Costs	-	5,000	<b>5,000</b>
Capital Reserve	19,227	(9,727)	<b>9,500</b>
Severance	13,347	(4,347)	<b>9,000</b>
Insurance Fund	7,409	-	<b>7,409</b>
Job Evaluation (inc. Schools Catering)	1,225	-	<b>1,225</b>
<b>Total corporate</b>	<b>64,774</b>	<b>(23,278)</b>	<b>41,496</b>
<u>Other</u>			
Welfare Reform Reserve	2,990	-	<b>2,990</b>
CDN Departmental Reserve	2,988	(1,450)	<b>1,538</b>
Childrens Services Funds	2,463	(1,900)	<b>563</b>
Connexions Closure	2,186	(800)	<b>1,386</b>
Financial Services divisional reserve	1,585	(400)	<b>1,185</b>
Energy Reduction Reserve	1,362	1,500	<b>2,862</b>
Looked After Children Placements Reserve	1,330	-	<b>1,330</b>
Social Care Replacement IT System	1,218	(933)	<b>285</b>
Economic Action Plan	1,169	-	<b>1,169</b>
IT Reserves	1,096	(630)	<b>466</b>
Strategic Initiatives	1,043	(244)	<b>799</b>
Preventing Homelessness	936	(190)	<b>746</b>
Service Transformation Fund	2,747	831	<b>3,578</b>
Adult Social Care budget pressures	-	3,203	<b>3,203</b>
HR divisional reserve	677	(35)	<b>642</b>
Housing divisional reserve	651	(554)	<b>97</b>
Highways Maintenance	418	-	<b>418</b>
Legal Services Divisional Reserve	380	(150)	<b>230</b>
Individual Electoral Registration	380	-	<b>380</b>
Delivery Communications & Political Governance	338	-	<b>338</b>
Independent Living Support Reserve	331	-	<b>331</b>
City Council Elections	300	-	<b>300</b>
Other - Miscellaneous reserves	1,695	(813)	<b>882</b>
<b>Total other</b>	<b>28,283</b>	<b>(2,565)</b>	<b>25,718</b>
<b>TOTAL EARMARKED RESERVES</b>	<b>152,494</b>	<b>(35,500)</b>	<b>116,994</b>

**Comments from Partners**

[To be added after consultation]

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**Forecast Departmental Budgets**

	<b><u>2015/16</u></b> <b>£000s</b>	<b><u>2016/17</u></b> <b>£000s</b>
City Development and Neighbourhoods	70,796	70,730
Adult Care and Housing	85,709	85,757
Education and Children's Services	53,854	53,854
Corporate Resources	32,353	32,327
<b>TOTAL</b>	<b>242,712</b>	<b>242,668</b>

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Leicester  
**Safeguarding**  
Adults Board

WORKING IN PARTNERSHIP  
TO KEEP ADULTS SAFE

## Annual Report

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2013 - 2014

Independent Chair of the Board: Dr. David N. Jones

<b>Timeline</b>	
Executive Group draft received	13 <sup>th</sup> August 2014 (version 0.1)
Executive Group final draft signed off	17 <sup>th</sup> September 2014 (version 0.2)
LSAB content sign off	29 <sup>th</sup> September 2014 (version 0.3)
Official launch date	4 <sup>th</sup> November 2014 (joint conference)

Format and content based on the exemplar model endorsed and circulated by the Association of LSCB Chairs

A draft annual report was considered by the Leicester Safeguarding Adults Board (LSAB) on 29<sup>th</sup> September 2014 and this final version was published on 4<sup>th</sup> November 2014 via the LSAB's website and hard copies were circulated at the annual safeguarding board conference.

The term "LSAB" stands for Local Safeguarding Adults Board, although in a local context it is also taken to mean the Leicester Safeguarding Adults Board. In Leicester these terms are used interchangeably.

The Independent Chair wishes to thank contributors to the report:

- Ruth Lake, Executive Group and Adult Review and Learning Group Chair
- Adrian Spanswick, Safeguarding Effectiveness Group Chair
- Sarah Taylor, Building Workforce Confidence Lead
- Jennifer Williams, Partnerships and Communication Lead
- Inderjit Jutla, Performance Officer
- Adam Archer, Partnerships, Planning and Performance Lead Officer
- Kelly-Anne Hodgson, LSAB Manager

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# 1. Foreword by the Independent Chair of Leicester Safeguarding Adults Board

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- 1.1. I am pleased to present my fourth annual report as Independent Chair of the Leicester Safeguarding Adults Board. The report is structured around the objectives of our Strategic Plan.
- 1.2. The report covers another year of significant challenge for all agencies represented on the Board. All agencies have contributed to work to improve our services, especially in respect of preparation for implementation of the Care Act 2014, launch of a city wide competency framework to support evaluation of practice and identify training needs, a strengthened framework for monitoring the quality of services and the effectiveness of the Board, strengthened arrangements to assist residential care homes which need to improve their service quality, new guidance to support staff working with vulnerable people who refuse interventions and a review of the Board's own working arrangements. We recognise that it is essential to receive feedback from those who experience safeguarding interventions or may need to do so. We are exploring ways to do this more effectively and to ensure that we hear from all the diverse communities in Leicester.
- 1.3. The national media has been full of discussion about standards of care in health and social care settings throughout the year. There has also been public debate focussed mainly on historic abuse in adult care settings, often by well-known figures, but some cases well publicised in the national media have involved more recent abuse. We are conscious of the need to provide evidence that services in Leicester are working effectively together and that people in the city are safe. This report includes evidence about the effectiveness of local services and the work we have been doing to strengthen our oversight of the multi-agency system. Above all, we need to do our best to give people information about how they can seek help if they feel they are experiencing abuse or ill-treatment, whether they are at home, or in a hospital or care setting.
- 1.4. Our work takes place in a challenging national environment, with increasing inequality and growing pressures on individuals and families, increasing 'demand' in many areas, rising poverty and reducing budgets. The Board has been acutely aware of the impact of the government's welfare reforms on the income and housing of those who have least resources. I welcome the work of the City Council to provide support to those with greatest need and to mitigate the effects of poverty.
- 1.5. The Board wishes to encourage a climate in which all people have the opportunity to express their concerns and be treated with respect. Any person who experiences ill-treatment or abuse should feel able to talk to somebody about it and to seek help. Statistics show that many in our prisons and mental hospitals have suffered different forms

of abuse in childhood or their adult lives. These experiences sometimes result in problems with anger and anti-social behaviour. We do not condone anti-social behaviour but if we are to enable those who have experienced abuse to seek understanding and help, and to create a safer community for all, we must get behind the behaviour and show humanitarian concern and respect.

- 1.6. We understand that the safety and wellbeing of all people in Leicester is a real concern to the whole community. We therefore welcome public scrutiny of our work. We recognise that there are continuing challenges. We have a professional and legal responsibility to take protective action to protect people and promote their welfare, but we cannot do this alone. We welcome comments and suggestions from the community about how we tackle those challenges. Safeguarding is everybody's responsibility and we call upon people in Leicester to play their part in helping to create a safer community for all. If you have concerns, please contact the police, the city council adults' services or any other agency known to you. We will do our best to listen respectfully and to follow-up your concerns appropriately.
- 1.7. I am required to give a personal report on the quality of safeguarding in the city and this overview forms chapter 2, which is in effect the Executive Summary of the following chapters.
- 1.8. I would like to thank all the members of the Board and our working groups for their commitment and achievements over the past year.
- 1.9. I was reappointed by the Board for a second three year term in 2013. I am grateful for the confidence placed in me and reaffirm my commitment to serving the families and people of Leicester to the best of my ability, always preserving my independent scrutiny and judgement.

**Dr David N. Jones PHD, MA, BA, CQSW, RSW  
Independent Chair**



## 2. Executive Summary

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### 2.1 Introduction

This is my fourth annual report on the work of the Leicester Safeguarding Adults Board (LSAB) and its member organisations and probably the last before the Board assumes statutory status in 2015. The Care Act 2014 requires local areas to sustain an LSAB. This chapter is my personal report to the people of Leicester on the work of the Board during 2013-14. It is followed by chapters which present the supporting detail, recording the work of the Board, its working groups and many individuals from partner agencies. Our intention is to provide a rigorous and transparent assessment of the performance and effectiveness of local services, identify areas of weakness, the causes of those weaknesses and the action being taken to address them as well as other proposals for action’.

### 2.2 Overview of the effectiveness of safeguarding in Leicester

I welcome the commitment of all agencies to work effectively in partnership to meet the needs of the people of Leicester. This report has plentiful evidence of practical areas of cooperation and new developments. I consider that agencies in Leicester work effectively together to provide a reliable but not always consistent safeguarding service. The voice of service users is not as well developed as we would like. We have plans to involve service users and carers more effectively, working jointly with service user and carer led organisations, voluntary sector partners and individuals. There is an urgent need to complete the revision of the procedural guidance to ensure consistency with the new Care Act 2014.

The new Competency Framework offers a real opportunity for improving consistency of knowledge and skills across staff in all agencies. However this requires determined monitoring and effective support to managers to ensure robust implementation across the many agencies and hundreds of people involved. The annual frontline worker conference across adults and children services is now well established, adopting a ‘think family’ approach to safeguarding work. The event consisted of two half day sessions and directly reached around 600 people, helping to develop a connection between staff in the community and the Board. The annual report and e-newsletter provide regular information to a wide range of staff and this encourages feedback.

The new guidance on work with people considered vulnerable but who refuse services provides good support for staff. The First Contact Service has reached 102 people who may not otherwise have received support. Regular reports on the application of Deprivation of Liberty Safeguards (DoLS) reveal that Leicester has a higher use of DoLS than the national average; the Board is monitoring the impact of the recent Supreme Court rulings on DoLS and is well placed to respond effectively to the greater demands this is bringing.

The Board intends to strengthen its communications with the public and to provide a range of advice about how to respond to safeguarding concerns. There is an effective and transparent

process for review of cases where there is concern about multi-agency practice. This is linked to the statutory Domestic Homicide Review process. The Board has reviewed its own functioning and initiated a governance review to improve its own performance.

### **2.3 Local background and context**

Leicester is the largest city in the East Midlands, with a population of 329,839, of whom around 79% are over 18 (260,470) with 11.3% of those over the age of 65. Leicester's adult population is relatively young compared with England; around 20% are aged 20-29 years old (14% in England). The Leicester population is predicted to grow to around 346,000 by 2020, an increase of nearly 40,000 from 2010.

Leicester has 114 care and nursing home providers within its borders and the City Council contracts with an additional 228 residential and nursing homes out of the area supporting Leicester residents. 2,259 people live in residential or nursing care homes.

The population is very diverse; 55% of the city population comes from minority communities and around 70 languages are spoken in Leicester, although 72.5% would consider English to be their main language. The Board is aware of its responsibilities to everybody in the city and the need to ensure that people from all communities have confidence in safeguarding services.

Leicester has a high level of deprivation compared to the country as a whole, the 25th most deprived local authority area in the UK. 15.7% of working age adults are unemployed (23,800 people). Reported domestic violence rates within Leicester for 2013/14 were 8,342, a 6% decrease from the previous year. The number of safeguarding referrals for those aged 18 and over received by the City Council in the year 1st April 2013 – 31st March 2014 was 528, of which 48 concerned people previously referred in the same year. The majority (77%) of the safeguarding referrals concerned members of the White ethnic group, possibly suggesting an under-reporting of risks in other communities.

Whilst poverty and vulnerability do not necessarily go together for all people, we know that poverty and related issues do make it more likely that there will be a range of social problems, including increased risk of mental health problems, suicide and self-harm, domestic violence and problems with dependents. Given the national economic environment and reductions in the financial support available to some people with personal problems, the Leicester Board has been predicting an increase in the number of those experiencing significant problems. The number of people needing support continues to increase and problems are becoming more complex.

The past year has seen continuing changes in the structure and organisation of agencies which are members of the Board. Major changes are taking place within the police, health, city council, probation, housing and schools, with significant impacts on voluntary and private sector providers. I am reassured that all these changes have been effectively managed. A programme of visits to Chief Executives of local agencies has been initiated by the Chair of the Leicestershire and Rutland Board and myself to ensure that safeguarding continues to receive a high priority. Effective safeguarding depends on trust and good cooperation between all agencies. This can be

undermined when the key people change and there are organisational uncertainties. It is to the credit of local agencies that, so far, the reforms have been implemented without significant disruption.

However for front-line services, the reality is increasing 'demand' for services with reducing resources and capacity to respond. This increases risks for the population.

## **2.4 Statutory and legislative context for Local Safeguarding Adult Boards (LSABs)**

Safeguarding Adults Boards are an inter-agency, strategic partnership for the protection of vulnerable adults, set up in accordance with Section 3 of the statutory guidance *No Secrets* (Department of Health, 2000). Additional guidance by the Association of Directors of Adult Social Services (ADASS) was published in October 2005 and revised in March 2013.

The Care Act 2014 consolidated and revised adult social care legislation, and places Safeguarding Adult Boards on a statutory footing. The sections of the Act relevant to LSABs come into force in 2015.

The ADASS guidance identifies the following elements as contributing to effective boards: a dynamic chair, good governance, sound strategy and planning, holding people to account, having active members, conducting intelligent commissioning, joining-up risk management and issuing proactive communications.

Following publication of the draft Care Bill, a benchmarking exercise was conducted to review what work was needed to ensure the Leicester SAB was compliant with the new requirements, subsequently confirmed in the Care Act 2014 and draft guidance issued by the Department of Health. This found that the LSAB was compliant in most respects. Additional work is underway to engage the newly created Health Watch, to publish a revised version of local multi-agency policy and procedures, jointly with the Leicestershire and Rutland Safeguarding Adults Board, and to reference new information provided by The Care Act and associated statutory documentation, which is expected to be ready for the Care Act implementation in April 2015.

## **2.5 Governance and accountability arrangements**

Board membership includes statutory bodies and representatives of voluntary and private sector providers. The Board meets quarterly. The LSAB is independent, not subordinate to, nor subsumed within any other local structures. This enables the Board to provide effective scrutiny. The local partnership and accountability arrangements are specified within the Board constitution. The LSAB and LSCB share a common values statement. The LSAB and Health and Well-Being Board aim to have a formal protocol specifying their respective roles during 2014/15.



Dr David N. Jones, the Independent Chair of the LSAB and LSCB, was appointed in April 2010 on a 3 year contract. His contract was renewed during the year for a further 3 years to April 2016. A central responsibility of the Independent Chair is to facilitate all agencies to hold each other to account for their work in relation to safeguarding.

The Board office is hosted by Leicester City Council. The staff consisted of the full time Board Manager, during the year in question, located in the City Council Safeguarding Unit. Due to the additional workload arising from new statutory requirements, a new post of Board Officer has been created in 2014/15.

The total budget for LSAB in 2013/14 was £113,771, 43% contributed by the City Council, 30% by other partners and 27% from the previous year's underspend. 76% of the expenditure related to staffing costs (including the Independent Chair and independent case reviewers), 13% to the First Contact service and the balance to office costs and the annual conference. Additional resources estimated at around £101,500, were provided by the City Council, including a Partnerships and Strategy Manager (0.5), a Senior Practice Professional (0.5) and a fulltime Safeguarding Adults Training Co-ordinator, as well as the First Contact Scheme.

