

Lancashire County Council

Cabinet

Thursday, 2nd November, 2023 at 2.00 pm in Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No. Item

1. Apologies for Absence

2. Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

3. Minutes of the Meeting held on 5 October 2023 (Pages 1 - 6)

4. Questions for Cabinet

To answer any verbal questions and supplementary questions from a county councillor, about any matter which relates to any item under Part I on the agenda for this meeting under Standing Order C35(7).

To submit a question to Cabinet, click [here](#).

There will be a maximum of 30 minutes for the questions to be asked and answered.

Matters for Decision:

The Cabinet Member for Resources, HR and Property (Deputy Leader) - County Councillor Alan Vincent

5. Medium Term Financial Strategy Update 2024/25 - 2026/27 (Pages 7 - 30)

6. Appointments to Outside Bodies (Pages 31 - 46)

7. Procurement Report (Pages 47 - 62)



The Cabinet Member for Adult Social Care - County Councillor Graham Gooch

- 8. **Adult Services Non Residential Care Charging Policy** (Pages 63 - 82)
- 9. **Adult Services Residential Care Charging Policy** (Pages 83 - 106)
- 10. **Adult Social Care Winter Plan 2023/24** (Pages 107 - 134)

The Cabinet Member for Adult Social Care - County Councillor Graham Gooch and The Cabinet Member for Children and Families - County Councillor Cosima Towneley

- 11. **Statutory and Non Statutory Complaints and Customer Feedback 2022-2023** (Pages 135 - 188)

The Cabinet Member for Children and Families - County Councillor Cosima Towneley

- 12. **Corporate Parenting Board - Revised Terms of Reference** (Pages 189 - 196)

The Cabinet Member for Education and Skills - County Councillor Jayne Rear

- 13. **Approval to Consult on the Inclusion of Armed Forces Children & the Children of School Staff in the Admission Arrangements for Lancashire Community and Voluntary Controlled Schools from 2025 to 2026** (Pages 197 - 210)
- 14. **Update of the School Place Planning Delivery Programme 2023-25** (Pages 211 - 216)
Please note that Appendix 'A' to this report is in Part II and appears as Item No. 21 on the Agenda.

The Cabinet Member for Health and Wellbeing - County Councillor Michael Green

- 15. **Lancashire Warm Spaces Grant Scheme** (Pages 217 - 220)

Matters for Information:

- 16. **Urgent Decisions taken by the Leader of the County Council and the relevant Cabinet Member(s)**
There have been no urgent decisions taken since the last meeting of Cabinet.



17. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

18. Date of Next Meeting

The next meeting of Cabinet will be held on Thursday 7 December 2023 at 2.00pm at County Hall, Preston.

19. Notice of Intention to Conduct Business in Private

No representations have been received.

Click [here](#) to see the published Notice of Intention to Conduct Business in Private.

20. Exclusion of Press and Public

The Cabinet is asked to consider whether, under Section 100A(4) of the Local Government Act 1972, it considers that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 12A to the Local Government Act 1972 as indicated against the heading to the item.

Part II (Not Open to Press and Public)

The Cabinet Member for Education and Skills - County Councillor Jayne Rear

21. Appendix 'A' of Item 14 - Update on the School Place Planning Delivery Programme 2023-25 (Pages 221 - 224)

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. Appendix 'A' contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Angie Ridgwell
Chief Executive



County Hall
Preston



Lancashire County Council

Cabinet

**Minutes of the Meeting held on Thursday, 5th October, 2023 at 2.00 pm in
Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

Present:

County Councillor Phillippa Williamson Leader of the Council
(in the Chair)

Cabinet Members

County Councillor Alan Vincent
County Councillor Peter Buckley
County Councillor Graham Gooch
County Councillor Michael Green
County Councillor Jayne Rear
County Councillor Aidy Riggott
County Councillor Rupert Swarbrick
County Councillor Cosima Towneley
County Councillor Shaun Turner

County Councillors Azhar Ali OBE and Lorraine Beavers were also in attendance under the provisions of Standing Order No. C14(2).

1. **Apologies for Absence**

There were no apologies.

2. **Disclosure of Pecuniary and Non-Pecuniary Interests**

None.

3. **Minutes of the Meeting held on 7 September 2023**

Resolved: That the minutes of the meeting held on 7 September 2023 be confirmed as a correct record and signed by the Chair.

4. **Questions for Cabinet**

There were no questions received.



5. Money Matters 2023/24 Position - Quarter 1

Cabinet considered a report that provided an update on the county council's 2023/24 revenue and capital financial position, as at the end of June 2023.

The Quarter 1 monitoring position contained assumptions relating to demand levels across a number of services such as social care and waste management, which at this stage in the financial year were difficult to predict.

It was noted that whilst an overspend was forecasted across the revenue budget, activity was ongoing to find offsetting reductions to achieve a balanced final outturn position.

Resolved: That, the following be noted:

- i. The current forecast overspend of £7.629m on the revenue budget in 2023/24; and
- ii. The revised 2023/24 capital programme of £153.796m.

6. Procurement Report

Cabinet considered a report seeking approval to commence the following procurement exercise in accordance with the county council's procurement rules:

- i. Provision of waste wood collection, transportation and treatment services;
- ii. Provision of Bikeability Training in Lancashire; and
- iii. Provision of Tier 4 Substance Misuse Services.

Resolved: That the commencement of procurement exercise for the following be approved:

- i. Provision of waste wood collection, transportation and treatment services;
- ii. Provision of Bikeability Training in Lancashire; and
- iii. Provision of Tier 4 Substance Misuse Services.

7. Proposed Puffin Crossing and 40mph and Derestricted Speed Limit Traffic Regulation Orders, Holm Road / A59 Whalley Clitheroe Bypass, Barrow

Cabinet considered a report that proposed to install a puffin crossing and reduce the speed limit along an associated section of the A59 Whalley Clitheroe Bypass in Barrow. It was noted that the proposals would be externally funded by a developer and were necessary to support a planning condition imposed on this development. The report also detailed objections raised to the proposed traffic regulation orders and it was noted that the works would be funded through a Section 278 Highways Act (1980) Agreement by the developer.

Resolved: That the making of the proposed traffic regulation orders associated with the scheme as set out in the report, be approved.



8. Various Parking Restrictions Burnley, Chorley, Hyndburn, Lancaster, Pendle, Preston, Ribble Valley, Rossendale, South Ribble, West Lancashire and Wyre Areas 2023 No1 Order 202*

Cabinet considered a report that proposed to make a Traffic Regulation Order to introduce various parking restrictions in Burnley, Chorley, Hyndburn, Lancaster, Pendle, Preston, Ribble Valley, Rossendale, South Ribble, West Lancashire and Wyre.

Resolved: That the proposals for new and existing restrictions on the various lengths of road as detailed within the report and as set out in the Draft Order at Appendix 'A1' of the report, for the reasons outlined in the Statement of Reasons at Appendix 'M' of the report, be approved.

9. Technology Enabled Care Policy

Cabinet considered a report setting out the new Technology Enabled Care Policy.

It was noted that the new policy outlined how technology would support and enable adults and children to prevent and delay the need for formal care. The Technology Enabled Care Policy followed on from Cabinet's approval of the Changes to the Telecare Services report in September 2022 which recommended that, with effect from 3 April 2023, a three tier, non-means tested, charging structure be introduced.

The Technology Enabled Care Policy also supported Lancashire County Council's draft 'Going Digital – A Technology Enabled Care Strategy for 2026' which was currently being developed.

Resolved: That the draft Technology Enabled Care Policy as set out at Appendix 'A' of the report, be approved.

10. Healthy Weight Services

Cabinet considered a report that proposed to work collaboratively with district councils in delivering a whole system approach to obesity. It was noted the report included the future delivery of healthy weight services and the development of collaboration agreements with each of the 12 district councils in Lancashire from 1 April 2024 for a minimum of 5 years with the right to extend the agreements for up to a further 3 years.

Resolved: That

- i. The establishment and development of collaboration agreements for the delivery of healthy weight services with all 12 district councils and, if necessary, to enter a procurement exercise post 1 January 2024 in respect of any districts where agreement had not been reached on a formal collaboration, be approved; and
- ii. The Director of Public Health be authorised to approve the collaboration agreements and, in conjunction with the Head of Service - Procurement, to determine the lotting of the remaining districts if procurement was needed.



11. Urgent Decisions taken by the Leader of the County Council and the relevant Cabinet Member(s)

Resolved: That the urgent decision taken by the Leader of the County Council, since the last meeting of Cabinet, be noted.

12. Urgent Business

There were no items of Urgent Business in Part I of the Agenda.

13. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday, 2 November 2023 at County Hall, Preston.

14. Notice of Intention to Conduct Business in Private

Cabinet noted the Notice of Intention to Conduct Business in Private and that no representations had been received.

15. Exclusion of Press and Public

Resolved: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 12A to the Local Government Act 1972.

16. Urgent Business

There was one item of Urgent Business to be considered in relation to a Land Disposal in Chorley.

16(a) Chorley - Land Disposal

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contained information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Cabinet considered a report on a Land Disposal in Chorley.

The reason for urgency was due to the complex negotiations over the site which had only just concluded, and the need to complete the transfer of the site as soon as possible.

Resolved: That the recommendations, as set out in the report, be approved.



Angie Ridgwell
Chief Executive

County Hall
Preston



Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Finance

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Delivering better services;

Medium Term Financial Strategy Update 2024/25 - 2026/27

(Appendix 'A' refers)

Contact for further information:

Neil Kissock, Tel: (01772) 535611, Director of Finance,
neil.kissock@lancashire.gov.uk

Brief Summary

The medium-term financial strategy provides a forecast of the financial position for the county council for the next 3 years. This report contains an updated position compared to that presented to Cabinet and Full Council in February 2023.

The forecast contains detailed assumptions that have been discussed in depth with services and research undertaken nationally to benchmark the reasonableness of our assumptions in comparison to other local authorities.

The Council has a history of excellent financial management which has enabled the delivery of significant savings to the local taxpayer whilst still investing in priority services. It has continued to deliver significant savings year on year whilst maintaining delivery of high-quality services to its residents. However, the savings required in the previous medium term financial strategy and budget rounds are in excess of £140m over a four-year period and necessitate an ongoing heightened focus on financial sustainability and resilience.

There have been changes to projections that have been included in this updated position, the majority of which are outside the control of the county council and have been influenced by external factors such as the updated 2023/24 pay award proposals, energy costs, interest rates and inflation levels. In addition, there have been some increases relating to demand levels particularly across Children's Social Care and home to school transport.

The previous medium term financial strategy forecast a budget surplus of £12.077m in 2024/25 with this becoming a deficit position of £19.103m by 2026/27. The updated position forecasts a gap of £14.505m in 2024/25, with this increasing to £18.294m in 2026/27.

Significant assumptions are required to underpin our forecasts. While these can be made with a level of confidence in shorter term, there is significant uncertainty over the medium and long term with regard to the scale and length of inflationary pressures and future funding levels. The forecast is therefore based on a set of reasonable assumptions applied from various sources including national and professional bodies and discussion with peers, given the forecast pressures are largely the result of factors outside the direct control of the council and are affecting local government as a whole.

A further updated medium term financial strategy will be reported to Cabinet in January 2024, as part of the budget report. This report will include the 'government settlement figures for 2024/25 and potentially some revised assumptions for future years.

In line with the Councils pro-active approach to financial management work was undertaken by Directorates to identify financial savings and efficiency during the early part of this year in recognition of the remaining budget gap. This has resulted in "management action" savings totalling c£23m being included in the updated medium term financial strategy.

In order to further reduce the financial gap that is forecast within this report there are several other areas such as commercialisation, commissioning strategy, service standards and grant reviews that are active workstreams that are being reviewed and discussed with Members. In addition, Directorates are preparing further savings proposals for consideration by Members that could be taken forward to achieve a more balanced budget position.

The reserves presented within this report are subject to a detailed review, particularly relating to commitments and making the best use of funds available. This will be completed and presented as part of the budget report in January 2024.

In summary:

- (i) The medium-term financial strategy has been updated for current expectations of levels of funding, savings delivery, demand and inflation.
- (ii) At Full Council in February 2022 the medium-term financial strategy showed a surplus of £12.077m in 2024/25 with this becoming a deficit position of £19.103m by 2026/27. The updated position forecasts a gap of £14.505m in 2024/25, with this increasing to £18.294m in 2026/27.
- (iii) The council is forecast to hold a General Reserve against unforeseen issues of £23.437m representing circa 2.25% of net budget, which is unchanged from the previously reported position.
- (iv) The council is forecast to hold £163.525m of uncommitted transitional reserve

at the end of the financial year. This is sufficient to meet the forecast gap for the medium-term financial strategy for the next three financial years.

Recommendation

Cabinet is asked to:

- (i) **Note** the revised funding gap of £18.294m covering the period 2024/25 to 2026/27 as set out in the revised financial outlook forecast for the council.
- (ii) **Approve** the budget adjustments for 2024/25, and following years' changes, included in the revised medium term financial strategy.
- (iii) **Note** the contents of the county council's reserves position.

Detail

The detailed report at Appendix 'A' presents the county council's medium term financial strategy and reserves forecast position of the financial years 2024/25 – 2026/27.

Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Medium Term Financial Strategy and Reserves - November 2023

Consultations

Proposals will be subject to appropriate consultation where required.

Implications:

This item has the following implications, as indicated:

Risk management

The county council's overall approach to managing financial risks continues to be to identify and acknowledge risks early and build their impact into financial plans while continuing to develop strategies which will minimise their impact. This approach operates in parallel with the identification and setting aside of sufficient resources to manage the financial impact of the change risks facing the organisation.

All risks are clearly set out in Section 5 of Appendix 'A'. As part of the preparation of the updated medium-term financial strategy multiple scenarios have been calculated, but the version that contains what is thought to be a balanced level of risks and opportunities in advance of the Provisional Financial Settlement included at this stage. It is inevitable that risks are inherent within the forecast, but in identifying where the greatest risks are, such as funding levels, demand projections and



inflation (many of which are outside our control) and having an awareness as to the levels of fluctuation that could occur, a measured and balanced risk medium term financial strategy is presented. The medium-term financial strategy is a collaborative piece of work undertaken across with county council with finance working very closely with Directorates for their professional opinions in relation future year financial forecasts.

Legal

Matters referred to in this financial forecast will be subject to council consideration where appropriate.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



Medium Term Financial Strategy and Reserves

November 2023

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1. Executive summary

At Full Council in February 2023 the updated medium term financial strategy set out with the forecast as follows:

	2024/25	2025/26	2026/27
	£m	£m	£m
Spending Gap	-12.077	6.831	19.103

As part of the Councils continued focus on effective financial management a detailed review of the medium-term financial strategy has been undertaken. The review has taken into account:

- A review of the 2022/23 outturn position and any ongoing impact on the Council's budget.
- A review of assumptions made on key drivers affecting the Council budget (eg pay award, inflation, interest rates)
- A review of the changes in demand for Council services (which is to a large extent difficult for the Council to directly control) – e.g. Adults and Childrens Social Care

As a consequence, the forecast funding gap for 2024/25 has increased to £14.505m, with an updated aggregated funding gap of £18.294m by 2026/27 which was an increase of £26.582m from the previously reported position in February for 2024/25. The movement is the result of a number of factors:

- Pay award – an additional "catch up" amount of c£6.6m has been included in 2024/25 to reflect the higher than budgeted pay award in 2023/24. In addition, to reflect inflation levels not falling as quickly as previously forecast the pay award assumptions have now been amended to 5% in 2024/25 and 3% in 2025/26 (previously forecast at 3% in 2024/25 and 2% in 2025/26) which has increased the forecast gap in 2024/25 by a further £15m.
- Inflation – Additional costs of c£8m are forecast in 2024/25, which reflects higher levels of inflation than were previously forecast across all areas (CPI +0.4% and RPI +0.9% in 2024/25) and also higher than anticipated energy costs as they have not fallen significantly as had been previously forecast.
- Demand – Increased costs of £9.5m are included for 2024/25, the majority relating to home to school transport which is a continuing financial pressure following the overspend in the 2022/23 outturn. In addition, there are increased values included for social care placements for children with disabilities and increasing costs in our digital services budget for Oracle licences. However, the highest levels of demand built into the MTFs continue to be across Adult and Children's Social Care.



- Capital Financing – increases are built into the capital financing budget over the next 3 years. However, as part of this revision of the MTFs a reduced increase in 2025/26 and 2026/27 to the capital financing budget is included in line with our Treasury Management advisors forecast reductions in interest rates over the medium term. The reduction in the forecasts is £5m by 2026/27.
- Savings Reprofile – In the last budget a significant 'Strategic Targets' challenge was included looking at areas to improve productivity within the organisation and delivering savings. This complex area is advancing but as with all significant change programmes some reprofiling of the planned delivery timescales will be necessary. A reprofiling of £5.6m of strategic target savings being delivered in 2025/26 rather than 2024/25 has therefore been included.
- Additional savings – A considerable level of savings have been identified by Directorates, through a detailed review and challenge of their budgets, as management actions rather than policy decisions and are not expected to have a negative impact on service delivery. The management actions include staffing efficiencies, changes to working practices and processes, increased income generation, disestablishing vacant posts identified as no longer required, improved demand management and removal of recurring underspends identified by services and confirmed through the revenue monitoring process. These savings are being actioned by officers and total do not require cabinet approval.
- Funding – Given the challenges facing Adult Social Care across the country an assumption has been made that the ability to levy an ASC precept of 2% in line with previous years has been included in 2025/26 and 2026/27.

In line with the Councils continued pro-active approach to financial management work was undertaken by Directorates to identify financial savings and efficiencies during the early part of this year in recognition of the ongoing financial challenge. This has resulted in "management action" savings totalling c£23m being included in the updated medium term financial strategy and work is continuing across Directorates to identify further savings to be considered at future Cabinet meetings targeted at achieving a balanced budget position.

A further updated medium term financial strategy will be reported to Cabinet in January 2024, as part of the budget report. This report will include the 'government settlement figures for 2024/25' and any revised assumptions for future years in light of the latest information available at that point.

The value of the uncommitted transitional reserve is currently forecast to be sufficient to meet the forecast funding gap for the lifetime of the medium-term financial strategy. However, by identifying further savings and/or delivering savings earlier than currently planned the county council would seek to address the financial gap

sooner and ensure reserves are maintained for further service transformation and improvement.



Table 1 provides a detailed analysis of forecast additional budget required across key elements of the council's budget and Table 2 presents the movements between the previously reported financial gap and the revised financial gap:

Table 1 – Cumulative Medium Term Financial Strategy

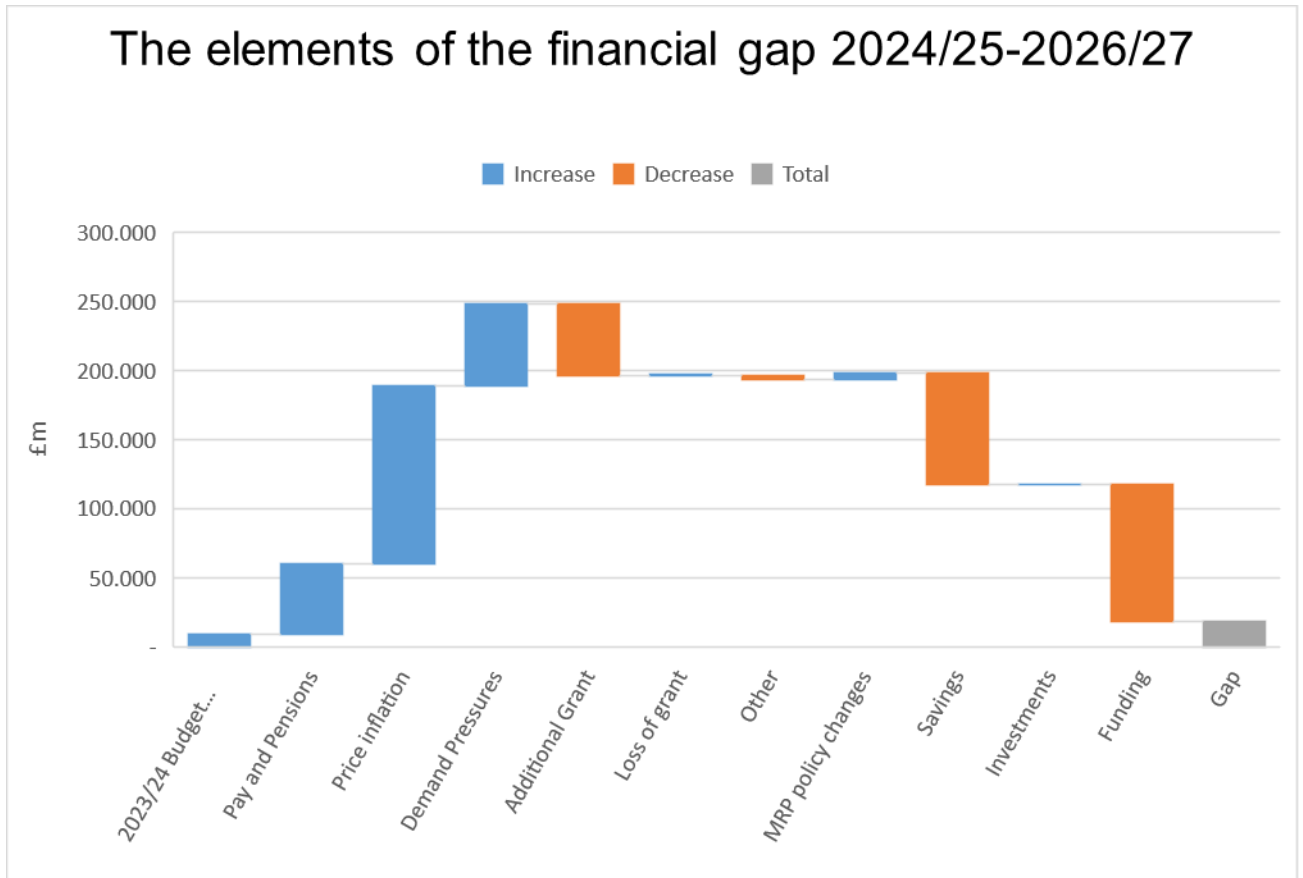
	2024/25	2025/26	2026/27
	£m	£m	£m
Baseline Expenditure	1,047.981	1,108.921	1,111.894
Pay	27.621	13.380	10.280
Price	46.071	47.821	34.866
Demand	26.545	16.429	15.647
Additional Grant	-10.148	-41.333	0.000
Loss of Grant	0.000	0.000	0.000
Savings	-31.743	-34.536	-15.172
Capital financing	5.368	0.000	0.000
Other	-2.774	1.212	-1.503
Budget Requirement	1,108.921	1,111.894	1,156.012
Funding	1,094.416	1,094.017	1,137.717
Updated Budget Gap	14.505	17.877	18.294

Table 2 – Adjustments to Medium Term Financial Strategy

	2024/25	2025/26	2026/27
	£m	£m	£m
Spending Gap – Full Council February 2023	-12.077	6.831	19.103
Pay & Pensions	15.283	20.247	22.122
Inflation and Cost Changes	7.451	5.825	4.216
Service Demand and Volume Pressures	10.393	13.308	14.790
Other	0.147	-2.853	-4.853
Proposed 2023/24 Savings	-6.692	-18.918	-23.268
Total Change to Forecast of Spending	26.582	17.609	13.007
Funding	0.000	-6.563	-13.816
Total Change to Forecast of Resources	0.000	-6.563	-13.816
Funding Gap	14.505	17.877	18.294



The graph below demonstrates the drivers that make up the changes in the financial deficit of £8.935m carried forward from 2023/24 to the cumulative position of £18.294m in the financial year 2026/27 shown in the table above:



2. Funding

As part of the Final Settlement for 2023/24, the government announced that details were provided for the next two years. Whilst this was the case for the additional flexibility on Council Tax increases, there was very little in terms of specific grant allocations for 2024/25, although estimates can be made of allocations using the same distribution formula being applied to funding streams in 2023/24. The key assumptions for funding levels are outlined below:

- Council tax increases of 4.99% for 2024/25, it has been assumed that the maximum level of council tax increase will be 3.99% with 1.99% normal increase and 2% adult social care precept. This is shown in the table below:

	Council tax increase (no referendum required)	Adult social care precept	Total council tax increase
2024/25	2.99%	2.00%	4.99%
2025/26	1.99%	2.00%	3.99%
2026/27	1.99%	2.00%	3.99%

As part of this revised medium term financial strategy an adjustment has been made that assumes that the adults social care precept will be held at 2% in 2025/26 and 2026/27. This has not yet been confirmed by the Chancellor, but at this stage in our forecasts it is reasonable to assume that this flexibility will remain given the ongoing adult social pressures with additional funding being able to be levied. However, the level of increase in council tax included as part of the budget for a financial year is ultimately a decision for Full Council to make each year when setting the budget. Any decisions not to increase council tax in line with the assumptions above would increase the financial gap; every 1% in council tax yields circa £6m.

