

Overview & Scrutiny Committee

Monday 27 April 2015

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Gavin Edwards (Chair)
Councillor Rosie Shimell (Vice-Chair)
Councillor Anood Al-Samerai
Councillor Jasmine Ali
Councillor Catherine Dale
Councillor Karl Eastham
Councillor Tom Flynn
Councillor Rebecca Lury
Councillor Adele Morris
Councillor Johnson Situ
Martin Brecknell
Lynette Murphy-O'Dwyer
Abdul Raheem Musa
George Ogbonna

Reserves

Councillor Evelyn Akoto
Councillor Maisie Anderson
Councillor James Barber
Councillor Dan Garfield
Councillor Jon Hartley
Councillor Hamish McCallum
Councillor David Noakes
Councillor Martin Seaton
Councillor Bill Williams
Councillor Kieron Williams

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Contact Shelley Burke on 020 7525 7344 or email: shelley.burke@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: Date Not Specified



Item No.

Title



Overview & Scrutiny Committee

Monday 27 April 2015

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No. Title Page No.

PART A - OPEN BUSINESS

1. APOLOGIES

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.

4. MINUTES (02.02.2015) & (09.03.2015) 1 - 17

To approve as a correct record the Minutes of the open section of the meetings held on Monday 2nd February 2015 and Monday 9th March 2015.

5. RENTS FOR COUNCIL PREMISES 18 - 20

- Continuation of previous session.
- Submission from Community Action Southwark.

6. HOME CARE PROCUREMENT STRATEGY 21 - 40

Discussion with Cabinet Member and Strategic Director.

Item No.	Title	Page No.
-----------------	--------------	-----------------

7.	RESPONSES TO STAFF EMAIL	41 - 42
-----------	---------------------------------	---------

Staff suggestions for scrutiny topics.

8.	CALL-IN ARRANGEMENTS	43
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DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING.

PART B - CLOSED BUSINESS

DISCUSSION OF ANY CLOSED ITEMS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: Date Not Specified



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the Overview & Scrutiny Committee held on Monday 2 February 2015 at 3.00 pm at Ground Floor Meeting Room G01B - 160 Tooley Street, London SE1 2QH

PRESENT:	<p>Councillor Gavin Edwards (Chair) Councillor Rosie Shimell Councillor Jasmine Ali Councillor Catherine Dale Councillor Karl Eastham Councillor Tom Flynn Councillor Rebecca Lury Councillor Adele Morris Councillor David Noakes Councillor Martin Seaton Councillor Johnson Situ Martin Brecknell</p>
OTHER MEMBERS PRESENT:	<p>Councillor Peter John - Leader of the Council Councillor Fiona Colley - Cabinet Member for Finance, Strategy & Performance Councillor Barrie Hargrove - Cabinet Member for Public Health, Parks & Leisure Councillor Mark Williams - Cabinet Member for Regeneration, Planning & Transport Councillor Victoria Mills - Cabinet Member for Children & Schools Councillor Dora Dixon-Fyle - Cabinet Member for Adult Care, Arts & Culture Councillors Darren Merrill and Michael Situ - Cabinet Members for Environment, Recycling, Community Safety & Volunteering Councillor Richard Livingstone - Cabinet Member for Housing Councillor Ian Wingfield - Deputy Leader and Cabinet Member for Communities, Employment & Business</p>
OFFICER SUPPORT:	<p>Eleanor Kelly - The Chief Executive Ruth Wallis - The Director of Public Health Simon Bevan - The Director of Planning David Quirke-Thornton - Strategic Director of Children's and Adults' Services Deborah Collins - Strategic Director for Environment & Leisure Stephen Douglass - Head of Community Engagement Peter Roberts – Scrutiny Project Manager</p>

1. APOLOGIES

- 1.1 Apologies for absence were received from Councillors Anood Al-Samerai and Claire Maugham.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

- 2.1 There was no business which the chair deemed urgent.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

- 3.1 There were no disclosures of interests or dispensations.

4. BUDGET SCRUTINY

Councillor Peter John, Leader of the Council, and Councillor Fiona Colley, Cabinet Member for Finance, Strategy & Performance

- 4.1 Councillor Fiona Colley, cabinet member for finance, strategy & performance, reminded the committee that this was the fifth consecutive year of severe cuts and that government funding of £93 million had been lost. Central Government had stopped paying consideration to need in the way it distributed funding. Southwark was the 25th most deprived of London councils but the sixth hardest hit in terms of cuts, losing £700 spending power per household. This year Southwark was the third hardest hit per household in the country. 5.9% of funding had been lost, equivalent to £21 million. Councillor Colley commented that the Better Care Fund was not simply available for the council to spend because allocation of the fund had to be decided through the Health and Wellbeing Board. She highlighted paragraph 75 in the report and the table which showed the £37 million gap that had to be filled. The council aimed to protect frontline services and those services that residents valued, including street cleaning, libraries and children's services. Councillor Colley explained that the savings would be met from efficiencies and better use of resources, from reserves and from income generation. The hours of the Call Centre would be reduced. Councillor Colley stressed that she was most sorry to see job losses of which there would be around two hundred full-time equivalents and that the council was doing its best to secure redeployments and to seek voluntary redundancies.
- 4.2 The chair, Councillor Gavin Edwards, asked whether the offer made by the current voluntary redundancy scheme was at the right level to attract enough people and whether it was sufficiently widely communicated. Councillor Colley stated that she

had been advised by the director of human resources that the voluntary redundancy scheme was sufficient but that she was keeping a close eye on whether people were coming forward. The chief executive, Eleanor Kelly, added that the voluntary redundancy policy mirrored the compulsory redundancy scheme. Voluntary redundancies were being sought in areas which were likely to be restructured. The scheme was being benchmarked against the schemes of other London boroughs.

- 4.3 Councillor David Noakes referred to a statement by the Leader at a meeting of the Southbank Forum that there was enough money in the system despite cuts and that better, more innovative services would emerge. The Leader clarified his view that there was enough money in the overall public spend, not just local government. However, central government seemed to be targeting local government and the ringfencing of health and education was unhelpful. Councillor Noakes also picked up a reference in the adults' and children's services budget to reducing spend on photocopying, printing and stationery. He commented that it was a shame that this was not done across all departments. Councillor Colley explained that this did not necessarily pop out as a headline figure in other departmental budgets.
- 4.4 Councillor Jasmine Ali asked how confident the cabinet members were that the whole organisation would respond to the culture change that would be necessary. Councillor Colley highlighted the council's workforce strategy and that efforts had been made to ensure that every member of staff had the opportunity to meet their chief officer and cabinet member.
- 4.5 Councillor Catherine Dale sought clarification of paragraph 37 of the report. The director of finance, Duncan Whitfield, stated that £2.5 million should be achieved this year. Next year there was a backlog of developments but a lot of uncertainty especially around the Valuation Office's appeals. £5 million was the best estimate. In response to questions from Councillor Martin Seaton, Councillor Colley emphasised that the council was setting a one year budget and that there was a great deal of uncertainty beyond this. A lot depended on the result of the general election. The Leader added that he was reluctant to try to take account of possible reductions in the future as this could become a self fulfilling prophecy. In terms of the level of reserves, he felt that the council was taking a prudent approach.

Councillor Barrie Hargrove, Cabinet Member for Public Health, Parks & Leisure

- 4.6 Councillor Barrie Hargrove, cabinet member for public health, parks & leisure, commented on the crippling level of cuts that the council was facing. Within his portfolio, services were being rolled out to reach into the community. In terms of the public health budget, savings were being used to realign services.

- 4.7 Councillor Johnson Situ asked the cabinet member how plans for free swim and gym facilities fitted in to budget cuts. Councillor Hargrove acknowledged the pressure on services to contract but stressed that this administration was clear that it would meet its manifesto commitments. A pilot programme would deliver free swim and gym to younger and older people and meet referrals from GPs. Councillor Noakes was concerned that the public health budget had been raided to meet manifesto promises and was not sure that free swim and gym facilities would help in attaining public health outcomes. In response, Councillor Hargrove stressed that the public health budget was currently ringfenced. In addition, he felt that the commitment to free swim and gym would meet public health aspirations. He also highlighted the sexual health action plan. In response to a question from Councillor Tom Flynn in respect of drug and alcohol services, Councillor Hargrove indicated that a report would be coming to the cabinet in February looking at the delivery of treatment for drugs and alcohol.
- 4.8 In response to a question from Councillor Rebecca Lury on savings which could be made in respect of public health across the council, Councillor Hargrove repeated that the provision of free swimming and gym facilities would have an impact as would looking at obesity and better ways to approach sexual health and HIV. The council was also looking at tobacco controls and investing in mental health, well-being and resilience. Ruth Wallis, the director of public health, added that the challenge was to shift resources from high end high cost services towards early intervention including drugs and alcohol prevention. Councillor Adele Morris hoped that public health would be looked at more effectively across all departments. In terms of licensing, she wondered whether public health would be able to submit information about new applications for licensed premises. The director hoped that there would be the capacity to do this and referred to a programme developed in Lambeth.
- 4.9 In response to a question from Councillor Seaton, the director explained that sexual health and HIV services were a big proportion of the public health budget. Councillor Colley clarified that the overall public health budget had been frozen and that this was not particular to Southwark. Councillor Seaton asked whether there was a standard formula to determine the sexual health budget. The director explained that the expectation was that the need would go up but that this had not been taken account of in the move of the sexual health commissioning budget to local authorities.
- 4.10 The chair asked Councillor Hargrove which of the savings he was most concerned about in his area. Councillor Hargrove commented that the cuts in sexual health had not yet been completely worked through and that it would be necessary to look at all possibilities. There were risks around all the savings that the council made but that there was a good quality of officers working in the council.