## **2.6 The work of the LSAB for 2013/14**

The Board has in place the following strategic objectives:

1. To ensure effective implementation of the procedural arrangements for investigating safeguarding allegations and to evaluate the effectiveness of agency intervention and interagency partnership working.
2. To enhance public awareness of the risk of harm and facilitate appropriate referrals of safeguarding concerns.
3. To promote health and wellbeing through interagency programmes aiming to prevent abuse and ill treatment.
4. To build workforce confidence by providing a consistent set of safeguarding messages to staff across Leicester
5. To undertake detailed scrutiny of cases where there have been significant concerns about the quality of practice and partnership working and to disseminate the learning from such reviews.
6. To strengthen partnership working within the board structure and specifically to develop service user, carer and community participation in the work of the board.

The following work streams and sub-groups were created to implement these:

### **A. Procedures Group (Leicester, Leicestershire and Rutland) (Priority 1)**

The remit for this group is to develop procedural arrangements for investigating safeguarding allegations and related matters and to ensure their effective implementation. The operational procedures for investigating notifications of safeguarding concerns are jointly approved and managed by the 3 authorities, recognising that the police and health services work across the

local authority boundaries. It had been intended that the procedures would be developed by a consortium of East Midlands LSABs but this has not progressed as quickly as had been hoped due to operational constraints and changes in key personnel. Work is continuing to ensure that revised procedures across LLR are compliant with the Care Act 2014 and best practice. Events were held to ensure that practice was informed by findings from Serious Case Reviews/Adult Reviews, regulatory findings, emerging best practice and changes in legislation and guidance.

#### **B. Partnerships and Communication Work-stream (Priority 2 and 6)**

The Board website provides public access to the activity, policies and procedures of the Board and partner agencies. The Board publishes posters and leaflets publicising and explaining safeguarding services which are made available to surgeries, schools and other public venues. It intends to develop a more active public participation strategy, using a wider range of ways to involve a wider section of the public in a more sustainable way.

The Board decided to open each meeting with a 15 minute presentation from a service user perspective or focused on a specific case; this has already changed the way members approach discussions. Attempts to establish a group of service users, including people with experience of the safeguarding arrangements, and to involve them consistently in reviewing services foundered due to changes in group membership and recruitment difficulties. A new strategy for service user involvement is being developed during 2014/15.

The First Contact (FC) scheme was launched, providing the first point of contact for vulnerable people aged 18 and over with unmet needs. A framework for measuring outcomes and benefits from the FC scheme is being developed to support quarterly reporting. An options paper and procurement strategy for the future sustainability of the project will be considered during the current year.

#### **C. Health, Wellbeing and Prevention Work-stream (Priority 3)**

The Board has been conscious of national policy to increase the use of (unregulated) Personal Assistants by those receiving Individual Budgets. Whilst supportive of the rights of service users to exercise choice and personal preference in the selection of PAs, the Board is also aware of the risks involved. A presentation was provided to the LSAB in December 2013 by the local authority and a service user led organisation explaining existing work in relation to this field by board partners, including assurance measures. It was agreed by the LSAB that this good partnership work should continue as planned and that an additional project was not required.

Guidance for staff working with service users who refuse services but are assessed to be vulnerable or at risk was developed and incorporated into the multi-agency policy and procedures. Day masterclass workshops were held in March 2014 for over 80 multi-agency practitioners.

Plans to develop a campaign to raise awareness about the financial abuse of vulnerable people did not proceed because the Board recommended that this item was better aligned to the work

of the Safer Leicester Partnership (SLP). This work is proceeding under the aegis of the SLP.

#### **D. Building Workforce Confidence Work-stream (Priority 4)**

A new Competency Framework was designed, and approved, across the 3 authorities, aiming to ensure a consistent, multi-agency approach to practice and a basis for evaluation. The Framework included Guides to Assessing Competency and paperwork to support Managers to record competence effectively. Implementation across all agencies is progressing.

The Board withdrew from providing multi-agency safeguarding training during the year. Agencies now provide their own basic safeguarding training, supported by the competency framework (see above).

Safeguarding masterclasses and Mental Capacity Act (MCA) forums were launched during the year. The masterclasses enabled delegates to consolidate learning, gain better insight and develop understanding in an area of safeguarding practice. The MCA forums provide an opportunity to discuss and debate current MCA practice and issues. Multi agency domestic violence workshops were established jointly with the LSCB, promoting a 'Think Family' approach.

A new approach to monitoring the effectiveness of training was launched, linked to the Competency Framework and based on follow-up surveys to evaluate the impact of training on practice. The outcomes are submitted to the Safeguarding Effectiveness Group and form part of the overall evaluation of the effectiveness of the LSAB.

#### **E. Adult Review and Learning Group (Priority 5)**

The Adult Review and Learning Group undertakes detailed scrutiny of cases where there have been significant concerns about the quality of practice and partnership working and disseminates the learning from such reviews, including recommendations about improvements in practice and procedures. The Group also manages the Domestic Homicide Review process on behalf of the Safer Leicester Partnership.

The Group considered a number of cases, most of which did not meet the threshold for a formal review. One Domestic Homicide Review was completed during the year, 2 additional DHRs were set up and the Group contributed to an out of area DHR which involved some links to Leicester.

The Group intends to make effective use of the greater flexibilities in the new Care Act guidance which introduced the idea of conducting Adult Reviews using a range of methodologies, allowing the process to be more flexible and engaging and for the learning to be greater.

The Group monitors implementation of the actions recommended by Adult Reviews. It tracks completion of all actions and received assurances and evidence from agencies on the completion

of Adult Review actions.

#### **F. Safeguarding Effectiveness Group (Priority 1)**

The purpose of this Group is to evaluate the effectiveness of agency intervention and interagency partnership working and to advise the Board about the overall effectiveness and impact of its work. The Board recognises the need to draw on a diverse range of qualitative and quantitative (statistical) evidence.

The Group worked with the Leicestershire and Rutland SAB to develop the health service Safeguarding Adults Assurance Framework (SAAF) to ensure that this was aligned with the requirements of the Boards. A joint SAAF self-audit was circulated by the Board in November 2013 to SAB partners to seek assurance against both strategies and processes. The audit was completed by 11 board partners. Partners scored themselves as effective in their safeguarding activities. The SEG has committed to improving the usability of the document, to improve the quality of the returns for 2014/2015 and to seek responses from all board partners.

The Safeguarding Effectiveness Group oversees and monitors the following activities:

- the LSAB Risk Register – identification of appropriate multi-agency risks and ensures mitigations are put in place. The Board receives risk register updates at each meeting.
- Safeguarding Adults Assurance Framework (SAAF) – agency self-audits (see above)
- Review of the findings of the Safeguarding Adult Assurance Framework (SAAF), in conjunction with the Leicestershire and Rutland Safeguarding Adults Board, to identify cross-authority issues and areas for joint work on improvements
- Multi-Agency Case File Audit (MCFA) process - worked with the LSCB to adapt its Multi-Agency Case File Audit (MCFA) format in order to undertake a joint audit where both children and adult safeguarding issues were identified in order to capture a 'think family perspective' - a joint case audit took place in May 2014. Further MACFAs are planned.
- the effectiveness of the multi-agency procedures - has drawn attention to the need for urgent completion of the review of procedures (see above).
- the effectiveness of training provision (see above).
- evidence about service user views and experiences. Measures have been put in place to strengthen the voice of service users.
- safeguarding performance indicators - worked with colleagues across the East Midlands region to develop a consistent set of safeguarding performance indicators and adapted the Board framework as a result. Data will be captured on a quarterly basis and reported to the board on a bi-annual basis.

- individual agencies' annual reports / activity summaries - informs sections of the LSABs annual report and strategic planning.
- single agency 'demands' reports – presenting a periodic overview of agency pressures and developments, undertaken jointly with the LSCB.
- Board effectiveness - issued a questionnaire to Board members on the effectiveness of the Board itself which was reviewed by the Board in January 2014 - resulted in a governance review of Board membership and group structure.

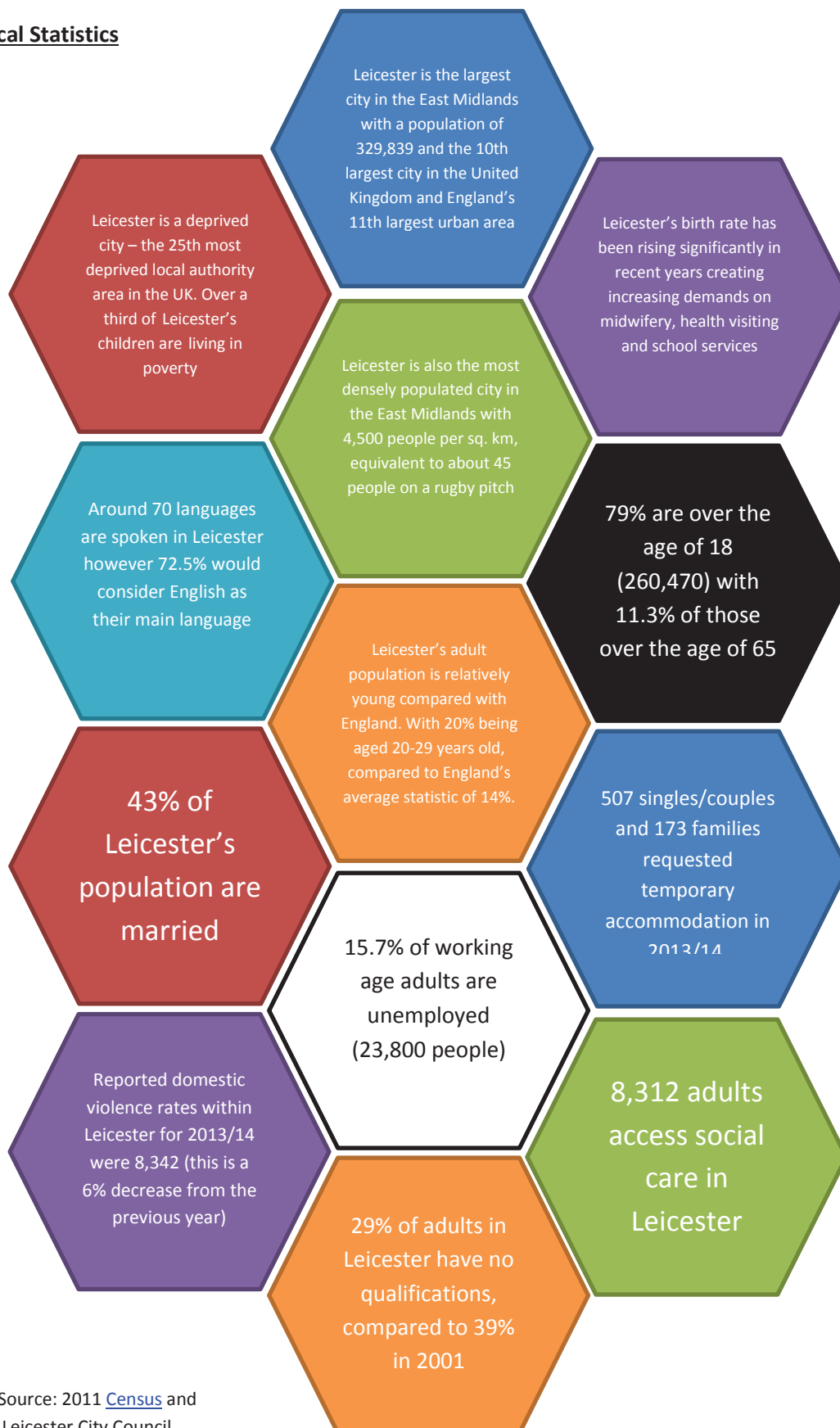
## **2.7 Issues and challenges facing safeguarding**

The LSAB has the foundations in place to be effective, based on an effective partnership of organisations. This would be strengthened by the consistent attendance of all organisations at the Board and working groups.

Priorities for future work are identified in the report, and these have been included in the Strategic Plan 2014/15 (see chapter 8) which will be reviewed and amended to take account of any statutory guidance to implement the Care Act 2014. These include strengthening the involvement of service users and carers in the work of the Board, developing and implementing the performance framework so that it shapes future activity, completing the review of membership and governance and sustaining the Risk Register as an overview of areas of concern.

# 3. Local background and context

## 3.1 Local Statistics



Source: 2011 [Census](#) and Leicester City Council



Leicester has a diverse population when compared to that of the East Midlands and England. 45.1% say they are White British the next largest group being Asian/ Asian British: Indian at 28.3%.

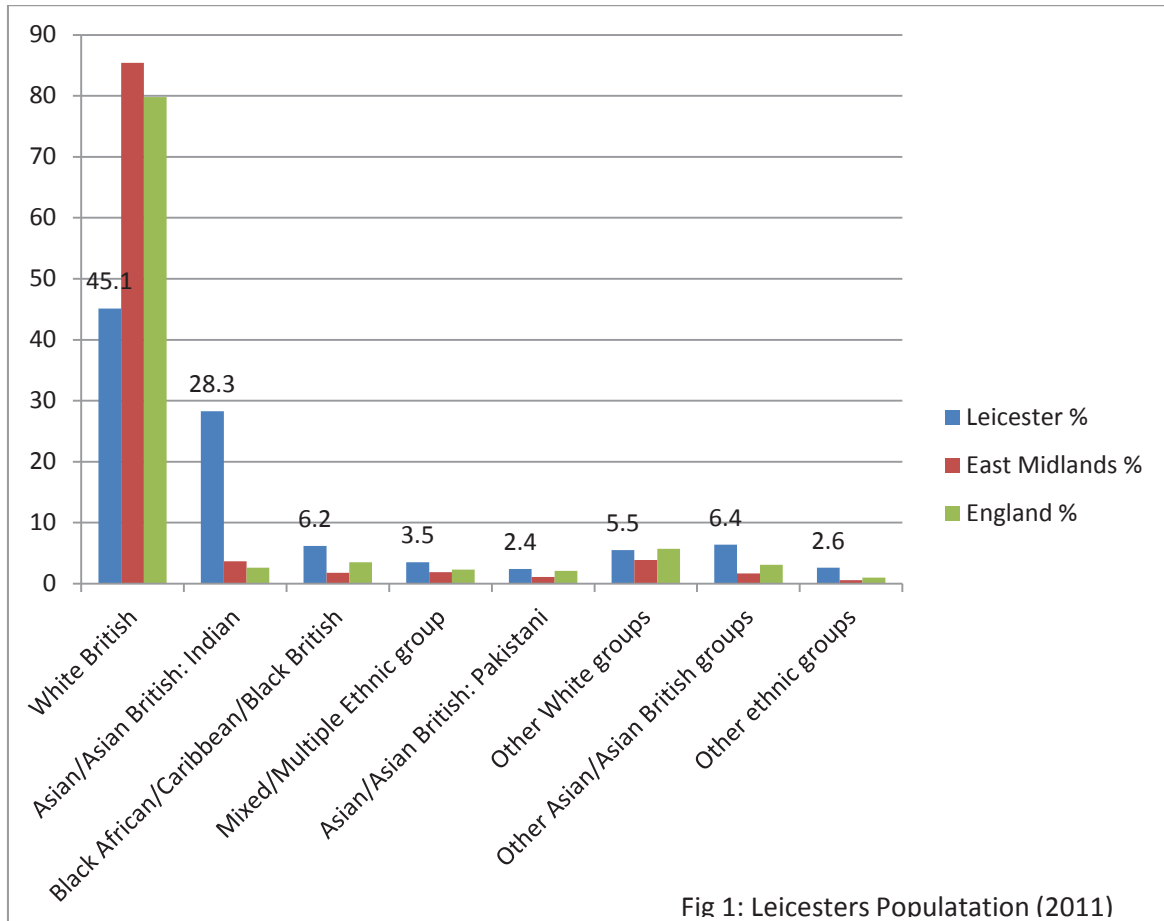


Fig 1: Leicesters Populataation (2011)

**How many people reside in care/nursing homes, supported living or share lives schemes?**

- 2259 living in residential or nursing care homes
- 281 in supported living placements
- 30 people on shared lives schemes
- 9% of Leicester residents provide unpaid care

Leicester has 114 care and nursing home providers within its borders, Leicester City Council contracts with 102 of these; and contracts with another with an additional 228 residential and nursing homes out of the area supporting Leicester residents

**Deprivation of Liberty Safeguard applications for 2013/14**  
 165 Urgent (7 days) and 194 Standard (28 days)

### **3.1 Deprivation of Liberty Safeguards (DoLS)**

#### **3.1.1 National Background**

The Mental Capacity Act Deprivation of Liberty Safeguards (MCA DoLS) came into effect on 1st April 2009. These were introduced to prevent breaches of the European Convention on Human Rights (HCHR) where it was established that previously deprivations of liberty had not been:

- In accordance with a procedure prescribed by law thus breaching an individual's Article 5(1) human right of freedom of liberty, and;
- The deprivation was a contravention of Article 5(4) of the ECHR because individuals being deprived had no lawful means of appealing to a court to establish if the deprivation of liberty was lawful.