- A 1.7% increase in council tax base has been assumed for each of the 3 years in the strategy.
- Council tax collection fund position is assumed to return to surplus in 2024/25, with a £5m surplus built into each year of the strategy.
- Business Rates Funding continues at current levels with inflationary uplifts applied.
- Assumption that the new model for business rates is implemented in 2025/26, but currently assuming the impact is cost neutral, however this does include 0.5% growth in all future years.
- Revenue support grant assumed to continue for the duration of this strategy with further inflationary increases applied in future years.
- Social care grant will continue for the duration of this strategy, including additional grant announced as part of Spending Review 2021 and the 2022/23 final settlement.
- Additional grants received for Social Care, including repurposed Adult Social Care reforms funding and new monies to support various aspects of Adults Social Care such as discharges and working with providers. Whilst additional



funding is shown in the table below, there are offsetting costs included within the expenditure side of the medium-term financial strategy. It has been assumed that these grants are recurrent.

- Services Grant – It has been assumed that this grant continues over the remainder of the strategy at the reduced level.

Table 3 reflects the updated funding position.

Table 3

	2024/25 £m	2025/26 £m	2026/27 £m
Revenue Support Grant	40.881	41.944	42.783
Business Rates	238.925	242.420	245.982
Council Tax	645.364	682.523	721.821
New Homes Bonus	0.782	0.000	0.000
Improved Better Care Fund	47.145	47.145	47.145
Social Care Support Grant	108.656	67.323	67.323
Collection Fund	5.000	5.000	5.000
Services Grant	7.663	7.663	7.663
Total	1,094.416	1,094.018	1,137.717
Forecast – February 2023	1,094.416	1,087.454	1,123.901
Variance	0.000	6.563	7.253

2.1 Additional Funding Information

Council tax

As noted above, assumptions have been made in the medium term financial strategy that take advantage of the additional level of council tax that the county council may have the ability to raise once confirmed by Government. It is assumed within the core spending power calculation undertaken by the Department for Levelling Up, Housing and Communities that councils will raise council tax by the maximum percentage permissible. However, the actual level of increase in council tax included as part of the budget for a financial year is ultimately a decision for Full Council to make each year when setting the budget.

The calculation of the council tax base position is particularly challenging as district councils need to assess the number of properties that can be taxed, the collection rate and the council tax support schemes that they offer. The county council has very limited information about the tax base position looking forward and so has assumed,



based on historical average increases, that the taxbase will increase by 1.7% per annum.

Business Rates

Business rates income is a significant portion of funding to local authorities. The baseline is an assessment of the business rate income required to meet service needs. For the county council, the amount it is anticipated will be received from the business rates collected in the area is less than the assessed need and therefore a top up grant is received. A small amount of growth continues to be built into the medium term financial strategy for the county council's local share at 0.5%.

As a result of the impact of COVID-19, the national review of business rates has been delayed and for 2023/24 rates will effectively 'rollover' from 2022/23 – a continuation of the 50% scheme, with the 75% scheme unlikely to be in place before 2025/26. The county council is part of the Lancashire Business Rates Pool, with additional income of £0.800m expected in 2024/25.

New Homes Bonus

The New Homes Bonus grant has been under review by the government for several years and consultations have taken place. The grant formally included legacy payments over 4 years, but these have previously been removed and the grant has gradually reduced.

As the future of this grant looks increasingly uncertain, the forecast reduces in 2024/25 and an assumption made that New Homes Bonus would no longer exist from 2025/26.

Services Grant

This grant was an additional grant provided in 2022/23, and was included in the 2023/24 settlement, but reduced to reflect a change in policy relating to national insurance contributions. The forecast assumes that this grant is recurrent.

Social Care Grant

In 2023/24 the Social Care Grant was expanded to include funding for the Independent Living Fund, and repurposed social care reforms funding (although the reforms were delayed the funding is still being paid to councils), In 2022/23, a social care grant of £57.095m was allocated to the county council. The Provisional Settlement has confirmed that this amount will be provided again, although no inflation will be applied. All aspects of this grant as assumed to be recurrent.

3. Net budget requirement

The medium-term financial strategy covers spending pressures including pay increases, contractual inflation, increased demand for services and the impact of previously agreed and new savings measures.

This section focuses on the areas where updates have been included as part of this iteration of the medium term financial strategy.

3.1 Pay and Pensions

An adjustment has been included to reflect the most recent pay offer, which was rejected, which contained a pay award at an average rate of 6.28% across all employees. This has resulted in a significant "catch up" budget adjustment in 2024/25.

As part of reviewing the MTFS an increased % forecast for the pay award has included for both 2024/25 and 2025/26 to reflect inflation levels are not falling as quickly as anticipated and we have, in the previous 2 financial years, under forecast the pay award leading to in-year pressures. In the previous version of the MTFS an increase of 3% was included for 2024/25 and 2% for 2025/26.

The assumptions for increases in pay over the next 3 years included in the MTFS are as follows:

- 2024/25 5.00%
- 2025/26 3.00%
- 2026/27 2.00%
-

The table below presents the amounts built into the medium-term financial strategy for pay and pensions:

Table 4

	2024/25 £m	2025/26 £m	2026/27 £m	Total £m
Employee costs	30.368	15.149	12.058	57.575
Pay Income (Inflation)	-2.566	-1.539	-1.548	-5.653
Other pay related costs	-0.181	-0.230	-0.230	-0.641
Total budget requirement	27.621	13.380	10.280	51.281
Pay and pensions previous MTFS	12.338	8.416	8.405	29.159
Variance	15.283	4.964	1.875	22.122



3.2 Price inflation and cost changes

Contractual price increases represent a significant cost pressure to the county council. The assumptions have been subject to regular review by services.

The largest part of the inflationary calculations relates to Adult Social Care with payments to 3rd parties being subject to increases each year to reflect cost increases and the impact of increases in the national living wage. Additional funding was allocated to Adult Social Care related to the delayed reforms; this was allocated to inflation as a significant element of the reforms is linked to fees paid to providers.

Although inflation has started to reduce, when comparing to the values that were used in the last medium term financial strategy, the inflation forecasts are slightly higher, therefore forecasts have increased across all services.

The most significant change in the forecast inflation levels, particularly for 2024/25, relates to energy costs. We have now purchased our energy for the next 12 months (advance purchase from October 2023 – September 2024) and therefore know what our cost per kilowatt of energy will be. In previous MTFs we had assumed that energy costs would have started to significantly reduce by 2024/25, however prices have not fallen by as much as our forecasts. A decrease of 2.9% has been incurred on electricity and a decrease of 7.7% on gas. However, in 2023/24 an increase of 224% for gas and 67% for electricity was built into the budget, therefore the reduction is very small in comparison to the previous rises for this financial year (which is already reflected within the medium-term financial strategy).

The modelled assumption in the revised MTFs is to use the information we have from our purchased energy for the 2024/25 forecast and then remove the additional budget over the next 2 years to reflect reducing levels of energy costs, although this assumption is subject to regular review given the inherent difficulties in forecasting the cost of energy over the medium term with any certainty in the current economic environment.



The updated inflationary pressures are analysed across the authority as per Table 5:

Table 5

	2024/25 £m	2025/26 £m	2026/27 £m	Total
Adults Services	33.185	45.038	26.890	105.113
Children's Services	5.302	3.090	3.155	11.547
Waste Services	4.952	-2.247	2.736	5.441
Highways Services	0.721	0.449	0.462	1.632
Transport Services	3.040	1.902	2.011	6.953
Property and Energy Costs	-2.452	-1.072	-1.052	-4.576
Other Services	1.323	0.661	0.664	2.648
	46.071	47.821	34.866	128.758
Demand – previous MTFS	38.620	49.447	36.475	124.542
Variance	7.451	-1.626	-1.609	4.216

3.3 Demand pressures

All services have reviewed the demand pressures they face in future years and increasing demand still remains a significant element of the funding gap.

The most significant change relates to Home to School Transport, with an overspend of c£5m reported in 2022/23. Whilst detailed work is taking place to understand the growing costs in this service area, the increase in costs needs to be reflected within the medium-term financial strategy at this stage.

Table 6

	2024/25 £m	2025/26 £m	2026/27 £m	Total
Adults Services	11.320	11.320	11.850	34.490
Children's Services	6.647	2.320	0.905	9.872
Waste Services	0.000	0.000	0.000	0.000
Highways Services	0.028	0.180	0.031	0.239
Transport Services	7.310	2.602	2.859	12.771
Property Services	0.000	0.000	0.000	0.000
Other Services	1.240	0.007	0.002	1.249
Revised Demand Requirements	26.545	16.429	15.647	58.621
Demand – previous MTFS	16.152	13.514	14.165	43.831
Variance	10.393	2.915	1.482	14.790



Adult social care represents a large proportion of the demand pressures. Adult social care has long seen annual increases in the demand for services and the medium term financial strategy attempts to predict growth in future years largely based on reviewing current and past activity trends and also taking into account future population changes, particularly with regard to the ageing population. From a social care perspective demand covers both increasing numbers of people eligible for support and the increasing complexity of those cases. The level of demand included for this service area for the three years to 2026/27 is c£35m. This will continue to be monitored and figures may be updated in future medium term financial strategy reports.

Children's social care continues to experience demand pressures across the service, particularly in relation to placement demand due to the number of looked after children in Lancashire and the type of service provision. Our assumptions follow a detailed review with the service and are based on the average increases over the past 6/12 months for different types of placements (in the current financial year), with the medium-term financial strategy reflecting half this demand in 2024/25 and no additional demand in future financial years.

3.4 Other

Arlingclose, our Treasury Management advisors have revised their interest rate forecasts following the Monetary Policy Committee (MPC) deciding to hold the base rate at 5.25% in September. They are now forecasting that the base rate has reached its peak with the MPC cutting rates in the medium terms starting in Q3 2024 reaching a low of c3% by early 2026 with a forecast benefit on our future capital financing costs.

Capital financing costs are based on an agreed principle of an additional £50m of prudential borrowing to support the capital programme each financial year.

3.5 Savings

As a county council we have a good track record in delivery of savings, however the impact of the pandemic has resulted in some savings being delayed and Directorates are working hard in conjunction with their Finance Monitoring Boards to ensure savings are delivered and offsetting cost reductions found to offset any delays in their planned delivery profile.

In the last budget a significant 'Strategic Targets' challenge was included looking at areas to improve productivity within the organisation and delivering savings. This complex area is advancing but as with all significant change programmes some reprofiling of the planned delivery timescales will be necessary. A reprofiling of £5.6m of strategic target savings being delivered in 2025/26 rather than 2024/25 has therefore been included.

In line with the Councils pro-active approach to financial management work was undertaken by Directorates to identify financial savings and efficiency during the early part of this year in recognition of the remaining budget gap. This has resulted in "management action" savings totalling c£23m being included in the updated medium term financial strategy. These savings cover aspects of the budget such as removal of budgets for vacant posts no longer required, more efficient ways of working,

recurring underspends (following a review of the 2022/23 outturn), improved demand management and increasing levels of income. Work is continuing across Directorates to identify further savings proposals to achieve a balanced budget position.



4. Reserves

Table 7

Reserve Name	Opening balance 2023/24	2023/24 Expenditure	2023/24 Closing Balance	2024/25 Forecast Exp	2025/26 Forecast Exp	2026/27 Forecast Exp	Forecast closing balance 31 March 2027
	£m	£m	£m	£m	£m	£m	£m
County Fund	-23.437	0.000	-23.437	0.000	0.000	0.000	-23.437
SUB TOTAL - COUNTY FUND	-23.437	0.000	-23.437	0.000	0.000	0.000	-23.437
Strategic Investment Reserve	-0.453	0.000	-0.453	0.315	0.000	0.000	-0.138
OCE General Reserve	-6.826	4.167	-2.659	1.611	0.925	0.000	-0.123
Downsizing Reserve	-5.344	0.077	-5.267	1.054	1.054	1.054	-2.105
Risk Management Reserve	-3.183	0.244	-2.939	0.000	0.000	0.000	-2.939
Transitional Reserve	-166.731	3.206	-163.525	-0.941	-2.707	-3.680	-170.853
Business Rates Volatility Reserve	-5.000	0.000	-5.000	0.000	0.000	0.000	-5.000
LCC Service Reserves	-128.098	40.370	-87.728	26.871	17.506	9.613	-33.738
Treasury Management Valuation Reserve	-36.317	0.000	-36.317	0.000	0.000	0.000	-36.317
SUB TOTAL - LCC RESERVES	-351.952	48.064	-303.888	28.910	16.778	6.987	-251.213
Non LCC Service Reserves	-24.747	3.026	-21.721	7.650	0.430	0.025	-13.616
SUB TOTAL - NON LCC RESERVES	-24.747	3.026	-21.721	7.650	0.430	0.025	-13.616
GRAND TOTAL	-400.136	51.090	-349.046	36.560	17.208	7.012	-288.266

The County Fund shown at the top of Table 7 is the balance set aside to cover the authority against a serious emergency situation (e.g., widespread flooding); a critical and unexpected loss of income to the authority and for general cash flow purposes. In considering these various factors the county council is forecast to maintain its County Fund balance at £23.437m, equating to circa 2.25% of net budget.

The value of the uncommitted transitional reserve is currently forecast to be £163.525m by the end of March 2024 but this will also be impacted directly by the value of any final over or underspend for the current financial year.



The value of the uncommitted transitional reserve is currently forecast to be sufficient to meet the forecast funding gap for the lifetime of the medium-term financial strategy, as shown in Table 8. However, by identifying further savings and/or delivering savings earlier than currently planned the county council would seek to address the financial gap sooner and ensure reserves are maintained for further service transformation and improvement.

Table 8

	2024/25	2025/26	2026/27
	£m	£m	£m
Opening Balance	-163.525	-177.089	-192.258
Gap funding	14.505	17.877	18.294
Commitments	-0.941	-2.707	-3.680
Closing balance	-177.089	-192.258	-206.872



5. Future risks and opportunities

The following are key future risks, the full impact of which is not known at this stage:

5.1 Funding

As previously explained, the future funding arrangements to be established by government pose a potential risk to the council. It is not expected that the new arrangements will come into place until 2025/26, a further delay to the previously extended delay, although final confirmation is awaited of this from the Government.

Changes to the funding formula for Local Government have been delayed for several years, with the earliest opportunity for implementation being 2025/26. The outcome from the review could increase or reduce funding compared to those values included in the medium-term financial strategy. At this stage no intelligence has been received from supporting professional bodies that would support different assumptions to those being used in the forecast.

The annual budget statement from the Chancellor of the Exchequer is scheduled for 22nd November, at which point announcements may be made relating to factors that could influence the medium-term financial strategy funding position. These are then usually reflected within the Provisional Settlement that will be published prior to Christmas. This presents a level of risk, as additional grants could be awarded, but offsetting could be higher than anticipated costs, or reduced levels of existing grants that differ to the levels assumed within our current forecast.

5.2 Savings delivery

The medium term financial strategy assumes that all previously agreed savings are fully delivered. The scale of savings previously agreed to be delivered over future financial years remains significant with c£80m budgeted to be delivered in 2023/24 and a further c£40m in later years. This is a combination of savings that were planned to be delivered in earlier years and were delayed due to the pandemic, and the budgeted savings that were reprofiled (but are still to be delivered) from the budget in 2023/24.

There are inherent risks in the delivery of any savings programme of this scale, particularly where they are directly linked to reducing the future demand for services. However, the county council has a strong track record of delivery of its saving plans and there are comprehensive arrangements in place to track delivery and take corrective actions where required. If any are not delivered or are delayed without mitigations this will cause a budget pressure. An opportunity could however present itself for inclusion in the MTFS if savings can be delivered any earlier than currently scheduled and/or at a higher value than originally forecast.

- Demand and Inflation – As detailed in this report assumptions have been made in relation to demand and inflation levels particularly across Adult and Children's Social Care. The main part of the assumptions are based on national statistics relating to population growth and age profiles. Through continued work with Directorates the assumptions could both increase or

decrease, with both services operating policies to manage demand levels. Uncertainty also remains with regard to future years pay awards.

5.3 Further savings identification and delivery

Although c£23m of management actions have been identified, and are in the process of being implemented, a forecast funding gap remains and, in order to achieve a balanced budget position Directorates are working to identify further savings proposals for consideration by Cabinet.

As a county council, regular comparisons are made through benchmarking to other local authorities, particularly county councils. The data suggests that despite the savings proposals put forward in this report, in some service areas the county council remains high cost. Although there are always some limitations to benchmarking data, it is a good indicator of how the county council is performing in comparison to other county councils, therefore this data, along with other intelligence and evidence, will be used to focus savings activity in service areas that are furthest away from the median county council unit cost for that service area.

In addition, work is ongoing to explore the potential for additional income and all fees and charges are being reviewed and benchmarked to ensure that the county council remains aligned to its markets. All traded activities need to demonstrate appropriate returns and manage risk as set out in the commercial blueprint approved by Cabinet.

5.5 Children's social care

Children's social care demand levels are forecast to continue to increase, albeit at a slower rate over the next 3 years to recent years, and are increasing nationally, particularly within agency residential placements, agency fostering placements and special guardianship orders. Our assumptions follow a detailed review with the service and are based on the average increases over the past 6/12 months for different types of placements (in the current financial year), with the medium-term financial strategy reflecting half this demand in 2024/25 and no additional demand in future financial years.

As has been reported in money matters reports over the past few years, there has always been an anticipation that the level of demand could increase due to the impact of latent demand that had not previously presented itself due to the pandemic.

5.6 High Needs Block

The High Needs Block is forecast to have significant pressures over coming years, with the Education and Children's Directorate reviewing models and services covered by this funding. There are pressures nationally in this area and the county council is better placed than many other councils through the creation of the High Needs Block reserve which allows time for more strategic and sustainable mitigations to be put in place. Therefore, there are no additional pressures in relation to this area included within the current medium term financial strategy.



5.7 Adult Social Care

In Adult Social Care there are planned reforms relating to a cap on service user contributions and changes to contribution thresholds along with the fair cost of care exercise. The reforms have however been delayed until 2025/26, but the funding allocated will still be distributed to authorities as part of the Social Care Grant and is not ringfenced. From 2025/26 onwards, the core assumption within the medium-term financial strategy remains that the additional cost of these changes will be fully offset from additional government funding being provided.

In addition, the medium-term financial strategy contains assumptions across services for funding growth, demand, inflation and pay levels. The table below shows the impact of any increase or decrease of 1% over these key elements of the projected budget requirement.

	Potential Full - Year Impact of 1% movement (£m)
Funding - Council Tax	+/- 6.044
Pay	+/- 4.183
Price Inflation	+/- 8.161
Demand	+/- 5.175
Interest on borrowing	+/- 5.000

The position outlined in the report is based on a number of reasonable assumptions around the future changes to demand, inflation and interest rates along with assumed levels of funding available to us in the future. These assumptions have been subject to a much greater level of variation in recent years representing the uncertain economic environment. Assumptions necessarily rarely transpire exactly as forecast and significant changes could have a material impact on the funding gap both positively or negatively as illustrated in the table above.



Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Law and Governance

Part I

Electoral Division affected:
N/A;

Corporate Priorities:
Delivering better services;

Appointments to Outside Bodies

(Appendices 'A' and 'B' refer)

Contact for further information:

Hannah Race, Tel: (01772) 530655, Senior Democratic Services Officer,
Hannah.Race@lancashire.gov.uk

Brief Summary

This report sets out the outcome of the Political Governance Working Group's review of outside bodies, following the Working Group's meetings on 17 May and 21 September 2023.

Recommendation

Cabinet is asked to:

- (i) Approve the proposed Protocol on County Council Appointments to Outside Bodies as set out at Appendix 'A'.
- (ii) Approve the revised list of outside bodies and appointments as set out at Appendix 'B', including the addition of the Pennine Community Safety Partnership and the Pilkington Charitable Trust, and noting those to be considered joint working arrangements instead.
- (iii) Approve the appointment of County Councillor Ash Sutcliffe to the Pennine Community Safety Partnership and the Pilkington Charitable Trust.
- (iv) Authorise the Director of Law and Governance to finalise arrangements for the administration of the Emily Rainford Trust, the Marsden Heights Educational Foundation, and the Bostock Scholarship Fund.

Detail

Outside bodies play an important part in fulfilling the county council's statutory responsibilities, meeting its corporate priorities, and in building positive relationships with the communities it serves. The list of outside bodies that county council representatives are appointed to is monitored and reviewed by Democratic Services.

Following the Political Governance Working Group's meetings on 17 May and 21 September 2023, Cabinet is asked to agree the proposed Protocol on County Council Appointments to Outside Bodies, as set out at Appendix 'A'.

The protocol seeks to standardise county councillor appointments to outside bodies and the responsibilities of appointed members. It sets out that outside bodies should meet certain criteria and therefore fall into one of three categories:

- Strategic
- Ward-based
- General

These categories, along with updated information from the organisations and members' feedback, have been used to review the county council's list of outside bodies.

The Political Governance Working Group's feedback included a query as to whether, in line with the proposed protocol, all the bodies with formal county council appointments should be considered outside bodies. In particular, a number of bodies were identified for which the county council has sole or joint responsibility, and these are therefore not properly considered to be "outside bodies".

Accordingly, it is proposed to remove the following from the county council's list of outside bodies and instead consider them to be joint working arrangements:

- Forest of Bowland AONB Joint Advisory Committee
- Joint Advisory Committee for Strategic Planning
- Lancashire Local Access Forum
- Lancashire Standing Advisory Council on Religious Education (SACRE), Lancashire SACRE Quality and Standards Sub-Group, and the SACRE Agreed Syllabus Conference
- Lancashire Schools Forum
- Lancashire Waste Partnership
- Police and Crime Panel for Lancashire
- Public Rights of Way and Access Forum
- Tobacco/Smokefree Alliance

Appointments already made to the authorities and committees listed above for the term of the current council will remain in place. Following the next Lancashire County Council Election in 2025, appointments to these bodies will be made separately to the outside body appointments process.

Cabinet is asked to agree the updated list of outside bodies and county councillor appointments as set out at Appendix 'B'. This includes two additions to the list of outside bodies: the Pennine Community Safety Partnership and the Pilkington Charitable Trust.

Pennine Community Safety Partnership

The Pennine Community Safety Partnership is the statutory partnership covering the areas of Burnley, Rossendale, Hyndburn and Blackburn with Darwen. Under the Crime and Disorder Act 1998, the county council is a responsible authority, which means it has a statutory duty to work in partnership with other responsible authorities to reduce crime and disorder. The statutory partners work together to protect local communities from crime, focusing on local issues and priorities. They reassess local crime priorities on a yearly basis and develop community safety plans in consultation with partners and the local community.

This report therefore seeks approval for the Pennine Community Safety Partnership to be added to the county council's list of outside bodies and proposes that County Councillor Ash Sutcliffe be nominated as the county council's representative on the body until the next Lancashire County Council Election in May 2025.

Pilkington Charitable Trust

The Pilkington Charitable Trust is administered by Nelson and Colne College and it awards prizes to students moving from college onto higher education. The trustees meet annually to review applications to the fund and to agree how the Trust's money will be awarded. When the Trust was established, a co-opted trustee was agreed from Lancashire County Council, as Local Education Authority.

This report therefore seeks approval for the Pilkington Charitable Trust to be added to the county council's list of outside bodies and proposes that County Councillor Ash Sutcliffe be nominated as the county council's representative on the body until the next Lancashire County Council Election in May 2025.

Other Educational Trusts and Funds

Some of the outside bodies listed at Appendix 'B' are small funds which the county council, sometimes in partnership with other authorities, is entitled to administer. These include:

- Emily Rainford Trust
- Marsden Heights Educational Foundation
- Bostock Scholarship Fund

In some cases, there are relatively complex administrative structures in place which have made distributing the funds and delivering the aims of the organisations difficult. Work is underway to explore alternative delivery models for these bodies which would enable the funding to be used as originally intended.



Cabinet is therefore asked to authorise the Director of Law and Governance to, where possible, finalise arrangements for these funds so that the money they hold can be distributed in line with the funds' objectives.

Appendices

Appendices 'A' and 'B' are attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Protocol on County Council Appointments to Outside Bodies
Appendix 'B'	Updated List of Outside Bodies and Appointments

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



Lancashire County Council

DRAFT Protocol on County Council Appointments to Outside Bodies

1. Overview

- 1.1 There are a number of organisations which are independent from Lancashire County Council, but which have connections with its communities and service areas.
- 1.2 In order that the county council can maintain effective partnerships and as part of county councillors' roles as community leaders, members may be appointed to represent the county council on outside bodies.

2. Definition of an Outside Body

- 2.1 For the purpose of this protocol, an outside body is a corporate or unincorporated body which is not part of Lancashire County Council's own governance structure but whose work supports the county council's own responsibilities and priorities and/or improves the lives of Lancashire's residents.
- 2.2 The term 'outside body' embraces a diverse range of organisations purposes and structures, but for the purpose of this policy are categorised as either strategic, ward-based, or general.

3. Criteria for Appointing Members

- 3.1 Formal member appointments to outside bodies are made by Cabinet (or in some cases, Full Council) and only agreed if there are clear benefits from this arrangement for either the county council or local communities, and in line with the criteria below.
- 3.2 Cabinet or Full Council may agree to appoint a county council officer to any outside body as it considers appropriate, providing the outside body's own membership criteria are met by such an appointment. Officers appointed to outside bodies must ensure they are acting in accordance with the Code of Conduct for Employees and any other obligations on them as a county council employee.
- 3.3 *Strategic*
 - 3.3.1 An outside body whose functions make a substantial contribution to the achievement of the county council's overall responsibilities and priorities, as set out in its approved policies, plans and strategies, and to the delivery of essential local services;

3.3.2 An organisation which directly or indirectly represents local government (or aspects of its work) at a local, regional or national level, and whose membership comprises representatives of some or all local authorities;

3.3.3 An organisation to which the county council is required by statute to make appointments to and where not doing so would affect the county council's ability to properly discharge its functions and responsibilities.

3.4 *Ward-based*

3.4.1 A local organisation, group or charity falling within one or more electoral division boundaries, which seeks the county council's assistance in meeting local needs;

3.5 *General*

3.5.1 A voluntary or community organisation which receives funding from the county council and member representation will provide a valuable mechanism for the exchange of information and views;

3.5.2 An organisation or group when member representation will in some other way provide clear 'added value' to either the county council or Lancashire's residents.

4. The Role of Members Appointed to Outside Bodies

4.1 The capacity in which members serve on outside bodies will depend on the organisation's legal status, whether the appointment is to the main body or to a committee or sub-committee, and whether the member is acting as a voting or non-voting member.

4.2 It should be remembered that the outside body has approached the council for a nomination; it is not a personal appointment, and the councillor is likely to be expected to represent the views and position of the council on the body, rather than personal views. However, councillors must take into account any requirements on them due to the nature of the organisation in question – for example, in the case of appointment as a company director, there are legal duties for the director to act in the best interests of the company, regardless of the council's collective view.

4.3 Members may serve on an outside body as either:

- A board, executive or management committee member (voting);
- A committee or sub-committee members (voting);
- An ordinary member (voting only at the AGM);
- A company director (voting);

- A charity trustee (voting)
- An observer (non-voting); or
- A member of a discussion or liaison forum (voting does not apply).

4.4 When a member is appointed to an outside body as an observer, they are not a member of the body but are instead invited to attend in order to give the benefit of the county council's views and to keep the county council informed of the body's actions.

4.5 When a member is appointed to an outside body as a director of a company, advice must be sought from Legal and Democratic Services. Democratic Services will provide guidance on the member's obligations under company law and the potential for conflict of interest with their role as a county councillor. Clear protocols for dealing with conflicts of interest will need to be agreed and documented with the company and appointed member.

4.6 The capacity in which members appointed to outside bodies serve will depend on the organisation's responsibilities and priorities, and therefore this will determine members' exact responsibilities related to their appointment.

5. Members' Responsibilities

5.1 Although nominated by the county council, members appointed to outside bodies serve in accordance with the constitution, articles of association or similar governing document of that outside body. Members must abide by the outside body's own governance, code or constitution and must understand the responsibilities that they take on.

5.2 The county council's Members' and Co-opted Members' Code of Conduct also applies to members appointed to outside bodies as representatives of the county council. As well as the general duty placed upon members to promote and support high standards of conduct, the following sections of the Code of Conduct are particularly relevant in this context:

- You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate;
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties;
- When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit;
- You must declare any disclosable pecuniary or non-pecuniary interests that relate to your public duties and must take steps to resolve conflicts arising in

a way that protects the public interest, including registering and declaring interest in a manner confirming with the county council's procedures; and

- You must always treat people with respect, including the organisations and public you engage with and those you work alongside.

5.3 Members may be asked to report back to Cabinet on the work of the outside body and how it supports the county council's responsibilities and priorities. Members must provide the information requested, as directed by either the relevant Cabinet Member or the Monitoring Officer, in a timely and accurate manner. However, it is important the members appointed to outside bodies respect and maintain the confidentiality of any information shared with them as part of their appointment to that body.

6. Support for Members

6.1 Democratic Services will provide councillors appointed to outside bodies with information and contact details about the organisation to which they are appointed.

6.2 As set out at 4.5 above, when a member is appointed to an outside body as a director of a company, Democratic Services will provide guidance on the member's obligations under company law and the potential for conflict of interest with their role as a county councillor.

6.3 In most cases, Democratic Services are not responsible for outside body meetings or associated paperwork and councillors should contact the organisation directly for this information.

7. Indemnity and Insurance

7.1 Lancashire County Council's liability and personal accident insurance arrangements provide appropriate cover in respect of the actions of councillors whilst acting on county council business, as set out at Annex 5, Appendix I to the Constitution (Members' Allowance Scheme).

7.2 Lancashire County Council does not generally provide any specific indemnity or insurance to members appointed to outside bodies. In most cases, the nature of an outside body's activities are low risk and indemnity ought not to be necessary. Members should ensure the outside body has appropriate indemnities in place upon taking up their appointment.

8. Individual or Personal Appointments

8.1 This protocol relates only to formal appointments made by Lancashire County Council. They do not relate to any other roles or positions held by councillors in an individual capacity. For example, councillors may be directly invited to join the

management board of a local community group, either because of their position as the local elected representative or because of other personal skills or experience.

- 8.2 In cases where the appointment is direct or personal, the councillor would not necessarily be representing the whole council, although the Members' and Co-opted Members' Code of Conduct still applies in any case where an elected member is acting, or purporting to be acting, as a councillor.

9. Further Advice

- 9.1 In all cases where there is potential for a conflict of interest between the county council and an outside body, or where there is a question regarding indemnity, members should seek advice from the Monitoring Officer.

Updated List of Outside Bodies and Appointments

Strategic

Outside Body	Appointed Representative(s)
Adoption Panel	CC A Cheetham
Central Lancashire Strategic Planning Joint Advisory Committee	CC A Cullens CC M Green CC S Whittam CC J Couperthwaite (reserve) CC M Maxwell-Scott (reserve) CC R Woollam (reserve)
Community Safety Partnership – Chorley and South Ribble	CC A Cullens CC G Gooch
Community Safety Partnership – Fylde	CC P Rigby
Community Safety Partnership – Hyndburn	CC P Britcliffe
Community Safety Partnership – Lancaster	CC M Maxwell-Scott
Community Safety Partnership – Pendle	CC H Hartley
Community Safety Partnership – Pennine	CC A Sutcliffe
Community Safety Partnership – Preston	CC R Woollam
Community Safety Partnership – Ribble Valley	CC S Hind
Community Safety Partnership – West Lancashire	CC D O'Toole
Community Safety Partnership – Wyre	CC S Clarke
Fostering Panel	CC A Cheetham CC S Smith
Lancashire & South Cumbria NHS Foundation Trust - Council of Governors	CC S Whittam
Lancashire and South Cumbria Integrated Care Partnership	CC M Green
Lancashire Combined Fire Authority **	Membership of the Combined Fire Authority is available to view on the authority's website .
Lancashire Teaching Hospitals NHS Foundation Trust - Council of Governors	CC E Pope
LGA Nuclear Legacy Advisory Forum (Nuleaf) **	CC A Riggott

LGA County Councils Network **	CC A Ali CC G Gooch CC A Vincent CC P Williamson
LGA General Assembly **	CC A Ali CC G Gooch CC M Green CC J Rear
LGA Rural Services Network **	CC S Turner
LGA Special Interest Group on Coastal Issues **	CC S Clarke
Local Pensions Partnership Limited	CC C Edwards (Non-Exec Director) CC A Schofield (Non-Exec Director)
National AONB Association	CC S Turner
North West Employers Organisation	CC A Vincent
North West Regional Flood and Coastal Committee	CC S Clarke
North Western Inshore Fisheries and Conservation Authority	CC S Clarke CC J Parr
PATROL Adjudication Service Joint Committee	CC R Swarbrick
Public Transport Consortium of Non-Metropolitan Authorities	CC R Swarbrick
Springfield Fuel Ltd - Springfields Site Stakeholder Group	CC M Brown CC P Rigby CC A Riggott
Transport for the North	CC R Swarbrick CC S Smith (reserve)
Transport for the North – Scrutiny Committee	CC M Salter CC R Bailey (reserve)
University Hospitals of Morecambe Bay NHS Foundation Trust – Council of Governors	CC C Edwards
Yorkshire Dales National Park Authority	CC J Purcell

** Full Council appointments

Ward-based

Outside Body	Appointed Representative(s)
Arnsdale / Silverdale AONB Executive Committee	CC P Williamson
Arthur Edmondson Quinn Bequest	CC C Towneley CC L Pate CC A Sutcliffe
Blackpool Airport Joint Consultative Committee	CC P Buckley
Burton and Rigby Educational Foundation	CC M Maxwell-Scott
Council for Voluntary Services - Burnley, Pendle and Rossendale	CC A Sutcliffe
Council for Voluntary Services – Hyndburn and Ribble Valley	CC R Swarbrick
Lancaster District Community and Voluntary Solutions (Council for Voluntary Services – Lancaster)	CC M Maxwell-Scott
Council for Voluntary Services – West Lancashire	CC J Burrows
Educational Foundation of John Farrington	Mrs J Portley Rev M Dolan
Edward Stocks Massey Bequest Fund - Joint Advisory Committee	CC U Arif CC C Towneley CC A Sutcliffe
Emily Rainford Trust	CC A Vincent CC P Williamson
Hanson Cement Liaison Committee	CC S Hind
Herbert Norcross Scholarship Fund	CC A Cheetham CC J Oakes
Heysham Power Stations Local Community Liaison Council (LCLC)	CC A Gardiner CC S Morris (reserve)
Hornbies Newton Charity	CC P Rigby
James Bond/Henry Welch Trust	CC C Edwards
Knott End to Fleetwood Ferry Service Working Group	CC M Salter
Lancaster Ripley CE Educational Trust	Mr F Kershaw
Liverpool John Lennon Airport Consultative Committee	Officer appointment to be confirmed

Marsden Heights Educational Foundation	CC S Smith
Ormskirk School Foundation Trust	CC R Bailey CC E Pope Mrs M Westley
Peter Lathom Charity	CC R Bailey
Pilkington Charitable Trust	CC A Sutcliffe
Prospects Foundation Management Committee	CC P Britcliffe
Roper Educational Foundation	CC J Mein
Baines Trust Thornton Cleveleys (Thornton Cleveleys Baines Endowed VC Primary School)	CC J Shedwick
Whalley Educational Foundation	CC G Mirfin

General

Outside Body	Appointed Representative(s)
Blackburn Cathedral Council	CC J Rear
Bostock Scholarship Fund	CC A Vincent CC P Williamson
Friends of Lancashire Archives	CC A Cullens
Rivington Heritage Trust	CC J Burrows
The Grundy Trust	CC S Rigby

Other Joint Working Arrangements

Joint Working Arrangement / Committee	Appointed Representative(s)
Forest of Bowland AONB Joint Advisory Committee	CC G Mirfin CC M Maxwell-Scott CC S Turner (Chair)
Joint Advisory Committee for Strategic Planning	CC A Ali CC L Beavers CC J Fillis CC M Maxwell-Scott CC A Riggott CC S Turner CC A Vincent CC B Yates
Lancashire Local Access Forum	CC J Shedwick CC C Towneley
Lancashire Standing Advisory Council on Religious Education (SACRE) / Lancashire SACRE Quality and Standards Sub-Group	CC T Aldridge CC A Cheetham CC S Jones CC Y Motala Mr F Williams
SACRE – Agreed Syllabus Conference	CC Y Motala
Lancashire Schools Forum	CC A Cheetham CC S Hind CC A Kay CC J Rear (observer)
Lancashire Waste Partnership	CC T Hurn CC S Rigby CC S Turner
Police and Crime Panel for Lancashire	CC G Mirfin
Public Rights of Way and Access Forum	CC S Clarke CC C Haythornthwaite

	CC S Hind CC C Towneley CC S Turner
Tobacco/Smokefree Alliance	CC M Green

Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Finance

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Delivering better services;

Procurement Report

(Appendix 'A' refers)

Contact for further information:

Rachel Tanner, Tel: (01772) 534904, Head of Service - Procurement,
rachel.tanner@lancashire.gov.uk

Brief Summary

In line with the county council's procurement rules, this report sets out a recommendation to approve the commencement of the following procurement exercises:

- (i) Framework Agreement for the supply, installation, maintenance and repair of bus shelters.
- (ii) Provision of Traffic Management Services.
- (iii) Provision of a Dynamic Purchasing System - Cleaning and Facilities Services.
- (iv) Fleet Vehicle Replacement Programme 2023/2024.
- (v) Improvements for Accrington Railway Station Access.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to approve the commencement of the procurement exercises as set out in Appendix 'A'.

Detail

Appendix 'A' sets out the detail of the procurement exercises and basis upon which it is proposed to carry out the process including:

- The description of the goods, services or works.
- The procurement route proposed.
- The estimated contract value.
- The proposed basis for the evaluation of the tender submissions.

Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Individual Procurement Exercises

Consultations

The relevant heads of service and key operational staff have been consulted in drawing up the proposals contained within this report.

Implications:

This item has the following implications, as indicated:

Financial

The estimated value of the contract will be contained within the funding arrangements as set out in Appendix 'A'. If significant variations should result from this position a further report to Cabinet will be required.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



<p>Procurement Title Agreement for the Supply, Installation, Maintenance and Repair of Bus Shelters</p>		
<p>Procurement Option Open Tender Procedure compliant with the Public Contract Regulations 2015</p>		
<p>New or Existing Provision Existing Provision</p>		
<p>Estimated Annual Contract Value and Funding Arrangements Estimated contract value between £500,000 and £625,000 per annum.</p> <p>In January 2018 capital funding of £3.5m was agreed at Cabinet, the existing contract has used approximately £2m of this funding. The new contract will be funded (whilst the funds, which may be time limited, are available) by the remaining balance of the capital funding and through a number of Bus Service Improvement Plans & Levelling Up Funding schemes.</p>		
<p>Contract Duration Initial contract period of two years from the 16th March 2024 with the option to extend the contract by any number of further periods, provided that the total contract period does not exceed four years.</p>		
<p>Lotting Lotting has been considered and determined unsuitable for this agreement. A single supplier will provide a more effective and consistent service, in addition, a single supplier agreement will also remove any potential for conflict which could arise by having two or more suppliers providing the goods and services.</p>		
<p>Evaluation</p> <table border="1" data-bbox="209 1346 1018 1402"> <tr> <td>Quality Criteria 60%</td> <td>Financial Criteria 40%</td> </tr> </table> <p>Social value will form 5% of the quality criteria.</p>	Quality Criteria 60%	Financial Criteria 40%
Quality Criteria 60%	Financial Criteria 40%	
<p>Contract Detail Public and Integrated Transport service has a strategic objective to increase the number of passenger journeys made by bus. To assist in meeting this objective, a single-supplier framework agreement is required to supply and install replacement bus shelters, as well as repair and maintain existing bus shelters within Lancashire to improve the appearance, comfort and safety for passengers using bus services.</p> <p>The Council has 730 bus shelters (this figure is subject to change over the life of the contract) that come under its direct ownership and responsibility. Bus shelters are spread over both urban and rural settings covering all 12 districts of Lancashire.</p> <p>There is a programme of works to maintain repair and replace bus shelters. The bus shelters are required to meet set design criteria stipulated by the Public and Integrated Transport service this may include anti-vandal measures such as hammer-glass or additional metal mesh panels.</p>		

As well as installation of new bus shelters, the supplier will be required to provide maintenance of bus shelters on a reactive basis as and when the Council requires. Reactive maintenance includes call-outs to replace side or roof panels, make safe broken glass or structural damage, fix lighting, or undertake cleaning as required.