Councillor Mark Williams, Cabinet Member for Regeneration, Planning & Transport

- 4.11 Councillor Mark Williams, cabinet member for regeneration, planning & transport, reported that the revenue budget within his portfolio was not as large as in others but that there was an opportunity to generate income in a way that other departments could not. This included fees for hiring out lampposts for Wi-Fi providers, sponsoring of Christmas lights and increasing car park charges in the North West of the borough. As many costs as possible would be capitalised. The highways investment program totalled £21 million over three years. In terms of regeneration and planning the hope was to increase money received from developers through fees in order to make this section self-financing. Councillor Williams also pointed out that building more commercial premises and homes would increase business rates and council tax.
- 4.12 The chair asked whether developers fees could be increased. Simon Bevan, the director of planning, responded that this would be a challenge but that benchmarking fees against other boroughs would be a good starting point and allow a clearer picture of what was feasible. The Community Infrastructure Levy (CIL) was in place and should put the council in a healthy position.
- 4.13 Councillor Jasmine Ali emphasised the importance of consulting with people in the borough. Councillor Williams commented that the council needed to strive to be better and better. It was meeting its statutory obligations in terms of consultation but was also working to go over and above these requirements. Councillor Morris was concerned as to how the council could balance the need for economic development against the needs of some of its residents. Councillor Williams stressed that there were a lot of families on the housing waiting list, trapped in the private sector, that there were high levels of unemployment, that the infrastructure needed improving and that the schools programme needed to be pursued. Growth and development was essential to the borough but at the same time the council did listen to local residents. Building more affordable homes and workspace was to the good of the borough generally.
- 4.14 Councillor Morris was also concerned about planning enforcement issues. Councillor Williams responded that in an environment of cuts, frontline services such as adults' and children's services needed to be supported and that his department needed to generate as much income as possible. Planning enforcement could perhaps be reviewed in terms of its fees.
- 4.15 Councillor Rosie Shimell expressed concern about the potential impact of increased car parking charges on local shops and businesses. Councillor Williams explained that this was being proposed for the North West of the borough and

targeted visitor bays in the congestion zone with the aim of introducing a more fluid churn and discouraging people from driving to public transport. There was a pressure on car parking spaces in this area and one hour street parking was being consulted on. The impact on shops was not felt to be great.

- 4.16 Councillor Dale asked how the cabinet member would demonstrate to the public the value for money in all areas within his portfolio. Councillor Williams repeated the importance of new development schemes and new affordable homes. In response to a question from Councillor Noakes, he agreed to look into opportunities to use Section 106 and CIL for revenue purposes. Eleanor Kelly, the chief executive, highlighted page 84 of the report which looked at the possibility of recovering staff costs through capitalisation.
- 4.17 Councillor Situ asked the cabinet member what he saw as particular challenges for the future. Councillor Williams emphasised the importance of protecting the ability to generate investment and reaching the point where the regeneration and planning team was self-financing. Councillor Colley added that it was important to ensure that Southwark was an attractive place to live and work. Councillor Williams underlined the necessity to plan for future population growth, including homes and schools.

Councillor Victoria Mills, Cabinet Member for Children & Schools

- 4.18 Councillor Gavin Edwards stood down from the chair during this section of the meeting.
- 4.19 Councillor Victoria Mills, cabinet member for children & schools, explained that children's services had been relatively well protected in recent years. Services would improve the outcomes for looked after children and those on the edge of care. There was the possibility of making some savings as two years ago there had been 640 looked after children and now there were 504. The council's focus was to get this figure to around 460 and thereby pay for less of the most expensive services. David Quirke-Thornton, strategic director of children's and adults' services, added that the council was trying to bring transparency. There was a significant shift of funding from children in care to early help and a substantial saving because of work carried out over previous years.
- 4.20 Councillor Shimell highlighted reference 39 on page 78 of the report referring to the restructuring of secondary and further education provision. Councillor Mills clarified that this partly reflected changed SEN requirements and an attempt to avoid cross council duplication. In response to further questions, Councillor Mills explained that in reality there were a very small number of residential placements but that these were hugely expensive. With care, these could be unpicked and a better route arrived at. The strategic director added that fewer children were

presenting as needing residential care, partly as a result of a more enhanced early help service.

- 4.21 Councillor Noakes was concerned as to why there were not more savings within strategy and commissioning (page 61). Councillor Mills stated that there had been savings in back office costs in other areas as well. The strategic director emphasised that two thirds of the council's spend was within children's and adults' services. Some of these services had had significant reductions in the past years. Councillor Mills stressed that a child would receive a residential placement if this was necessary but that if more support could be put around families and foster carers then this would cost less than the cost of a residential placement and the outcomes for children would be far better.
- 4.22 Councillor Morris sought clarification of the difference between in-house and independent fostering. Councillor Mills explained that in-house foster carers were registered with Southwark while independent foster carers were registered with an agency. The strategic director added that it was important to the council that children were kept close to their home community if possible. It was important to the council that children were fostered by carers in Southwark and this happened to cost a lot less. Councillor Mills explained that the council worked to transfer independent foster carers in-house. The council had reviewed foster carer fees in order to make the strongest possible offer and made sure that it also offered as much ongoing support as possible. The strategic director commented that local authorities needed to engage better and to make the process of becoming a foster carer more straightforward. The challenge was to offer a good support package which included night time and weekend support. The offer to foster carers could also be enhanced for instance with the payment of council tax.
- 4.23 Councillor Gavin Edwards returned to the chair.

Councillor Dora Dixon-Fyle, Cabinet Member for Adult Care, Arts & Culture

- 4.24 Councillor Dora Dixon-Fyle, cabinet member for adult care, arts & culture , reported that adult social care had been transformed over the last couple of years, including the introduction of the personalisation agenda and the aim to help people stay at home as long as possible. The council had also adopted the Ethical Care Charter, abolished fifteen minute in and out visits, introduced the London Living Wage and paid travelling time to carers. Day care was changing as there was more choice to spend personal budgets. The council was building a state of art day centre to help with for instance dementia. The Better Care Fund helped the council to work more closely with health services.
- 4.25 Councillor Dale highlighted references 20, 24 and 88 in the report and asked whether these were related in that they referred to reablement. Councillor Dixon-

Fyle explained that reference 20 referred to adult social care and an increased use of reablement. The strategic director of children's and adults services explained that the reference at 88 was a different use of the term.

- 4.26 Councillor Noakes was concerned about the reference to day centres on page 60. He accepted that there was a decrease in demand for places but commented that a lot of people did not have personal budgets. He was not confident that references 15 and 16 on page 76 were efficiencies and not in fact a change to care. Councillor Dixon-Fyle responded that not everyone using a day centre had a personal budget. It was not possible for Southwark as an authority to continue to fund places. Services such as Golden Oldies had been referred to Community Action Southwark to help them build up a business case in order to fund themselves. Councillor Morris pointed out that the council did not charge for a lot of children's day centres. Councillor Dixon-Fyle stressed that older people were assessed by social workers before being sent home from hospital and that families were also involved. A free service could only be offered to those who were eligible and in other cases a contribution was necessary. Councillor Noakes pointed out that one of the administration's commitments was to support those most vulnerable in the borough. This was at odds with the policy in respect of day centres as people were no longer going out as they were not able to pay for use of a day centre. Councillor Dixon-Fyle emphasised that some voluntary organisations continued to be funded but that the council could not support all the groups it had supported in 2010.
- 4.27 Councillor Ali was concerned that some old people were very isolated and excluded. She asked the cabinet member whether she was satisfied that the council could protect and safeguard adults. Councillor Dixon-Fyle stated that she was confident that the council was investigating cases very quickly and that she was confident in the Safeguarding Adults Board.
- 4.28 The chair highlighted reference 15 on page 76 and asked the cabinet member whether she was confident that these savings could be delivered. Councillor Dixon-Fyle was confident in the move from residential to non-residential. The strategic director added that the move towards supported living was very popular and happened to cost less. This was responding to the aspirations and hopes of service users as well as delivering savings. The chair also asked whether there were benefits in introducing the Ethical Care Charter. The strategic director replied that benefits were significant. The offer was better for homecare workers in Southwark and people were moving from other agencies in order to work in the borough. People were also much happier with the service as there was more continuity of care and workers were spending more time with users.

Councillors Darren Merrill and Michael Situ, Cabinet Members for Environment, Recycling, Community Safety & Volunteering

- 4.29 Councillor Michael Situ explained that the proposed budget aimed to protect operational services to residents and to ensure that community safety was paramount. The most important aspect was the proposed move to a multi-disciplinary approach, rather than officers specialising in one discipline. The intention was to provide officers with a range of skills so that they could fill a number of roles. Councillor Darren Merrill stated that the expectation from the services within his portfolio was that rubbish was collected on times and streets were clean. The principle within the budget proposal was to make savings which did not affect the cleanliness of the borough. This included a restructuring of the back office, a new commercial waste and pest control offer and solar panels on the roof of the waste facility. Councillor Morris asked whether solar panels could be installed on other council buildings. Councillor Merrill indicated that this would be looked into.
- 4.30 Councillor Flynn asked whether references 9 and 76 implied a reduction in qualified front line staff. Councillor Situ replied that there was no proposal to reduce the Noise Team and that additional apprentices would boost the services of officers. A multi-disciplinary approach would allow officers across the division to do a number of functions. Councillor Situ added that he was satisfied that this approach would also benefit staff. In response to a question from Councillor Ali, he felt that this approach offered a lot of potential and flexibility and might in the future be considered in other areas of the council. Councillor Morris asked whether there would be an increase in the hours of operation. Deborah Collins, strategic director for environment & leisure, explained that this was not the case but that additional apprentices would allow a different approach to statutory and non-statutory services. Councillor Morris also asked whether a late-night levy could be a source of income. Councillor Situ responded that this had been part of the discussion around the budget and would continue to be reviewed, for instance as to whether individual venues could contribute more toward community wardens or the licensing team.
- 4.31 In response to questions, Councillor Merrill assured members that Rye Lane was a top priority and that he was pushing officers to sort out the waste problems and to get businesses on board. He also clarified references 122 and 123 on page 88 of the report, explaining that these related to commercial waste and that the council had perhaps underestimated what was possible. In response to a further question in respect of reference 63, Councillor Merrell indicated that he was confident that agency staff could be reduced. The strategic director added that cleaning staff were available and ready to be recruited. She agreed to look into the possibility of, for instance, setting up banks of temporary staff.
- 4.32 Councillor Seaton asked Councillor Situ whether there was the potential for services to be cost neutral. The cabinet member replied that it was very difficult to

be cost neutral especially in terms of services which residents expected to be free. Officers were looking at all areas where income could be maximised and at selling services to other boroughs.