Its purpose is to provide safeguards for the lawful deprivation of liberty of people who lack the capacity to consent to arrangements made for their care or treatment in either hospitals or care homes, in which it was identified that a deprivation was required in the individuals best interests. Local authorities (designated as 'supervisory bodies' under the legislation) have statutory responsibility for operating and overseeing the MCA DoLS whilst hospitals and care homes ('managing authorities') have responsibility for applying to the relevant local authority for a Deprivation of Liberty authorisation.

The legislation includes a statutory requirement for all care homes and hospitals as well as local authorities to keep clear and comprehensive records for every person deprived of their liberty. This includes records of applications for authorisations, details of the assessment process, information about the relevant person's representative and the documentation related to termination of authorisation.

To monitor the implementation of the safeguards, Managing Authorities (hospitals, care homes and nursing homes) are required to submit standard forms to Supervisory Bodies (local authorities). Using these forms Supervisory Bodies complete a data collection sheet for central monitoring purposes submitted to the Department of Health.

#### **3.1.2 National Developments**

On 19<sup>th</sup> March 2014 the Supreme Court made a judgement on two cases which affected the way in which DoLS is perceived. The ruling – in the cases of P v Cheshire West and Chester Council and P&Q v Surrey County Council - threw out previous judgements that had defined deprivation of liberty more restrictively. This ruling widened the criteria of someone who could potentially be subject to a Deprivation of Liberty using a new set of criteria what is known as 'the acid test'. Since this judgement nationally areas have seen an increase in the amount of referrals they receive in their teams to process and capacity to cope with this demand has been a difficulty for all councils.

#### **3.1.3 Local Developments and Support**

From April 2014 the Leicester, Leicestershire and Rutland DoLS Team partnership came to an end and the Leicester City DoLS Team was created. Locally Leicester has had high numbers



of referrals generally due to good local awareness campaigns and training programmes for professionals.

The LSAB provides MCA and DoLS forums and masterclasses to professionals, the first forum was held in January 2014 with over 120 professionals applying and 90 in attendance from a range of organisations across Leicester. Since the rolling programme for these events has been implemented post April 2014 we have been seen similar in-takes and regionally, Leicester has been praised for its forums as best practice. The forums aims to raise awareness of the MCA and DoLS agendas and allow staff to come together in a group forum to discuss their experiences and receive information/ hear presentations from speakers who are key in these fields.

The forums also offer the opportunity for staff to network and ask questions on what can be perceived as a very complicated area of work. The LSAB also utilise their e-newsletter to communicate the changes to the MCA and DoLS work on a local and national level.

Locally, the supervisory bodies have been working on both written and verbal communications to brief professionals on the changes brought about by the Supreme Court rulings and project plans have been put in motion to scope out who is affected by these new criteria. Independent Best Interest Assessors have been utilised to cope with local demand with an increase in referrals seen in 2014/15. Local groups will be concentrating on this issue over the coming months.

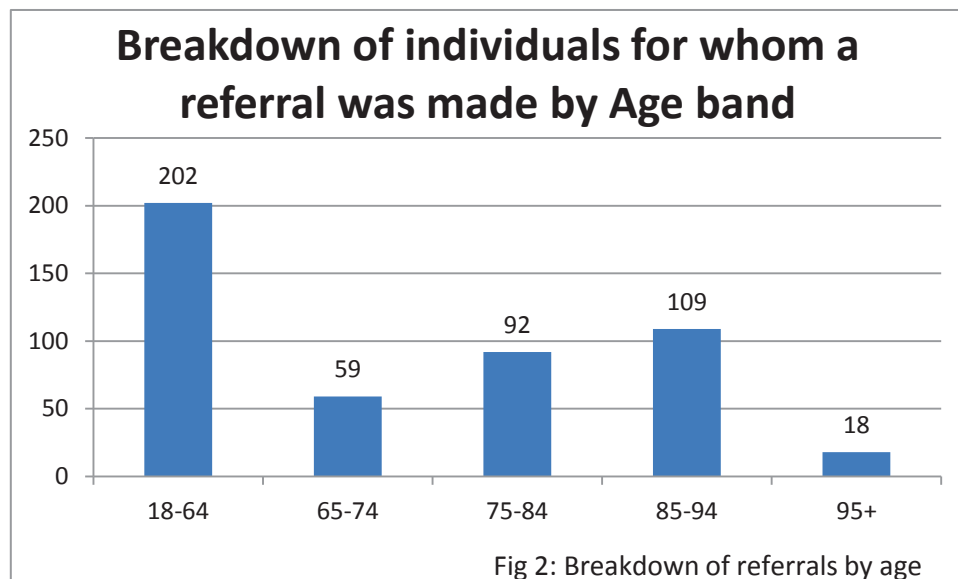
There are plans in place for 2014/15 for the LSAB to work on a joint project across Leicester, Leicestershire, Lincolnshire and Rutland Safeguarding Boards on an MCA/ DoLS programme of work funded by NHS England during a recent successful project bid exercise.

The LSAB will work with the LSCB to utilise the safeguarding boards conference scheduled for November 2014 as platform to disseminate the changes provided by the ruling; we await national guidance being developed for further national updates on the subject.

### 3.2 Safeguarding Statistics

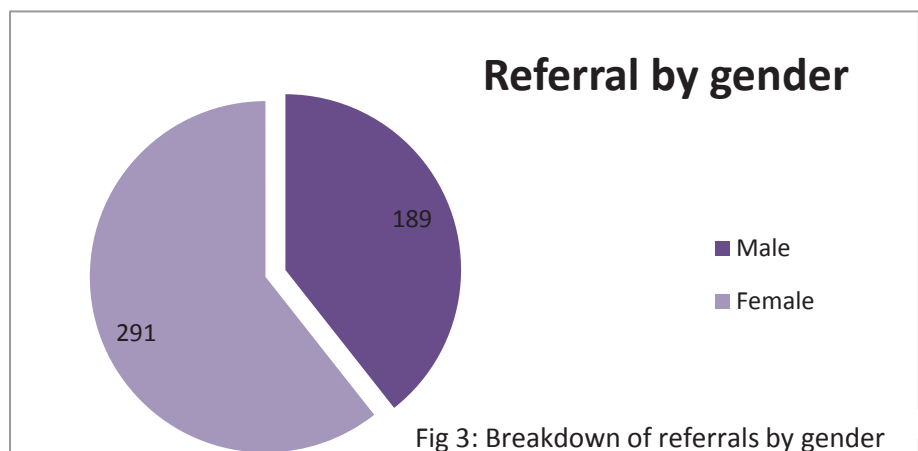
Leicester City Council, as the lead agency for safeguarding within the local area collates information on the number of safeguarding referrals completed over the year. This information is standardised as requested by the Department of Health and submitted yearly to them to review safeguarding activity in the round for the whole of England. These returns were previously called 'Abuse of Vulnerable Adult' returns (AVAs) however from April 2013 the criteria were changed and these are now known as 'Safeguarding Adults Returns'; it is therefore no longer possible to compare or analyse trends for 2013-14 safeguarding data to their previous years. Below is a breakdown of the safeguarding data submitted for 2013-14.

- Number of **safeguarding referrals for those aged 18 and over** received in the year 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014:
  - Including duplicate<sup>1</sup> = **528**
  - Unique people (excluding duplicates) = **480**



42% related to those that were aged 18-64; 58% for those aged 65 and over

61% female and 39% male



<sup>1</sup> Definition of duplicate will mean more than one referral in the year.

## Breakdown of individuals for whom a referral was made by Primary Client Type

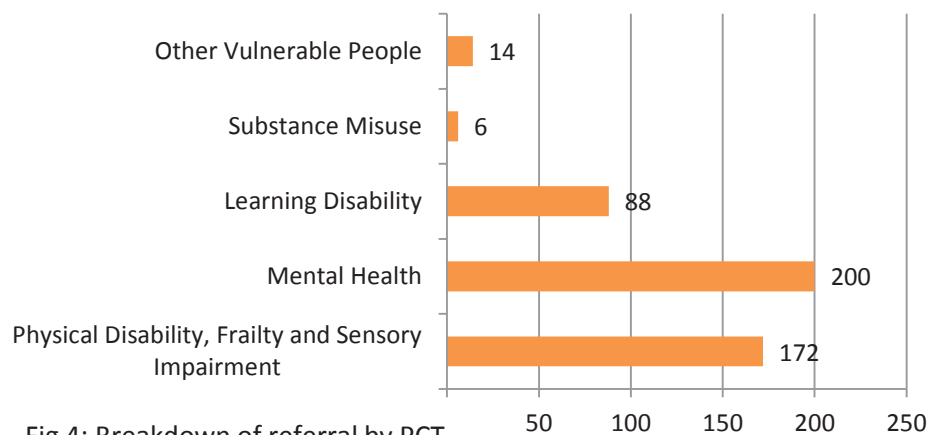


Fig 4: Breakdown of referral by PCT

42% were for those with mental health issues followed by 36% for those with Physical Disability, Frailty or Sensory Impairment and 18% for those with Learning Disability

Majority (77%) of the safeguarding referrals were for the White ethnic group followed by 18% for those that were Asian or Asian British. Only 3% were for those that were Black or Black British

## Breakdown of individuals for whom a referral was made by Ethnicity

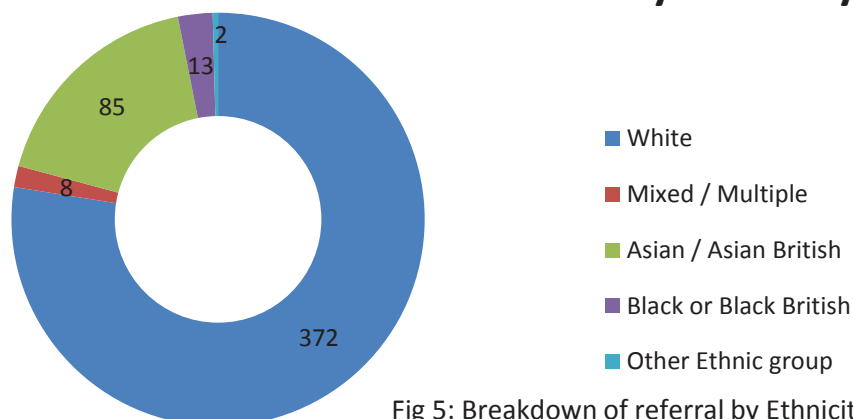
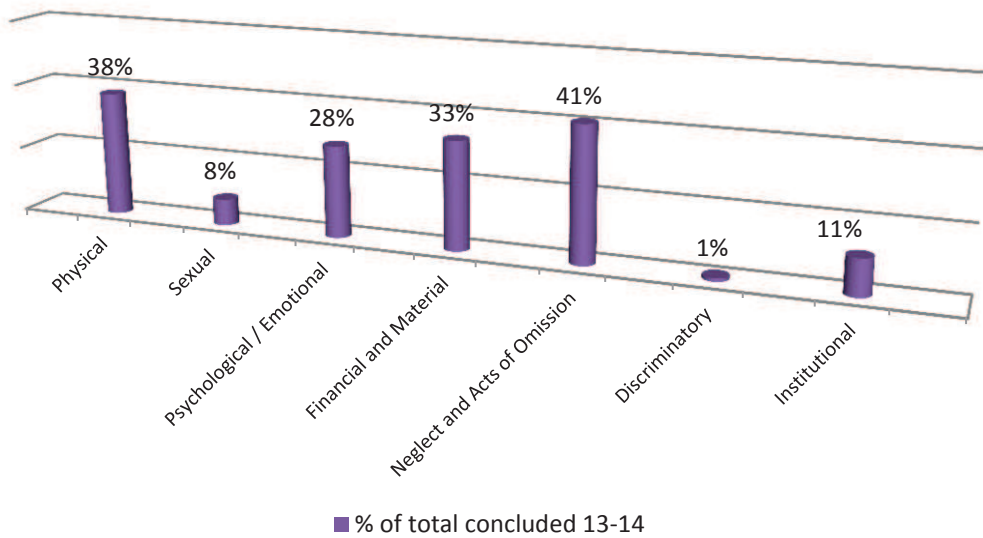


Fig 5: Breakdown of referral by Ethnicity

### Concluded referrals – 1/4/2013 – 31/3/2014

- Number of **safeguarding referrals that were concluded** during the period 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014 (regardless when they started) = 592
- **Of which:**
  - 163 (28%) – Individual or organisation paid contracted or commissioned and is believed to the potential source of risk
  - 381 (64%) – Other (e.g. family carer, relative, Health care staff, social care staff, police, regulator etc.) – Known to the individual
  - 48 (8%) – Other – unknown to individual

## Concluded referrals by type of alleged abuse or risk



For 2013-14 neglect and acts of omission (41%) was the largest alleged type of abuse followed by 38% for physical abuse; 33% for financial and material and 28% for psychological / emotional abuse.