The contracted supplier will need to be adaptable in order to maintain and repair the number of different designs and styles of bus shelter which are located throughout the county.

Procurement Title

The Provision of Traffic Management Services

Procurement Option

Open Tender Procedure compliant with the Public Contract Regulations 2015.

New or Existing Provision

New Framework Agreement for a continuing requirement for traffic management services across Lancashire.

Estimated Annual Contract Value and Funding Arrangements

The total estimated value of traffic management services in Lancashire is £3,125,000 per annum. £12,500,000 over 4 years.

Funding is to be made available from the revenue and capital budgets for Highways depending on the scheme. Contract value will be determined by the funds available.

Framework Duration

Up to 8 service providers will be appointed onto the Framework Agreement, which will be awarded for a 4-year period commencing in March 2024.

Lotting

The framework will comprise of 2 Lots.

Lot 1**Traffic management for individual works under £7500**

A maximum of 8 service providers will be appointed to Lot 1 as a ranked Lot based on the most economically advantageous tender returns.

Individual traffic management requirements for a value of less than £7,500 will be offered to the first ranked service provider by the Highways Managers in each district. If the first ranked service provider is unable to accept all or some of the work, the second ranked service provider will be offered the work. Highways will contact the service providers in ranked order until the work is appointed.

Lot 2**Traffic management for individual works over £7,500 and/or Category NHSS 12C Services (tendered by mini competition.)**

Service providers appointed to Lot 1 will be automatically appointed to Lot 2 and will be eligible to tender for mini competitions.

The council will issue a mini competition for services for planned traffic management schemes, with an estimated value over £7,500 and/or for Category NHSS 12C Services (Mobile lane closure traffic management on motorways and other dual carriageways.)

As some smaller traffic management companies may not hold the NHSS qualifications for 12C, this is not a standard requirement for those wishing to tender for Lot 1, therefore allowing more competition for the framework as a whole.

Evaluation

Selection Stage (Pass/Fail):

Bids will be evaluated using the Crown Commercial Services' (CCS) standard Selection Questionnaire, which is compliant with the Public Contract Regulations 2015.

The Selection Questionnaire will evaluate suppliers against the following criteria: mandatory and discretionary exclusion grounds, economic and financial standing, technical and professional capability questions, relevant experience, Health and Safety and Quality Assurance. Each tenderer must pass this stage in order to proceed to the award stage.

Award Stage:

The evaluation will be based on 30% Quality Criteria and 70% Price.

The Quality criteria will consist of a technical questionnaire which will cover the areas of collaborative working and quality of service, and social value.

The Price evaluation will be of submitted rates for the services required as part of the framework (based on estimated quantities.)

Background

The Highways Service have an ongoing requirement for the provision of traffic management services including implementing, installing and maintaining traffic management control systems such as traffic lights, lane closures, diversions and 'stop & go' boards. The service is required across Lancashire.

The successful service providers will be required to provide equipment and experienced labour for any services awarded via Lot 1 or Lot 2. As part of the tender procedure, service providers will be required to demonstrate their experience to operate in compliance with the National Highways Sector Schemes for traffic management services and provide evidence for operative's qualifications.

Framework Detail

The Highways Service are to appoint a maximum of up to 8 service providers to the framework to provide traffic management services. The service providers will be required to meet the LCC Specification which will be prepared for the tender. The Specification will outline the standards which service providers are expected to work to and the equipment required. The Specification will include the relevant sections from the Manual of Contract Documents for Highways Works.

The Framework will state that service providers shall be permitted to submit revised pricing to the council on an annual basis and this shall determine the rankings for Lot 1.

Procurement Title

Provision of Dynamic Purchasing System (DPS) – Cleaning & Facilities Services

Procurement Option

Open Procedure compliant with the Public Contract Regulations 2015

New or Existing Provision

Existing provision.

Estimated Annual Contract Value and Funding Arrangements

The estimated annual value is £5,200,000. The estimated total value of the DPS over its maximum ten-year term is £52,200,000.

The DPS will be primarily used by the council's Design & Construction Service to procure cleaning service contracts. As part of their traded service, the Design and Construction Service source and manage a number of cleaning service contracts on behalf of their clients, which mainly consists of schools within Lancashire.

Whilst there may be occasional procurement projects for a corporate council site, the vast majority of procurement activity under this DPS will not be drawn from the council's budget. The DPS may be accessed by educational and other establishments as part of a traded service, therefore these customers in each case will pay for the delivery of the services. The council receives a net income overall for providing this traded service, as customers pay a fee to the Council in order to access the contracts and contract management by the Design and Construction Service.

There is no commitment or guarantee of the value of work and/or number of call-offs to be placed with the suppliers appointed to the DPS.

Contract Duration

The proposed length of the DPS is ten years, to commence in 2024.

Lots

This DPS will be divided into 3 categories, suppliers may choose to join 1,2 or all 3 categories. Contracts let from the DPS will be by mini-competition and will typically be five years in length with a three-month non-fault termination clause. The categorisation strategy is as follows:

Category 1: Primary Schools / Nurseries with the inclusion of a Site Supervisor provision.

Category 2: High Schools / Primary Schools / Nurseries without a Site Supervisor provision.

Category 3: Any other building cleaning without a Site Supervisor provision.

Evaluation

Suppliers wishing to join the DPS will be required to complete the Crown Commercial Services standard Selection Questionnaire which is compliant with the Public Contract Regulations 2015. They will also have to complete, and be bound by, the LCC "Safer Recruitment and Selection Checklist".

Stage 1: The Selection Questionnaire will evaluate suppliers against the following criteria: mandatory and discretionary grounds to ascertain the supplier's economic and financial standing, technical capability questions, experience, and references, with particular reference to their ability to demonstrate their experience in operating in compliance with industry standards. Additionally, the supplier will need to confirm their commitment to provide the service outlined in the specifications for each lot for each lot for which they wish to join.

Stage 2: LCC's Safer Recruitment and Selection Checklist must be completed and signed by a Senior Officer of the supplier.

Each tenderer must pass these stages in order to be accepted onto the DPS. Once suppliers have been accepted onto the DPS they will be invited to bid in mini competitions for each lot for which they have applied.

Contract Detail

The council's Design and Construction Service provides a service to many educational establishments and Fire & Rescue Services throughout Lancashire. This may expand to Lancashire Constabulary in the future. The service includes conducting procurement activity for these clients, putting in place contracts for services, and then managing these contracts on the client's behalf.

The intention will be to conduct cleaning tenders via mini competitions through this Dynamic Purchasing System (DPS).

Procurement Title

Fleet Vehicle Replacement Programme – 2023/2024

Procurement Option

The procurement options being used for the vehicle replacement programme are:
1/ Open Tender procedure for one specialist vehicle in accordance with the Public Contract Regulations 2015.

2/ Tender competition using the Crown Commercial Services Framework and the Procurement Partnership (known as TPPL) Framework for remaining vehicle purchases.

New or Existing Provision

New contracts for 20 types of vehicles which is part of the Fleet Services vehicle replacement programme.

Estimated Annual Contract Value and Funding Arrangements

The total value of the vehicles to be purchased is £5,460,000 for the purchase of the vehicles listed below.

Contract Duration

Individual contracts to be let for 20 types of vehicles by 31 March 2024.

Lots

The vehicles to be tendered using the Crown Commercial Services Framework and the TPPL Framework will be split into the appropriate vehicle Lots within each of the Framework Agreements.

Evaluation

Quality Criteria: 40%	Financial Criteria: 60%
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The bids will be evaluated using the Crown Commercial Services standard Selection Questionnaire which is compliant with the Public Contract Regulations 2015.

Stage 1: The Selection Questionnaire will evaluate suppliers against the following criteria: mandatory and discretionary exclusion grounds to ascertain suppliers' financial status, technical capability questions, experience, and references, with particular reference to meeting the requirements included in the specifications. Each tenderer must pass this stage in order to proceed to Stage 2.

Stage 2: The evaluation will be based on 40% Quality Criteria, 60% Price. The Quality Criteria will include social value at 10% of the overall weighting.

Contract Detail

Fleet Services are responsible for the specification, management and maintenance of all vehicles and plant to allow the council to carry out its functions in a cost effective and efficient manner.

In order to ensure that the services provided by Fleet are maintained regular purchase of vehicles are required in order to replace current vehicles which are

coming to the end of their operational life. Additionally new vehicles need to be procured in order to provide for the growth of the services required in Lancashire as the population increases.

Fleet Services have identified 20 different types of vehicles they require to be ordered before the end of the financial year. A full breakdown can be found in the estimated contract value section of this document.

Review of Third-Party Frameworks

Third Party Frameworks are being used for the purchase of all but one of the vehicles. Due to the specialist nature of the vehicle, none of the current third party Frameworks are able to supply this vehicle and as such the Authority will have to run an open tender to procure this vehicle.

Vehicles to Be Purchased

Description	Total Approximate Vehicle Cost	Reason
1 x 9 Seater WAV Minibus	£55,000.00	Replacements & Growth
6 to 9 x 9 seater Minibus	£450,000.00	Replacements & Growth
6 to 10 Electric 15 seat Minibuses	£650,000.00	Replacements & Growth
4 x 4x4 Gritters Low cab	£440,000.00	Replacements
1 x Daf Tractor unit	£140,000.00	Replacements
2 x LWB Electric 5 seat Minibuses	£40,000.00	Growth
15 x 17 seat Coach built Buses	£1,650,000.00	Replacements
2 x 65C18 Hoist Cherry picker	£160,000.00	Replacements
1 x Daf 18t Tipper c/w Crane	£150,000.00	Replacements
1 x Daf 18t Flat bed c/w Crane	£115,000.00	Replacements
1 x Ford Transit End tipper	£30,000.00	Replacements
1 x 3.5t Hoist Cherry picker	£70,000.00	Replacements
16 x Iveco 3.5t tippers	£480,000.00	Replacements
9 x Small vans	£180,000.00	Replacements
3 x 4x4 pickups	£120,000.00	Replacements
2 x Daf 7.5t tippers	£150,000.00	Replacements
3 x Ford transit custom vans	£90,000.00	Replacements
5 x cars	£100,000.00	Growth
1 x VW electric van	£40,000.00	Replacements

10 x Electric vans	£350,000.00	Replacements
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Procurement Title

Improvements for Accrington Railway Station Access

Procurement Option

Direct Award to Network Rail

New or Existing Provision

New contract to be placed with Network Rail for development of access which will improve connections between platforms and the main station building.

Estimated Annual Contract Value and Funding Arrangements

The total estimated value of the works is £4.965m.

Funding for the project package has been approved in principle by Central Government, from the wider £50m East Lancashire Levelling Up project.

Development funding for the wider Levelling Up Fund project has been approved, and this will be used to develop the design element of this project package.

Framework Duration

The works are anticipated to start in November 2023 and complete in May 2026.

Lotting

No Lots

Evaluation

Given the interaction and close proximity of the project to the operational railway of the works at Accrington Railway Station, it is proposed to award the contract to Network Rail to design, project manage and deliver the project.

Background

Accrington railway station is Hyndburn's principal rail hub and provides direct regional train services to Colne, Manchester Victoria, Bradford, Leeds, Blackpool North, Preston and York.

Over the last decade the station has undergone a major rebuild, as part of a wider project to create an "Eco Station" where sustainable energy is used to power the facility. The £2m redevelopment, funded by Lancashire County Council and the European Union's Interreg IVB programme, saw the construction of a new ticket office, waiting hall and car parking facilities. The building, opened in 2011, uses a rainwater harvesting system, electricity produced via photovoltaic cells and hot water generation via solar thermal panels.

A direct rail service to Manchester Victoria via the Todmorden Curve was added in 2015, and the station is now used by just under half a million passengers per year according to published figures from the Office of Rail and Road.

In 2022 a new ramp was delivered which improved access on the Colne bound platform and improvements were also made to the car park including resurfacing work and the addition of two new disabled spaces.

However, platform to platform access does not currently meet the standards of a modern-day station. The stairs-only footbridge does not provide a viable option for mobility impaired users who are forced to use a 600 metre walk route via steep gradients and local highways which takes approximately 9 minutes. The stairs-only arrangement does not suit rail passengers with luggage, small children or for those who are less physically able.

The project package, funded through Central Government's "Levelling Up" programme and wider East Lancashire project will deliver a new footbridge facility with lifts giving closer links to the core station facilities, increasing accessibility to existing and future passengers, thereby opening-up the station to a wider range of potential travellers with different needs and aspirations.

The project package will:

- Complete the transformation of Accrington railway station
- Deliver a new footbridge facility with lifts which will remove a 600 metre pedestrian route via local highways benefitting passengers with mobility issues
- Deliver a contemporary station fit for the modern passenger

The project package, within the wider East Lancashire Levelling Up Project entitled "Levelling Up East Lancashire: Creating opportunities through greener, safer and healthier travel", will contribute to the public transport service improvement theme, upgrading a key public transport facility, reducing journey times to work training and education.

Consultations

An Option Selection Report was originally completed in November 2018 by Seed Architects in conjunction with Northern Trains Limited and Community Rail Lancashire which recommended several potential options to improve access arrangements.

The principal objective within the report was to introduce within the Network Rail controlled infrastructure an unobstructed "accessible route" from at least one station entrance and all drop-off points associated with that entrance, to each platform and between platforms served by passenger trains at Accrington Station.

Following confirmation from Central Government of the East Lancashire Levelling Up Fund bid in January 2023, the Option Selection Report has been updated following consultations with Seed Architects, Network Rail and Northern Trains.

The Report, updated in August 2023, has identified a preferred option:

- Option B: Replacement footbridge with stairs and lifts (to new location)

The preferred option:

- Retains the existing stepped footbridge during the works
- Provides a technically compliant step free access route
- Provides a highly accessible, very easy to use and short track crossing route
- Requires no additional lease land take

Agreement in relation to the outline design has been reached with Network Rail and Northern Trains. There is wide-ranging support for the scheme from stakeholders including Network Rail, Northern Trains, Community Rail Lancashire and the MP for Hyndburn. Consultation has also been undertaken within the wider Levelling Up East Lancashire project which has demonstrated support for the proposed improvements.

No planning permission is required as the scheme falls within the General Permitted Development Order and rights relating to the operational railway and original Railway Acts.

Procurement

It is proposed that the project be delivered by Network Rail under a standard Direct Services Agreement and under Network Rail's Project Acceleration in a Controlled Environment (PACE) process.

The preferred method of delivery is for Network Rail to design, project manage and deliver the project given the interaction and close proximity of the project to the operational railway. This follows the approach taken by the county council on the South Lancaster Growth Catalyst Project in which a direct contract award was made to Network Rail to deliver a railway structure within a wider highway infrastructure project.

As with South Lancaster, constructing a bridge structure of this kind during delivery will have a direct impact on the railway network, in both physical and operational terms, and presents very significant risks which warrant special consideration.

The value of the proposed contract award to Network Rail falls below the current procurement threshold for works and as such the county council is not obliged under the Public Contracts Regulations 2015 (the PCR) to conduct a competitive procurement exercise for this type and value of contract.

Network Rail's framework contractors will be used to deliver the project package with detailed design completed and then subject to a mini competition for pricing. Network Rail's frameworks have been competitively tendered to comply with procurement legislation and assessed on value for money with mandatory 'gateway' standards pertaining to safety and engineering. The project will be delivered on an emerging cost basis with Lancashire County Council with value engineering requirements and estimated outturn costs subject to regular reporting.

The completed project will be transferred to Network Rail for ownership, operations and maintenance following completion, which is a normal procedure for this type of railway structure.

Risk management

In terms of main project risks, these will be managed within the overall Project Management and Governance of the East Lancashire Levelling Up project, with updated design information being inputted into the Full Business Case stage in Spring / Summer 2024.

The main risks to the project have been quantified within the project risk register and can be summarised as follows:

- **Cost escalation:** the council's design consultants have undertaken a cost / inflation review (July 2023) and the updated Option Selection Report (August 2023) has updated costs with recent inflation figures. Progression of design and delivery will be via project gateway reviews at key milestones.
- **Programme:** Ability to deliver during the levelling-up period. This is dependant on Network Rail's supply chain but there is considerable expertise and resource within the industry to deliver the project by the end of May 2026. The design solutions are modular and have been delivered at other stations on the national network.

Lancashire County Council Officers will actively work with Network Rail to agree detailed design specifications to enable the completion of detailed design and the early ordering of materials, with close monitoring and reporting of any subsequent financial and programme implications.

Regular reporting on project progress will be made via the wider Levelling Up project's governance arrangements.

Report to the Cabinet

Meeting to be held on Thursday, 5 October 2023

Report of the Executive Director of Adult Services and Health & Wellbeing

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;

Adult Services Non-Residential Care Charging Policy

(Appendices 'A' refers)

Contact for further information:

Lynne Johnstone, Tel: (01772) 533414, Senior Manager Business Development Adult Services, lynne.johnstone@lancashire.gov.uk

Brief Summary

The Non-Residential Care Charging Policy sets out how Lancashire County Council charges for non-residential adult social care services, and forms part of the suite of Care Act policies currently under review in readiness for Care Quality Commission inspection.

The Non-Residential Care Charging Policy sets out how Lancashire County Council charges a contribution for non-residential adult care services, following a financial assessment under sections 14, 17 and 18 of the Care Act 2014. It provides a fair and consistent charging framework, in accordance with guidelines set out by central government.

The policy enables adult social care to consolidate its approach to charging and implement a fair, transparent and consistent charging across all services, subject to financial assessment, where appropriate.

The key points to note are:

- This is a refreshed policy (reviewed annually).
- Financial assessment will now be applied universally to anyone receiving adult social care support.
- Consultation is not required as Lancashire County Council's Charging Policy reflects legislation in the Care Act 2014.
- Technology Enabled Care charging sits outside of the financial assessment

process but this is referenced within this policy.

- Residents are able to choose what care and support is right for them, if that differs from the council offer to meet eligible care needs, and is more expensive, they will be asked to pay the difference.
- An Equality Impact Assessment has been completed linked to this policy.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to approve the Non-Residential Care Charging Policy as set out in Appendix 'A'.

Detail

The Care Act 2014 requires local authorities to develop and maintain a policy, setting out how they will charge people living in the community who are not in residential care settings and, in deciding what is reasonable to charge, local authorities must ensure that they do not charge more than is permitted under the regulations and corresponding guidance.

Individuals are only required to pay what they can afford, in accordance with the financial assessment process. Some people will be entitled to financial support based on a means-test, while full cost charging will be applied to those who can afford it. Those who are assessed will only ever be charged their maximum assessed charge for means-tested services.

Lancashire County Council must not charge more than the cost incurred in meeting the assessed needs of the person.

Lancashire County Council must also provide information and advice in a suitable and easily accessible format, to ensure that individuals (or their representative) are able to understand any contributions they are asked to make. Lancashire County Council should also make the person or their representative aware of the availability of independent financial information and advice.

It should be noted that, for residential care, Lancashire County Council will calculate contributions towards the cost as laid down by the Care Act 2014 (the Residential Care Charging Policy report can be found elsewhere on the agenda)

This Policy sets out how Lancashire County Council will charge people in non-residential care settings.

Care and Support provided within prisons will also now be a service that Lancashire County Council will charge for to ensure parity.

Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Non-Residential Care Charging Policy

Consultations

Wider public consultation on the Non-Residential Care Charging Policy has not been necessary as the policy reflects duties and requirements placed on the county council under the Care Act 2014.

Implications:

This item has the following implications, as indicated:

Risk management

The Care Act Statutory Guidance sets out that Lancashire County Council should develop and maintain policies in relation to a number of subject areas covered in the Act. If the recommendation is not taken forward, Lancashire County Council may be at risk of future legal challenges.

Financial

Financial assessment will be applied universally to anyone receiving adult social care support; this is a change in policy rather than an application. There is the potential for an increase in complaints and queries as the county council applies charging on a more consistent basis (in line with the Care Act 2014).

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



Non-Residential Care Charging Policy

October 2023



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1. Introduction

This policy sets out how Lancashire County Council is allowed to charge a contribution for non-residential adult care services following a financial assessment under duty under sections 14, 17 and 18 of the Care Act 2014.

2. Policy aim

This policy aims to provide a fair and consistent charging framework in accordance with the guidance set out by the Department of Health and Social Care. The contribution will be calculated openly and transparently, and individuals will be treated in a fair and equitable manner.

3. The Legal Framework

Before charging, Lancashire County Council must carry out a financial assessment of what you can afford to pay and give you a written record of the completed assessment, explaining how the assessment has been carried out, what the charge will be and how often it will be made, and, if there is any fluctuation in charges, the reason.

Lancashire County Council should ensure that this information is provided in a manner that you can easily understand. We must regularly reassess your ability to pay and take account of any changes to your resources, particularly when there is a change in circumstance or at your request.

The Care Act 2014 also requires local authorities to develop and maintain a policy setting out how we will charge you in non-residential care settings and, in deciding what it is reasonable to charge, we must ensure we do not charge more than is permitted under the regulations and corresponding guidance.

You are only required to pay what you can afford in accordance with the financial assessment process. You may be entitled to financial support based on a means-test while full cost charging will be applied if you can afford it. If you are assessed to pay you will only ever be charged the maximum assessed charge for means-tested services.

Lancashire County Council must not charge more than the cost incurred in meeting your assessed needs.

Lancashire County Council must also provide [information and advice](#) in a suitable format to ensure that you (or your representative) are able to understand any [contributions](#) you are asked to make. We should also make you or your representative aware of the availability of independent financial information and advice.

Please note that for residential care (*will be linked to Residential Charging Policy when approved*), Lancashire County Council will calculate contributions towards the cost as laid down by the Care Act 2014.