Councillor Richard Livingstone, Cabinet Member for Housing

- 4.33 Councillor Richard Livingstone, cabinet member for housing, reported that his portfolio covered a huge amount of expenditure, mostly within the housing revenue account. He outlined the proposed savings in this and the general fund. The big change was the proposal to reduce the hours of the call centre. He explained that about 12% of all calls was residents confirming a booked appointment. The figure for appointments kept was around 97% and if this was made clear then the volume of calls could be reduced. Councillor Livingstone confirmed that the council was not looking at compulsory redundancies in this area but currently vacant posts and the natural turnover of staff. Councillor Colley, cabinet member for finance, strategy & performance, stated that in terms of customer services, achieving a channel shift was the real direction of travel. Approximately 90,000 accounts had been set up on MySouthwark with around 40,000 of these linked to council tax. The council's target was of a 20% channel shift away from the call centre and to support this the council was working on website improvements and looking across the whole council. Councillor Colley also stated that cash offices were the most expensive way of receiving payments with other options being available including payment through pay points and post offices. Residents wanted the council to protect frontline services and in terms of cash offices there were a lot of alternatives.
- 4.34 Members of the committee stressed the importance of text messaging to confirm appointments and gaining as much information about phone numbers as possible. It was also essential to invest in IT services, to plan for enhancing these services and to ensure appropriate feedback mechanisms. Councillor Colley agreed that there was a need to improve the website. Councillor Livingstone reported on the development of MySouthwark and that this was being widely publicised.
- 4.35 Members were concerned that the call centre would not be available outside working hours. Councillor Livingstone indicated that there was still a huge spike in the volume of calls on a Monday morning, showing that many people did not recognise that the call centre currently offered a 24/7 service. He acknowledged that people who were in work would have challenges in contacting the council but felt that these people were more likely to be IT literate. He was most concerned about people who might not be used to email or accessing council services via PC but felt that by and large these would not be working 9 to 5, for instance pensioners.
- 4.36 Councillor Noakes hoped that the council would continue to consult the public on

its budget proposals and wondered whether sending out council tax bills was an opportunity to ask for feedback. Councillor Colley responded that some councils had been criticised for spending money on consultation. Soutwark was continuing to talk to people but this year council tax bills were being used to publicise MySouthwark. Councillor Livingstone added that it was important to ensure that the services linked to the call centre were working and reported that that the council was consulting the Tenants' Council on priorities around repairs.

Councillor Ian Wingfield, Deputy Leader and Cabinet Member for Communities, Employment & Business

- 4.37 Councillor Ian Wingfield, deputy leader and cabinet member for communities, employment & business, reported that his portfolio was one of the council's key priority areas. The budget proposed certain efficiencies but many of these had no impact on services. The chair asked whether the cabinet member was looking at the Living Wage. Councillor Wingfield responded that he had been focusing on this area since May. The council was committed to establishing a major business forum, partly to discuss corporate social responsibility policies and also to ensure businesses took on local people. The council had also recently signed off a two year extension to the contract of Southwark Works, an employment facilitator. Councillor Wingfield stressed that there was a tremendous need in the borough to get people back into work and he believed that local councils could help to meet and match the needs of local employers. He felt that it would be key to have a pilot for the London Living Wage in the More London complex. The task would then be to roll this out across the borough and with other employers. He also hoped that the Diversity Standard could be spread to employers generally.
- 4.38 Councillor Morris referred to an occasion at Planning Committee when the application had not provided all the office space it could have. The Economic Development Team had asked for a contribution of £300,000 as compensation but this had been waived. She asked the cabinet member whether he was aware of this and whether anything could be done to put pressure on developers. Councillor Wingfield replied that he had active discussions with the property and planning sections of the council. It was key that the council kept its priority to replace and extend employment. Councillor Ali asked whether there was any capacity in the budget to encourage small local businesses to take on school leavers and apprentices. Councillor Wingfield replied that the council had launched SEEDS which paid 50% of the London Living Wage to employers taking on young people for twelve months. Councillor Morris asked how the council was hoping to improve residents' access to higher end and higher paid office jobs. She also felt that there was a mismatch in terms of construction jobs. Councillor Winfield agreed that it was critical to assist especially young people leaving school to get jobs and reported that he had liaised with Councillor Mills about approaching schools. He wanted Southwark school leavers to be able to compete on a fair and equal basis.

Councillor Colley added that, with Lambeth and Lewisham, Southwark was bidding for funding for a Construction Skills Academy.

- 4.39 Councillor Ali asked how the council supported community groups. Councillor Wingfield responded that it was important that the council worked through partnerships to ensure that no service collapsed and that nothing fell between the gaps. The voluntary sector had risen to the challenge. Councillor Noakes asked for clarification of references 77 and 78 in the report and savings in respect of community councils. Councillor Wingfield indicated that these involved administrative efficiencies, reductions in the printing of leaflets and one redundancy in the community development section. Stephen Douglass, head of community engagement, added that the saving in question had already been achieved and that there was no impact on the level of service.
- 4.40 The committee considered the evidence it had received from cabinet members and officers and

RESOLVED:

1. That Cabinet review the voluntary redundancy offer being made to employees at the council. Overview & Scrutiny Committee believes that an enhanced offer may attract more people, and make it possible to secure more long term savings. An enhanced offer should be contained in a new, formal voluntary redundancy policy which should be pro-actively advertised to staff.
2. Overview & Scrutiny Committee notes that many of the budget proposals require savings involving demand management and changing client behaviour. This means that for some proposed savings there is a risk of that they will not be delivered. Overview & Scrutiny Committee recommends that officers bring back a report to the committee in six months' time to:
 - review the progress in making savings and monitor the risk and impact of those savings
 - update the committee on the Better Care Fund
 - clarify the impact on staff in terms of voluntary and compulsory redundancies
 - assure the committee that opportunities for the Community Infrastructure Levy are being taken advantage of
3. Overview & Scrutiny Committee notes the level of government funding and distribution across councils and recommends that the Cabinet work with London Councils to set out a fairer case for councils like Southwark and put this to the DCLG
4. Some of the savings proposed in the budget are rightly based on moving

Southwark residents to digital interaction. Councillors should also set an example in this respect. OSC recommends that the relevant Cabinet Member looks into the possibility of reducing amount of paper documents sent to members, with a view to reducing the amount of money spent on printing council agendas and papers. Proposals should be based on a “bring your own device” model which is increasingly common in the workplace.

5. That council officers look into the possibility of introducing a staff bank approach for street cleaning, rather than making use of agencies to supply staff.

The meeting ended at 7.30 p.m.

CHAIR:

DATED:



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the Overview & Scrutiny Committee held on Monday 9 March 2015 at 7.00 pm at Ground Floor Meeting Room G01B - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Gavin Edwards (Chair)
 Councillor Rosie Shimell
 Councillor Anood Al-Samerai
 Councillor Jasmine Ali
 Councillor Catherine Dale
 Councillor Karl Eastham
 Councillor Tom Flynn
 Councillor Rebecca Lury
 Councillor Johnson Situ

OTHER MEMBERS PRESENT: Councillor Barrie Hargrove - Cabinet Member for Public Health, Parks & Leisure

OFFICER SUPPORT: Jeremy Pilgrim - The Head of Property
 Doreen Forrester-Brown - The Director of Legal Services
 Peter Roberts - Scrutiny Project Manager

1. APOLOGIES

1.1 Apologies for absence were received from Councillor Adele Morris and Mr Martin Brecknell and Mr Abdul Raheem Musa. Apologies for lateness were received from Councillor Rebecca Lury.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

2.1 There were no late items.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

3.1 There were no disclosures of interests or dispensations.

4. MINUTES

- 4.1 The chair, Councillor Gavin Edwards, announced that Peter Roberts, Scrutiny Project Manager, was leaving the council after more than twenty-five years working in various departments. Members joined the chair in thanking Peter Roberts for his work in supporting the committee.

RESOLVED:

That the minutes of the meeting held on 19 January 2015 be agreed as a correct record.

5. FREE SWIM & GYM - UPDATE FROM CABINET MEMBER

- 5.1 Councillor Barrie Hargrove, Cabinet Member for Public Health, Parks & Leisure, updated the committee on the communications plan to publicise the free swim and gym pilot scheme. He confirmed that the roll-out date for the full scheme was June 2016. Councillor Hargrove reported on the digital advertising campaign which included use of Spotify, Twitter, banner advertising on websites, Instagram and Snapchat. In addition, there would be email blasts to newsletter subscribers on school mailing lists and the Community Sports manager had recently presented details of the scheme to one hundred GPs.
- 5.2 Members of the committee highlighted the following areas of concern:
- how to attract younger people and BME and low income audiences
 - capturing as much data as possible about users of leisure centres
 - the pilot should be as much about getting the message out about the full offer to come as about trialling the scheme
 - publicising the scheme to staff who might have friends or relatives who could make use of the pilot
- 5.3 Councillor Hargrove agreed that it was important for the council to become smarter in communication as it moved towards the full offer in 2016. There were a range of barriers to use of leisure facilities which included health, time and self-efficacy. It was essential for the council to gather data about demand and the capacity of its leisure centres and for its aspirations to be built into a new contract with the leisure provider. Cards issued to users would collect relevant data.
- 5.4 Members of the committee wondered how they could get involved in publicising the pilot scheme. They also wondered whether officers were working closely with Public Health. Councillor Hargrove responded that in his ward a leaflet was being produced to highlight free swim and gym and that a similar approach could be taken up in other wards. He reported that Public Health was very much involved and had good connections with CCGs and hospitals. In April 2016, referrals from GPs would be invited. Councillor Hargrove confirmed that posters would be available for display in libraries and community areas and that these could also be used in hospitals and doctors' surgeries.