Fig 6: Concluded referrals by risk type

## Concluded referrals by location or setting where the alleged abuse took place

44% of alleged abuse took place in a Care home setting followed closely by 39% in their own home

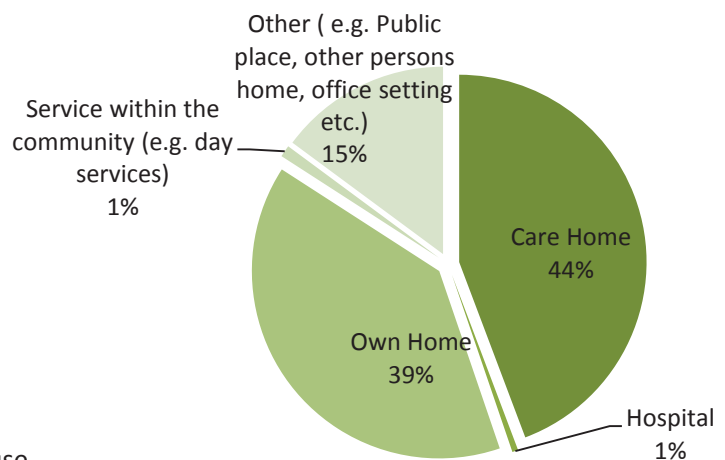


Fig 7: Concluded referrals by location of abuse

## Completed safeguarding referrals – by conclusion

Conclusion	No	% of total concluded
Substantiated fully	169	28% (34% - 12-13)
Substantiated – partly	92	16% (12% - 12-13)
Inconclusive	101	17%
Not substantiated	202	34% (37% - 12-13)
Investigation ceased at individuals request	28	5%
<b>Total concluded referrals</b>	<b>592</b>	

- 28% (168) out of the total no of concluded referrals (592) were assessed as lacking capacity to make one or more decisions in relation to the safeguarding process. Out of which 136 (81%) were represented or supported by an advocate, family or friends

## 4. Statutory and legislative context for LSABs

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### 4.1 Background for Safeguarding Adult Boards

Safeguarding Adults Boards are an inter-agency, strategic partnership for the protection of vulnerable adults, set up in accordance with Section 3 of the statutory guidance *No Secrets* (published by the Department of Health, [March 2000](#)). Additional guidance by the Association of Directors of Adult Social Services (ADASS) was published in [October 2005](#) to guide safeguarding activity and promote best practice; it was revised in [March 2013](#) to reflect the draft Care Bill (see table below for more information).

The latest guidance from ADASS identified the following elements as contributing to effective boards: a dynamic chair, good governance, sound strategy and planning, holding people to account, having active members, conducting intelligent commissioning, joined-up risk management and proactive communications. The guidance also introduced the idea of conducting Adult Reviews which can adopt a range of methodologies and be more flexible than a traditional Serious Case Review, allowing the process to be more flexible and engaging and for the learning to be greater. This way forward was suggested noting the various pitfalls with the traditional 'Working Together Chapter 8 [March 2010](#)' methodology which has been identified in various reviews, including that of Professor Eileen Muro's published in [May 2011](#). This is also reflected in LSCBs through an amended Working Together document published in [March 2013](#).

In [May 2011](#) the Law Commission published proposals for the consolidation and revision of adult social care legislation, noting that Safeguarding Adult Boards would benefit greatly from being put on a statutory footing. The report made recommendations for a single clear modern statute and code of practice as a foundation for a coherent social care system. The majority of these recommendations were accepted by the Government, leading to the the Care and Support Bill, later becoming The Care Act 2014.

### 4.2 Present status and the future for Safeguarding Adult Boards

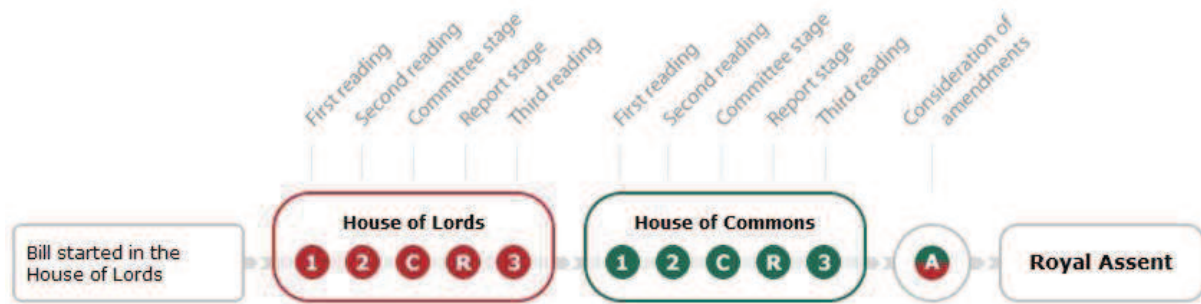
The Care Bill started its journey with its first reading in the House of Lords in May 2013. It received royal assent in May 2014, with a timeline for the Care Act to be implemented from April 2015. The journey of the bill is outlined below. During this period, the LSAB has been project planning, based on the draft version of the bill, to ensure it is 'statutory ready'.

Since the Care Act received royal assent, the [Care and Support Statutory Guidance](#) was released in June 2014 for consultation<sup>2</sup>.

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<sup>2</sup> Safeguarding is covered under Chapter 14 of the document, pages 191-224.

## Progress of the Bill



- Following the publication of the draft Care Bill and the subsequent Care Act, a benchmarking exercise was conducted to review what work was needed to ensure our SAB was compliant with the new requirement within The Care Act. A table of the findings can be found below.

New statutory requirement	What the board office did	Statutory ready?
A new core membership consisting of the local authority, the local clinical commissioning group and the chief officer of police.	The statutory core members are already members of the LSAB. It was agreed at the January 2014 LSAB annual development day to review board membership to maximise engagement from agencies.	
Appointment of a chair	In 2010 the LSAB jointly recruited an Independent Chair (with the LSCB) using a job specification outlining the skills and expertise required for the role	
A SAB must regulate its own procedure	The LSAB, jointly with the L&RSAB published a local safeguarding adults procedure entitled 'No Secrets' which was updated in January 2010. The LSAB has a procedures group to oversee future amendments and has been active in creating a new document during 2013/14. The LSAB also has a constitution, values statement, protocols with related bodies and other key documentation which are regularly refreshed at annual development days.	
A joint pot of funding by agencies should be created toward SAB work  SAB members may provide staff, goods, services, accommodation or other resources for purposes connected with the SAB	The LSAB has operated a pooled multi-agency budget contributed by key statutory partners since its creation in 2010. The board office accommodation and resources are provided by the local authority. Agencies take the lead on projects and provide resources in kind for putting on conferences and other events (for example venues and speakers).	

New statutory requirement	What the board office did	Statutory ready?
A SAB must publish for each financial year its “strategic plan”	<p>Since its creation the SAB has created and reported progress on a strategic plan outlining its objectives for the year and actions needed.</p> <p>Overall yearly progress is reported in annual reports. A three year “business plan” (now referred to as the Strategic Plan) for the years 2012-2015 has been refreshed annually; this is aligned to the SAB’s strategic priorities.</p>	
A SAB must produce an annual report and share this with a specific set of agencies.	<p>Since its creation the SAB has produced an outward facing annual report.</p> <p>In 2013/14 the Independent Chair met with all statutory chief executives within Leicester, formally presented the annual report and reviewed multi-agency cooperation.</p> <p>The newly created Health and Wellbeing Board formally received the annual report</p> <p>The annual report is published on the SAB’s website</p> <p>The Independent Chair has bi-annual meetings with the City Mayor and the Assistant Mayor (lead member) for Adults and Older People.</p>	
A SAB must conduct Adult Reviews	<p>The LSAB has had in place since its creation a Serious Case Review Sub-Group. The group has refreshed its name and terms of reference in 2013 to reflect the new terminology and wider way of working. It also works with the LRSAB and the LSCBs to create a Review Framework identifying different types of review and methodologies that the group can commission.</p>	
<p><b>Areas for additional work to become statutory compliant</b></p> <ul style="list-style-type: none"> <li>- Engage the newly created Health Watch, established in 2014/15.</li> <li>- Complete work with the Leicestershire and Rutland Safeguarding Adults Board to publish a revised version of local multi-agency policy and procedures, to reference new information provided by The Care Act and associated statutory documentation; this will be in readiness for the Care Act implementation from April 2014.</li> </ul>		

# 5. Governance and accountability arrangements

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## 5.1 Structure

Board membership includes statutory bodies and representatives of voluntary and private sector providers (Appendix A). The diagram within Appendix B shows the relationships between the various structures and the LSAB.

The Board meets on a quarterly basis with an additional annual development day.

Attendance at the board by partner agencies is reported in appendix C.

The LSAB is independent. It is not the subordinate to, nor subsumed within any other local structures. This enables the Board to provide effective scrutiny,

The local partnership and accountability arrangements are specified within the board constitution, available on the LSAB website.

## 5.2 Infrastructure Arrangements

The Board office is hosted by Leicester City Council. It is located in the city council premises at Grey Friars, Leicester, LE1 5PH.

The staff consisted of the full time Board Manager, during the year in question, located in the City Council Safeguarding Unit.

Due to the additional workload arising from new statutory requirements, a new post of Board Officer has been created in 2014/15.

Job Descriptions for the Board Manager and Board Officer are available on request.

## 5.3 Independent Chair Arrangements

Dr David N. Jones, the Independent Chair of the LSAB and LSCB, was appointed in April 2010 on a 3 year contract. His contract was renewed during the year for a further 3 years to April 2016. A central responsibility of the Independent Chair is to hold all agencies to account for their work in relation to safeguarding.

Job Description for the Independent Chair role is available on request.

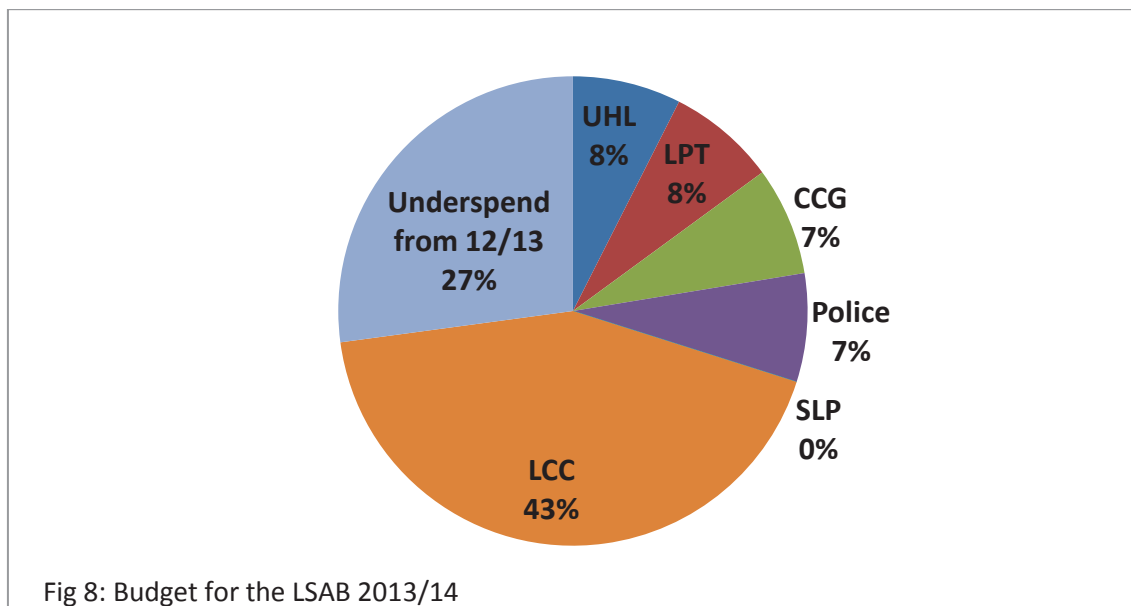


#### 5.4 LSAB Budget and Expenditure

The contributions from the partner agencies during 2013/14 were agreed and received as follows:

- 48,900 Leicester City Council (LCC)
- 8,500 The Clinical Commissioning Group for Leicester (CCG)
- 8,500 University Hospitals of Leicester (UHL)
- 8,500 Leicestershire Partnership Trust (LPT)
- 8,500 Leicestershire Police
- 30,871 Underspend carried forward from 2012/13

#### 5.5 Total Budget for LSAB 2013/14 = £113,771



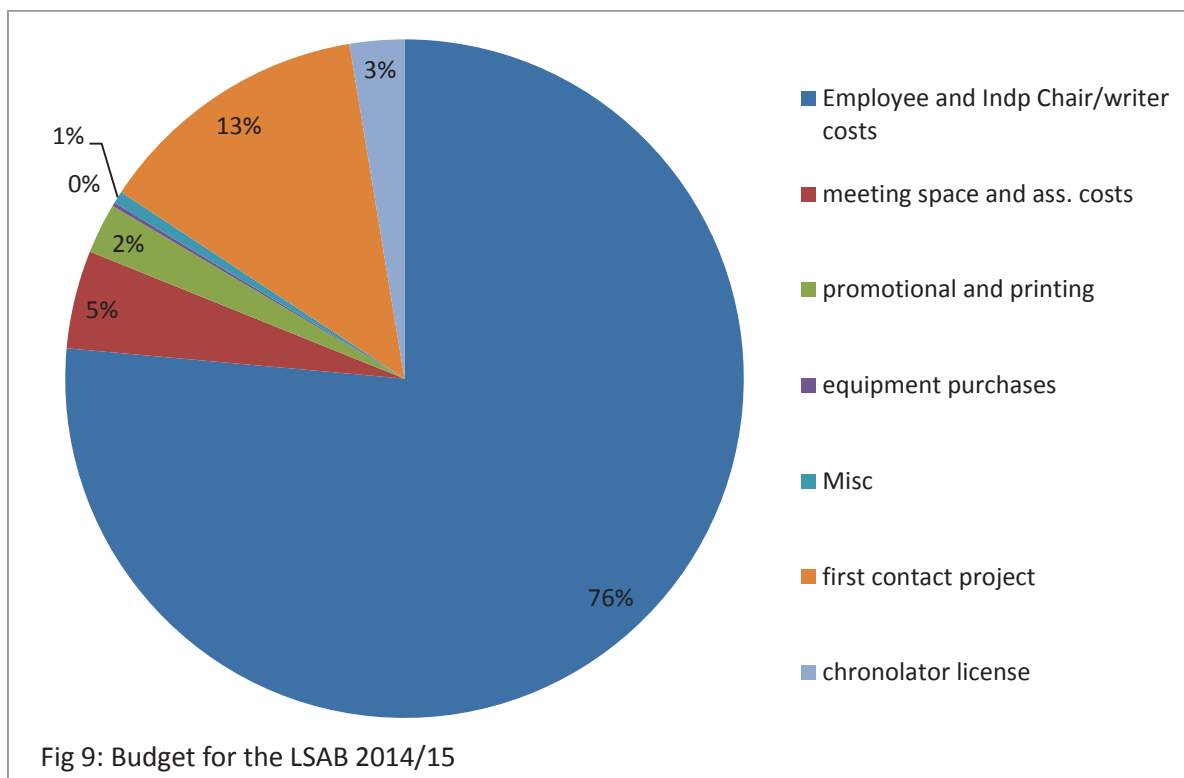
#### 5.6 Additional Board Contributions by Leicester City Council only (these are in-kind and have no tangible monetary value to the Board)

- Half a post – Partnerships and Strategy Manager
- Half a post – Senior Practice Professional
- Fulltime Safeguarding Adults Training Co-ordinator
- First Contact Scheme start-up costs (first six months)

The total additional resources by LCC = est. £101,500

## 5.7 Expenditure from the budget in 2013/14

Cost areas agreed as part of the LSAB Strategic Plan	Total 2013/14 spend
Staff costs (including overview report writer costs)	56005
Expenses and conference	945
Conference event and room costs	3314
LSAB Procedures	0
Communication and Raising Awareness costs	1696
First Contact Project	9300
Other	2386
<b>TOTAL</b>	<b>£82,700</b>



## 6. The work of the LSAB for 2013/14

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6.1 The Board has in place the following strategic objectives:

1. To ensure effective implementation of the procedural arrangements for investigating safeguarding allegations and to evaluate the effectiveness of agency intervention and interagency partnership working.
2. To enhance public awareness of the risk of harm and facilitate appropriate referrals of safeguarding concerns.
3. To promote health and wellbeing through interagency programmes aiming to prevent abuse and ill treatment.
4. To build workforce confidence by providing a consistent set of safeguarding messages to staff across Leicester
5. To undertake detailed scrutiny of cases where there have been significant concerns about the quality of practice and partnership working and to disseminate the learning from such reviews.
6. To strengthen partnership working within the board structure and specifically to develop service user, carer and community participation in the work of the board.