4. Principles

The key principles of this policy are:

- The full cost of services is recovered from you where you have the financial resources to pay in accordance with a financial assessment.
- Contributions will be calculated by an individual financial assessment.
- Individual financial assessments will ensure you contribute based on your ability to pay.
- The appropriate contribution will be calculated fairly and promptly. In most cases this will mean that a financial assessment will be completed within 28 days of the start of the non-residential care package.
- If the service you choose exceeds your personal budget, you will be asked to provide a 'top up payment'.
- If you fail or refuse to complete a financial assessment, you will be treated by Lancashire County as a self-funder who is responsible for the full cost of their care.
- The financial assessment will ensure you retain a certain level of income to cover your living costs (Charging for Care and Support: Local Authority Circular (LAC) 9.3.2023). This is known as the minimum income guarantee (MIG) and is set by the Department of Health and Social Care. No contribution for services within the financial assessment process will apply where income is equal or lower than this level.
- You will receive a benefit check as part of the financial assessment to maximise your full benefit entitlement.
- Any contribution will not exceed the cost of providing a service.
- You have a right to decline a financial assessment and may instead choose to pay the actual cost of the service.
- Where contributions are not made, debt recovery will be pursued for all outstanding contributions which may be through legal action and/or the use of external agents.
- In all cases, irrespective of setting, employed and self-employed earnings are fully disregarded.
- Where disability benefits are taken into account as income, allowances will be made for disability-related expenses.
- You have a right to appeal if you feel the financial assessment has been completed incorrectly.
- All personal information will be treated in confidence in accordance with data protection legislation. However, as Lancashire County Council has a duty to protect the public funds it administers, information provided may be shared with other public bodies administering public funds and may also be used for the prevention and detection of fraud or financial abuse.

5. To whom does this policy apply?

This policy applies to all adults and young people over 18 who are in receipt of non-residential care and support where Lancashire County Council is entitled to charge under the Care Act 2014.



The non-residential charging policy relates to people who receive care services such as care at home, day care attendance, direct payments/personal budgets and other services provided or arranged by the Lancashire County Council to the individual whilst they live at home.

In the main, this policy covers adults and young people over 18 who are receiving non-residential care and support from Lancashire Adult Services. The policy does not cover those young people over 18 who may still receive care and support from Lancashire Children's Services under the Staying Put arrangement, or whom the Local Authority have statutory duties to support under the Children (Leaving Care) Act 2000.

6. What services does this policy cover?

Non-residential care services are services provided to adults whilst they are living at home i.e. not living in a residential or nursing care home.

The principal non-residential services which we charge for are:

- Home Care (care provided in your own home)
- Care and support in prisons.
- Short Break which includes Day Time Support (Day Care) or overnight in a residential care home
- Direct Payments/Personal Budgets.
- Supported Living.
- Outreach Services.
- Shared Lives.
- Technology Enabled Care – (relevant section on page 11).

Charges are based on the agreed level of service. If you fail to give 3 days' notice to cancel or change your care arrangements, you will be charged in accordance with the planned service unless you have been taken into hospital as an emergency.

7. What does Lancashire County Council NOT charge for?

Lancashire County Council does not charge for certain types of care and support which must therefore be arranged free. These are:

- Crisis care for the first 3 days.
- Intermediate care, including [reablement](#), which is provided free of charge for up to six weeks AND whilst a reablement outcome is still viable.
- Day Time Support (Day care) when it forms part of an individual's residential care contract.
- Community equipment (aids and minor adaptations). Aids must be provided free of charge whether provided to meet or prevent/delay needs. A minor adaptation is one costing £1,000 or less.
- Care and support provided to people with Creutzfeldt-Jacob Disease (CJD).
- After-care services provided under section 117 of the Mental Health Act 1983.

8. Establishing whether someone has Mental Capacity



At the time of the assessment of needs, Lancashire County Council must establish whether you have the capacity to take part in the assessment. If you lack capacity, Lancashire County Council must find out if you have any of the following as the appropriate person will need to be involved in both the needs and financial assessment:

- enduring power of attorney (EPA).
- lasting power of attorney (LPA) for property and affairs.
- property and affairs deputyship under the Court of Protection.
- any other person dealing with that person's affairs (for example, someone who has been given appointeeship by the Department for Work and Pensions (DWP) for the purpose of benefits payment.

9. The financial assessment process

The financial assessment team are automatically notified whenever chargeable services are arranged by Lancashire County Council. The team will contact you or your representative to arrange for a financial assessment officer to complete a financial assessment. The financial assessment officer will obtain information regarding your assets, income, savings, investments, expenses and expenditure, which may be verified with the Department of Works and Pensions. This information is then used to calculate how much you will contribute towards the cost of the care provided to you.

As part of the financial assessment the financial assessment officer will complete a benefit check to ensure that you are receiving your full entitlement to benefits.

10. Calculating the contribution

The financial assessment process will be based on the definitions within the Care Act 2014.

The basic principle of the financial assessment calculation is:

$$\begin{array}{r} \text{Individual Income} \\ \textbf{Less} \\ \text{Minimum Income Guarantee (Living Costs)} \\ \textbf{Less} \\ \text{Housing Costs and Expenses} \\ \textbf{Less} \\ \text{Disability Related Expenses} \\ \textbf{Equals} \\ \text{Net Disposable Income (Available Income for contribution)} \end{array}$$

You will be asked to contribute 100% of your Net Disposable Income (NDI).

The actual contribution will be the lower of either 100% of your NDI or the actual cost of the service provided.



If you are assessed as having a net disposable income of less than £5.00 you will not have to contribute towards the cost of the service.

10.1 Capital

Capital can include any of the following:

(This list contains examples and is not exhaustive. For a complete list please refer to the

[Care Act 2014 Annex B: Treatment of Capital](#))

- Money in bank and building society accounts.
- Investment Bonds (dependant on type and date purchased).
- Stocks and shares (less 10% selling cost).
- Premium Bonds.
- National Savings Certificates.
- Capital from certain personal injury compensation awards and trust funds.

Where you have assets between the lower and upper capital limits Lancashire County Council must apply tariff income. This assumes that for every £250 of capital, or part thereof, you are able to afford to contribute £1 per week towards the cost of your eligible care needs.

If your capital (excluding the value of their main home) exceeds the upper capital limit of £23,250 as specified with in the Care Act 2014, you will be required to pay the maximum charge for services.

- The maximum charge for home care and supported living services is the actual cost of services paid by Lancashire County Council.
- The maximum charge for day care services is the actual cost of the day care service paid by Lancashire County Council.
- If you are in receipt of a personal budget/direct payments, the value of your personal budget is the maximum amount you would contribute.

10.2 Income

You will be offered the opportunity to have a full financial assessment to calculate your contribution. It is your responsibility to provide all the relevant information requested in order to complete your assessment and failure to satisfy the financial assessment officer will result in the maximum contribution being applied.

Not all types of income are taken into account within the financial assessment process.

[The Care Act Annex C: Treatment of Income](#) provides guidance to local authorities on the treatment of income within the financial assessment.

As per current Department of Health and Social Care guidance, the financial assessment will ensure you retain a level of income to cover your daily living costs. This is known as the minimum income guarantee (MIG).



The level of Income retained by you is to ensure you are able to meet your basic living costs such as food, clothes and household costs. This must be after any housing costs such as rent and council tax and after any benefits provided to support these costs are paid and after any disability related expenditure.

10.3 Disability Related Expenses (DRE's)

Disability related expenditure is considered as a reasonable additional expense that you may incur due to illness or disability.

If you are in receipt of disability benefits, and unless you state otherwise, a standard allowance of £10.00 per week will be allowed.

If you wish you can have a full DRE assessment, instead of accepting the standard £10.00 per week allowance. This will require the provision of supporting documentation (such as receipts and invoices). The relevant expenses must be directly and solely attributable to your disability or illness, and specifically to social care needs, as opposed to medical care needs.

Where receipts and other supporting information are not available at the time of the financial assessment visit, a period of 28 days will be allowed for these to be provided. If they are supplied during this period, the financial assessment will be recalculated from the date of the original visit. If they are received outside the 28-day period they will only be taken into account from the date of receipt.

Claims for Disability Related Expenditure where the payment is made to family members will not be accepted other than in exceptional circumstances.

If a full DRE assessment is carried out, the resulting allowance made may be higher or lower than the standard £10.00 per week allowance offered originally; in either case the allowance subsequently calculated will be applied to the financial assessment, not the standard £10.00 allowance. Please note any allowance made for DREs, following a detailed evaluation, will not exceed the total value of disability related benefits awarded.

Examples of disability related expenses that can be included are as follows:

This list contains examples and is not exhaustive, any reasonable additional costs directly related to a person's disability should be included.

- Extra heating costs.
- Payment of privately arranged care necessary to meet the assessed social care needs, which would form part of the commissioned package of care if they were not provided privately.
- Excessive laundry costs and specialist washing powders.
- Purchase, maintenance, and repair of disability related equipment.
- Payment for any community alarm.
- Additional costs of special dietary needs due to illness or disability.
- Specialist clothing or footwear.
- Additional costs of bedding due to incontinence.
- Transport costs necessitated by illness or disability, including costs of transport to day centres, over and above the mobility component of DLA. In some cases, it may be reasonable for Lancashire County Council not to take account of

claimed transport costs – if, for example, a suitable, cheaper form of transport (e.g. council- provided transport to day centres) is available but has not been used.

10.4 Top ups

Where the service you choose exceeds your personal budget and is more expensive than how Lancashire County Council can meet your eligible care needs, you will be asked to provide a “top-up payment”. A discretion will be applied in exceptional circumstances.

The ‘top-up’ payment is calculated by subtracting the cost of the option identified by Lancashire County Council from the cost of the service you choose.

The “top up” payment will need to be paid directly to the service provider.

11. Couples

A couple is defined as two people living together as spouses or as partners.

Lancashire County Council is required to financially assess each of you, based on your own income, savings and investments. This is known as a 'single assessment'.

However, if you are considered to be part of a couple Lancashire County Council may financially assess your combined income, savings and investments to ensure your minimum level of income is protected. This is referred to as a 'couple's assessment'.

To enable a couple's assessment to be completed the financial assessment officer will need to gather all financial information in relation to both you and your partner/spouse. The financial assessment officer will undertake a benefit maximisation check for both of you.

If you have savings or investments held jointly with another person, it is assumed that 50% belongs to them, unless proven otherwise. This amount will be included as appropriate in their individual assessment.

Savings and investments belonging to both partners/spouses will be included in full as appropriate in the couple's financial assessment.

Where both partners/spouses are receiving care you will each receive an individual and a couple's financial assessment. Once the 'single' and 'couples' assessments have been completed the lower of these two assessed charges will apply.

12. Deprivation of financial assets

Deprivation as described in the Care Act 2014 is where a person has intentionally deprived or decreased their overall assets – either capital or income, in order to avoid or reduce the amount, they are charged towards their care.

There is no time limit that is applied to this, it is based on whether there was reasonable expectation that you may need to pay towards your care and support at the time of the disposal.

If we suspect that you have deliberately deprived yourself of assets in order to avoid or reduce the amount you are asked to pay towards any care charges, Lancashire



County Council will refer to the detailed guidance contained in [Care Act 2014 Annex E: Deprivation of Assets](#)

Lancashire County Council has an information sheet (IS 5) [Deprivation of Capital and Assets Policy and Appeals Process](#).

Lancashire County Council will consider if a deprivation of capital or income has occurred if:

- The individual ceases to possess capital or income which would otherwise have been taken into account for the purpose of assessing their contribution towards their care services, i.e., an individual transfers a sum of money to another individual as a gift or the beneficiary of an insurance policy is changed so that the monies are not available to the individual.

When a decision has been made that deprivation has occurred the Lancashire County Council will treat you as still possessing the capital or income, this is called notional capital/income.

13. Charging for services that are in addition to care and support needs

13.1 Meals and additional Day Time Support (Day Care) costs

Charges for meals provided to you at day centres is in addition to any assessed charge.

Charges for other refreshments provided and any activities arranged as part of your attendance at day care are also in addition to the assessed charge.

Meals provided to you in your own home will be charged the full cost of the meal and you will pay for the meal directly to the provider.

13.2 Technology Enabled Care

Technology Enabled Care is offered as preventative service for residents in Lancashire which is available at three service levels and the charge per week is dependent on which level of service is chosen. Lancashire County Council will review these charges on an annual basis. Please see Technology Enabled Care Policy.

13.3 Other non-residential services subject to charge

There are separate policies and dependant on eligibility there may be a charge:

- Transport.
- Community equipment or minor adaptations.

Services included in these lists may be amended, subject to the Care Act 2014, with the agreement of the Cabinet Member for Adult Services and the Directors of Adult Services and Financial Resources.

14. Changes in your financial circumstances



You or your representatives must notify Lancashire County Council of any changes in your financial circumstances as these could affect your financial assessment.

When your total savings and investments drop below £23,250, you should contact the financial assessment team and request a financial reassessment.

If your total savings increase above £23,250, you must notify the financial assessment team to arrange a reassessment.

An increase or decrease in service may change your contribution as would a change in the type of service, for example changing from day care to home care.

Where you fail to provide information following requests, contributions will be calculated at the maximum cost from the date of the request.

Where appropriate we may automatically reassess, contributions based on changes that we become aware of through policy changes, Department of Work and Pensions or regulation changes (e.g., annual increases to standard benefit payments, State Retirement Pension or service cost increases). Where appropriate this might be a standard % increase to all your income. In instances where a % increase is applied to income, a % increase may also be applied to any expense that is included in the assessment.

15. Contribution start date

Contributions start from the day that the service commences. If care ceases prior to a financial assessment being completed the following will apply.

- Within one week of the care start date you will not be charged.
- After one week but up to 4 weeks a light touch assessment will be completed to calculate the contribution due, utilising benefit / pension information as verified by the DWP as well as an allowance for household expenses based on the national average.

16. Cancellation or changes to services

When Lancashire County Council arranges services on your behalf, seven days' notice of any changes to that service must be given to the service provider, otherwise the original service must be paid for.

17. Payment of contributions

The preferred method of payment for assessed charges is by Direct Debit. The Direct Debit will be collected on a four-weekly basis, in arrears. The financial assessment officer will ensure the Direct Debit mandate is signed at the point of assessment.

Only in circumstances where you are not able to pay by direct debit will you be invoiced for your contributions every 4 weeks in arrears. If you are in receipt of direct payments, you will receive payments net of your contribution.



18. Non-payment of contributions

It is the responsibility of Lancashire County Council to collect monies due, and to ensure debts do not accrue. Where you fail to make a payment for the assessed contribution, action will be taken in accordance with Lancashire County Council's Debt Policy. Recovery of all outstanding contributions will be pursued by the Receivables Team.

Initially the collector will contact you or your representative to establish the reason for non-payment. Where there is a justifiable reason for non-payment the collector will work with you or your representative to ensure payment is received.

Refusal to pay debts or to cooperate with the collector may result in the debt being pursued through legal action or through the use of external agencies.

19. What to do if you do not agree with our decision

Where you feel you cannot afford to pay the assessed charge, or the financial assessment has been completed incorrectly, or that the assessment has not taken all relevant expenses fully into account and will cause you financial hardship, you can appeal and request a review of the charge.

The appeals procedure is not intended for you to express your dissatisfaction with any aspect of the Charging Policy. Only those cases, which are supported by relevant documentary evidence, will be dealt with under the Appeals Procedure.

The Appeals Procedure is designed to:

- Consider exceptional circumstances not acknowledged in the standard assessment process.
- Ensure correction of omissions or calculation errors made in the original assessment.

If you wish to appeal, you must do so in the first instance to:

The Senior Care Finance Assessment Manager, Care Finance Assessment Team, Exchequer Services, Lancashire County Council, PO Box 100, County Hall, Preston. PR1 0LD.

Or via Email to: Fin.assessment@lancashire.gov.uk

20. Policy, Legislation and Regulations

<p>POLICY DOCUMENTS</p>	<p>Additional information and guidance regarding charging for Adult Social Care is available in a series of regularly updated Information Sheets as follows:</p> <p style="text-align: center;">Information Sheet 1 – Adult Social Care Fees – 2023/24</p> <p style="text-align: center;">Information Sheet 2 – Financial Implication for Non Residential Care Services</p>
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	<p>Information Sheet 3 – Financial Implications of Moving into a Residential or Nursing Home</p> <p>Information Sheet 4 – What is the Deferred Payments Scheme?</p> <p>Information Sheet 5 – Deprivation of Capital and Assets, policy and appeals process</p> <p>Information Sheet 6 – Funding your care and support needs, Independent Financial Advice</p> <p>Further information is available in Policies and Procedures, including:</p> <ul style="list-style-type: none"> • Eligibility Criteria PPG • Ordinary Residence PPG • Care Act Independent Advocacy PPG • Advocacy (IMCA and IMHA) PPG • Assessment of Needs PPG • Care and Support Planning PPG • Review of Care and Support Plans PPG • Technology Enabled Care PPG
<p>LEGISLATION AND REGULATIONS</p>	<p>Care and support statutory guidance</p> <p>Annex B: Treatment of capital</p> <p>Annex C: Treatment of income</p> <p>Annex D: Recovery of debts</p> <p>Annex E: Deprivation of assets</p>



21. Equalities

The Equality Act, 2010 requires Lancashire County Council to have "due regard" to the needs of groups with protected characteristics when carrying out all its functions, as a service provider and an employer. The protected characteristics are age, disability, gender identity/gender reassignment, sex/gender, race/ethnicity/nationality, religion or belief, pregnancy or maternity, sexual orientation and marriage or civil partnership status.

The main aims of the Public Sector Equality Duty are:

- To eliminate discrimination, harassment, or victimisation of a person because of protected characteristics.
- To advance equality of opportunity between groups who share protected characteristics and those who do not share them. This includes encouraging participation in public life of those with protected characteristics and taking steps to ensure that disabled people can participate in activities/processes.
- Fostering good relations between groups who share protected characteristics and those who do not share them/community cohesion.

It is anticipated that the Non-Residential Care Charging Policy will support Lancashire County Council in meeting the above aims when applied in a person-centred, objective and fair way which includes, where appropriate, ensuring that relevant factors relating to a person's protected characteristics are included as part of the process.

Where/if any adjustments are needed for you/your representative to participate in or understand the assessment process or other communications arising from this Policy, please let us know so that these can be considered and, wherever possible, made.

More information can be found on the Equality and Cohesion intranet site on <http://lccintranet2/corporate/web/?siteid=5580&pageid=30516>



POLICY VERSION CONTROL

POLICY NAME	Non-Residential Care Charing Policy		
Document Description	This policy outlines Lancashire County Council's principles and procedures regarding contributions made by individuals to their non-residential social care services in line with the Care Act 2014.		
Document Owner	Jackie Mould/Karen Jones/Karen Rogers		
Document Author(s)	Jackie Mould Karen Jones Karen Rogers Lynne Johnstone	Date	October 2023
Status	LIVE	Version	2.0
Last Review Date	April 2018	Next Review Due date	September 2024
Approved by	Khadija Saeed	Position	Head of Service Corporate Finance
Signed		Date Approved	

DOCUMENT CHANGE HISTORY			
Version No	Date	Issues by	Reason for change
2.0	April 2023	Karen Jones	Review of policy and update branding



Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Executive Director of Adult Services and Health & Wellbeing

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;

Adult Services Residential Care Charging Policy

(Appendix 'A' refers)

Contact for further information:

Lynne Johnstone, Tel: (01772) 533414, Senior Manager Business Development Adult Services, lynne.johnstone@lancashire.gov.uk

Brief Summary

The Residential Care Charging Policy sets out how Lancashire County Council charges for residential and nursing adult social care services, and forms part of the suite of Care Act policies currently under review in readiness for Care Quality Commission inspection.

The policy applies to all adults and younger people over the age of 18, who have been assessed by Lancashire County Council as having an eligible need for residential and/or nursing care.

The Residential Care Charging Policy is a new policy for Adult Social Care, in so far as it pulls together the information in relation to charging for residential and nursing adult social care services into a single, clear policy. It reflects the legislation linked to the Care Act 2014 and includes the previous Deferred Payments policy. It covers charges for short term, temporary and permanent care and also includes circumstances where charges will not apply.

The policy enables Adult Social Care to consolidate its approach to charging and implementing fair, transparent and consistent charging across all services, subject to financial assessment where appropriate.

The key points to note are:

- Based on feedback from complaints, the Policy has consolidated all

information around charging for residential care into one document, and offers further clarity to residents on areas that have required greater specificity.

- Financial assessment will now be applied universally to anyone receiving adult social care support, in accordance with the Care Act 2014.
- Consistent application of top up payments will be applied to all residents who choose to be placed in residential care which is more costly than the option the council offers which meets Care Act eligible needs.
- An Equality Impact Assessment has been completed linked to this policy.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to approve the Residential Care Charging Policy as set out in Appendix 'A'.

Detail

The Residential Care Charging Policy aims to reflect the provisions relating to charging from April 2015 as detailed in the Care Act 2014, the Care and Support (Charging and Assessment of Resources) Regulations 2014 and chapters 8 and 9 of the Care and Support Statutory Guidance, issued under the Care Act by the Department of Health. These form the basis of this policy, except where Lancashire County Council exercises its discretion, where permitted by the regulations.

This policy applies to all individuals and carers who have been assessed by Lancashire County Council as having an eligible need for residential and/or nursing care services.

Lancashire County Council must carry out an individual financial assessment of what each person can afford to pay and provide a written record of the completed assessment to the person, or their representative, explaining how the assessment has been carried out, what the charge will be and how often it will be made, and, if there is any fluctuation in charges, the reason for this.

The appropriate contribution will be calculated fairly and promptly. In most cases, this will mean the financial assessment will be completed within 28 days of the start of the residential/nursing home placement. Individuals will also receive a welfare benefit check, as part of the financial assessment, to maximise their full benefit entitlement.

Lancashire County Council must regularly reassess a person's ability to pay, and take account of any changes to their resources, particularly when there is a change in circumstances or at the request of an individual.