6. RENTS FOR COUNCIL PREMISES

- 6.1 Members were concerned that representatives from the voluntary sector should have the opportunity to express their views on this issue. The chair, Councillor Gavin Edwards, confirmed that there would be subsequent sessions to allow for this.
- 6.2 Jeremy Pilgrim, the head of property, introduced the report.
- 6.3 Members of the committee highlighted areas of concern:
- balancing consistency and fairness in rent setting against desire to support local business and community organisations
 - clarity of priorities
- 6.4 The head of property explained that a proportion of the council's estate was geared up as its commercial portfolio and a proportion as its voluntary sector portfolio. Most rents were reviewed every five years with open market rent geared to the market place.
- 6.5 Members asked how much communication there was across the council in respect of renting property to the voluntary sector. They also asked the extent of transparency in respect of the level of rents. The head of property indicated that there was close working with the community engagement team. An overview of rent totals and rents per square foot was available but specific rents were seen as commercial information and therefore confidential. In response to further questions, the head of property explained that council policy restricted the letting of premises to betting and money lending shops. The letting of property was also reviewed in terms of the requirements of the local area. Where the council did not own many properties, for instance on Rye Lane, it was restricted to trying to use its influence in planning terms.
- 6.6 Members were unclear as to the definition of the commercial and voluntary sector estates, for instance whether and how many properties were ear-marked for the voluntary sector. They also challenged whether, once a contract was signed, the level of commercial rent needed to remain confidential. Members felt it would be helpful to publicise rent levels. They also asked whether churches were treated in a particular way. The head of property explained that the voluntary portfolio had grown out of premises that could not be let commercially and included some offices that the council had moved out of. Publicising of rents was a commercial rather than a legal issue. Doreen Forrester-Brown, the director of legal services, offered to do a briefing note on this question. The head of property clarified that letting of property to churches usually came down to a question of planning issues, for example around parking and noise.
- 6.7 In response to further questions, the head of property stated his view that there should not be a separate voluntary and community sector estate but that the current flexibility should be retained in order to be able to respond to the market. He also informed the committee that properties tended to be re-let within three months. In terms of disposals of properties, he considered this to be part and

parcel of the council's regeneration programmes but was keen to retain an income producing commercial estate and improve the stock in the council's possession. The council was achieving around a 6% return on its estate, most of which went into the Housing Revenue Account.

- 6.8 The chair proposed that a future meeting invite evidence from representatives of Community Action Southwark and from a representative body for churches in Southwark. He also proposed that the committee receive the briefing paper from the director of legal services and a detailed breakdown of properties in both the commercial; and voluntary and community sector estates.

7. SUB-COMMITTEE UPDATES

- 7.1 Councillor Tom Flynn, chair of the housing & community safety scrutiny sub-committee, updated the committee on the work of the sub-committee. This included reviewing the independent investigation into works at Draper House and the AA Vs Southwark eviction case. Members had been on visits with the noise team and housing repairs teams and were currently reviewing homelessness and a judicial review. The March meeting would consider a report on housing repairs.
- 7.2 Councillor Jasmine Ali, chair of the education & children's services scrutiny sub-committee, reported on the sub-committee's work programme. The sub-committee had focussed on attainment, adoption, child sexual exploitation, autism and free healthy school meals. Councillor Ali also informed the committee that there would be a policy seminar on attainment, adoption and child sexual exploitation.
- 7.3 Councillor Rebecca Lury, chair of the healthy communities scrutiny sub-committee, reported that the sub-committee had engaged with a number of external groups, including the CCG and hospitals. The director of public health attended all the sub-committee's meetings. The sub-committee's two major enquiries had centred on personalisation and the health of the borough. In addition, the sub-committee had interviewed three cabinet members.
- 7.4 The chair of the committee, Councillor Gavin Edwards, indicated that the committee's future work programme would include consideration of the results of the school places survey and the staff survey, further work on rents of council premises and continuing monitoring of the free swim and gym project.

The meeting ended at 8.45 p.m.

CHAIR:

DATED:



Voluntary and Community Sector Premises in Southwark

April 2015

Introduction

Finding **available**, **affordable**, and **suitable** premises is a challenge for voluntary and community organisations (VCOs) nationwide. According to the Ethical Property Foundation, [40% of organisations](#) believe their building is the greatest risk facing their charity.

Over the years, CAS has carried out a great deal of work examining the landscape of VCS premises in the borough, and looking at ways that the situation could be improved. This report outlines some of the work we have already done, and outlines recommendations we feel would improve the premises situation for VCOs across Southwark.

Contents:

1. Premises: Work so Far
2. Challenge and Issues
3. Recommendations

1. Premises: Work So Far

The suitability and availability of premises is a longstanding issue for the voluntary and community sector (VCS), and accordingly, there have been various pieces of work over the years to try to address premises issues.

In March 2009, Southwark Council carried out a survey of all council premises occupied by VCOs. CAS then produced a paper entitled '[Report on Southwark VCS Premises Survey](#)'. The results of the survey were telling - 40% of respondents felt their property was not fit for purpose, 60% had issues with the space they occupied, and 51% said they needed more space. Comments included that property was poor condition and needed renovation, was too small, expensive to run, and lacked facilities.

In September 2010, CAS produced '[Foundations for the Future: A Review of Community Premises](#)'. This pointed to a varied picture for VCS premises across the borough. For example, some groups were being supported to maintain their buildings, whilst others were paying for their own repairs, and some groups had access to peppercorn rents whilst others did not. Organisations were concerned that sharing premises would affect their confidentiality, and were concerned about run-down premises.

Recommendations included developing a work plan to demonstrate a 'whole-system' borough wide approach to community premises. This was followed by a move towards market rents on the part of the council, which created a challenging environment for some organisations. CAS supported organisations on case-by-case basis throughout this shift, and over the course of 2012/13, co-ordinated a premises working group, to which officers from Southwark Council's community engagement team contributed.

CAS's premises working group had 5 meetings over 2012/13 - bringing together VCS, statutory agencies and external organisations. One of the undertakings of the group was to map VCS premises across the borough. As part of this work, 104 premises were mapped: 23 community centres, 19 churches, 21 TRAs, 10 arts and cultural spaces, 12 halls, 14 youth and play spaces, two private spaces and three schools.

The issue of premises continues to come up on a regular basis. At our first joint Southwark Forum on 17th July 2014, we asked attending organisations to [discuss the challenges they were facing](#). Affordable premises came up as one of the top five issues. Organisations told us that they were being forced to move due to rent increases, resulting in disruption to their services. Vulnerable people using the services struggled to cope with this disruption and had to travel further to reach the support they needed.

In spring 2013, we conducted our Count Us In survey, which culminated in our the [Value the VCS](#) campaign. The survey explored the state of the sector in Southwark, and was sent out to all our members and other local registered charities. 8% of respondents said that they shared premises. 33% said that they received premises in kind, or paid peppercorn rent. 'Office or building space and quality' was the 5th most pressing concern for respondents.

We re-ran the Count Us In survey in early spring 2015. The most frequently mentioned shared resource was premises – 22% of respondents said they were either co-locating, renting out a space in a building, leasing out space to others, or gifting or being gifted space. This is very positive; however, worryingly, premises had shifted up the list of pressing concerns for VCOS, and was the 3rd most problematic issue for respondents. In particular, one respondent stated that they felt 'persecuted' by increased demands for rent, and were unable to move or develop their premises. They went on to write that their building had no fire escape, which was a hazard, and no disabled access, which was inappropriate and was preventing them from being able to develop their offer.

2. Challenges and Issues

CAS often hears anecdotally that there is a real need for community space in the borough and there is a lack of knowledge about lease terms, negotiation and council strategy around community premises.

The VCS estate is very diverse, consisting of a wide range of properly types, locations, states of repair and tenants. Terms of occupation therefore vary – some VCS tenants may be on a very low or peppercorn rent, while some are paying market rents. The council has stated that its general stance is to charge market rent, and support charities through grant aid to subsidise this where necessary.

Through the premises working group, we received large amounts of feedback from groups about the challenges they were facing. Common issues for groups were:

1. **Suitability.** Challenges included a lack of space for storage, buildings being in poor condition, halls and offices not being in close proximity, a lack of private space, and accessibility issues.
2. **Availability.** It has been mentioned that demand for premises is centred around the same peak times, making it difficult for organisations to procure space. Particularly busy times include the weekends and after school (as expected). Finding premises in convenient locations has been an issue for organisations.

3. **Compatibility between organisations sharing a space.** Activities could be incompatible and expectations different, meaning a clash between organisations trying to utilise the same premises.
4. **Management.** Organisations can lack the resources to manage space, including managing bookings of space, managing the risk associated with premises, and managing the **cost** of space in general. Small groups are particularly at risk of this, as they may not have a strong understanding of premises issues.

3. Recommendations:

Work on premises has been ongoing for some time. We would like to make three recommendations, which might help to shift forward the discourse on premises across the borough, and how we can improve the operating environment for VCOs:

1. It would be useful if CAS could be provided with a **comprehensive picture** of the VCS estate in Southwark. This should include what organisations are utilising which buildings and for what purpose, and which organisations are paying peppercorn and which market rents. This could help us to better understand what the VCS premises picture looks like, and how we can better support organisations to effectively utilise, and where possible, share premises. It will also allow us to support organisations with the transition to market rent, where this is planned.
2. We would like to see full VCS involvement in the development of any **new council VCS premises strategy**, with extensive consultation. CAS can help to organise this and collate evidence on behalf of the sector. This strategy should be developed with property services, and applied consistently across the VCS (including social enterprises).
3. The council should produce a **clear, easy to read, downloadable document** for their website that outlines policies on **rate relief, lease terms** that will apply to VCS, availability of **rent subsidy, rent free periods** and **asset transfer**, and processes required to nominate **community assets** under the Localism Act. This would help to increase knowledge in the sector about the council's approach to VCS premises. It would be very useful to have all this information in one place, as information about the council's policies on VCS premises can be difficult to locate at present.