6.2 The following work streams and sub-groups were created to implement these:

1. Safeguarding Effectiveness Group
2. Adult Review and Learning Group
3. Partnerships and Communication Work-stream
4. Health, Wellbeing and Prevention Work-stream
5. Building Workforce Confidence Work-stream

6.3 Each area has either a chair (for the groups) or a work-stream lead. Additional task and finish groups area created as needed for specific pieces of work. You can see the governance of each of these groups is described in the LSAB structure chart in appendix B; terms of reference for the groups can be obtained from the Board office.

# Reviewing Strategic Plan Activity

6.4 Below outlines the strategic plan prepared for 2013/14 and the process of each action.

## Building workforce confidence

Action	Progress update at the end of 2013/14	Completed?
Establish a refreshed LSAB multi-agency training programme, according to option agreed by board members, in line with new LLR competencies framework, agreed across LLR. Consistent messages given across the partnership according to job role.	A decision was made, in October 2013, that the Board would no longer offer multiagency safeguarding training. The Board had been offering training in line with the core Safeguarding training programme for example Alerters, Referrers and so on. Moving forward, this was handed back to agencies to provide 'in house'.	Decision made that this would no longer be applicable. A training competency framework was introduced to review effectiveness of in-house provision instead.
Devise and plan road shows on national changes to safeguarding adults procedures following law commission recommendations. To ensure Leicester is adhering to the new national legislation and guidance and workers are confident in understanding the new way of working.	A Procedures sub group was established to design and devise a regional procedures document. This work has stalled, due to changes in staff and operational constraints and the procedures are still being developed. Road-shows did not take place.	Ongoing – revised timeline to coincide with Care Act implementation in 2015.
Revise current professional practice strategy in relation to the above changes. To ensure Leicester is adhering to the new national legislation and guidance	Masterclasses and forums were introduced to ensure that people were kept up to date with any legislative changes	Completed
Begin multi-agency DV awareness workshops across LLR, jointly organised/delivered with LSCB. To understand the parallels in these two processes concerning vulnerable adults and look at the benefits of them being incorporated into the safeguarding training programme. Links in with 'Think Family' and encourages better working between adults and children's services.	Multi agency DV workshops were established in conjunction with the LSCB.	Completed
Train and support the Service User Group to enable Service Users to fully participate in LSAB work.	Due to ongoing issues with the fluctuating membership of this group and Board expectations, this work did not go ahead.	Membership of this group to be reviewed before training and support will commence.

## 6.5 Additional work undertaken under the Building workforce confidence work-stream

- Training input offered to GP's, Health visitors and Student Nurse as part of their learning and development.
- A new Competency Framework was designed, and approved, across LLR . This also included devising Guides to Assessing Competency and paperwork to support Managers to record competence effectively.
- During 2013/14, the Board started to offer Safeguarding masterclasses and MCA forums. The masterclasses provided focused workshops that enabled delegates to consolidate learning, gain better insight and understanding into an area of Safeguarding practise. The MCA forums provide an opportunity to discuss and debate current MCA practise and issues.

### Adult review and learning group (previously known as the Serious Case Review Sub-group)

Action	Progress update at the end of 2013/14	Completed?
Continue to receive serious incidents for consideration for Adult Review and Domestic Homicide Review	2 Domestic Homicide Reviews were conducted within the period.	This is an integral and continuous function of the group.
Hold an annual briefing on findings from local reviews in conjunction with the LSCB. Disseminate findings to staff.	No adult reviews were completed in 2013/14. DHRs submitted to the Home Office are still awaiting approval prior to publication. Dissemination of the findings forms part of the 2014/15 LSAB "Learning and Development Programme". The Home Office provided a presentation at the joint Safeguarding Boards conference which incorporated national lessons learnt from reviews.	Yes however will form part of a rolling programme into 2014/15.
Monitor SCR/SILP and DHR Action Plan Completion and formally hand over to the SEG to monitor the embedding of these actions. To ensure lessons are learnt from reviews and improvements are made and sustained	In 2013/14 the Adult Review and Learning Group received assurances and evidence from agencies on the completion of Adult Review actions. 5 remained 'in progress' and these will be reviewed in 2014/15. A template and process for formally handing over completed action from reviews to the Safeguarding Effectiveness Group was created and this was completed.	Yes, however 5 "in progress" actions will remain on the Multi-Agency Action Plan and be reviewed in 2014/15.
Identify changes to the SCR process following pending statutory changes (from the Law Commission review) and change the multi-agency policy and procedures accordingly. To ensure we are compliant with national changes.	The group amended its name and terms of reference in line with the new terminology and responsibilities to reference 'Adult Reviews'. Adult Review criteria and processes will form part of the overall revisions to the Multi-Agency Safeguarding Adults Policy and Procedures in 2014/15.	Yes, as additional guidance comes out in 2014/15 this will be re-reviewed to ensure the Group is fit for purpose.

## Partnerships and communication

Action	Progress update at the end of 2013/14	Completed?
First Contact – Complete Phase 1 implementation - Develop and evaluate project and service user outcomes	A framework for measuring outcomes and benefits from the FC scheme has been developed and is functional for quarterly reporting.	YES
First Contact – Continue with Phase 2 Implementation	Further development of project including new partnerships and strategy for future sustainability	ON-GOING into 2014/15
Develop strategy for effective public participation including focused contact with underrepresented groups.	Refreshed public participation strategy, utilising a wider range of engagement systems to involve a wider section of the public in a more sustainable way	ON-GOING into 2014/15

## Health wellbeing and prevention

Action	Progress update at the end of 2013/14	Completed?
Explore the potential of working in Partnership with Trading Standards on a campaign to raise awareness of financial abuse.	It was agreed by the LSAB that this item was better aligned to the work of the Safer Leicester Partnership. As a result this work-stream was moved from the LSAB partnership to the Safer Leicester Partnership to monitor completion.	Continues within Safer Leicester Partnership
To create a task and finish group to strategically analyse work currently being done with unregulated services including Personal Assistants to those with Individual Budgets identify gaps and provide recommendations to the board. To provide the LSAB with a view of the work being undertaken to protect vulnerable adults in these settings/circumstances.	A presentation was provided to the LSAB in December 2013 by the local authority and a service user led organisation explaining existing work ongoing in relation to this item by board members currently including assurance measures. It was agreed by the LSAB that this good partnership work should continue as planned and as a result this item on the strategic plan was removed for 2013/14.	Action removed from the strategic plan
Create guidance for staff working with service users who refuse services, and incorporate into the Multi-agency policy and procedures. To aid workers with decision making and understand to engage with those vulnerable adults who are hard to reach.	Vulnerable Adults at Risk Management Guidance was created; the LSAB provided X2 1 day masterclass workshops in March 2014 to over 80 multi-agency practitioners. Materials used on the day can be found on the LSAB website. This will be incorporated into multi-agency procedures as part of the wider revision programme in 2014/15.	Yes

## Safeguarding effectiveness

Action	Progress update at the end of 2013/14	Completed?
<p>Monitor agencies embedding learning from SCRs through obtaining internal Single Agency Case File Audits (SACFAs). To ensure learning from SCRs informs frontline practice including training, supervision awareness.</p>	<p>Safeguarding Adults Assurance Framework (SAAF) – the group had worked on a Leicester City specific assurance tool but the Board partners identified that they wanted a tool that was congruent with their other safeguarding assurance requirements so that they did not have to provide multiple reports. THE SEG responded to the challenge in partnership with the Leicestershire and Rutland LSAB and developed the board assurance on the health SAAF. Both boards incorporated additional assurance requirements into the SAAF. The outcome was that a joint SAAF Audit was circulated by the board in November 2013 to SAB partners to seek assurance against both strategies and processes. The audit was completed by 11 board partners and this provides a holistic perspective of partners which in turn provided a baseline for the SAB on partners on the effectiveness of their safeguarding arrangements. The conclusions of the audit were that partners scored themselves as effective in their safeguarding activities. Patterns identified common themes as working towards which include PREVENT and taking into account patient, service user and carer experiences. No real concerns were highlighted as a result of analysing the responses. The SEG has committed to improving the usability of the document to improve the quality of the returns for 2014/2015 and to seek responses from all board partners.</p>	<p>An LLR SAAF was compiled in Autumn 2013 and completed by partners in December 2013 and a report compiled of the findings was circulated January 2014. It has been agreed that going into the new year another annual audit will be completed with revisions to questions and format.</p>
<p>Maintain the LSAB Risk Register. To ensure appropriate risks are identified and highlight to the board and ensure mitigations are put in place.</p>	<p>LSAB Risk Register – all of the above is considered by SEG. Where required risks are noted on the board risk register, this is then reported to the Executive Committee. It has now been agreed that the risk register will be presented to each board meeting. A key risk has been the ability of agencies to attend LSAB and sub-groups</p>	<p>Updated bi-monthly and reported to the board quarterly.</p>
<p>Create a tool to carry out file audits based on</p>	<p>The Leicester Safeguarding Children Board</p>	<p>For 2014/2015</p>

local/national models and good practice in conjunction with local partners. To ensure agencies are learning from Adult Reviews and Policy and Procedures are being used appropriately.	developed a Multi-Agency Case File Audit (MCFA) format which has been tried and tested and invited the SAB to undertake a joint audit where both children and adult safeguarding issues are identified to capture a 'think family perspective'. The ground work was developed and the tool reaffirmed by the SAB and a joint case and an audit took place in May 2014.	two joint Adults and Childrens MACFA's will be completed on annual basis
Undertake a MACFA using the agreed tool. To enable monitoring of multi-agency learning.	Joint tool agreed between Local Safeguarding Children Board (LSCB) and SAB SEG's.	Rolled forward to 2014/15 (see above)
Work with the universities to research ways to engage and capture vulnerable adults experiences/ patient stories. To ensure the LSAB understands service user views and experiences of safeguarding to enable the LSAB to commission work to respond to issues arising.	SEG has considered that work with universities is not a separate entity to the work of the group and should be integrated across SB work streams. Both LSCB and SAB are working with DMU in regard to the Board development day in autumn 2014.	Rolled forward to 2014/15 (see above)
Ensure the Multi-agency Safeguarding Adults policy and procedures are fit for purpose in preparation for the launch of the Care and Support Bill. To ensure staff act appropriately in safeguarding situations and are supported to do so.	The Multi-Agency Safeguarding Adults policy is being updated by Leicester / Leicestershire and Rutland SAB's. At present this is work in progress. The lack of updated procedures has been highlighted as a risk to the Board.	Rolled forward to 2014/15 (see above)
Review the effectiveness of the service user groups involvement/participation in LSAB activity. To ensure that the service user engagement work the LSAB is doing is truly engaging all client groups.	Due to changes to the service user group the group has not recently been meeting. However, measures have been put in place to gain the voice of service users which can then inform the work of SAB.	Rolled forward to 2014/15 (see above)
Plan and participate in the LSAB Development Day. To ensure the LSAB have effective development.	Board self-assessment questionnaire – used as part of development day and has been used to inform the work of the board	Completed
Receive individual agencies annual reports for formal submission to SEG 2012/2013. To ensure the LSAB is aware of each agencies annual workload.	All LSAB partners collect data on their own individual performance in relation to safeguarding adults and publish data within their own annual reports. SEG has received data from partners e.g. CCG GP training data, Leicester Partnership Trust Safeguarding staff audit. Also annual reports (were completed) are submitted to SEG which includes organisational safeguarding adult data. In addition key areas of work have included:	Completed
Coordinate the completion of pressures report for the LSAB Executive Chair to report on at the LSAB. Compile a picture of safeguarding across Leicester using key information and context/pressure reporting.	A demands report was compiled and presented to the LSAB in June. It is agreed that this will continue into 2014/15 as a joint report with the LSCB.	Completed
Review effectiveness of new training programme. To ensure that the new	Training competency framework – now in	Completed



programme is fit for purpose.	place.	
Work with the region in developing a performance framework for adult safeguarding. To review documentation and see if this can be adopted locally.	The below safeguarding indicators work has been informed by a regional East Midlands Safeguarding Adults workshop; and the SEG has enhanced its original key indicator data set as a result of these discussions.	Completed
Coordinate complication of indicators to new template. Compile a picture of safeguarding across Leicester using key information and context/pressure reporting.	Safeguarding Performance Indicators - SEG had developed a collection of key adult safeguarding indicators, which were strengthened in 2013/2014 and following consultation with board partners will for 2014/2015 has been distributed with partners being notified of dates for the submission of data to the board office. Data will be captured on a quarterly basis and reported to the board on a bi-annual basis. In addition the Board Manager and SEG Chair attended a regional event in December 2013 to share work that was being undertaken in Leicester and this was positively received, in addition we did incorporate elements discussed within the performance framework for 2014/15.	Completed

- 6.6 The safeguarding effective group recognises, that to ensure that safeguarding of adults in Leicester City is robust; we must ensure the sources we gather the evidence from are diverse. The evidence must include statistical measures and be supported by both qualitative and quantitative methods.

# 7. Issues and challenges facing safeguarding – statement of effectiveness of safeguarding arrangements in local area

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## 7.1 A summary from the Safeguarding Effectiveness Group Chair

The LSAB has the foundations in place to be effective, based on an effective partnership of organisations, led by our Independent Chair with the support of the Board Manager. This would be strengthened by the consistent attendance of all organisations at the Board and working groups, which would deliver a more consistent overview and contribution.

The LSAB has the opportunity to enhance its effectiveness through:

- Implementation of the requirements of the Care Act 2014.
- Agreement of thresholds for the new duty for local authorities to carry out enquires (or causes others to do so) where it suspects adults are at risk of abuse or neglect. To ensure compliance, health and social care must agree the thresholds for referring safeguarding incidents which arise in health settings into the local authority.
- Implementation of the governance review and related matters which followed the analysis of the board effectiveness questionnaire
- Revalidation of the performance framework following local and regional consultation. Our key challenge is to ensure we are able to report the data set to ensure that the board is assured that the agencies are effective safeguarding adults within Leicester City.
- Submission of evidence from all partner agencies using the agreed performance indicators, to provide assurance and insight into partnership working.
- Completion of joint multi-agency case file audits (MACFAs) with the LSCB – enabling the Board to seek a frontline perspective and evaluate the effectiveness of processes to safeguarding adults in need of protection in individual cases.