Individuals are only required to pay what they can afford. Some people will be entitled to financial support based on a means-test, while full cost charging will be



applied to those who can afford it. Those who are assessed will only ever be charged their maximum assessed charge for means-tested services. Lancashire County Council must not charge more than the cost incurred in meeting the assessed needs of the person.

Lancashire County Council must also provide information and advice in a suitable format and in a way that people can understand so that individuals (or their representative) are able to understand any contributions they are asked to make. Lancashire County Council should also make the person or their representative aware of the availability of independent financial information and advice. We also need to inform them of their right to choose alternative care options than what the council offers, the option to "top up" if this care is more expensive and how such choices sit outside of the financial assessment process.

Lancashire County Council will ensure that everyone who can pay for some or all their care costs, does pay for them and that any unpaid charges are collected in line with its Debt recovery policy.

Appendices

Appendix 'A' is attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Residential Care Charging Policy

Consultations

Wider public consultation on the Residential Care Charging Policy has not been necessary as the policy reflects duties and requirements placed on the county council under the Care Act 2014.

Implications:

This item has the following implications, as indicated:

Risk management

The Care Act Statutory Guidance sets out that Lancashire County Council should develop and maintain policies in relation to a number of subject areas covered in the Act. If the recommendation is not taken forward, Lancashire County Council may be at risk of future legal challenges.

Financial

Financial assessment will now be applied universally to anyone receiving adult social care support; this is a change in policy rather than an application. There is the potential for an increase in complaints and queries as the county council applies charging on a more consistent basis (in line with the Care Act 2014).



List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



Residential Care Charging Policy

October 2023



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1. Introduction

This policy sets out how Lancashire County Council is allowed to charge a contribution for care and support in a care home. The charges are calculated using the [Care Act 2014](#), the [Care and Support \(Charging and Assessment of Resources\) Regulations 2014](#) and the [Care and support statutory guidance](#) issued by the Department of Health. These form the basis of this policy.

2. Policy aim

This policy aims to provide a fair and consistent charging framework in accordance with guidelines set out by the Department of Health. The contribution will be calculated openly and transparently, and individuals will be treated in a fair and equitable manner.

3. The Legal Framework

Before charging, Lancashire County Council must carry out a financial assessment of what you can afford to pay and give you or your representative a written record of the completed assessment, explaining how the assessment has been carried out, what the charge will be and how often it will be made, and, if there is any fluctuation in charges, the reason.

Lancashire County Council should ensure that this information is provided in a manner that you can easily understand. We must regularly reassess your ability to pay and take account of any changes to your resources, particularly when there is a change in circumstance or at your request.

The Care Act 2014 also allows local authorities to develop and maintain a policy setting out how we will charge you in residential and nursing care settings and, we must ensure we do not charge more than is permitted under the regulations and corresponding guidance.

You are only required to pay what you can afford in accordance with the financial assessment process. You may be entitled to financial support based on a means-test while full cost charging will be applied if you can afford it. If you are assessed to pay you will only ever be charged the maximum assessed charge.

Lancashire County Council must not charge more than the cost incurred in meeting the assessed needs of the person.

You will be charged the full cost of your residential or nursing care if:

- You have capital above the upper capital threshold, currently £23,250 (2023/24) confirmed [Social care charging for local authorities](#)
- Your income has been assessed and your level of income is higher than the cost of your care.



- You do not provide enough information to complete a financial assessment and/or refuse to comply with Lancashire County Council's assessment process.

Lancashire County Council must also provide [information and advice](#) in a suitable format to ensure that you (or your representative) are able to understand any [financial contributions](#) you are asked to make. We should also make you or your representative aware of the availability of independent financial information and advice.

4. Principles

The key principles of this policy are:

- The full cost of services is recovered from you where you have the financial resources to pay in accordance with a financial assessment.
- Any contributions will be calculated by an individual financial assessment.
- Individual financial assessments will ensure you contribute/are charged based on your ability to pay.
- The appropriate contribution will be calculated fairly and promptly. In most cases this will mean that financial assessment will be completed within 28 days of the start of your care home placement.
- If you fail/refuse to complete a financial assessment, you will be treated by Lancashire County as a self-funder who is responsible for the full cost of their care.
- You will receive a benefit check as part of the financial assessment to maximise your full benefit entitlement.
- Any contribution/charge will not exceed the cost of providing the service.
- You have a right to decline a financial assessment and may instead choose to pay the actual cost of the service.
- Where assessed contributions are not made, debt recovery will be pursued for all outstanding contributions which may be through legal action and/or the use of external agents.
- You have a right to appeal if you feel the financial assessment has been completed incorrectly.
- All personal information will be treated in confidence in accordance with data protection legislation. However, as Lancashire County Council has a duty to protect the public funds it administers, information provided may be shared with other public bodies administering public funds and may also be used for the prevention and detection of fraud or financial abuse.

5. To whom does this policy apply?

The policy applies to all adults and younger people over 18 who have been assessed by the council as having an eligible need for residential and/or nursing care.

6. What services does this policy cover



Lancashire County Council will charge you for services under this policy that meet 24/7 care and support needs.

Depending on the circumstance of the offer of care the financial assessment process will consider whether the care is being provided on a short term or temporary basis with the intention to return home; or whether the care and support is being provided to meet long term needs. As a result, there are four consideration points for application of this policy:

- Short Term and returning home – not exceeding 8 weeks in accordance with our Short Breaks Policy.
- Temporary care and returning home within 12 months
- Residential reablement care which exceeds 6 weeks
- Long term care and support delivered to you in a residential or nursing home on a permanent basis.

Please note: Lancashire County Council charge for Non-Residential care and day time Short Breaks under our Non-Residential Charging Policy.

7. When charges do not apply

Lancashire County Council will not charge you for certain types of care and support. These are:

- Crisis and Intermediate Care, including reablement, for up to 6 weeks.
- Care and support provided to people with Creutzfeldt-Jacob Disease.
- After-care services provided under Section 117 of the Mental Health Act 1983.
- Day Time Support (Day care) when it forms part of an individual's residential care contract.
- Any service or part service which the NHS is under a duty to provide. This includes Continuing Health Care and the NHS contribution to Registered Nursing Care.

8. Establishing whether someone has mental capacity to make decisions about their finances

At the time of the assessment of needs, Lancashire County Council must establish whether you have the capacity to take part in the assessment. If you lack capacity, Lancashire County Council must find out if you have any of the following as the appropriate person will need to be involved in both the needs and financial assessment:

- enduring power of attorney (EPA).
- lasting power of attorney (LPA) for property and affairs.
- property and affairs deputyship under the Court of Protection.
- any other person dealing with that person's affairs (for example, someone who has been given appointeeship by the Department for Work and Pensions (DWP) for the purpose of benefits payment.

9. Former Self Funders/ full cost payers of social care



If your capital assets (not including the value of your main and only property) fall below the upper capital threshold (£23,250) to become eligible for council funding Lancashire County Council will require a minimum of 3 months' notice to undertake a care needs and financial assessment to establish if we have a liability to take on care costs at the point of depletion.

If you are assessed as having eligible care needs a financial assessment will be completed to determine the date the self-funder (you) became eligible for council funding.

The date Lancashire County Council will assume responsibility for payment will be the date you requested a care needs assessment, or the date at which the funds became depleted if it is after this.

Lancashire County Council will not be responsible for any debts incurred before you became eligible for funding.

10. The Financial Assessment

Once the care needs assessment has been completed and it has been established you have eligible care needs, the financial assessment team will contact you or your representative to arrange for a financial assessment officer to complete a financial assessment. The financial assessment officer will obtain information regarding your income and capital, which may be verified with the Department of Works and Pensions. This information is then used to calculate how much you will contribute towards the cost of your care.

It is your responsibility to provide all the relevant information requested in order to complete the assessment and failure to satisfy the financial assessment officer will result in the maximum contribution being applied.

10.1 Calculating the contribution you have to pay

The financial assessment process will be based on the definitions within the Care Act 2014

The basic principle of the financial assessment calculation:

Individual Income
Plus
Tariff Income
Less
Personal Expenses Allowance
Less
Savings Disregard
Equals
Assessed Contribution

10.2 Income

[The Care Act Annex C: Treatment of Income](#) provides guidance to local authorities on the treatment of income within the financial assessment.



10.3 Capital/ Property

[Care Act 2014 Annex B: Treatment of Capital](#) provides guidance to local authorities on the treatment of capital within the financial assessment which includes if you own your own property.

Where you have assets between the lower and upper capital limits Lancashire County Council must apply tariff income. This assumes that for every £250 of capital, or part thereof, you are able to afford to contribute £1 per week towards the cost of your eligible care needs.

10.4 Personal Expenses Allowance (PEA)

This is the minimum amount of income the council must leave you with once the financial assessment has been completed - £28.25 (2023/24).

The purpose of the PEA is to ensure you have money to spend as you wish. It must not be used to pay towards the cost of your care.

10.5 Savings Disregard

If you are aged 65 and over have made provisions for retirement above the basic state pension you may be entitled to an additional allowance on top of their personal expenses allowance - £6.50 (individual) (2023/24)

These figures are confirmed annually in the local authority circular on social care charging provided by the Department of Health & Social Care - [Social care charging for local authorities](#)

11. Change of Circumstances

You or your representatives must notify Lancashire County Council of any changes in your financial circumstances as these could affect your financial assessment.

If your total -capital/income increases above £23,250, you must notify the financial assessment team to arrange a reassessment.

Where you fail to provide information following requests, contributions will be calculated at the maximum cost from the date of the request.

Where appropriate we may automatically reassess, contributions based on changes that we become aware of through policy changes, Department of Work and Pensions or regulation changes (e.g., annual increases to standard benefit payments, State Retirement Pension or service cost increases). Where appropriate this might be a standard % increase to all your income.

12. 12-week property disregard

If you are assessed as needing to move into permanent residential care, you may be entitled to the 12-week property disregard. This means that the value of your property will not be taken into account as capital for the first twelve weeks of the moving into the residential care home.

In order to qualify:



- You need to own your own home (or have an interest in it valued at more than £23,250).
- Your home has no other dependent/partner living in it.
- You have capital resources of less than £23,250.

At the end of the 12-week period, you will be liable to meet the full cost of your care unless you have been assessed otherwise.

13. Deferred Payment Agreements (DPA)

The deferred payment scheme is designed to help you if you have been assessed as having to pay the full cost of your permanent residential care but cannot afford to pay the full weekly assessed charge because most of your capital is tied up in your property.

The deferred payment scheme means if you are ordinarily resident in Lancashire you will not be forced to sell your home in your lifetime to pay for your permanent residential care. By entering into a deferred payment agreement, you can 'defer' or delay paying the cost of your care and support until a later date.

There are two types of Deferred Payments Lancashire County Council can offer:

- **Traditional type:** Where Lancashire County Council enters into the contract with the care home and pays the care home directly.
- **Loan type:** Where you hold the contract with the care home or supported living accommodation, and Lancashire County Council loans you the money to pay the care home or supported living accommodation. (This could result in you paying higher costs as a care home is not subject to any restrictions when entering into a contract with an individual rather than Lancashire County Council).

If you lack capacity to request a deferred payment, a Deputy or Attorney (a person with a relevant Enduring Power of Attorney or Lasting Power of Attorney) may request a deferred payment on your behalf.

Where Lancashire County Council acts as a Deputy for a you, they may apply for a deferred payment where this is in your best interests.

A Deferred Payment Agreement will not be entered into with you if you are lacking the requisite mental capacity unless the proper arrangements are in place.

13.1. Qualifying for a Deferred Payment Agreement

To qualify for a Deferred Payment, you must meet **all three** of the following criteria:

- Receiving permanent care in a care home; and
- Have £23,250 or less in savings and assets, not including the value of your main home; and



- Your main home is not disregarded, for example it is not occupied by a spouse or dependent relative as defined in regulations on charging for care and support.

Even if you meet the criteria above, Lancashire County Council may refuse a deferred payment if:

- It cannot secure a first charge on the property, (a "first charge" is the first or the primary mortgage or loan availed against the property in question).
- Someone is seeking a top up (which may make a deferred payment agreement unsustainable over time), or
- You do not agree to the terms and conditions of the Deferred Payment Agreement (e.g. a requirement to insure and maintain the property).

If you do not want to sell your property and choose not to enter into a deferred payment agreement Lancashire County Council will ask you to make payments directly to the care home.

If Lancashire County Council refuses a request for deferred payment, the decision will be notified in writing to you. The decision will set out the grounds for refusal and provide information on how to appeal.

Information and advice will be provided so you can understand what will happen during the application process.

Lancashire County Council will need to consider if the amount to be deferred is possible which will depend on how much equity is in the asset. This will depend on:

- The amount of equity in the property
- The amount you are contributing to the cost of care from other sources, including income, savings, financial products or a third-party
- The total care costs including any top-ups.

The amount of equity available will be the value of the property minus 10%, minus a further £14,250 (the lower capital limit). A verified independent valuation of the property will be carried out on behalf of Lancashire County Council.

13.2 Top up fees

If you are considering a top-up, Lancashire County Council will consider whether the amount or size of the deferral requested is sustainable given the equity available from their property.

Once you have reached the equity limit, Lancashire County Council will not fund your top-up, and you will need to find other ways to pay for it or be prepared for a change in your care package.



To ensure sustainability of the deferral, Lancashire County Council has discretion over the amount you are permitted to top up. We will accept any top-up deemed to be reasonable given considerations of affordability, sustainability and available equity.

13.3 Sustainability

Lancashire County Council will need to be satisfied that the deferred payment agreement is sustainable considering a range of factors including;

- the likely period you would want a DPA for
- the equity available
- the sustainability of your contributions from their savings (if you are making one)
- the flexibility to meet future care needs
- the period of time you would be able to defer their care costs for

Lancashire County Council will calculate the sustainability of a deferred payment agreement until its termination.

13.4 Interest and administration charges

Interest and administration charges will be added to the total amount deferred as they are accrued, although you may request to pay these separately if you choose. The interest will accrue on a compound basis.

Lancashire County Council will charge an interest rate equalling its average borrowing rate over the preceding financial year. The interest rate charged will not however exceed the maximum amount specified in the Care Act Regulations on Deferred Payments.

Interest will accrue on the amount deferred until the point that the deferred amount is repaid. If Lancashire County Council cannot recover the debt and seeks to pursue this through the County Court system, we may charge the higher County Court rate of interest.

Lancashire County Council will levy an administration charge based on the actual costs incurred in providing the Deferred Payment Scheme which are subject to an annual review.

If you apply for a deferred payment, then subsequently decide not to continue with the application you will still be required to pay any administration charges already incurred.

13.5 Circumstances where Lancashire County Council may stop deferring care costs

Lancashire county council may stop deferring any more charges if:



- Your total assets fall below the level of the means test, and you become eligible for local authority support in paying for your care.
- You no longer have a need for or are no longer receiving care and support in a registered residential or nursing care home or supported living accommodation.
- You breach the terms of your agreement.
- Under the charging regulations, the property becomes disregarded for any reason and you consequently qualify for local authority support in paying for your care.
- You reach the equity limit that you are allowed to defer. Interest would continue to accrue on the amount deferred until the agreement was terminated and the amount deferred was repaid.

If a decision is made to stop deferring care costs, the repayment will be subject to the usual terms of termination. Lancashire County Council will provide a minimum of 30 days advance notice that further deferrals will cease.

13.6 Obtaining security

Lancashire County Council must have adequate security in place when entering into a Deferred Payment Agreement.

Lancashire County Council will accept a first legal mortgage charge against a property on the land register as adequate security. However, will consider a second legal charge or restriction as adequate security at its discretion.

In cases where an agreement is to be secured with a **jointly owned property**, Lancashire County Council **must** seek both owners' consent (and agreement) to a charge being placed on the property. Both owners will need to be signatories to the charge agreement, and the co-owner will need to agree not to object to the sale of the property for the purpose of repaying the debt due to Lancashire County Council. This is consistent with if you were the sole owner of a property.

Lancashire County Council will obtain similar consent to a charge being created against the property from any other person who has a beneficial interest in the property. Lancashire County Council has full discretion in individual cases to refuse a deferred payment agreement if it is not satisfied that adequate security is in place.

13.7 Terminating the Agreement

A Deferred Payment Agreement will be terminated when:

- You or your representative repays the deferred debt in full. This can happen during your lifetime or when the agreement is terminated through the deferred payment agreement holder's death; or
- The property is sold and Lancashire County Council is repaid in full; or
- You die and the amount is repaid in full from your estate.

On termination, the full amount due includes all interest accrued and any administration fees charged.



Responsibility for arranging for repayment of the amount due in the case of payment from the estate falls to the Executor of your will/administrator of your estate. Interest will continue to accrue on the amount owed to Lancashire County Council after your death and until the amount due is repaid in full.

If terminated through your death, the amount owed to Lancashire County Council falls due 90 days after you have died. After this 90-day period, if Lancashire County Council concludes active steps to repay the debt are not being taken, for example if the property is not for sale, on the property market or we conclude the executor is wilfully obstructing the sale of the property, then Lancashire County Council may enter into legal proceedings to reclaim the amount due to it.

14. Deprivation of Capital and Assets

Deprivation as described in the Care Act 2014 is where a person has intentionally deprived or decreased their overall assets – either capital or income, in order to avoid or reduce the amount, they are charged towards their care.

There is no time limit that is applied to this, it is based on whether there was reasonable expectation that you may need to pay towards your care and support at the time of the disposal.

If we suspect that you have deliberately deprived yourself of assets in order to avoid or reduce the amount you are asked to pay towards any care charges, Lancashire County Council will refer to the detailed guidance contained in [Care Act 2014 Annex E: Deprivation of Assets](#)

Lancashire County Council has an information sheet (IS 5) [Deprivation of Capital and Assets Policy and Appeals Process](#).

Lancashire County Council will consider if a deprivation of capital or income has occurred if:

- The individual ceases to possess capital or income which would otherwise have been taken into account for the purpose of assessing their contribution towards their care services, i.e., an individual transfers a sum of money to another individual as a gift or the beneficiary of an insurance policy is changed so that the monies are not available to the individual.

When a decision has been made that deprivation has occurred the Lancashire County Council will treat you as still possessing the capital or income, this is called notional capital/income.

15. Your choice of care provision and Top Ups

Lancashire County Council utilises a range of methods in order to give you choice over the care you receive. Choice of care services are largely defined by the type of care offering being provided and the methods of purchasing used by Lancashire County Council to achieve the most cost-effective services.



If you or your carer/family members etc. chooses not to accept the option the Council has negotiated on your behalf, you will be made aware that any subsequent placements sourced will incur a top-up fee if that home is more expensive than the choice offered. This top-up fee is usually paid by a third-party, such as a spouse, family member or carer, and is in addition to the client contribution which is identified in the financial assessment.

You are not allowed to make a top-up payment yourself, except in the following circumstances:

- You are subject to a 12-week property disregard.
- You have a deferred payment agreement in place with the Council and the terms of the deferred payment agreement reflect this arrangement.
- You are receiving accommodation provided under S117 for mental health aftercare.

16. If you are no longer able to pay your top up fee

If your third party are unable to continue paying the top-up fee, Lancashire County Council must be provided with a minimum of 8 weeks' notice and, in any event, as soon as you or your third party is aware of this situation arising.

Lancashire County Council will then make contact to discuss your care options which may include moving to another category of room or to another care home, unless the care home is able to accommodate you at the same cost as an alternative suitable location identified by the Council.

17. Payment of assessed contributions and third/first party top ups

The preferred method of payment for assessed charges is by Direct Debit. The Direct Debit will be collected on a four-weekly basis in arrears.

18. Non-Payment of outstanding fees, charges, interest, deferred payment agreement, and/or client contributions

It is the responsibility of Lancashire County Council to collect monies due, and to ensure debts do not accrue. Where you fail to make a payment for the assessed contribution, action will be taken in accordance with Lancashire County Council's debt policy. Recovery of all outstanding contributions will be pursued by the Receivables Team.

Initially the collector will contact you or your representative to establish reason for non-payment. Where there is a justifiable reason, the collector will work with you or your representative to ensure payment is received.

Refusal to pay debts or to co-operate with the collector may result in the debt being pursued through legal action or through the use of external agencies.



19. Residential Placements outside of Lancashire

As stated in the previous section (Your choice of care provision) Lancashire County Council are able to provide care choices in different locations.

To ensure that Lancashire County Council is able to provide a range of cost-effective options to its residents, we may arrange placements outside of the County's geographical boundary. In doing so, the cost of the placement will be bench marked against how the Council could meet your eligible care needs inside Lancashire. Assessed contributions and top up fees would apply as previously stated.

Placements outside of the County's geographical boundary may be offered in exceptional circumstances, for example:

- The care and support required is particularly specialist and therefore opportunity to make an appropriate placement in Lancashire is extremely limited.
- You have no ties to the County, i.e. no relatives or family/friends' network within the County, and has no preference for where they are placed.
- A placement within Lancashire would be deemed unreasonable because it denies family/carers access to you and diminishes the chance to experience family life and support.
- Further to this, your particular situation will be considered in extraordinary circumstances on a case-to-case basis.

During the assessment and planning process Lancashire County Council will take reasonable steps to ensure your circumstances and care act eligible needs are considered when sourcing a placement for you. Value for money of a placement outside of Lancashire will be considered alongside the option of meeting your care and support needs within the county as part of top up and choice.

20. What to do if you do not agree with our decision

Where you feel that you cannot afford to pay the assessed charge, or the financial assessment has been completed incorrectly, or that the assessment has not taken all relevant regards fully into account and will cause you financial hardship, you can appeal and request a review of the charge.

The appeals procedure is not intended for you to express your dissatisfaction with any aspect of the Charging Policy. Only those cases, which are supported by relevant documentary evidence, will be dealt with under the Appeals Procedure.

The Appeals Procedure is designed to:



- Consider exceptional circumstances not acknowledged in the standard assessment process.
- Ensure correction of omissions or calculation errors made in the original assessment.