If you have any **questions** about anything in this document, or want to discuss VCS premises in more detail, please contact **Rachel Clarkson, Senior Policy Officer** at rachel@casouthwark.org.uk

Item No. 15.	Classification: Open	Date: 17 March 2015	Meeting Name: Cabinet
Report title:		Gateway 1 – Home Care Procurement Strategy	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Dora Dixon-Fyle, Adult Care, Arts and Culture	

FOREWORD – COUNCILLOR DORA DIXON-FYLE, CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE

The council's vision for adult social care underlines the importance of ensuring there is good quality, coordinated care and support available to people in their own homes and local neighborhoods. Home care services play a vital role, providing support which includes personal care, assistance with meal preparation along with a range of other practical support around the home that enables people to remain living at home safely and as independently as possible, for as long as possible. Delivering on the commitment to a Southwark Ethical Care Charter has put Southwark at the forefront of work to deliver a step change in the way home care is commissioned, and how the home care workforce is valued. I am pleased that we have already made good progress in implementing our commitments with our existing commissioned providers.

This report now sets out how the council intends to re-commission home care services so that the Southwark Ethical Care Charter can be implemented across the home care sector in the borough. The strategy set out in the report will allow the council to secure a series of geographically focused contracts to support closer working between home care services, primary care and community health services, as well as continuing to provide the flexibility that delivers the council's commitment to personalisation and choice and control for Southwark residents. The recommended approach will ensure that both smaller locally focused providers and larger national providers can engage in the procurement process. This is vital to ensure service users can continue to have choice from a diverse range of providers, all working to the high quality standards set out in the Southwark Ethical Care Charter.

RECOMMENDATIONS

That cabinet:

1. Approves the procurement strategy outlined in this report, namely:
 - a) to undertake a competitive tender to re-commission home care services to establish a series of demand led, geographically based contracts aligned to the development of neighborhood working and local care networks
 - b) that the contracts once awarded will be for a term of five years from 1 July 2016, with provision to extend the contracts for a further two one year extensions.
2. Notes that as set out in paragraph 71 the initial market testing and development phase of the procurement will be used to determine the optimum configuration of the contracts that meet operational service requirements in relation to:

- a) Service quality and continuity
 - b) Provision of robust back up service delivery arrangements
 - c) Provision of specialist support including culturally specific care needs
 - d) Partnership working arrangements across the series of contracts
 - e) provision for the council to be able to commission care and support services to extra care housing from the contracts as required.
3. Delegates to the strategic director of children's and adults' services decisions in respect of the optimum configuration of contracts.
 4. Notes that the projected maximum estimated annual contract value for these contracts is £24 million (currently £18m), which will be met by existing social care budgets, and from NHS funding to the Local Authority, from the Better Care Fund and under agreements arising from integration, in line with the Care Act 2014.
 5. Notes that in line with the existing contract terms a further Gateway 3 report will be brought forward to exercise a further and final one year extension to 30 June 2016 to allow time for procurement of home care services to be completed.

BACKGROUND INFORMATION

6. Home care services provide a vital support which includes personal care, assistance with meal preparation along with a range of other practical support around the home that that enables people to remain living at home safely , for as long as possible.
7. The council's vision for adult social care recognises the importance of ensuring there is good quality, coordinated care and support available to people in their own homes and local neighbourhoods. It sets out a number of principles including a focus on securing a better experience of care for people and their carers in order to enable them to live independently for as long as possible.
8. Building on the previous work of the Home Care 'task and finish group', in July 2014 cabinet agreed the Southwark Ethical Care Charter (SECC) for home care services and a strategic commissioning approach that placed home care services at the heart of a community support service model.
9. This has put Southwark at the forefront of work to deliver a step change in the way home care is commissioned and how the home care workforce is valued. Through a variation and extension of existing home care contracts, agreed by the Cabinet Member for Adult Care, Arts and Culture in July 2014, the SECC has been implemented for the councils main cost and volume contracts. This now means home care workers are paid London Living Wage, paid for their travel time and offered guaranteed hours as opposed to zero hours contracts.
10. In this context the procurement strategy set out in the report will allow the council to implement the SECC for all commissioned home care services. The approach also supports the delivery of a locality based approach that supports the principles of personalisation and choice of provision for service users.

KEY ISSUES FOR CONSIDERATION

Market considerations

Provider analysis

11. The national market for home care services is large and diverse; some providers are small in scale and deliver services in defined and limited geographic areas and some work regionally and/or nationally. The market comprises of a range of provider types including voluntary sector organisations, private companies and some mutual/community interest companies who between them deliver almost 90% of publicly funded home care (IPC, 2012).
12. Analysis by Oxford Brookes University, Institute of Public Care in 2012 indicated that nationally there were 4515 registered providers and more recent market analysis by Laing and Buisson in 2014 confirmed that the market remains large and diverse. Unlike the nursing and care home market there is limited consolidation in home care where even the largest national provider only accounts for just over 6% of the market share. The next 9 largest providers individually deliver between 2.9% and 1.4% of all home care.
13. This diversity in the market fundamentally supports the personalisation of social care services which is more difficult to achieve where choice is restricted either through highly consolidated markets and near monopoly supply. It also ensures that local authorities can externally commission services with confidence knowing that there are a wide range of providers from which to secure high quality personalised care.
14. In Southwark the current home care contracts were put in place following a competitive tendering exercise that concluded in 2011. Prior to this the council had 19 cost and volume contracts with a range of home care providers. These providers included voluntary sector and private providers, some operating only in Southwark but the majority operating in Southwark and across the South London and greater London area.
15. The council also spot purchases care and support. Spot purchasing is used to respond to the fluctuating demands for home care, and at times to respond to very individual and specific needs. The balance between spot purchasing, and use of the cost and volume contracts and are set out in table below.

Table 1. Homecare Summary

Commissioning arrangement	Users supported	Provider summary
Main cost volume contracts	1500	Private providers
Spot contracts	750	Private and voluntary providers

16. The recommended procurement approach will ensure that both smaller locally focused providers and larger national providers can engage in the procurement process. This is vital to ensure service users can continue to have choice from a range of providers, all working to the quality standards set out in the SECC and that niche services remain available where individual specialist need or cultural needs are identified as important by service users.

Quality Considerations

17. High quality services are central to delivering good person-centred outcomes for users. National research including the regular national home care surveys carried out by local authorities have consistently identified key quality themes from a user's perspective around continuity of care, quality of interaction with their care worker and for care workers to have sufficient time to support individuals in the way they want to be supported.
18. The tender approach will require providers to sign up to delivering the SECC and will make clear that the council will expect providers to deliver quality improvements linked to reducing workforce turnover, improving the continuity of care for service users and working in partnership with the council on a social care workforce development and training strategy to ensure staff are equipped and supported to deliver the care that service users say they want.
19. Local analysis of home care activity indicates that adopting a locality focus to the configuration of future contracts is necessary. Through establishing smaller geographic patches that support joint working between home care staff, primary and community health services and wider preventative community support that tackles social isolation there is real scope to delivering care around the person in a more person-centred way. This is consistent and complementary to the development of Local Care Networks in Southwark and has informed the recommended tender and contracting approach.
20. The council has faced challenges to secure timely delivery of care to certain postcodes within the current arrangements, which in part has led to the levels of spot purchased care reflected in table 1. The procurement approach with its focus on establishing a series of geographically based contract will allow defined teams to operate in smaller areas, ensuring continuity of care and will address the challenges around access to and availability of care in some locations.

Cost Considerations

21. Nationally there has been extensive research¹ and review of home care services including the cost of home care services. This national work and previous work undertaken locally has identified that the cost of home care services will increase in order to deliver the enhanced requirements of the SECC. The council however faces continued cuts to its budget.
22. It has therefore been important for the council to undertake affordability analysis to inform the procurement options. Local price modelling for the SECC, drawing on information sharing with other London boroughs, particularly those who have recently completed tenders for home care services, has given the council a good understanding of the likely cost of commissioning home care to the SECC Standard.
23. Although the enhanced specification associated with the SECC will prove more expensive, the recommended competitive tender approach will allow the council to secure value for money and contracts that are affordable by ensuring

¹ UKHCA Care is not a Commodity 2012 and A fair price for care 2014; Kingsmill Review - 2014, Resolution Foundation - Zeroing In 2014; Laing and Bussion 2014.

providers bear some of the increased cost of delivering the enhanced specification.

Summary of the business case/justification for the procurement

24. The council has a duty to assess the care and support needs of its most vulnerable residents and ensure those eligible under Fair Access to Care Service criteria needs can be met. The council does this by providing a Commissioned service or a direct payment in order for the person to make their own arrangements. The council has a duty to offer all eligible adults a direct payment.
25. In addition to the council's duty to assess need and make suitable arrangements to meet need, The Care Act 2014 places a further duty on local authorities to promote the efficient and effective operation of a market for meeting care and support needs. This includes a requirement to have a variety of providers that supports meaningful choice for service users, including for self funders, thus promoting vibrant, diverse and sustainable care and support markets.
26. The council's current arrangements for home care involve the commissioning of services from two main providers under a cost and volume contracting arrangement. These contracts expire at the end of June 2015 and although there is scope to extend these arrangements further to June 2016, there remains a need to put in place a more comprehensive longer term arrangement.
27. In addition the council spot purchases home care from a range of agencies. A framework to commission home care to our standards, including SECC, would address the risks, issues and costs that arise in spot purchasing.

Options for procurement including procurement approach

28. The council has a number of options when seeking to secure the delivery of high quality care and support services for Southwark residents. These include directly delivering these services or seeking to commission services from external providers.
29. The council has carefully considered the most appropriate approach to secure new delivery arrangements for home care services and the recommended approach is informed by:
 - a) the council's commitment to implement the SECC
 - b) analysis of the sector for home care services
 - c) the financial challenges the council faces
 - d) the national and local policy context and legislation in relation to the personalisation of social care services and use of direct payments
 - e) existing statutory duties and new requirements that come into force in April 2015 as a result of the Care Act 2014
 - f) the national and local strategic context and priorities to develop a more integrated, locality focused approach to social care, primary and community health care.
30. The recommended approach also takes account of previous options appraisal work (cabinet report October 2013), benchmarking and analysis of best practice, learning from recent regional and national tendering of home care services and

legal and procurement advice.