## 7.2 Achievements:

- Care Act Compliant.
- Performance Indicators in place – regional contribution.
- Agreement of joint SAAF with County and Rutland Board.
- Risk register – challenge to ensure it is meaningful and to ensure it can be used by the Board to inform what is happening at the front-line and how this can support effective safeguarding across the partnerships.
- Case presentations to each Board meeting – this aims to present a user voice on a safeguarding incident or to examine a specific case, enabling Board member to reflect on the user experience as well as organisational issues.

### **7.3 Issues and Challenges for 2014/15**

- SAB partners to submit data to SEG within agreed timescales.
- SAB partners to commit to representation at SEG (and other SAB meetings).
- Challenge to ensure that all partners complete SAAF in November 2014.
- Re-establishment of service user group to have meaningful impact on the business of SAB
- Agreeing a comparable budget with the LSCB to ensure parity and priority of safeguarding adult agenda.
- Annual development days to be used as a time for reflection, utilising board member questionnaires and their feedback to shape the agenda.
- Review of LSAB governance process required as part of review of agency contribution
- Risk register needs to be informed by the use of the demands report – needs to ensure the Board is picking up the critical messages and that the Risk register is an active and reliable tool for evaluating and managing risks.

## 8. Conclusion and recommendations for future priorities and Strategic Plan

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- 8.1 This report has set out a wide range of activities undertaken during 2013/14 to sustain, develop and improve the safeguarding arrangements for adults in Leicester. Earlier chapters have also addressed areas of need for future work.
- 8.2 The report concludes that there is a good foundation for safeguarding in Leicester with good partnership working and interesting new initiatives. However there is a need for a more consistent approach to partnership working in practice settings and consistent implementation of agreed initiatives.
- 8.3 The Strategic Plan 2014/15 includes the following priorities:
- Strengthen engagement with service users, carers and others with experience of the safeguarding system, enabling them to influence service development and monitor performance
  - Monitor the impact of recent legal rulings on arrangements for Deprivation of Liberty Safeguards (DoLS) and ensure appropriate use of DoLS across all agencies
  - Develop the performance monitoring framework under the aegis of the Safeguarding Effectiveness Group, developing an informed and robust understanding of the quality of practice and the impact on individuals and the community
  - Extend Multi-Agency Case File Audits in partnership with LSCB where appropriate
  - Achieve more consistent engagement of agencies at working group meetings and the Board itself
  - Reviewing the budget and resource requirements for the Board structures and service delivery to ensure compliance with the new duties in the Care Act 2014
  - Review of LSAB governance and implementation of the new membership arrangements and group structure
  - Complete the review of operational procedures and ensure that Board policies and agency service delivery is compliant with the Care Act 2014
  - Maintenance of the Risk Register
- 8.4 There is every reason to be confident that the agency partners in Leicester can rise to this challenge and that, despite the resource pressures and increasing demand, service improvements can be delivered and there can be an appropriate response to safeguarding concerns in Leicester. The Board will review and amend the Strategic Plan to take account of any statutory guidance to implement the Care Act 2014.

# Strategic Plan 2014/15

## Building Workforce Confidence

Work stream Lead: Sarah Taylor

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Action	Outcome of completing action	Work stream allocation and leadership	Timescale for completion
Consolidate Board Training Programme	There will be an established training plan that reflects current priorities and changes and is offered across the Board area. The plan will be promoted on the LSAB website/newsletters and via internal agency mediums. Effective monitored by the training effectiveness group and annual report submitted to SEG. Attendance at training part of SEG Basket of indicators.	Building Workforce Confidence Work stream Lead	Quarter 1 and reviewed regularly
Actively promote new competency framework	Agencies/ services are aware of their responsibilities under the new competency framework. Information and updates to be shared at Trainers Network and via LSAB website/newsletters. Training Effectiveness Group to conduct annual QA dip-sample of providers and services and report to SEG. Statutory agencies to complete SAF.	Building Workforce Confidence Work stream Lead	Quarter 1-2
Develop additional materials to support Competency framework and assessment skills (in conjunction with County )	Managers/supervisors are provided with information and support to enable them to assess staff competence in an effective manner. Guides to completing evidence logs and assessing competence will be available on Board websites. Additional materials will be available on the LSAB website.	Building Workforce Confidence Work stream Lead	Quarter 1
Devise and distribute information re impact of Care Bill on Safeguarding practise. (due to be implemented from 2015)	Leicester is in line with current guidance and best practise. Appropriate information is disseminated, via websites/ newsletters/ internal mechanisms and made available across the Board area. Training effectiveness group will monitor the distribution of information.	Building Workforce Confidence Work stream Lead	Quarter 3-4
Continue to maintain effective links with	People working across the region and sectors are receiving a consistent message. Joint training will be commissioned to reflect current thinking across Adult's and Children's services. Joint events will have	Building Workforce	On going

County and the LSCB to ensure a consistent approach across adults/children services	taken place and evaluated. Attendance figures produced and made available. Where appropriate, LLR documents are disseminated and adopted.	Confidence Work stream Lead	
Explore opportunities to develop learning /practise in line with changes implemented in the Children and Families Act	Increased awareness of changes under C&F Act and any implications for practise, particularly for the 16-25 age group. Close working with LSCB to develop learning and development opportunities. Meetings with LSCB and proposed way forward, agreed and minuted. Information/workshops devised and delivered.	Building Workforce Confidence Work stream Lead	Quarter 2-3
Continue to provide DASH/DV training in conjunction with LSCB	Increased awareness of DASH/DV and the impact on children/adults and families. Closer working. Identified training opportunities will be made available. Records of attendance.	Building Workforce Confidence Work stream Lead	Ongoing
Set up the training effectiveness sub group to quality assure the Board training programme and safeguarding learning across the City.	Established training effectiveness group, with reps across the agencies, whose remit is to evaluate the effectiveness and outcomes of Safeguarding learning across the Board area. Minutes will be taken at each meeting and regular reports and updates will feed into SEG. Annual QA report to be submitted to SEG.	Building Workforce Confidence Work stream Lead	Quarter 1

## Partnership and Communication

Work stream Lead: Jennifer Williams

Action	Outcome of Completing Action	Work- stream allocation and Leadership	Timescale for completion
First Contact – Phase 2 Implementation	<b>The following objective will have been achieved:</b> An expanded referrals system for the FC scheme will be embedded with partner agencies; now serving vulnerable people aged 18 with unmet needs.	Partnerships and Communication Work stream lead	June 2014
First Contact – Project Evaluation	<b>The following product will have been developed:</b> A framework for measuring outcomes and benefits from the FC scheme to be developed and functional for quarterly reporting.	Partnerships and Communication Work stream lead	August 2014
First Contact – Future Strategy	<b>The following product will be developed:</b> An options paper and procurement strategy for the future sustainability of the project.	Partnerships and Communication Work stream lead	October 2014
Refresh participation strategy	<b>The following product will be developed:</b> A refreshed public participation strategy, utilising relevant and appropriate systems of engagement to involve a wider section of the public in the work of the Board.	Partnerships and Communication Work stream lead	August 2014
Service User Group Development	<b>The following objective will have been achieved:</b> A resilient and sustainable group of public participants, meeting regularly, with clarity of governance, purpose and objectives in reference to its autonomous operation and its relationship with the LSAB and the stated priorities thereof.	Partnerships and Communication Work stream lead	December 2015

## Adult Review and Learning Group (ARLG)

Sub-group lead: Ruth Lake

Action	Outcome of Completing Action	Work- stream allocation and Leadership	Timescale for completion
To ensure significant incidents are analysed at a multi-agency level	ARLG to commission and oversee Adult Reviews and Domestic Homicide Reviews on behalf of the LSAB and Community Safety Partnership. Presentations on the review to be provided to the LSAB and CSP.	ARLG Sub-Group Chair	On-going work
To ensure the LSAB partnership are learning from reviews undertaken and changes are being made	ARLG to monitor and discuss Adult Review and DHR action plans on a tri-annual basis. This will be evidenced from minutes of ARLG meetings.	LSAB Manager	On-going work
To ensure lessons are getting out to frontline workers and enable workers to take time out to discuss cases in detail	ARLG to feed outputs of local reviews into annual lessons learnt briefings held by the SAB. These events to be built into the 2014/15 training plan. Attendance and evaluations from briefings will feed into the training effectiveness group (This action cross references with the Building Workforce Confidence work plan)	Building Workforce Confidence Lead	Annually
To develop clear information sharing protocols with L&RSAB re county cases in city locations (and vice versa)	Increase the opportunity for lessons to be learnt about local cases particularly given acute and MH hospital settings are city-centric. Transferable learning to be fed into the lessons learnt briefings. Discussions of cross county cases to be evidenced in ARLG minutes.	ARLG Sub-Group Chair	On-going
To ensure clear arrangements for receiving information about suicide risks and lessons learnt	Ensure appropriate representation is made on the Suicide Prevention Group (SPG) from the ARLG. To receive feedback from representative members, this to be evidenced in ARLG minutes. Lessons learnt from suicide cases which are brought to the ARLG to be shared at the lessons learnt briefings.	Cross ARLG members and SPG members	June 2014



## Safeguarding Effectiveness Group (SEG)

Sub-group lead: Adrian Spanswick

Action	Outcome of Completing Action	Work- stream allocation and Leadership	Timescale for completion
To ensure appropriate risks are identified and highlight to the board and ensure mitigations are put in place.	Maintain the LSAB Risk Register A formal risk raising procedure has been developed and this has been shared with LSAB members. Ensure the risk register is a standard item on the LSAB and the SEG agendas.	SEG Chair	Reviewed bi-monthly. Reported to the board quarterly
To enable monitoring of multi-agency learning.	Undertake multi-agency case file audit (MACFA) learning opportunities using the agree methodology. Output from the audit will be a final report with recommendations and an action plan. SEG schedules to undertake minimum of 2 MACFAs per year.	SEG Chair	May and October
To ensure the Multi-agency Safeguarding Adults policy and procedures are congruent with the Care Act.	To update the policy and procedures using information from the Care Act, associated regulation and best practice guidance produced by ADASS and the Department of Health.	LLR SABs Procedures Group Chair	Q4
To ensure the LSAB have regular and effective development	Produce and disseminate a board member questionnaire in Q3 to inform the planning of the LSAB Development Day in Q4.	SEG Chair	Questionnaire disseminated November 2014 Development day January 2015.
To ensure the LSAB is aware of each agencies annual workload and pressures	Receive individual agencies annual reports / activity summaries for formal submission to SEG 2013/2014 which informs sections of the LSABs annual report and strategic planning. Coordination and completion of single agency 'demands' report for the LSAB Executive Chair to report on at the LSAB.	SEG Chair	Annual reports/activity summaries to be received in Q2. Pressure report to be ready for September LSAB
Review of the Safeguarding Adult Assurance Framework in conjunction with the	To review documentation following submissions by SAB partners to ensure SAAF is a robust and holistic to provide a overarching view of organisational safeguarding provisions/ activity in Leicester <ul style="list-style-type: none"> <li>Review of Questions</li> </ul>	SEG Chair	Q2 to complete review (Sept) Q3 to distribute for completion by

Leicestershire and Rutland Safeguarding Adults Board	<ul style="list-style-type: none"> <li>• Format</li> <li>• Guidance notes</li> <li>• Agency sign up to 2014 submission</li> </ul>		agencies (Nov) Q4 to report outcomes to board (Jan)
Refresh the SAB indicators and coordinate quarterly compilation for reporting to the board	Compile a picture of safeguarding across Leicester using key information and context/pressure reporting.	SEG Chair	Refreshed indicators to be ready and agreed by April 2014 New indicators to be collected from 1 <sup>st</sup> April 2014. Reported to SEG in July and the Board in September.
To create a clear outward facing publication in regards to how the SAB learns and improves as a partnership	Development of a local Learning and Improvement Framework for 2014/15 in line with best practice models used by LSCBs.	The LSAB Business Office, with oversight from the Safeguarding Effectiveness Group	Q3

# 9. Appendices

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## Appendix A- Joint LSAB and LSCB Values Statement

### Values Statement which we are committed to with the Leicester Safeguarding Children Board:

1. All people of Leicester have the right to:
  - dignity, choice and respect
  - protection from abuse and/or neglect
  - effective and co-ordinated work by all agencies to ensure a holistic child/person centred response
  - the best possible outcomes, regardless of their age, gender, ability, race, ethnicity, religion, sexual orientation and circumstances
  - high quality service provision
2. Safeguarding the wellbeing of children, young people and adults is a responsibility we all share.
3. Openness, transparency and sustainability will underpin the work of the Boards.
4. Participation by children, young people and adults is essential to inform services, policies, procedures and practices.
5. Services to meet the individual needs of children, young people and adults aspire to reach the highest standards.
6. Celebration of strengths and positive achievements is important to the Boards, as is the commitment to a process of continuous development and improvement.
7. Constructive shared learning to protect children, young people and adults will be integral to the Boards' business.

## Appendix B- The Leicester Safeguarding Adults Board 2013-2014 membership

**Independent Chair:** David N. Jones

### Representing Leicester City Council

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Deb Watson	Strategic Director, Adults and Communities
Ruth Lake	Director, Adult Social Care and Safeguarding/ Chair of the LSAB Executive Group
Stephen Vickers	Head of Service, Adult Safeguarding/ Chair of the LLR Procedures Group
Andy Smith	Director, Social Care and Safeguarding (Children)/ Chair of the LSCB Executive Group
Ann Branson	Director, Housing Strategy and Options
Cllr Rita Patel	Assistant Mayor, Adults and Older People
Ronald Ruddock	Manager, Trading Standards/ Health Wellbeing and Prevention Lead
Daxa Pancholi	Head of Service, Community Safety

### Representing the Health Community

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Carole Ribbins	Director of Nursing, UHL
Dawn Leese	Director of Nursing and Quality, Leicester CCG
Adrian Spanswick	Consultant / Designated Nurse Safeguarding (Children and Adults)/ Chair of the Safeguarding Effectiveness Group
Richard Chester	Executive Director of Quality, LPT
Lee Bretnall	Clinical Quality Manager, EMAS
Teck K Khong	(Dr) Board Member of the Leicester City Clinical Commissioning Group City.
Nelson Lo	(Dr) Named Doctor Safeguarding Adults / Consultant Geriatrician, UHL
Manjit Darby	Leicester, Leicestershire and Lincolnshire, Local Area Team NHS England

### Representing Police, Probation, Prisons and Fire Services

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David Sandall	Detective Superintendent and represent the Delivering Justice Directorate
Carolyn Maclean	Director of Leicester City Local Delivery Unit
Graham Batchford	Governor, HMPS Welford Road
Steve Lunn	Director of Community Safety, Fire and Rescue Services

### Representing the Voluntary and Provider Sector

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Allison Cowley	East Midlands Care Association (EMCARE)
Stephen Cooper	Leicestershire Centre for Integrated Living
Theresa Oldman	IMCA services, PoWHER
Sally Taylor	Head of Supported Housing, EMHA