If you wish to appeal, you must do so in the first instance to:

The Senior Care Finance Assessment Manager, Care Finance Assessment Team, Exchequer Services, Lancashire County Council, PO Box 100, County Hall, Preston. PR1 0LD.

Or via Email to: Fin.assessment@lancashire.gov.uk

21. Policy, Legislation and Regulations

<p>POLICY DOCUMENTS</p>	<p>Additional information and guidance regarding charging for Adult Social Care is available in a series of regularly updated Information Sheets as follows:</p> <p>Information Sheet 1 – Adult Social Care Fees – 2023/24</p> <p>Information Sheet 2 – Financial Implication for Non-Residential Care Services</p> <p>Information Sheet 3 – Financial Implications of Moving into a Residential or Nursing Home</p> <p>Information Sheet 4 – What is the Deferred Payments Scheme?</p> <p>Information Sheet 5 – Deprivation of Capital and Assets, policy and appeals process</p> <p>Information Sheet 6 – Funding your care and support needs, Independent Financial Advice</p> <p>Further information is available in Policies, Procedures and Guidance documents, including:</p> <ul style="list-style-type: none"> • Eligibility Criteria PPG • Ordinary Residence PPG • Care Act Independent Advocacy PPG • Advocacy (IMCA and IMHA) PPG
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	<ul style="list-style-type: none"> • Assessment of Needs PPG • Care and Support Planning PPG • Review of Care and Support Plans PPG
<p>LEGISLATION AND REGULATIONS</p>	<p>Care and support statutory guidance</p> <p>Annex B: Treatment of capital</p> <p>Annex C: Treatment of income</p> <p>Annex D: Recovery of debts</p> <p>Annex E: Deprivation of assets</p>



22. Equalities

The Equality Act, 2010 requires Lancashire County Council to have "due regard" to the needs of groups with protected characteristics when carrying out all its functions, as a service provider and an employer. The protected characteristics are age, disability, gender identity/gender reassignment, sex/gender, race/ethnicity/nationality, religion or belief, pregnancy or maternity, sexual orientation and marriage or civil partnership status.

The main aims of the Public Sector Equality Duty are:

- To eliminate discrimination, harassment, or victimisation of a person because of protected characteristics.
- To advance equality of opportunity between groups who share protected characteristics and those who do not share them. This includes encouraging participation in public life of those with protected characteristics and taking steps to ensure that disabled people can participate in activities/processes.
- Fostering good relations between groups who share protected characteristics and those who do not share them/community cohesion.

It is anticipated that the Residential Charging Policy will support the County Council in meeting the above aims when applied in a person-centred, objective and fair way which includes, where appropriate, ensuring that relevant factors relating to a person's protected characteristics are included as part of the process.

Where/if any adjustments are needed for you/your representative to participate in or understand the assessment process or other communications arising from this Policy, please let us know so that these can be considered and, wherever possible, made.

More information can be found on the Equality and Cohesion intranet site on <http://lccintranet2/corporate/web/?siteid=5580&pageid=30516>



POLICY VERSION CONTROL

POLICY NAME	Residential Care Charging Policy		
Document Description	This policy sets out how Lancashire County Council is allowed to charge a contribution for care and support in a care home. The charges are calculated using the Care Act 2014 , the Care and Support (Charging and Assessment of Resources) Regulations 2014 and the Care and support statutory guidance issued by the Department of Health. These form the basis of this policy.		
Document Owner	Karen Jones		
Document Author(s)	Karen Jones Lynne Johnstone	Date	October 2023
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Last Review Date		Next Review Due date	October 2024
Approved by		Position	
Signed		Date Approved	

DOCUMENT CHANGE HISTORY

Version No	Date	Issues by	Reason for change



Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Adult Care and Provider Services

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;

Adult Social Care Winter Plan 2023/24

(Appendix 'A' refers)

Contact for further information:

Sue Lott, Tel: (01772) 538230, Head of Adult Social Care: Urgent Care, Acute & Prisons
sue.lott@lancashire.gov.uk

Brief Summary

The Lancashire County Council Adult Social Care Winter Plan has been updated for 2023/24, to reflect the services in place and the social care planning and response to winter pressures.

This winter is anticipated to be one that is challenging, and the plan includes information about various actions being taken across the winter period, and the proposed social care capacity enhancements to provide resilience and system support.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to approve the Lancashire County Council Adult Social Care Winter Plan for 2023/24, as set out at Appendix 'A'.

Detail

Winter planning is a necessary and critical part of business planning, to set out business continuity and how major areas of risk will be managed during what is a pressured season of the year.

This year's Adult Social Care Winter Plan has required the Council to take account of the continued challenges and pressures across the health and social care sector.

The challenges across the social care market remain, for example pressures in the recruitment and retention of staff particularly in care homes, and planning has taken account of the need to not destabilise the sector. Demand for social care has also increased, with a 5.8% growth across the last 12 months in the number of people receiving ongoing support, and 92,651 commissioned homecare hours (August 2023) being delivered per week. The growing challenge of ensuring that there is sufficient capacity to meet peoples' needs, keep people safe and ensure continued 'flow' across the system is not to be underestimated, and will be exacerbated through the winter months.

This year's Lancashire County Council Adult Social Care Winter Plan formally comes into effect from 1 October 2023 and will run until the 14 April 2024 to incorporate resilience across the Easter period. The plan sets out the range of actions and service capacity enhancements put in place to support social care resilience, as well as to support the effective delivery of health and care services across the winter period. The Plan includes details of how some existing services support winter challenges, the support in place to prevent the transmission of infection, as well as setting out additional service capacity in critical services such as crisis support and Reablement to support people in their own homes. The Plan also sets out how Adult Social Care will work with the NHS and other partners to support people to leave hospital as soon as they are ready, or to remain in their own home as independently as possible with the right care and support at the right time.

Adult Social Care will continue to work with key partners on winter resilience and contingency actions. Where appropriate, a pan Lancashire approach will be undertaken to maximise system resilience and the benefits of the deployment of resources.

Risks remain in relation to funding some of the ongoing critical intermediate care services as they are against short term monies. Funding for winter surge capacity has been identified through the use of specific adults services reserves. As such, this funding is non-recurrent and, unless alternative funding can be sourced for any schemes which may need, or be recommended to, continue, exit strategies will need to be developed to cease these services alongside those purely for winter surge capacity at the end of the funded period as outlined in Appendix 'A'. Delivery, spend and performance will be monitored throughout the implementation of the plan via the Adult Social Care Winter Group, chaired by the Head of Adult Social Care: Urgent Care, Acute & Prisons.

The Winter Plan is shared internally within the county council, with the Lancashire & South Cumbria Resilience and Surge Planning Group and with each Urgent Care Delivery Board that Lancashire County Council Adult Social Care is a member of, for inclusion in the system wide winter planning and delivery reporting.



Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Adult Social Care Winter Plan 2023-24

Consultations

The plan has been developed in consultation with relevant teams and key individuals within Lancashire County Council and key external partners. Winter planning overall has taken place across the Integrated Care System.

Implications:

This item has the following implications, as indicated:

Risk management

The Adult Social Care Winter Plan will be subject to monitoring throughout the winter period, to ensure its full delivery and the achievement of key outcomes.

The key risks for Adult Social Care include:

- Recruitment – recognising the possible challenges of recruiting additional staff, the plan does not rely heavily on staff-based schemes.
- Risk of further fragility in the care market and disruptions to peoples' care and support for example due to recruitment and retention challenges.
- Impact of flu, Covid-19 and any other infection outbreaks within care settings, in addition to the risk of workforce impact from Flu and Covid-19 prevalence.
- Unintended consequences of decisions made by one organisation adversely impacting on another.

Mitigating actions have been set out in relation to key risks. As a well-established group, the Adult Social Care and Health Partnership continues to oversee social care delivery and partnership working across the winter period. The Partnership is working to ensure we operate together as one collaborative system, and to ensure there are no unintended consequences of decisions made by one organisation impacting on another, either financially or in terms of workforce moves.

Financial

The planned spend on additional staffing and additional service/care capacity is through flexible use of specific adult services reserves. As such, these monies are non-recurring and present a risk should any of the services and schemes be identified as being required to continue beyond the life of the Adult Social Care Winter Plan.

List of Background Papers



Paper

Date

Contact/Tel

None

Reason for inclusion in Part II, if appropriate

N/A



Lancashire County Council

Adult Social Care

Winter Plan 2023/24

Author: Sue Lott, Head of Service

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1. Introduction

The Lancashire County Council Winter Plan for Adult Social Care formally comes into operational effect from 1st October 2023 and will run until the 14th April 2024 incorporating resilience across the Easter period and immediately after it.

The Winter Plan is a necessary and critical part of business continuity planning to set out continuity actions, key risks and mitigations, and the management of these during what is typically a more pressured part of the year across the health and care system. Adult Social Care is focussed on ensuring we are as prepared as possible to meet the likely challenges of winter, as well as delivering year-round resilience. This year's Winter Plan has required the Authority to take account of: -

- the continued challenges and pressures across the health and social care sector
- the likely prevalence of winter Flu and Covid 19
- continued pressures across the care market
- sustained workforce challenges including recruitment, retention and fatigued staff who have experienced no real reduction in pressure since the start of the pandemic in 2020

All Lancashire County Council (LCC) Adult Social Care services have existing year-round resilience and business continuity plans in place, covering various scenarios such as adverse weather or sudden staffing, environment, or IT related events. In addition, the Acute and Intermediate Care services are partners in the health and social care system resilience and business continuity plans and digital escalation system on each Acute Hospital footprint. All teams continue to use these plans to inform response actions, and this Winter Plan sits alongside those with enhanced actions to maintain capacity and resilience throughout this time of year as well as responding to NHS surges and associated impacts on social care demand.

The Department of Health and Social Care (DHSC) wrote to all Local Authorities on 28th July 2023 ([see here](#)) regarding winter planning, setting out a range of expectations. The Lancashire Adult Social Care Winter Plan covers those expectations within its narrative, the main points broadly being:

- Working together with the NHS on winter planning
- Ensuring sufficiency of capacity, especially within intermediate care (short term care and support) services
- Ensure effective use of Grants such as the Market Sustainability Improvement Fund (MSIF), especially in relation to workforce
- Reduce delays in people being discharged from hospital

The DHSC also wrote to the NHS on the 27th July regarding winter planning ([see here](#)). The letter set out 4 key areas of focus:

- Continue to deliver on the Urgent and Emergency Care (UEC) Recovery Plan by ensuring the 10 (nationally set) high impact interventions are in place
- Completing operational and surge planning to prepare for different winter scenarios
- Integrated Care Boards (ICB) should ensure effective system working across all parts of the system (all health and care organisations)
- Supporting the workforce to deliver over winter

Lancashire Adult Social Care at all levels is actively working together with the NHS and other organisations across the system to plan for winter both strategically and operationally. At an ICS level, the Lancashire & South Cumbria Resilience and Surge Planning Group has



been running since winter 2022/23 with representation from the NHS and all four Upper Tier Local Authorities. Led by the ICB, the group oversees the whole system strategic planning, pulling together the operational plans of individual organisations and local Acute systems. LCC Adult Social Care continues to be an active partner within all levels of strategic and operational winter planning and resilience across the various systems and partnerships, including in relation to the social care elements that support our NHS partners to deliver the NHS 10 high impact interventions referenced in the NHS Winter letter.

Cost of living increases still present challenges impacting on both staff and citizens; increasing the risks to being able to deliver safe care where and when it's needed for example if care providers face financial challenges that impact on business delivery, and to people being able to keep themselves warm and well and maintain their health and wellbeing. Last year, Lancashire County Council put in place a range of services and key actions to help mitigate the impacts, and that ethos continues through this winter.

It is likely that the usual winter pressures seen across the NHS will be exacerbated this year with the very high waiting lists for elective surgeries, plus the added complications of ongoing industrial action which may also impact adversely on the waiting lists.

The challenges across the care market are sustained, with the position in Lancashire continuing to mirror the regional and national picture. The impact varies across Lancashire, and the Authority is continuing to work together with care providers and local partners on mitigating actions. Ensuring that there is sufficient capacity to meet peoples' needs, keep people safe, and enabling continued 'flow' across the system is not to be underestimated and likely to be exacerbated through the winter months.

Adult Social Care has procured new Homecare contracts, which commence during November 2023, and which have seen a really good volume of high quality responses from homecare providers in Lancashire. The ambition is that greater stability and capacity will be realised through new geographical allocations and ways of commissioning, enabling more people to get the support they need at the time they need it. This is also an important enabler to maintaining capacity in the new homebased intermediate care service 'Short Term Care at Home' scheduled to commence in Spring 2024. This builds on the work during the last 2-3 years to incrementally build capacity into some of the critical short term intervention services such as Crisis support and Reablement, to better meet the needs of Lancashire residents who need them. This capacity gives Adult Social Care an improved foundation for our winter planning this year, although it should be noted that not all the capacity is funded on a sustainable recurrent basis, with a significant percentage continuing to be funded via short term monies such as the Better Care Fund (BCF) Additional Discharge Fund which are only in place until March 2025. Unless sustainable funding is identified, this continues to present delivery risks beyond 2025.

In readiness for the implementation of the new Short Term Care at Home service (previously Crisis and Reablement services), several Adult Social Care teams will be working together during the winter months towards the transformation required to ensure effective and efficient use of the service, enabling more people to return to, or remain in, their own home.

Workforce challenges remain, with a fatigued health and social care workforce owing to the continued and sustained pressures since 2020. Recruitment, retention, and staff wellbeing are of paramount importance and concern. Therefore, Adult Social Care winter resilience this year, as it did last year, has at its core the need to ensure the stability of what we already have, with the additional key actions of supporting the effective implementation of new arrangements such as the Homecare service. Given the workforce pressures, our resilience planning cannot be solely dependent on recruiting additional staff.



Within our Winter Plan, the focus remains on ensuring we can deliver high quality and responsive services that enable people to maximise their independence, leave hospital as soon as they no longer need a hospital bed or avoid an unnecessary admission, and remain living in their own home for as long as possible. The plan also sets out the risks to Adult Social Care being able to achieve this and the mitigating actions to be taken.

Lancashire Adult Social Care encompasses various social care and social work services and operates 24/7 365 days a year. Many care services operate continuously, ensuring that people who need care and support get it at the level they need and at the time they need it. In supporting people who need social care assessments, 7-day working (except Christmas Day where the demand for planned assessments is negligible) is in place across teams working around hospital discharge and admission avoidance. Within LCC, several of our services operate on a 24/7 basis including the Mental Health AMHP (Approved Mental Health Professional) team, our Care Homes for Older People, and some of our care services for working aged people with disabilities such as Shared Lives. Outside of core hours, the Lancashire County Council Emergency Duty Team (EDT) for social care responds to urgent situations.

The LCC Adult Social Care Winter Plan dated 21st September 2023 has been signed off by the Adult Services Directorate Leadership Team, approved by Cabinet and shared with relevant managers and staff within the Council. The Plan has been shared with the NHS, care sector providers and other partners locally.

The range of measures and actions set out in the plan and delivery against it will be monitored on a regular basis by the LCC Adult Social Care Winter Group, chaired by the Head of Service for Urgent Care, Acute & Prisons, which will also agree further mitigating actions where required.

Any significant amendments will be communicated via the issue of an updated version of the Plan.

2. Planning Context (including risk)

In addition to the usual considerations of winter and the extra demand that the time of year places on social care, there are several additional factors and risks that have been taken into consideration and influenced the planning for this year.

These include:

COVID-19

The Winter Plan has been developed against the additional pressures that delivering services in the context of COVID-19's continued presence creates for LCC, the NHS and social care providers. The Flu and Covid-19 national vaccination programme has been accelerated with a significant push to encourage people in at risk and eligible groups to take up the vaccination.

Care Market Challenges

The challenges in this sector are seen nationally, and regionally the picture is similar across all North West Local Authorities.



Locally in Lancashire, the pressures are multifactorial including a further increase in the demand for homecare with a 5.8% growth across the last 12 months in the number of people receiving ongoing support, and 92,651 commissioned care hours (August 2023) being delivered per week. This shows a sustained significant growth in both demand and provision, but in the context of the underlying challenges across the social care sector it demonstrates the need to continue to ensure that care is not over-provided (thus reducing people's independence) to help maintain the availability of care and support for people in need of it.

Risks also exist in relation to the financial uncertainty for many providers, and the Council have this year agreed uplifts broadly averaging between 9-16% to care providers and Care Homes delivering commissioned care. Supporting the stability of the care market remains a priority for the Council within the means and options available to us. Alongside other Local Authorities last year LCC undertook a Fair Cost of Care exercise, with the outputs informing market sustainability work. Responding to uncertainties in how the care market may operate in the months ahead, and the difficulties in reliably estimating demand and capacity in the context of so many other variables make planning a challenge.

The risks of some providers ceasing to operate altogether, or because of workforce capacity needing to reduce the level of service they provide, remains a key risk across the Lancashire care market.

Demand and Complexity

Adult Social Care continues to see increased demand and more people with more complex needs requiring assessment and support.

Significant focus has been placed on reducing waiting times for both social care and occupational therapy (OT) assessments through 2023 so far, which had seen an increase, in part due to the increasing demand and complexity of peoples' needs and circumstances. To support the reduction in waiting times for an OT assessment, additional external resource has been secured and has made a significant impact which will continue into the winter months and enhance the team's ability to see more people more quickly. Similar focus is in place on actions to sustainably reduce waiting times for Care Act assessments, and we are mindful this may have further impact on the requirement for, and capacity of, care hours.

In addition, through hospital 'discharge to assess' arrangements, many more people are now discharged earlier and with a higher level of need than they would previously have been. This adds additional pressures to Adult Social Care both in terms of assessment capacity and in terms of sufficiency of social and short term care and support provision in the community.

A demand and capacity analysis for short term care and support in Lancashire was a requirement of the 2023/24 Better Care Fund (BCF) Plan. Whilst we have acknowledged that there are some challenges with the data locally as the system doesn't collect data in a way that has enabled the analysis to be as robust as it needs to be, the initial analysis shows that broadly, Lancashire has the overall capacity needed to meet demand on a business-as-usual basis. We have included additional short term care and support capacity to meet surge demand in our Winter Plan, as well as to support transformation (see later section), and are working closely with the national BCF Support Team to improve our demand and capacity data, modelling and analysis.



NHS / Collaborative Winter Planning

The NHS locally is submitting a Winter Plan using the nationally mandated planning templates, which also direct Integrated Care Boards to ensure effective system working across the winter period. The templates include both a narrative plan and numerical information including trajectories towards set targets. Recently, local NHS partners completed a self-assessment against 10 'High Impact Interventions' with each of the Acute systems prioritising 4 of the 10 to focus on over the next few months.

Of the 10 interventions, although most will impact social care in some way at least 3 will require active Adult Social Care support and interventions, these being:

- Improving Community Bed productivity and flow (including mental health beds)
- Implementing Care Transfer Hubs
- Intermediate Care (short term care and support) demand and capacity

Lancashire Adult Social Care has worked in collaboration with all key partners to develop our Winter Plan, including the NHS, the 3rd Sector, and providers across the care market. In turn, we have collaborated with the NHS and key partners in the development of wider system plans. Our Adult Social Care Winter Plan is not limited to only those people who receive Local Authority funded care, but also ensures that where appropriate, key actions apply to those who fund their own care. We have also detailed the support offered to informal carers.

Across the winter period and beyond we will continue to work closely with partners, in particular the care market, to ensure that relevant advice and guidance is promoted and implemented, and where appropriate localised flexibility is applied.

Discharge to Assess (D2A)

Together with health and care partners across Lancashire and South Cumbria, Lancashire operates in line with Section 91 of the Health and Care Act (July 2022) and the preferred model of 'Discharge to Assess'. The national 'Hospital Discharge and Community Support Guidance (March 2022)' sets out good practice and expectations, detailing that discharges should happen within the same day, ideally within 2 hours, and that all discharges must be safe.

We are aware that a revised version of the national guidance is due for release in Autumn 2023, and our teams will work collaboratively with partners to understand and implement any appropriate changes.

Capacity in short term care and support and other services which support people to be discharged as soon as they no longer need a hospital bed are underpinned by the Additional Discharge Fund monies in this year's BCF.

2 Hour Urgent Care Response

2-hour Crisis Response services are delivered by the NHS locally in line with national requirements, and one of the 10 NHS High Impact Interventions is to increase the volume of this service. The service is delivered across Lancashire & South Cumbria and provides an 8am-8pm 2hr urgent care response to people aged 18+ who are experiencing a crisis which needs an urgent NHS community intervention to be able to remain in their own home and avoid a hospital admission. This includes people who reside in a Care Home.



The guidance also includes a 2-hour response where there is a breakdown in informal caring arrangements, and which would have an impact on the person's health.

The additional call on social care services has been monitored since the commencement of the service in 2022 and remains manageable within existing capacity. Given the potential impact on the care market with any increase in volume of this service during winter 2023/24, demand for social care for people following a 2 hour urgent care response will continue to be monitored during the winter months.

Virtual Wards

This national NHS initiative enables people (where clinically appropriate) who would otherwise be in hospital to get the healthcare they need at home, safely and conveniently. Acute care, monitoring and treatment is provided alongside wrap around support, and a ramp up plan to operate 746 'beds' across Lancashire and South Cumbria is progressing, with 398 'beds' in place as of August 2023.

This is a key priority for the ICB and its transformation work and Adult Social Care will continue to work closely with our NHS partners across the winter period to understand and monitor any requirement for social care support to people in the virtual wards, and what this may look like.

NHS Hospital Bed Pressures

Local NHS bed modelling shows an anticipated significant bed pressure in each of the local hospitals across the winter period, and plans are in place to mitigate against these as far as possible. Adult Social Care are working collaboratively with NHS partners to mitigate pressures, including the reduction in the number of people who have 'No Criteria to Reside' and no longer need a hospital bed but have not been discharged in a timely way.