31. The options which have been actively considered are set out below along with the recommended route.

Do nothing

32. The council has a duty to ensure residents with assessed eligible social care needs have access the care services they require, as well as new duties under the Care Act 2014 to promote vibrant, diverse and sustainable care and support markets
33. The council could do nothing and simply spot purchase home care services beyond the current end date of the existing contracts. This would result in a very fragmented market where the council has less influence and certainty on the cost of services and less influence over the quality of services.
34. In addition, as is currently the case with existing spot purchasing, the council has limited scope to secure the SECC. Therefore moving to a spot purchasing arrangement beyond the life of the existing contracts would hinder rather than support the delivery of the council's commitment to implement the SECC.
35. This option and approach is not recommended

Single supplier negotiations

36. A negotiated variation and extension of existing contracts has enabled the council to implement the SECC. However the costs associated with this have not been subject to competitive market forces. Paragraphs 11 to 19 provide an overview of the home care provider market and illustrate that there is a well developed and diverse market which means that through tendering these contracts there would be scope to ensure that providers bear some of the cost of implementing the SECC.
37. In the context of a well developed and diverse market, undertaking single supplier negotiations with existing or individual providers also exposes the council to risk of challenge. Public procurement duties require local authorities to ensure it uses fair, equitable and transparent process for the letting and awarding of contracts and conducting a tender exercise is typically how local authorities comply with these duties.
38. A single supplier negotiation would also limit the scope to develop delivery in line with the future model of geographically locality based services. It would limit the scope to address the difficulties to provide homecare in some areas of the borough and would not allow the council to develop operational service requirements for primary, secondary and back up provider arrangements as well as specialist provision as required.
39. This option is therefore not recommended.

Directly deliver home care services

40. Very careful consideration has been given to the scope for Southwark to directly deliver home care services – i.e. bring home care services back in house. This

has included consideration of how this may impact on the council's duty to deliver personalisation and its ability to promote choice and control for Southwark residents over their care arrangements. Cost benefits have also been considered with detailed analysis of this having been undertaken by the council's external auditors.

41. Local authorities must offer all eligible adults direct payments and direct payments cannot be used to purchase council services. Direct delivery of home care services would therefore conflict with this duty and the council's Vision for Adult Social Care by restricting the choice and control available for users. It would also impact on the council's performance in relation to the take up of direct payments and would run contrary to the council's new duty under the Care Act to promote a diverse market for care services including self payers.
42. In relation to the cost of directly delivering home care services the analysis by the council's auditors involved an open book accounting exercise with the council's two existing providers. This has allowed the council to better understand service cost components and provider operating models, including organisational overheads and profit.
43. The findings of this work indicate an operating model where between 75% and 85% of cost is associated with care staff. With non staffing costs of between 15 and 25% including profit of between 3% and 8%, an immediate additional cost of directly delivering home care services would be a circa 16.5% increase in the staffing costs, which equates to a minimum of £2.6 million annually. This would be over and above the existing additional annual cost of £2 million noted in paragraph 100.
44. In addition the work has identified that the providers operating model does not compartmentalise Southwark commissioned work from care delivered to self funders or other neighbouring boroughs. There is therefore a risk that in seeking to directly deliver home care services to eligible Southwark residents the council could destabilise the local home care market, impacting on self funders and care workers themselves who deliver a mixture of Southwark, self payer and other local authority work, which would be in direct conflict the council's objectives and values.
45. As the personalisation agenda progresses and more people choose direct payments this would expose homecare workers employed by a Local Authority to a risk of redundancy.
46. On the basis of the above this option and approach is not recommended.

Undertake a competitive tender process

47. When considering the option to externally commission services by undertaking a tender exercise the council must consider the nature of the market for the services it wishes to commission. As set out in paragraphs 11 to 19 the market for home care services locally and nationally is diverse with a good range of small, medium and larger national providers; for profit and not for profit; businesses and charities.
48. The home care market is regulated by the Care Quality Commission and based on national information from CQC and benchmarking with other local authorities

there are many providers who are able to and have a track record of delivering good quality services in partnership with local authorities.

49. This context is important and provides the council with the necessary confidence and assurance that an external procurement could secure a good level of interest from potential providers, allow for competition and with the right approach to the tender methodology, enable the council to secure high quality services that provide choice for users and value for money for the council and its partners by requiring successful bidder to share the cost of the additional investment required to deliver the SECC.
50. Proactive pre-tender engagement with the market can also be used to help shape and influence the response to external procurements. This can include market shaping work that supports the development of different provider operating models such as Community Interest Companies (CICs), Social Businesses, arms length worker/management lead organisations to influence the type of providers who would be in a position to respond with appropriate proposals when the council issues its invitation to tender.
51. In consideration of the above and the other options, it is recommended that an external procurement exercise is undertaken.

Proposed procurement route

52. When seeking to secure services from external suppliers the approach can include undertaking an open procurement, restricted procurements, two stage procurements and competitive dialogue for both single/multiple contracts or Framework contracts.
53. Home care services, and most other social care services, when externally commissioned, have generally been procured using a two stage restricted tender approach. This approach is often adopted on the basis that the services being procured can be easily specified and therefore set out clearly and unambiguously in tender documentation to which providers respond.
54. Given the focus on commissioning for outcomes coupled with working across health and social care services consideration has been given to whether a restricted two stage approach will deliver the outcome the council is seeking to achieve.
55. Competitive dialogue can allow, through the tender process, specified aspects of the approach to be developed with potential providers, leading to refinement of the approach against which bidders make final submissions. While a competitive dialogue could help with the development of outcome focused contracts and the geographically based approach recommended for this tender approach, it would add complexity to the tender and require additional time and is therefore not recommended.
56. In consideration of the above the recommended approach is to undertake a restricted two stage competitive tender to secure a series of geographically based contracts held in an overarching framework. This arrangement will allow the council to manage risk and focus services on local networks to deliver better continuity of service, improve user experience and secure best value for money

57. The recommended approach to undertake a restricted two stage competitive tender will allow the council to put in place new contracting arrangements as quickly as possible. It should be noted additional time has been included to allow market discussion to be undertaken on the outcome focussed activities prior to the procurement.
58. It should be noted, however that the two main cost and volume contracts will need to be extended beyond their existing end date of June 2015 in order to ensure continuity while the tender processes is completed. Based on the timetable set out on page 11 an extension to the end of June 2016 will be required.

Identified risks for the procurement

59. The main risks are identified below:

No.	Risk	Level	Mitigation
1	The market not being fully developed and providers not equipped to deliver the required service.	Low	Pre tender market engagement
2	Provider failure to deliver to the required capacity and quality standards	Low	Pre tender development with providers of the optimum approach to secure, primary, secondary and back up arrangements in a framework that ensures this risk is designed out as far as possible.
3	Enhanced quality and specification requirements of the SECC cannot be met by providers.	Low	Pre tender engagement and tender process will ensure this is robustly tested.
4	Continued reductions to council funding could mean the council cannot afford the enhanced service specification associated with the SECC in the longer term.	Med	Price will be robustly tested through the tender process and the development of the tender approach will include consideration of controls around volume and a pricing floor/ceiling. The council will also seek some financial risk share with the CCG through the development of the local care networks model and the homecare providers who will also benefit from the SECC in terms of recruitment and retention.

Policy implications

60. Community based home care services help ensure that the council meets its statutory duties under local government, community care and NHS legislation and Fair Access to Care Services (FACS) eligibility criteria.
61. The re-commissioning of home care services will ensure the council can meet its

duties set out above and new duties under the Care Act 2014. It is also consistent with and supports the ongoing delivery of the councils Vision for Adult Social Care Services agreed by cabinet in April 2011.

62. The council's new duty under the Care Act 2014 from April 2015 will require the council to promote an effective care and support market that contains a variety of services and providers. This coupled with the restrictions on the use of direct payments means that the recommended approach meets these duties in the round.
63. By re-commissioning home care services in line the strategic principles for ICS agreed by cabinet in July 2014 the procurement approach set out in this report supports the Southwark Health and Wellbeing Board's vision for integration. It will also deliver the "Fairer Future" Council Plan commitment of the SECC.

Procurement plan

64. The timeline for the procurement plan is set out below:

Home care re-commissioning timetable	
Activity	Complete by
Forward Plan	October 2014
Review by Departmental Contract Review Board (DCRB)	4 February 2015
Review by Corporate Contract Review Board (CCRB)	18 February 2015
Cabinet Agenda Planning	3 March 2015
Deadline for final report to cabinet dispatch	5 March 2015
Notification of forthcoming decision – dispatch of cabinet agenda papers	6 March 2015
Cabinet – Decision on Gateway 1: re-commissioning approach to Southwark's homecare service	17 March 2015
Scrutiny call-in period and notification of implementation of Gateway 1 decision	25 March 2015
Pre market engagement and bidders sessions	April and May 2015
Completion of pre-qualification questionnaire (PQQ) documentation	June 2015
Completion of invitation to tender (ITT) documentation	April to June 2015
Bidders briefing session	June 2015
Advertisement of contract (OJEU)	June 2015
Closing date for completed PQQ	July 2015
Closing date for PQQs short-listing	August 2015
Inform bidders of the outcome of the PQQ evaluations	August 2015
Dispatch of ITT	September 2015
Bidders briefing session	October 2015
Closing date for return of tenders	November 2015
Completion of ITT evaluation	November and December 2015
Review Gateway 2 by DCRB	January 2016
Review Gateway 2 by CCRB	February 2016
Dispatch of cabinet agenda papers	February 2016
Cabinet agenda planning	February 2016
Dispatch of cabinet papers	March 2016
Cabinet – Decision on Gateway 2: re-commissioning approach to Southwark's homecare service	March 2016

Home care re-commissioning timetable	
Activity	Complete by
Scrutiny call-in period and notification of implementation of Gateway 2 decision	March 2016
Contract award	March 2016
TUPE consultation period	April 2016 to June 2016
Contract start	July 2016
Initial contract completion date	End July 2021
Contract completion date (if extension(s) exercised)	End July 2023

TUPE

65. The proposed procurement strategy is likely to have TUPE implications and the extent of the TUPE implications will depend on the final contract award. These TUPE implications do not directly affect the council as an employer. The procurement plan has therefore scheduled time to work with any potential incumbent and successful providers, and ensure that there is sufficient time for discussion and agreement prior to any contract start.
66. It is estimated that approximately 700 staff are employed, part-time or full-time, across the current two main cost and volume home care contracts. The majority of care workers choose to work part-time. Following the contract extension and variation these staff are paid London Living Wage, paid for their travel time and have been offered a guaranteed number of hours as opposed to zero-hour contracts.