### Representing the Education Community

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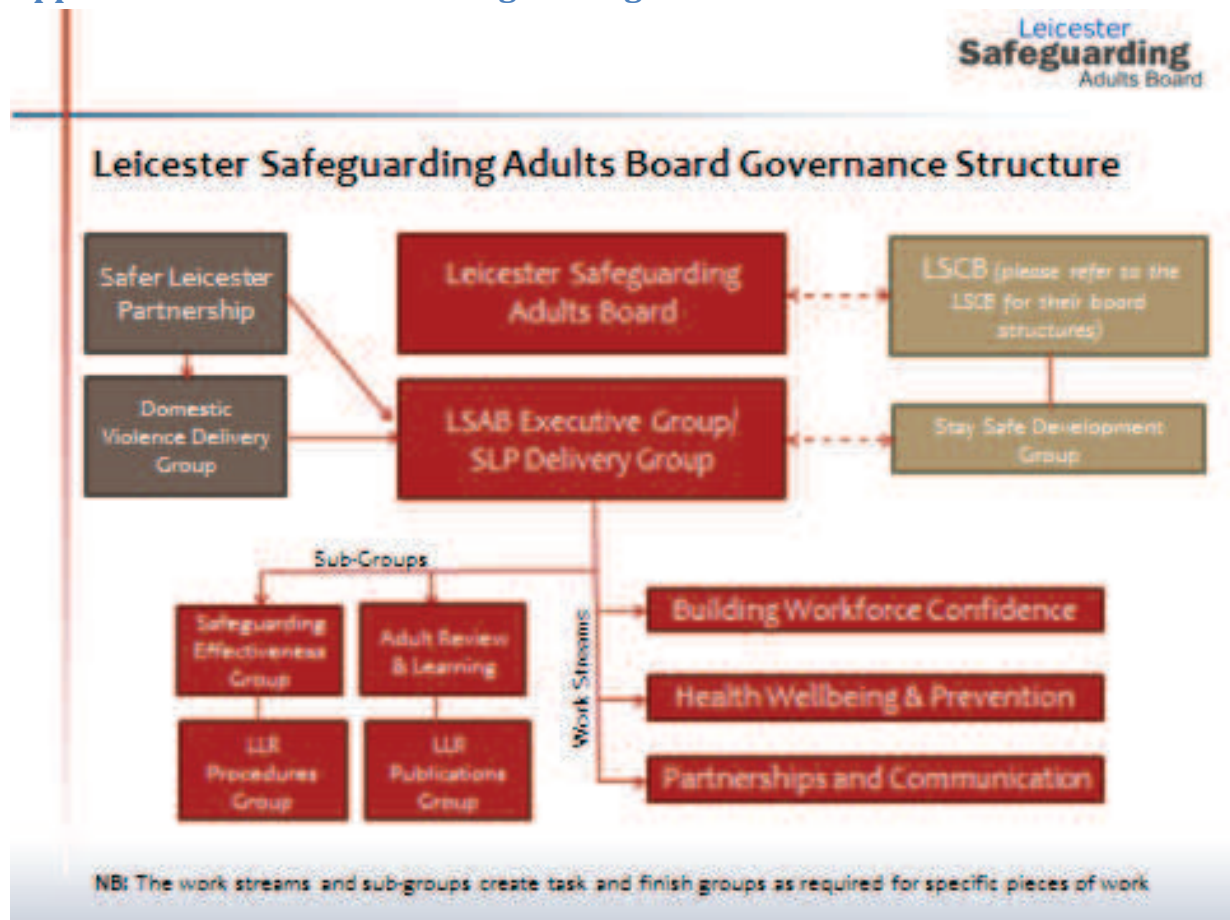
Jackie Martin	Principal Lecturer, DeMontfort University
Angela-North Rose	Head of School, DeMontfort University
Anna Chesters	Safeguarding Lead, DeMontfort University

### LSAB Officers

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Kelly-Anne Moran	LSAB Manager
Jennifer Williams	Partnerships and Communications Lead (part time resource)
Sarah Taylor	Building Workforce Confidence Lead (part time resource)

## Appendix C- The Leicester Safeguarding Adults Board Structure



## Appendix D - LSAB Attendance Record 2013/14

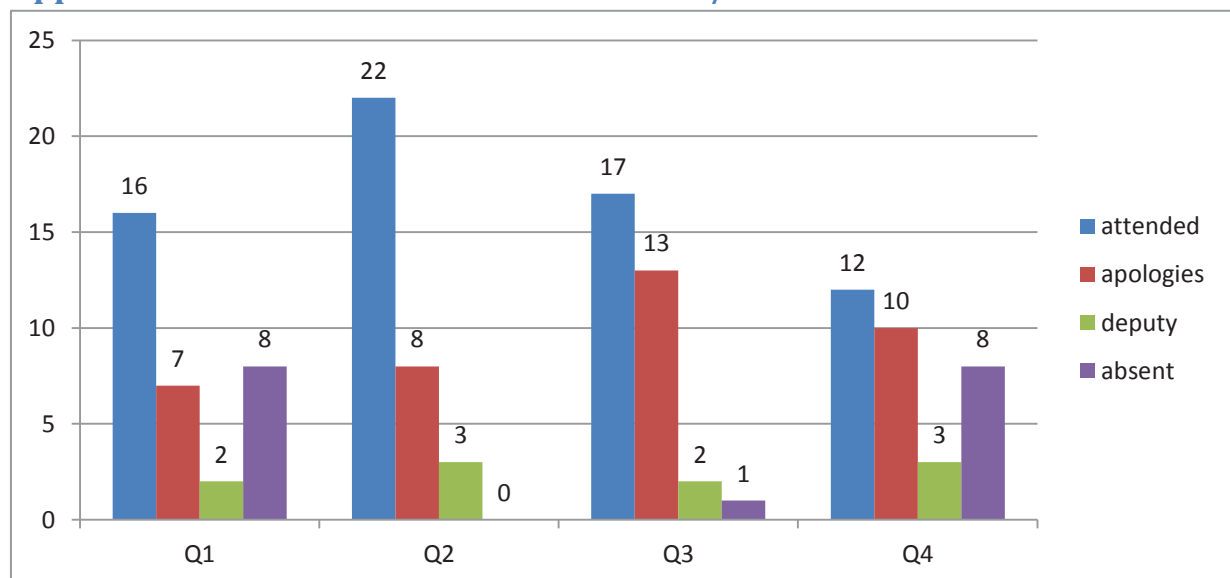


Fig10: 2013/14 board attendance

## Appendix E - Glossary of terms

### Definitions

#### *Abuse of Vulnerable Adults (AVAs) data return*

Introduced in 2010, this is a statistical report produced by the Health and Social Care Information Centre. Councils were required to submit a statutory return (with voluntary elements) required by the Department of Health in relation to their recorded safeguarding activity.

#### *Safeguarding Adult Returns (SARs)*

Introduced in 2013, the Safeguarding Adults Return (SAR) is a new collection of tables that have been designed as a successor to the Abuse of Vulnerable Adults (AVA) Return. The SAR addresses various aspects of safeguarding, with particular regard to the details of the victim, the alleged perpetrator and the alleged offence. Due to this difference it is not possible to compare like for like returns from AVA / SARs collections.

#### *Safeguarding referral*

A referral is defined as a report of risk of potential abuse, harm or neglect which leads to investigation under the safeguarding process. Note that the term 'referral' in this context relates only to safeguarding referrals, and not to referrals for community care assessments.

#### *Primary Client Group/ Type (PCT)*

Primary client group is a professional decision based on the individual's circumstances, not solely an administrative categorisation, for the purposes of allocation to a particular specialist team.

#### *Safeguarding conclusion/ concluded referrals*

A concluded referral is defined as when the active investigation has been undertaken and where the formal conclusion is recorded as one of the following:

- *Substantiated – fully* - This refers to cases where it was concluded that all the allegations made against the individual or organisation were verified "on the balance of probabilities". Where allegations of multiple types of abuse are being considered against an individual or organisation then all will need to be proved for it to be defined as fully substantiated.
- *Substantiated – partially* - This refers to cases where there are allegations of multiple types of abuse being considered against an individual or organisation. Verification will be partial where "on the balance of probabilities" it was concluded that one or more, but not all, of the alleged types of abuse were proved. For example, if a referral includes allegations of physical abuse and neglect and the physical abuse can be proved on the balance of probabilities, but there is not enough evidence to support the allegation of neglect, the referral will be partially substantiated.
- *Inconclusive* - This refers to cases where there is insufficient evidence to allow a conclusion to be reached. This will include cases where, for example, the individual subject

to the referral, the individual believed to be the source of the risk or a key witness passed away before they could provide statements as part of the assessment or investigation.

- *Not substantiated* - This refers to cases where “on the balance of probabilities” the allegations are unfounded, unsupported or disproved.
- *Investigation ceased at individual’s request* - This refers to cases where the individual at risk does not wish for an investigation to proceed, for whatever reason, and so preclude a conclusion being reached.

### *Census*

The census is a way of systematically acquiring and recording information about the members of a given population. In the UK these are held every 10 years by way of a questionnaire sent to households. These statistics help paint a picture of the nation and how we live. They provide a detailed snapshot of the population and its characteristics, and underpin funding allocation to provide public services and are published in a government report by the Office of National Statistics.

### *Healthwatch*

The Health and Social Care Act 2012 sets out that local Healthwatch bodies will be established in April 2013. Healthwatch is the new consumer champion for both health and social care. It will exist in two distinct forms – local Healthwatch and Healthwatch England. The aim of local Healthwatch is to give citizens and communities a stronger voice to influence and challenge how health and social care services are provided within their locality. For full information on the local Healthwatch please visit their website.

### **Acronyms/Abbreviations**

- University Hospitals of Leicester NHS Trust (UHL)
- Leicester City Council (LCC)
- Leicestershire Partnership Trust (LPT)
- Leicestershire and Rutland Safeguarding Adults Board (LRSAB)
- Local/ Leicester Safeguarding Children Board (LSCB)
- Leicester Safeguarding Adults Board (LSAB)
- Serious Case Review (SCR)
- Serious Incident Learning Process (SILP)
- Domestic Homicide Review (DHR)

## **Appendix F – Board Contact Details**

For more information on the work of the Leicester Safeguarding Adults Board, please visit our [website](#).

You can contact the Board office in the following ways:

Telephone: 0116 454 6270  
Fax: 0116 454 0720  
Email: [LSAB@leicester.gov.uk](mailto:LSAB@leicester.gov.uk)



# Adult Social Care Scrutiny Commission Report

8<sup>th</sup> January 2015

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**National Living Wage in Adult Social Care**

Lead Director: Ruth Lake

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**City Mayor**

## Useful information

- Ward(s) affected: All
- Report author: Rod Pearson
- Author contact details: 37 4002
- Report version number: V1.1

### 1. Summary

- 1.1 This report summarises the work undertaken to estimate the approximate financial impact on Adult Social Care of stipulating that all providers from which it commissions services pay their staff the Living Wage.
- 1.2 Most providers of social care support, from which Adult Social Care procures services, do not pay the Living Wage, and are not able to do so under the rates currently paid to them. If the Council were to require this of providers then it would be necessary to ensure that a reasonable amount be paid to providers to pass on to their staff.
- 1.3 The estimated annual impact is £9.7m based on the current National Living Wage of £7.85, and is broken down by service type as follows:

Residential & Nursing Care	£4.5m
Domiciliary Care (Home Care)	£1.6m
Supported Living	£1.7m
Day Services	£0.8m
Direct Payments	£0.7m
Other Services	£0.4m
<b>Total for all Services</b>	<b>£9.7m</b>

### 2. Recommendations

- 2.1 Adult Social Care Scrutiny Commission is recommended to note the content of this report.

### 3. Supporting information

- 3.1 The ability to estimate the likely cost to the Council is limited by a lack of information about the wages that providers currently pay their staff. This report, therefore, provides an estimate, rather than a precise calculation, of the potential cost impact of the living wage.
- 3.2 In estimating the cost impact it has been assumed that (a) all providers currently pay their staff at, or very near to, the National Minimum Wage, and (b) any senior or more experienced staff who are currently paid more than others will also be paid an increase, in order to maintain the differential with junior care staff. These assumptions mean that the overall impact of £9.7m is likely to be at the upper end of cost estimates.

- 3.3 Residential Care is the single biggest area of spend for ASC. In the recent fee setting exercise for determining the cost of placements the council used the national 'Fair Cost of Care' modelling tool. The assumption in the model was that wages would be based on the National Minimum Wage. Thus while some providers may pay above the national minimum wage it is unlikely that this is common practice.
- 3.4 **Residential Care** – Staffing costs represent 63% of the payment made to independent sector providers. The wage element increasing from the National Minimum Wage (£6.50) to the Living Wage (£7.85) would result in independent sector staffing costs increasing by 21%. This has been applied to the 2013/14 expenditure on independent sector residential care to produce the estimate of £4.5m
- 3.5 **Domiciliary Care** – The hourly rate paid to providers would need to rise by £1.35 to reflect the increase from £6.50 to £7.85. Employer national insurance, holiday pay, pensions contributions, sickness and training cover are also affected by changes to wage rates and would add a further 42p to the hourly rate. Overall, the hourly rate would need to increase by £1.77, equivalent to 14.2%. Applying this to the average weekly commissioned number of hours of 18,000 gives a financial impact of £1.6m.
- 3.6 **Supported Living and Day Services** – For these services, a percentage increase of 14.2% has been forecast, as outlined above for domiciliary care. Applying this to the actual payments made to providers in 2013/14 gives a financial impact of £1.7m for supported living, and £0.8m for day services.
- 3.7 **Direct Payments** – The calculation for direct payments is complicated by the fact that customers who employ their own personal assistant are typically able to pay higher wages (because of minimal overhead/admin costs). A proportion of direct payments are also not staffing-related so would not be affected by a change to the Living Wage. There is very little information about the extent of this, but applying rough estimates to the actual cost of direct payments in 2013/14 gives a financial impact of £0.7m.
- 3.8 **Other Services** – A percentage increase in costs of 14.2% has been applied, as calculated under domiciliary care, to services such as Independent Living Support (formerly Housing Related Support), Mobile Meals and Advice Services. This gives a financial impact of £0.4m
- 3.9 **Other Councils** - Of the councils in England with responsibility for social care only 7 unitary/metropolitan councils hold the LWF licence (no county councils hold it). Of these Oldham only encourage payment of the LW by their suppliers as they do not believe they can mandate it; Brighton requires tenderers to quote for an option within their tenders for payment of LW to staff, which may earn points in the evaluation process, but they do not mandate payment of the living wage. Birmingham's policy on the LW excludes social care. By far the most advanced is Islington, who have held the licence for 3 years. They state they have achieved 98% compliance on contracts falling within scope of the LW criteria, and have achieved this largely through encouragement of providers rather than mandating; however they have also brought some services back in

house and agreed to pay some providers increased amounts to fund providers to do this. Lambeth have taken a similar approach and are one another of the most advanced in this regard, but do not mandate it across all contracts.

#### **4. Details of Scrutiny**

None

#### **5. Financial, Legal and other implications**

##### 5.1 Financial implications

This report is entirely related to financial matters.

##### 5.2 Legal implications

Introducing the Living Wage as a requirement in contracts commissioned by the Council, raises legal issues in the main, in terms of public procurement law and the Council's legal duty to achieve best value.

Careful consideration must be undertaken of the legal implications on a case by case basis as it would be unlawful to adopt a blanket approach. Client officers have received detailed legal advice.

Beena Adatia – Principal Solicitor (Commercial, Contracts & Capital)

##### 5.3 Climate Change and Carbon Reduction implications

None identified

##### 5.4 Equality Impact Assessment

n/a

##### 5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None noted

**6. Background information and other papers:**

None

**7. Summary of appendices:**

None

**8. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

**9. Is this a “key decision”?**

No



# Appendix E

## Adult Social Care Scrutiny Commission - 8<sup>th</sup> January 2015

### **Briefing Note: Sale of Abbey House and Cooper House – engagement with residents, their families/carers and staff**

#### 1. Purpose of the Note

1.1 To provide the Adult Social Care Scrutiny Commission with an update on the engagement with residents, their families/carers and staff regarding the sale of Abbey House and Cooper House.

#### 2. Background Information

2.1 When the Consultation first started in 2011, on the future of the Council's Elderly Persons Homes, the proposal was to close all the eight homes. However, residents and their families/carers said that if change had to happen, then they would prefer the homes to be sold to another organisation.

2.2 Therefore, the Consultation was restarted and the residents and their families/carers stated they wanted the homes to be sold as going concerns.

2.3 A soft market testing exercise was completed, which showed there was interest in 4 homes, including Abbey House and Cooper House.

2.4 Following a procurement exercise, Leicestershire County Care Ltd (LCCL) was selected as the preferred bidder for the homes and the sale/transfer is currently in progress.

#### 3. Engagement with residents, their carers/families and staff

3.1 As part of the sale process, a letter was sent on 8<sup>th</sup> October 2014 to residents and their families/carers explaining that LCCL have been selected as the preferred bidder.

3.2 Meetings were held with residents and their families/carers, senior officers and LCCL on 10<sup>th</sup> December at Abbey House and at Cooper House on 11<sup>th</sup> December 2014 to discuss the sale process.

3.3 Contact details were also made available to enable residents and their families/carers and staff to raise any concerns or questions, as part of the communications process.

3.4 Residents have not been asked if they want to move out of Abbey House and Cooper House as part of the sale process, because the outcome of the consultation exercise was to sell the homes as going concerns. To date no one has asked to move to alternative accommodation, but residents have a choice about where they live, so any requests will be considered.

3.5 Information was also sent to staff at both homes on 8<sup>th</sup> October 2014, advising them that LCCL had been selected as the preferred bidder.

3.6 Meetings were also held with staff, senior officers and their union representatives at Cooper House on 4<sup>th</sup> December and at Abbey House on 5<sup>th</sup> December 2014 to discuss the 'Measures Letter', which sets out any changes to staff Terms and Conditions proposed by LCCL.

3.7 A second meeting was held with staff, senior officers, their union representatives and LCCL to make introductions and to enable staff to ask questions about any proposed changes to their Terms and Conditions. These meetings took place on 11<sup>th</sup> December at Cooper House and Abbey House on 12<sup>th</sup> December 2014.



## **Intermediate Care Unit – Progress Update**

The timeline for the development of the Intermediate Care Unit is noted below.

- Develop Brief by August 2014
- Feasibility Study from September to October 2014
- Outline Design from November to December 2014
- Detailed Design from January to February 2015
- Tender Production March 2015
- Tender Period mid -April to mid-June 2015.
- Delivery and occupation by March 2017

The project remains on track against this plan.



# Appendix G

## Independent Adult Social Care Commission

### Members Biography

- **Mike Kapur, CEO, SemperVox Ltd**

Mike started his career in 1985 at KPMG as the senior manager responsible for audit and business advisory services to Owner Managed Businesses.

Mike currently manages Signum Corporate Communications Ltd, a company he founded in 2002. He has a wide and varied career which includes 20 successful years of boardroom experience in both private and public sector organisations, recognised in his appointment in 2013 to one of the Confederation of British Industry's (CBI) most important roles, as Head of its Enterprise Forum.

From this position he leads the CBI's policy work in respect of SME's and acts as the National figurehead for SME members and their issues including interfacing with Government on their behalf.

Amongst many non-executive roles, Mike has served as a non-executive director at Leicester Royal Infirmary and following its merger in 2000 with two other large hospitals he was retained as Deputy Chairman of University Hospitals of Leicester NHS Trust, then the third largest trust in the UK.

In 2009 Mike became Chairman of the National Space Centre and he also joined the Board of De Montfort University and was appointed its Deputy Chair in February 2012. Mike is Pro Chancellor of the University.

- **Liz Kendall MP (Leicester West)**

Liz Kendall is the Labour MP for Leicester West, elected on 6 May 2010. She is a member of Labour's frontbench team, attending the Shadow Cabinet as the Shadow Minister for Care and Older People. She is the Director of the Ambulance Service Network and the Director of the Maternity Alliance charity.

She has worked for two 'think-tanks': the Institute for Public Policy Research, where she was the Associate Director for health, social care and children's early years; and the King's Fund, where she was a researcher on the public health programme focussing on tackling local health inequalities.

- **Dr Nitin Joshi, GP**

Nitin Joshi has been a GP for the past 22 years.

His main interest is in integrating care across health and social care. He realised that for many of his elderly patients, an integrated approach was needed, taking into account mental, social as well as medical factors that determined their wellbeing. After joining the Leicester City Commissioning Group in 2010, he set up an integrated care model with 2 other practices in 2011.

He is the Lead Clinician for Frail Older People in the Better Care Together Programme, which is a five year planned programme that includes the County as well as the City.

- **Emily Georghiou, National Adviser, Age UK**

Emily Georghiou is Local Influencing Adviser for Age UK, working to improve later life experience for our ageing population. She has developed the Age Action Alliance network - with Government, older people and cross sector organisations - to promote positive attitudes and practical solutions, and provided UK Secretariat to AGE Platform Europe (2013-2014). She is active in her community and Deputy Chair of Lambeth and Southwark Mind.

As a passionate advocate for equality, rights and civic empowerment and a champion of diversity, Emily has previously worked in a range of roles to promote social justice.

Emily was educated Bristol, and at Ruskin College Oxford, she went on to read Politics and Philosophy. At the University of Hull, she was elected Vice President (Education & Representation).

- **Ranjit Thaliwal, Solicitor, Thaliwal and Co Solicitors**

Ranjit Thaliwal is a qualified solicitor specializing in the area of Mental Health Law.

He is a member of the SRA Mental Health Review Tribunal Panel and regularly presents to mental health organisations, support groups, professional and charities.

He retains a guest lecturer status at the Leicester DMU teaching on the medical law and ethics course as well as on mental health nursing modules.

He is a member of the Midland Asian Lawyers Association and the Legal Aid Agency Funding Review Committee.

- **Penny Tremayne, Senior Lecturer (Adult Nursing), DeMontfort University**

Penny Tremayne has been a Senior Lecturer in the School of Nursing & Midwifery at De Montfort University since 1999. She qualified as nurse in 1989 and has been a Ward Sister at Northants Hospital.

She is a module leader for pre-registration nursing students with focus on older persons. She ensures students are trained as older persons' champions and the older persons' have a dementia champion. Her real interests lie in promoting older persons' health and wellbeing and enabling them to remain independent for as long as possible.

She is a reviewer for the Nursing Standard, has co-edited two books and has published 20 articles in nursing journals.

- **Dr David Sharp, Director, Leicestershire and Lincolnshire Area, NHS England**

David has been a director in the NHS since 2000. He is an Accountant. He holds a Doctorate in Business Administration and is a part time professor with specialties in change management and also in the funding of healthcare.

David has been Chief Executive and Finance Director in NHS organizations in Derbyshire and Nottinghamshire and took on his recent role as Director within NHS England (Leicestershire and Lincolnshire Area Team) in November 2012. His experience in the NHS includes acute, mental health and primary care. He is recently published in the field of Evidence Based Healthcare Management.

- **Cllr Rita Patel, Assistant City Mayor, Adult Social Care**
- **Elaine McHale, Interim Strategic Director, Adult Social Care**



## Adult Social Care Scrutiny Commission

### Work Programme 2014 – 2015

Meeting Date	Topic	Actions Arising	Progress
26 <sup>th</sup> Jun 2014	<ol style="list-style-type: none"> <li>1. VCS Preventative Services – Update on the findings of the consultation and proposals</li> <li>2. Elderly Persons Homes – Update</li> <li>3. Intermediate Care Facility – Options for developing the facility</li> <li>4. Adult Social Care Commission – Update</li> <li>5. Douglas Bader Day Centre – Update</li> </ol>	<ol style="list-style-type: none"> <li>1. Consider if it is possible that some services can be grant aided and the procurement process be proportionate to the level of the contract value to be awarded. Progress of the procurement process to come back to a future meeting.</li> <li>3. Plans for the new building including the cost of the building across its whole life, sustainability options and the way services would be delivered at the new facility to be brought to a future meeting. Scoping doc re the issues raised about residential care fees to come to the next meeting.</li> <li>4. Notes of the ASC Commission to be shared with scrutiny and a further update of the work of the ASC commission to come to a future meeting.</li> <li>5. An article explaining the benefits of using personal assistants to be included in Leicester Link. Updates on the progress of users to be continued at each meeting.</li> </ol>	<ol style="list-style-type: none"> <li>1. Update at Sept meeting</li> <li>3. A briefing on IC facility arranged for 7<sup>th</sup> Oct. No longer doing a review.</li> <li>4. Ongoing</li> <li>5. Final update received in Sept.</li> </ol>
14 <sup>th</sup> Aug 2014	<ol style="list-style-type: none"> <li>1. Hospital Transport for Patients – impact of long waits on care</li> <li>2. Fosse Court Care Home – status and position of residents</li> <li>3. Review of Housing Related Support for Substance Misuse</li> <li>4. Douglas Bader Day Centre – Update</li> <li>5. Elderly Persons Homes – Details of the four week review feedback of moved residents</li> <li>6. Intermediate Care Facility – Key milestones</li> <li>7. Work Programme</li> </ol>	<ol style="list-style-type: none"> <li>1. Letters to be written to East Leicestershire and Rutland CCG and Arriva Transport Solutions to inform of concerns raised at the commission meeting.</li> <li>2. Findings of the review of Fosse Court Care Home to come back to a commission meeting.</li> <li>3. A report on the ‘Dear Albert’ social enterprise project to come to the next meeting.</li> <li>4. The next report to include feedback from users that had moved on</li> <li>6. Session to be held for Members to see preliminary plans.</li> </ol>	<ol style="list-style-type: none"> <li>1. Letters sent</li> <li>2. Scheduled 8<sup>th</sup> Jan</li> <li>3. Scheduled 8<sup>th</sup> Jan</li> <li>4. Report received on 25<sup>th</sup> Sept.</li> <li>6. Briefing arranged for 7<sup>th</sup> Oct</li> </ol>

Meeting Date	Topic	Actions Arising	Progress
25 <sup>th</sup> Sep 2014	<ol style="list-style-type: none"> <li>1. Question from LGBT Centre</li> <li>2. Winter Care Plan:               <ol style="list-style-type: none"> <li>a) Progress / Response from CCG and UHL on report recommendations and evaluation of last winter's care.</li> </ol> </li> <li>3. Leicester Ageing Together – Update on Lottery funding</li> <li>4. Extra Care Developments</li> <li>5. Voluntary Community Sector Preventative Services (ASC) – Verbal Update</li> <li>6. Douglas Bader Day Centre – Update</li> <li>7. ASC Commission – Verbal Update</li> <li>8. ASC Peer Review – Findings</li> <li>9. Housing Adaptations for Elderly Patient Discharges from Hospital</li> </ol>	<ol style="list-style-type: none"> <li>1. Response to be sent to questioner within two weeks</li> <li>2. Progress to recommendations and an evaluation of other areas identified in the review to come to the next meeting. Also comparison stats on winter deaths. Invite Cllr Palmer.</li> <li>3. Vista invited to update on their programme. Invite Cllr Palmer.</li> <li>5. A short written report including timescales and figures to come to the next meeting.</li> <li>7. A list of members to be circulated to the commission.</li> <li>8. Healthwatch and officers to meet to see how they can support the work of the dept particularly around personalisation.</li> <li>9. Housing scrutiny to consider major adaptations.</li> </ol>	<ol style="list-style-type: none"> <li>1. Response sent.</li> <li>2. Added to 20<sup>th</sup> Nov agenda.</li> <li>3. Added to 20<sup>th</sup> Nov agenda.</li> <li>5. Added to 20<sup>th</sup> Nov agenda.</li> <li>7. Shared at 20<sup>th</sup> Nov meeting.</li> <li>8. Met at regular meeting with dept.</li> <li>9. Been referred to Hsg scrutiny.</li> </ol>
20 <sup>th</sup> Nov 2014	<ol style="list-style-type: none"> <li>1. Domiciliary Care – Response from Executive</li> <li>2. Winter Care Plan</li> <li>3. Leicester Ageing Together</li> <li>4. Hospital transport for patients – update on impact</li> <li>5. ASC Revenue Budget</li> <li>6. Intermediate Care Facility – Update</li> <li>7. Independent Living Spending Review - Update</li> <li>8. Implementation of the Care Act 2014</li> <li>9. VCS Preventative Services (ASC) – Update</li> <li>10. ASC Commission – Update</li> </ol>	<ol style="list-style-type: none"> <li>1. Letter to be sent to the Secretary of State jointly with the Executive. Report to come to the commission on the cost of having a living wage.</li> <li>2. An update on Hospital to Home to come to the commission.</li> <li>3. Progress on project to come back to the commission.</li> <li>4. Cllr Palmer to share data from the ELCCG on the monitoring of Arriva's contract.</li> <li>5. Scrutiny to consider options for change to reduce the budgetary pressures</li> <li>8. Deferred to the Jan mtg.</li> <li>10. Revised ToR and dates of meetings at Jan mtg.</li> </ol>	
8 <sup>th</sup> Jan 2015	<ol style="list-style-type: none"> <li>1. Safeguarding Adults Board Annual Report</li> <li>2. Costs of having a Living Wage</li> <li>3. ASC Budget Overspend</li> <li>4. Intermediate Care Unit – Update</li> <li>5. ASC Commission – Update</li> <li>6. Dear Albert Social Enterprise Project</li> </ol>		



Meeting Date	Topic	Actions Arising	Progress
27 <sup>th</sup> Jan 2015 Joint meeting with Health	<ol style="list-style-type: none"> <li>Care Quality Commission</li> <li>Dementia</li> <li>Better Care Fund</li> <li>Implementation of the Care Act 2014</li> </ol>		
5 <sup>th</sup> Mar 2015	<ol style="list-style-type: none"> <li>Fosse Court Care Home</li> <li>Intermediate Care Unit – Update</li> <li>ASC Commission - Update</li> </ol>		

### Forward Plan 2014 -2015

Topic	Detail	Proposed Date
Care Quality Commission	Update on CQC working and how we can work more closely with them. Michelle Hurst – Inspection Manager (Central Region)	27 <sup>th</sup> Jan (Joint mtg)
Contracts, Commissioning & Procurement	Systems for joined up working with Health (Jointly with Health Scrutiny) Issues facing VCS in relation to contracts and tendering	
Lack of Support for Carers	Impacts on health and wellbeing of carers (Jointly with Health Scrutiny)	
Internal Day Care for People with a Learning Disability Review	What is being changed and what will the review involve?	
Residential Care Fees	Update following implementation and understanding the cost comparators between the independent sector fees and costs of the Intermediate Care facility.	5 <sup>th</sup> March 2015
Leicester for Care Service	An update on the Service	
Domiciliary Care	Pre-procurement of domiciliary care contracts	
Leicester Ageing Together	Implementation of the project and update on progress	