PROPOSED TENDER APPROACH

Development of the tender documentation

67. A dedicated project board and project team will be established to drive forward the development of the tender documentation and the procurement process will include a pre tender market development and engagement phase that will enable the council to:
- a) determine optimum framework configuration of contracts to meet operational requirements to have robust back up contracting arrangements and the provision of specialist services,
 - b) establish clear expectations of providers including the requirement for them to deliver the SECC.
 - c) develop the price evaluation methodology to ensure costs are reasonable and affordable, secure delivery of the SECC and consistent with the council's offer of a longer term contracting arrangement
 - d) Align contract outcomes with the development of local care networks to secure greater operational and financial collaboration with our local NHS partners.
 - e) Contracting for outcomes and partnership working on a locality basis.
68. Key stakeholders from social care operational teams, commissioning and contracting in Children's and Adults' Services, as well as the local NHS CCG, will be finalising the service specifications as part of the pre-tender market engagement.
69. Legal, procurement and finance will support and advise on the development of the pre-qualification questionnaire (PQQ), invitation to tender (ITT), and support the

development of the evaluation criteria, pricing documents and methodology statements. A complete suite of tender documentation will then be issued prior to the ITT stage.

Advertising the contract

70. In addition to pre market engagement activity through bidders events prior to formally advertising the tender the council will widely publicise the invitation for expressions of interest in a range of publications and local press as listed below:

- Contracts finder
- Community Care
- Southwark Council Website
- South London Press
- OJEU Notice
- Existing homecare providers commissioned by Southwark will be invited to attend a bidders meeting once the procurement has been advertised.

Evaluation

71. In order to secure the best service possible from providers, with outcomes for users, the report proposes a weighted model of 60/40.

Quality – 40%

72. The dedicated project board and project team will oversee the development of the quality evaluation criteria taking account of pre tender market engagement work and adult social care and Southwark CCG operational priorities and quality requirements.

73. Staff from these stakeholder groups will be involved in the evaluation panels and with oversight from the project board the evaluation panels will set the criteria and examples of the themes that will be considered include, but will not limited to:

- Provider Care Quality Commission (CQC) licensing and registration
- Safeguarding
- Equalities
- Integration and joint working
- Quality assurance, service development and staff training and support
- Delivering the enhanced requirements of the SECC.

74. The quality evaluation will take the form of written submissions, clarification meetings, and reference requests and, importantly, site visits.

75. The bidders will also be required to demonstrate their commitment to the SECC for their local workforce.

Price Evaluation – 60%

76. The dedicated project board and project team will utilize the findings of extensive benchmarking of unit costs being paid for homecare, and other related services in London to devise a methodology that ensures transparency of pricing and certainty of cost for the council. Providers will be required to submit a full

breakdown of their costs based upon the councils "Evidence Based Costing template" which includes.

- The hourly rate of pay for staff
- Management costs
- Building and office costs, including rent
- Reasonable operating profit for the organisation.

77. Analysis of these cost components will form part of the evaluation and with 60% allocated to price cost and affordability will be an important consideration in the purchasing plan and will inform the outcome of the final tender. A price floor and ceiling will ensure that the price set is neither too low or too high.

Community impact statement

78. The Public Services (Social Value) Act 2012 requires the council to consider a number of issues including how what is proposed to be procured may improve the economic, social and environmental well-being of the local area. These issues are considered in the following paragraphs which set out economic, social and environmental considerations along with the council's public sector equalities duties.

79. On initial assessment there is not thought to be any disproportional impact in relation to the following areas covered by the council equality agenda: Race, Gender, Age, Disability, Faith and Religion, Sexuality, Gender re assignment, Marriage and Civil Partnership and finally Child Care and Pregnancy.

80. One of the key outcomes to be achieved by the proposed procurement strategy will be to secure improvements in the quality and responsiveness of home care services. As the recipients of home care services, are overwhelmingly older people above pensionable age, who are also likely to be living with a disability or one or more chronic long term conditions and, the proposed procurement strategy should deliver a positive equalities impact by supporting both older people and younger disabled people to maintain their independence and live fulfilling lives outside of institutional care for as long as possible.

81. On-going assessment of equalities impact will be made throughout the development of the tender documentation and the tender process itself

82. The demographics of people who receive social care delivered by the council in Southwark can be summarised as follows:

- Of 4600 people who receive care, approximately 64% are older people, with the remainder being people with learning disabilities, mental health problems or physical disabilities.
- Amongst the over 65's approximately 65% of these are women, which is linked to longer life expectancy for women and that needs for home care increase with much older people.
- Approximately 37% of service users over 65 are from Black, Minority and Ethnic (BME) groups .This being disproportionately higher than the proportion of people over 65 years of age from BME communities in the borough)

- Amongst the under 65's approximately 47% of these are women and approximately 56% are from BME groups.
83. All those in receipt of homecare and local authority community based services meet the Fairer Access to Care Services (FACS) criteria of critical or substantial. This means that these people are likely to be classified as having a disability.
 84. The new service will require providers to pay staff London Living Wage, pay for their travel time and to offer a guaranteed level of working hours as an alternative to zero hour contracts. As the majority of these staff are local women, disproportionately from BME communities, this payment will have a positive impact upon those traditionally marginalised groups as well as the local economy.
 85. Whether bidders have acceptable equalities codes of practice and policies will be considered as part of the evaluation process and are a core part of their registration requirements with the CQC. Provider will therefore be required to be compliant with these standards and the standards expected by the council in particular demonstrating a committed to the Southwark Ethical Care Charter.

Economic considerations

86. The majority of the workforce expected to deliver the new service live locally, and the award of the contracts will support the local economy. In this way, the commissioning principle of placing Southwark as a great place to live and work at the heart of the service will be supported.
87. Those employed by the successful providers are likely to be local women and men who will be helped economically by the application of the London Living Wage and the broader principles of the SECC.

Social considerations

88. The evaluation of the bids will ensure that providers have a strong track record in delivering services to a diverse group of service users.

Environmental considerations

89. The evaluation of the bids will ensure that providers have an acceptable green policy in relation to the delivery of the service. The council will expect the majority of the workforce to use public transport to travel between service user visits. The provider is expected to use digital resources, including secure electronic mail and databases in order to eliminate the unnecessary use of paper.

Proposals for the monitoring and management of the contract

90. The contracts will be monitored by the Children and Adults' contract monitoring team and provider performance will be measured against the service specification outcomes and Key Performance Indicators (KPIs) as set out in the contract documentation.
91. There is clear evidence from discussions with London boroughs that strong local

leadership within the registered branch delivering the local care services is fundamental to securing high quality services. The council will adopt a strong partnership and relationship management based approach to the management of the proposed contracts and design in greater provider ownership and accountability around outcomes and the needs of service users and family carers in the localities they cover. It will also be central to ensuring providers are clear about their role and responsibilities to operate effectively as part of a local care network of care and support.

92. The contract will therefore be monitored on the basis of real outcomes for those who receive care, with wellbeing as well as health and care outcomes at the core of contract management. It will maximize the opportunity to implement a fresh approach to quality and performance reporting where the contracting arrangements will put greater responsibility on providers to routinely collect and report on quality, performance and service user satisfaction, alongside a requirement to implement electronic visit monitoring. In addition to outcomes, key outputs such as no 15 minute home care visits will be implemented and monitored.
93. Any concerns or complaints about the service raised by individuals, their families or carers will be investigated, as appropriate, by the council.
94. The supplier's performance will also be monitored by the Care Quality Commission (CQC) which will raise any concerns to the council.
95. Southwark Healthwatch is the local champion for patient and care users experience of local health and social care services, and will have a role in bringing forward issues or raising concerns about the service.
96. The KPIs for the service will be considered and agreed at appropriate levels within the council's children's and adults' services department, including by key social care leads.

Staffing procurement implications

97. The procurement will be contained within the existing commissioning, procurement, legal, social care and finance staffing structures.

Financial implications

98. The children's and adults' services department is currently spending £18m annually on Homecare . This will increase to £20m in 2015/16. Funding for the £2m increase has been factored into the 2015/16 budget setting process.. By 2016/17 the full implementation of the SECC is expected to cost £24m annually. This represents over £4m additional investment and will be considered as part of council's overall budget setting process.
99. The investment in quality homecare is in context of significant budget pressures on the council's overall budget. The council however, recognizes that improving the quality of homecare will promote service user independence and help deliver better health and social outcomes. It will increase the length of time that adults can stay in their own homes and reduce hospital stays or placements in residential homes, which are both higher cost alternatives with poorer outcomes.

100. There are also potential risks from annual inflation uplifts and LLW increases. The council will through its procurement and commissioning strategy ensure that these risks are shared with providers, strategic partners and other stakeholders.
101. The department has duly considered these underlying financial challenges and together with corporate colleagues have mapped out a funding plan.
102. The recommended procurement strategy as described in paragraphs 55-62 which allows for a competitive tender exercise will support the council to achieve value for money alongside quality considerations. This will provide the council with an opportunity to manage the inherent risks

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

103. This report is seeking approval of the procurement strategy for the provision of a series of Home Care services contracts, on a framework.
104. Currently home care services are being procured through an existing contract with two main providers and spot purchases with a range of agencies. The report clarifies the options that have been explored for future delivery of the home care services and concludes that a series of demand led, geographically based contracts on a framework shall be put in place, allowing the council to implement the Southwark Ethical Care Charter (SECC) which was agreed by cabinet in July 2014. The report confirms that a market exists to support this approach.
105. As part of the procurement process a pre-tender market development and engagement phase shall be carried out. This shall go some way to inform the development of the tender documentation in order to secure a suitable service.
106. With a contract of this size and nature, EU regulations apply. The report confirms that a restricted process will be followed which is in line with the regulations and satisfies the council's contract standing orders.
107. The timeline for this project is achievable provided the appropriate resources are available when necessary.
108. The report confirms that project governance will be set up who will provide input and advice with the preparation and development of the tender documentation.
109. Evaluation will be based on a weighted model, 60/40 as set out in the report. The report advises that the project team and project board shall be responsible for the development of the evaluation methodology and criteria which should be issued to the tendering parties at the outset of the tendering process

Director of Legal Services

110. This report seeks the approval of cabinet to the procurement strategy for home care as outlined in this report.
111. It is considered that these services are subject to the Public Contracts Regulations 2015. Paragraph 56 of this Report confirms that a restricted two stage tendering procedure is proposed which will comply with EU regulations

and CSO tendering requirements.

112. This contract is classified as a strategic procurement and therefore CSO 4.4.2 a) reserves the decision to the cabinet or cabinet committee to authorise the proposed procurement process, after consideration by the corporate contracts review board (CCRB) of the report.
113. Pursuant to section 149 of the Equality Act 2010 the council must have due regard to the need to:
 - (a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
 - (c) Foster good relations between person who share a relevant protected characteristic and those who do not share it.
114. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are protected in relation to (a) only.
115. Paragraphs 78-80 and 83 of the report demonstrate how the council has had due regard to PSED in this procurement and the decision maker should satisfy him/herself that this duty as been complied with when considering these recommendations.

Strategic Director of Finance and Corporate Services (FC14/053)

116. The strategic director of finance and corporate services notes the recommendations in this report for a procurement strategy for re-commissioning home care services.
117. The costs of the proposed contract are outlined in the financial implications section of the report. The contracts are planned to commence on 01/07/2016. Further detail of the estimated costs will be available as part of the Gateway 2 contract award report to cabinet, anticipated in March 2016. However, the costs of the service will need to be addressed as part of the council's budget setting process for 2016/17, which will be a council assembly decision in February 2016.
118. It is noted that the projected maximum estimated annual contract value for these contracts is £24 million to be met by existing social care budgets, and from NHS funding to the Local Authority, from the Better Care Fund and under agreements arising from integration, in line with the Care Act 2014.
119. Any costs associated with the extension of the contract from 01/07/15 to 30/06/16 will need to be contained within the budget as agreed by council assembly in February 2015.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Gateway 2 – Contract Award Approval – Homecare Services in Southwark presented to Cabinet on 25 th January 2011	Children’s and Adults’ services Southwark Council 160 Tooley Street, London, SE1 2QH	Jonathan Lillistone on 020 7525 2940
Link http://moderngov.southwark.gov.uk/documents/s15724/Report%20Home%20Care%20Contract%20Award%20Gateway%202.pdf		
Developing a Quality Strategy and Best Practice Principles for Homecare Services: Initial review of UNISON’s ethical care charter presented to Cabinet on 16 April 2013	Children’s and Adults’ services Southwark Council 160 Tooley Street, London, SE1 2QH	Jonathan Lillistone on 020 7525 2940
Link http://moderngov.southwark.gov.uk/documents/s36891/Report%20Developing%20a%20Quality%20Strategy%20and%20Best%20Practice%20Principles%20for%20Home%20Care%20Services%20Initial%20r.pdf		
Ethical Care Charter Task and Finish Group. Progress and Feasibility Report on the Work of the Task and Finish Group presented to Cabinet on 19 th November 2013	Children’s and Adults’ services Southwark Council 160 Tooley Street, London, SE1 2QH	Jonathan Lillistone on 020 7525 2940
Link http://moderngov.southwark.gov.uk/documents/s42157/Report%20Ethical%20Care%20Charter%20Task%20and%20Finish%20Group%20-%20Progress%20and%20Feasibility%20Report%20on%20the%20Work%20of%20.pdf		
Gateway 3 contract approval – contract extension and variation for home care services	Children’s and Adults’ services Southwark Council 160 Tooley Street, London, SE1 2QH	Jonathan Lillistone on 020 7525 2940
Link http://moderngov.southwark.gov.uk/documents/s42157/Report%20Ethical%20Care%20Charter%20Task%20and%20Finish%20Group%20-%20Progress%20and%20Feasibility%20Report%20on%20the%20Work%20of%20.pdf		
Integrated community support – a new commissioning strategy, underpinned by an ethical care charter	Children’s and Adults’ services Southwark Council 160 Tooley Street, London, SE1 2QH	Jonathan Lillistone on 020 7525 2940
Link http://moderngov.southwark.gov.uk/documents/s47493/Report%20Integrated%20Community%20Support.pdf		

APPENDICES

No.	Title
Appendix 1	Homecare – commissioning strategy and Southwark ethical care charter

AUDIT TRAIL

Cabinet Member	Councillor Dora Dixon-Fyle, Adult Care, Arts and Culture	
Lead Officer	David Quirke-Thornton, Strategic Director for Children's and Adults' Services	
Report Author	Jonathan Lillistone, Head of Commissioning, Children, Families and Adults	
Version	Final	
Dated	5 March 2015	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of Children's and Adults' Services	Yes	Yes
Head of Procurement	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	5 March 2015	

Southwark Ethical Care Charter (SECC)

The principles of the Southwark Ethical Care Charter (SECC) are set out below.

- (1) Time allocated by care workers to visits will match the needs of clients (and visits will not be arbitrarily limited to 15 mins).
- (2) There will be no minute-by-minute task-based commissioning or provision of care.
- (3) Domiciliary care workers will be paid for their travel time.
- (4) Local authorities and service providers will be transparent in their price setting.
- (5) Zero hour contracts will not be used in place of permanent contracts for care workers.
- (6) Local authorities will monitor service providers, including monitoring the working conditions of staff in care.
- (7) Clients will be allocated the same care worker wherever possible.
- (8) Visits will be scheduled so that care workers are not forced to leave to get to a visit with another client.
- (9) Those homecare workers eligible will be paid statutory sick pay.
- (10) Domiciliary care workers will be covered by occupational sick pay schemes.
- (11) Providers will have a clear procedure for following up concerns about clients.
- (12) Homecare workers will be trained (at no cost to individual care workers).
- (13) Homecare workers will be given time to meet co-workers to share best practice.
- (14) Homecare workers will be paid at least the London Living Wage [LLW].

Staff suggestions of issues OSC should investigate

In September 2014 an email was sent to all Southwark Council Staff asking them for suggestions for issues that Southwark's Scrutiny Committees should investigate.

The email sent to staff stated "The Committee believes that staff are the eyes and ears of the council, often the first people to spot issues when things start to go wrong. For that reason we would like to offer you the opportunity to suggest an issue which you think the committee should be investigating."

Staff were asked to fill out a short survey form. They were also informed that the committee could not guarantee investigating suggestion and cannot consider personal employment concerns or other issues for which formal Council procedures exist.

In total we received 52 responses. The Chair of overview and Scrutiny has gone through the list and made a preliminary selection of issues which might be the subject of further investigation. The list of issues below, which is in no particular order, gives a summary of these suggestions. This list is intended to inform a discussion about future scrutiny investigations at the April 27th 2015 OSC meeting.

Suggested topics from staff: (quotation marks used to quote from survey responses)

1. Conflicts of interest arising from Tenants council representatives who also worked for the council.
2. Looking into the standards of nurseries and early years settings for special needs children.
3. Council homes being left empty for long periods of time. The respondent gave a specific example of this happening.
4. A respondent asked "Why does a council, which supports cycling, still have a leased car scheme when other councils have stopped theirs? How much does it cost to run with insurance and administration? Most staff are now in Tooley Street or Queens Road anyway."
5. The use of consultants by managers particularly in areas where staff are capable of delivering directly.
6. "Overpriced contracts for equipment and use of services." It was suggested OSC look into how contracts are negotiated and put a structure/process in place for this to be negotiated with due dilligence, ensuring value for money.
7. "Leaseholders are being subsidised by tenants" through interest free payments not in the lease. The respondent suggests tenants are subsidising interest free payments and free smoke and fire alarms.

8. The "... implementation of contracts for some key services such as gutter clearance in non residential premises on the Southwark estate.
9. "Overview and Scrutiny should investigate how repairs contracts are awarded and why some jobs are marked as 'complete' on Iworld yet the contractors have not even done anything or visited tenants homes. The contractors are clearly not being monitored well and in the end, our residents suffer." And "Value for money provided by Mears the Council's maintenance contractor's in the south of the borough together with whether the Council's Repair's Team currently offers an efficient and responsive service"
10. The lack of a "housing policy for care leavers."
11. Southwark's IT system was suggested for scrutiny by 14 different respondents.

Call-in - extract from scrutiny procedure rules

The overview and scrutiny committee can “call-in” a cabinet decision which has been made but not yet implemented. This enables the overview and scrutiny committee to consider whether the decision is appropriate. The committee may recommend that the decision maker reconsider the decision.

Reasons for call-in

Requests for call-in should normally only be made if there is evidence that the decision maker did not take the decision in accordance with the principles of decision making as set out in the constitution:

- a) proportionality (i.e. the action must be proportionate to the outcome)
- b) due consultation and the taking of professional advice from officers
- c) respect for human rights
- d) presumption in favour of openness
- e) clarity of aims and desired outcomes
- f) the link between strategy and implementation must be maintained
- g) decision making generally should have reference to the policy framework and be in accordance with the budget.

Procedure for call-in

When a decision is made by the cabinet or an individual member of the cabinet, or a committee of the cabinet, or an executive decision is taken by a community council, or a key decision is made by an officer with delegated authority, the decision shall be published, normally within two clear working days of being made. All members will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.

That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless the overview and scrutiny committee objects to it and calls it in.

During that period, the scrutiny officer shall call-in a decision for scrutiny if so requested by three members of the committee, including education representatives for the purpose of education decisions only.

A member serving on a community council (who is also a member of the overview and scrutiny committee) who participates in taking an executive decision shall not sign a call-in request on the same decision (thus avoiding any conflict of interests).

A valid request for call-in must contain the requisite number of signatures and give reasons for the call-in. In particular, the request must state whether or not the members believe that the decision is outside the policy or budget framework.

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OVERVIEW & SCRUTINY COMMITTEE**MUNICIPAL YEAR 2014-15****AGENDA DISTRIBUTION LIST (OPEN)****NOTE:** Original held by Scrutiny Team; all amendments/queries to Shelley Burke Tel: 020 7525 7344

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Councillor Adele Morris	1	Norman Coombe, Legal Services	1
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