The announcement of a £250m investment in additional beds by the Government on 15.8.2023 saw just under £20m come to Lancashire & South Cumbria, to be used by two hospitals, Lancashire Teaching Hospitals and East Lancashire Hospitals Trust. The use of the monies within each Trust are on schemes that will not directly impact social care demand, and so at this stage are not included in our planning context.

Workforce

Our workforce is our biggest asset, and our focus is on not setting out actions that could destabilise the capacity that we have. We have therefore in our planning not set out high numbers of schemes which are workforce dependent as this could adversely impact on the resilience and wellbeing of staff in already fragile services. Issues such as vacancies, absences, and high turnover present greater risks around delivery of safe care and service capacity to meet demand plus the best outcomes for people.

Mental Health

Demand for mental health services increased significantly as a result of the pandemic and its impact on peoples' lives and has remained at a sustained higher level. Winter and the other pressures listed here are likely to add to that demand for in-patient services, for swift and speedy discharges, and for community services.



Cost of Living Increases

Many people remain affected by cost of living increases, with a range of support options in place to help Lancashire residents. The Adult Social Care Plan sets out the risks to peoples' health and wellbeing as well as the delivery of safe and timely care.

LCC has maintained the cost of living webpages, which are continually updated with helpful advice and support. [Cost of living support - Lancashire County Council](#)

3. Aims and Objectives

The aims and objectives of the Lancashire County Council Adult Social Care Winter Plan are:

- To ensure that Lancashire County Council Adult Social Care will meet the needs of citizens who require social care across the winter period
- Within the context of the pressured position of the social care system, ensure as far as possible the provision of social care services of a sufficient volume and quality to keep people safe and supported, and focus on maximising independence
- Ensure that the overriding principle of 'home first' i.e. people should be able to remain in or return to their own home wherever possible, is maintained throughout all decision making at individual and wider commissioning levels
- To maximise Adult Social Care resilience, and support wellbeing, both across the care market and in the Lancashire County Council Adult Social Care assessment and support teams
- Identify, mitigate, and minimise risks across the social care system, and work collaboratively with partners
- Continue to maintain the balance between reducing the risks of infection and transmission, and responding to the need for people to receive care and support
- Ensure care is provided in a way that supports people to remain connected with families and loved ones, supports emotional wellbeing, and reduces loneliness
- Ensure that people consistently have access to, and are connected into, a range of supports that reduce inequalities
- Have due regard and take relevant actions in relation to people and communities who may be more susceptible to infections and illness across the winter period
- Incorporate into resilience planning the potential impacts of the cost of living increases on people, services, and staff.

The following sections highlight the activity/work taking place across several key areas which support our winter resilience.

4. Supporting People Who Receive Social Care, the Workforce, and Carers

Keeping people as safe and enabling them to be as independent as possible, whilst ensuring they get the social care and support they need at the time they need it is integral to this winter plan. Ensuring resilience across the workforce is critical to being able to assess for and deliver social care support.



People Who Use Social Care

A range of measures are outlined in the plan to ensure sufficient care and assessment capacity is in place as far as possible in the current climate to support people across the winter period and beyond. This winter, maintaining the care capacity that is available across the market is an area of focus, especially whilst the new Homecare contracts are being implemented, as well as any potential for additional capacity to meet increasing demand and periods of surge.

The additional capacity and measures in place focus on people who need care and support being able to get the right care, in the right place at the right time. Care is provided in a safe way that upholds peoples' dignity.

This Winter Plan sets out the range of actions and measures being put in place not just for those people who need Local Authority funded care including people who manage their care via a Direct Payment, but also for people who self-fund their care and support but need access to the range of short term care and support services such as Crisis Support and Reablement, to carer support services and to the short term 'discharge to assess' services in operation amongst others.

Carers

Unpaid carers make up a vital part of the support networks for people who need care, with many unpaid carers being the sole carer for their loved ones.

There is a range of information available to carers both on the Lancashire County Council website and through Lancashire Carers Centres. Where unpaid carers are approaching Adult Social Care for support in their caring role, specific carers assessments and support planning are undertaken by local Carers Centres and where required, formal support is provided to the cared for person.

Informal carers are encouraged when having a carers assessment to ensure should they unexpectedly fall ill or require an admission to hospital, that plans are in place to support the cared for person. This includes using services such as the Peace of Mind for Carers scheme which includes access to urgent commissioned support if needed.

Highly Commended in the Municipal Journal Awards, the Lancashire Home Recovery Hospital Discharge scheme is in place which supports unpaid carers, through the use of one-off personal budgets, to care for their loved one on discharge from hospital but where there are practical barriers to them doing so. This scheme improves outcomes for people and their carers and enhances our support to the NHS by enabling people to be discharged more quickly.

Workforce

We know that because of the experience and consequences of the pandemic and the ongoing sustained pressures, we have a social care workforce that is fatigued and experiencing some significant recruitment and retention challenges; this is not unique to Lancashire. Coupled with increasing demand for social care assessments and for care and support, the wellbeing of the workforce is a primary focus.

Lancashire County Council have in place a range of measures to support the health and wellbeing of the Adult Social Care workforce. The Council's Employee Assistance Programme is accessible to all council staff for support with a range of wellbeing issues. Keeping physically and mentally well is a key priority. Information, help, and advice is



available on the intranet via dedicated coronavirus and staff wellbeing pages and regularly updated, and for staff who do not have access to the intranet, this information is also available on the staff section of the LCC website. Staff are supported by their team managers and 1:1 supervisions have a focussed space on wellbeing. In recognition of the current challenges in the service, there is an additional wellbeing action plan in place across the hospital discharge teams specifically.

Business continuity plans are in place across all Adult Social Care teams to mitigate in the event of issues such as increased staff absences across winter.

In supporting people who need social care assessments, 7-day working is in place across several teams working around hospital discharge and avoidance, plus the Mental Health AMHP team and LCC Care Services operating 24/7 services. Outside of core working hours, the Emergency Duty Team (EDT) responds to urgent situations.

The Lancashire & South Cumbria Resilience Hub remains in place, which is a mental health and wellbeing support resource for all public sector workers, care staff and volunteers. More information on the Hub is available via <https://lscresiliencehub.nhs.uk/>

To maintain sufficient LCC Adult Social Care workforce capacity to meet demands across the most pressured part of the year, annual leave is restricted across December and January to ensure 80% of the workforce is in work, with a minimum of 60% in work in-between Christmas and the New Year. The named Intermediate Care Allocation Team (ICAT), Central Allocation To Care & Health (CATCH) and Care Navigation staff rostered to work across the Christmas and New Year period (weekend and public holidays) to support the hospitals are shared within each Acute footprint partnership. The response to hospital discharge and admission avoidance across the holiday period continues to be a 7-day service, except for Christmas Day where emergencies are covered by EDT.

Care providers also have business continuity plans in place that contain actions to be taken in respect of winter challenges such as inclement weather, workforce challenges and infection outbreaks. Where services are commissioned by LCC from care providers, the presence and content of the business continuity plans are confirmed to the council, providing assurance.

5. Preventing and Controlling the Spread of Infection Within Social Care

We continue to live with Covid-19, including ongoing sensible precautions and actions, Lancashire Infection Prevention and Control (IPC) teams also oversee mitigating actions for other infections and illnesses across this winter.

Provider Engagement & Guidance

All care providers are registered as being compliant with the [Code of Practice on the prevention and control of infections](#) and the IPC Team at Lancashire County Council supports all providers to ensure that they meet the criteria. This ensures that care is provided in an appropriate environment with all appropriate standards in place to prevent a wide range of infections.

Key messages on Infection Prevention & Control information and guidance are shared by the IPC Team directly to care settings, through targeted social media and via a dedicated webpage on the Council intranet and internet.



Emphasis is on managing the range of respiratory infections, reducing outbreaks and supporting care settings, especially those with people with additional health needs, and care providers to take up offers of vaccines for flu and covid.

COVID-19

As we learn to live safely with COVID-19 the LCC IPC Team have continued to support providers where needed with working safely, lifting visiting restrictions in care homes, and managing COVID-19 outbreaks and onward recovery. The latest guidance for care settings, including use of Personal Protective Equipment (PPE) is as below, with all care providers taking account of this in their business continuity planning:

[COVID-19 supplement to the infection prevention and control resource for adult social care - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/covid-19-supplement-to-the-infection-prevention-and-control-resource-for-adult-social-care)

[Infection prevention and control: resource for adult social care - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/infection-prevention-and-control-resource-for-adult-social-care)

[Infection prevention and control in adult social care: COVID-19 supplement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/infection-prevention-and-control-in-adult-social-care-covid-19-supplement)

[COVID-19 PPE guide for adult social care services and settings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/covid-19-ppe-guide-for-adult-social-care-services-and-settings)

Covid-19 plans remain in place at a whole population level in relation to responding to Covid-19 outbreaks and set out options that can be taken where appropriate and necessary to contain and reduce transmission.

Flu

Local authorities have a responsibility to provide information and advice to relevant bodies within their areas, to protect the health of the population, The Lancashire County Council Health Protection and IPC Teams provide this advice and support along with other actions to increase uptake of the vaccine.

As we move into the winter period, the prevalence of flu increases. There is a real possibility that the impact of flu will be greater this year due to the very low levels seen during the last 2 winters and therefore peoples' lower immunity to it, plus the higher levels of social interaction of people through the lifting of COVID-19 restrictions.

In response, the Government are again setting off a large national flu campaign, encouraging everyone who is eligible to take up the flu vaccine alongside the Covid-19 booster jab for those people who are eligible for that too. This information and reminders to take up the vaccine has been promoted to all care providers through the regular IPC channels.

In addition to the national programme, the LCC Health Protection Service will be undertaking an annual workforce programme including flu awareness briefings and a wider campaign across the county to encourage and increase protection across LCC staff. For those staff under 65 years old and who aren't in one of the high risk groups (and will therefore receive their vaccination via the NHS), the County Council will run sessions across various LCC offices where staff can take up the vaccination. Staff also have the option to claim the cost of the vaccine if they pay for one at a pharmacy of their choice.



All staff across Adult Social Care have been encouraged to take up the seasonal flu vaccine to support keeping our teams well over winter and enhancing our overall resilience and service capacity.

6. Service Stability, Innovations and Additional Winter Capacity

The work in recent years to bring greater stability, by using the improved BCF, to some of the service and workforce capacity funded through short term monies, gives a greater level of year-round resilience with posts being more attractive to prospective applicants as they are permanent contracts. Our focus remains on those services which continue to experience higher than average turnover and are more challenging to recruit to including the teams supporting mental and physical health hospital discharge.

Under the Lancashire Intermediate Care transformation programme, the Council's homebased short term care services including 'Crisis Support' and 'Reablement' are currently being re-procured under a new specification which merges the services to become one 'Short Term Care at Home' service. Within the Intermediate Care transformation programme, bed based short term rehabilitative care is also evolving to incorporate a wider recovery, recuperation and reabling/rehabilitation scope including 'discharge to assess'. The way that our social work teams operate within 'intermediate care' is also changing across the winter period, enabling a more streamlined and personalised approach to maximising people's independence and well as improving the management of service capacity.

In advance of the new services being in place, plans have been developed to look at what may be required in terms of additional social care capacity within the financial envelope available to meet surge demand, and, importantly, what is realistic for the care providers to deliver given the pressures across the care market and continuing challenges with recruitment and retention.

Residential Rehab/Community Beds

Within the LCC Intermediate Care programme, work is underway to transform and maximise the use of the residential rehabilitation beds provided by LCC's Older People's Care Services across the county. Several schemes/actions are in progress during the winter period with the aim to support more people who need the service: -

- **Single Handed Care** – up to date moving and handling equipment has been purchased for the LCC units and ceiling track hoists have been installed in 20 rooms across the county to support safer and more independent transfers for people with more complex needs.
- **Expanded scope** – the service is widening the scope of how the beds are used to support people who need time to recover and recuperate, and then where appropriate offer a short term reabling or rehabilitation service. The beds will also be used to support people (at a residential level) leaving hospital who would previously have had a 'discharge to assess' stay in a care home setting. The ambition is that by taking more people through a recovery and reabling service, more people will have the opportunity to return home.
- **Complexity** – The service will ramp up capacity to take more people with more complex needs, developing a staffing model that will best support this.
- **Enhanced links with Reablement** – as part of the short term care and support transformation work across this winter the service will develop stronger connections with the Reablement team, enabling in-reach and opportunities for people to return home more quickly.



- **Temporary Beds** - A small number of beds continue to be ringfenced in some of LCC's Older People's Care Services' residential care homes to support the care market challenges and 'bridge the gap' where people need to leave hospital but the identified care immediately available.

Positive Ageing & Mental Health Wellbeing Beds

The Positive Ageing and Mental Health Wellbeing short term care beds service has been in place for just over 12 months. This innovative service is a collaboration across LCC (Older Peoples' Care Services and the Mental Health team) and Lancashire & South Cumbria Foundation Trust and comprises of 9 beds in Lady Elsie Finney House in Preston alongside wrap around Psychological, therapeutic, and practical support.

The innovative model, which was recently a finalist in the Local Government Chronicle Awards, provides a bed based reabling approach for older adults with a mental health need, including Dementia, taking people from out-of-area mental health hospitals, and from local Acute Hospitals. The service approach is coordinated and supported by an enhanced multi-agency team to support more people to return to their own home, reduce the length of stay in hospitals, or avoid unnecessary admissions.

Hospital Aftercare Service (Age UK)

The Hospital Aftercare Service is aligned to each Acute Trust across Lancashire. It works alongside discharge teams and NHS colleagues to support timely discharge from both the wards and the Emergency Department, for people who need some lower level social care support. The service also supports people being discharged from Mental Health hospitals.

The Hospital Aftercare Service which is delivered by Age UK on behalf of Lancashire County Council includes "Take Home & Settle" (Tier 1) which provides immediate support for up to 3 hours, and "Follow-up and Support" (Tier 2) which provides low level support for up to six weeks of up to 15 hours over the period.

To further promote the use of the service and reduce reliance on formal support, the service is co-located with each of the 5 ICAT/CATCH teams across the County and has a positive impact on diverting people into less intensive support to facilitate hospital discharge.

Workforce

Recruitment and retention challenges remain, and therefore this winter plan is not solely reliant on additional staff to avoid as far as possible adverse impact on workforce stability. Additional workforce capacity is required to deliver the additional Home First and Reablement hours, but work has been undertaken to establish what is realistic and how best to procure with the least risk of a destabilising impact on the care market.

All Local Authorities recently received monies under the Market Sustainability and Improvement Fund, with the Grant conditions specifying that the monies are to be used in one or more of 3 key areas:

- Increase of fee rates paid to adult social care providers
- Increase adult social care workforce capacity and retention
- Reduce adult social care waiting times

Lancashire is finalising plans for use of the Grant, with allocations to any of the 3 key areas contributing to strengthened resilience across the winter months.



Work also continues across the health and care sectors in relation to international recruitment and ways to encourage and enable people to join the workforce across Lancashire and South Cumbria in a safe and supported way.

Mental Health

Adult Social Care teams and the 24/7 Approved Mental Health Practitioner (AMHP) service work together with NHS partners to support to access the right treatment and support for their needs, in a timely way.

We recognise that the volume of Deprivation of Liberty Safeguards (DOLS) has increased since the introduction of discharge to assess arrangements from hospital, with an increased demand across the winter months where hospital discharge activity increases. In recognition we have added additional capacity for Section 12 Doctors assessments in our Winter Plan.

Mental Health Wellbeing teams are now in place and provide short term social care interventions and personalised support to work alongside the person with care and support needs. Through a strengths-based approach, people have the control over their own lives using a timely intervention that builds their confidence, lessens their economic disadvantage, builds their social network, and lessens the longer term impacts that come from inactivity (worsening mental and physical health). The teams are aligned to the Primary Care Networks and the Community Mental Health Hubs.

Housing, Adaptations and Community Equipment

In partnership with District Councils, we commenced a test of concept towards the end of last winter of a new role of 'Health and Housing Coordinators'. The Coordinators are co-located with the ICAT/CATCH multiagency hubs and support timely hospital discharge where housing and accommodation related issues are a barrier. The project implementation is ramping up to full capacity across winter so that there will be at least one Coordinator aligned to each Acute Trust footprint.

Since implementation, the Coordinators have supported people with a variety of housing and accommodation related needs, reducing delays and removing barriers to more people being able to return directly home. Especially during the winter period, rapid access to the housing expertise and services provided by the District Councils will enable more people to be safe, warm and comfortable in their home environment.

In addition to the usual access routes for assessment for community equipment, 'Trusted Assessor' schemes with some of our home improvement and housing partners whereby certain items of community equipment can be provided by the staff who are undertaking other home improvement tasks in the person's accommodation are in place. This supports the prevention of falls and accidents in the home and improves peoples' independence and our ambition is to extend this to more partners during this winter period so that more people can get the equipment they need quickly.

Digital Technology

Wearable and movable technology has been purchased and will be used by the hospital discharge teams. These technology items support timely hospital discharge or admission avoidance, bringing the ability to alert family or responders in an emergency as well as passive monitoring to support people's safety in their own home.



See **Appendix A** for the table detailing additional winter capacity. The majority of the additional capacity outlined is to be funded through the use of specific adults services reserves. As such, this funding is non-recurring and unless alternative funding can be sourced for any schemes which may need or be recommended to continue, exit strategies will need to be developed to cease these services alongside those purely for winter surge capacity at the end of the funded period as outlined in Appendix A for each scheme. These schemes include:

Crisis & Reablement Hours

An additional up to 800 Crisis/Home First hours per week across the winter period have been identified to support people to remain in their own home who are at risk of hospital or residential care admission without urgent support, or to be discharged quickly from hospital. The support is provided for up to 72 hours (or 5 days on discharge from hospital) and can be anything from a one-off hour to continuous support.

An additional up to 450 Reablement hours per week across the winter period have been identified if required in anticipation of more people being discharged from hospital more quickly. Delivery is wholly dependent on the provider's capacity to staff up to this level.

Staffing

Funding is identified in our winter plan for staff overtime within the teams that support system flow, including Acute and Mental Health Discharges, Reablement and Intermediate Care. This will support the teams to respond to demand surges and increases and maintain system flow.

Support to the care market is in place including the uplifting of fees in recognition of the increased costs.

We have also put in place additional short term management capacity across LCC commissioning and discharge teams to support the tactical management of increased escalation and operational response, and market management and support.

Mental Health: By prioritising system pressures, the safety of people awaiting initial assessment is being compromised. To sustain optimal response to system pressures and to people needing Mental Health Act assessments, additional AMHP resource is needed across the winter months.

Funding has been identified to facilitate additional resource to provide improved capacity across the 7 days.

VCFSE

During winter we will be working with our Voluntary Community Faith and Social Enterprise (VCFSE) partners to look at some market stimulation and additional capacity. This links to our plans in reducing reliance on commissioned care for lower-level support tasks, and increase choice and opportunities through VCFSE organisations. By releasing Homecare capacity, this will support more people across the winter months to get the help they need at the time they need it and return directly to or remain in their own home.

7. Collaboration across Health and Care Services

Lancashire County Council Adult Social Care have worked together with the NHS and other partners on winter planning, risk mitigation and opportunities for mutual aid.



Additional short notice funding for the NHS in relation to reducing discharge delays was announced on the 14th September 2023, and LCC will be working closely with the ICB and other partners in the deployment of the funding in Lancashire & South Cumbria.

Hospital Discharge

The national Hospital Discharge and Community Services Guidance which supports the hospital discharge sections of the Health and Care Act (2022) sets out good practice and requirements around operating a discharge to assess model. Lancashire and South Cumbria have a standardised operating model and principles to promote equity of delivery across the 5 local acute hospital footprints. Continued collaboration to ensure 'flow' in and out of the hospitals is an essential element to the system managing across the winter period.

Through use of the BCF Additional Discharge Fund, both the ICB and LCC are commissioning additional home and bed based short term support to enable people to leave hospital quickly under discharge to assess arrangements. Both partners are committed to reviewing the effectiveness of the pathway and conversations are taking place with the national BCF Support Team to secure support to undertake this during the winter period.

Winter Planning

Work has taken place across all partners on each Acute hospital footprint to develop system winter plans, and which have fed into the Lancashire & South Cumbria ICB System Winter Plan which is submitted to NHS England. The system plans are predicated on having sufficient capacity in place across the community, short term care and support services, and within the hospitals themselves to avoid hospitals becoming overcrowded and that they remain safe places for patients and staff. The plans also focus on admission avoidance.

The Lancashire County Council Adult Social Care Winter Plan is a key element of the system plans in the contribution to how social care and health will maintain resilience across key services and meet the needs of citizens.

Care Settings

As a health and care system we continue to work together to support people to return to the home they were in prior to a hospital admission wherever possible and avoid unnecessary disruption to their lives. Where people need to enter a care home placement, IPC measures are in place to mitigate transmission of infection, especially where people are transferring from a hospital.

Provision under 'Enhanced Health in Care Homes' is in place across Lancashire through additional support from GPs as part of their contract, with all care homes having a designated clinical lead. Various arrangements are in place across the County under the framework including the sharing of health advice and information with care homes through local digital platforms, the provision of enhanced support through health care home support teams, the ability to provide GP consultations via video technology and the clustering of care homes into designated Primary Care Networks.

Digital Social Care Records

The Council are a full partner in the Lancashire & South Cumbria Digital Social Care Records (DSCR) project. The Digital Adoption and Transformation in Regulated Care Team have supported local care homes to purchase a new digital social care record system from the NHS Assured Supplier List. Using 3 NHS grants (the DSCR Programme, the Unified



Tech Fund, and the Digital Transformation fund) the team have supported 50 care homes so far to move from paper to electronic records, with a further 180 care providers being actively worked with. Communities of practice are being set up with the care providers to help maximise the functionality.

These digital social care records play an important role in joining up care across social care and the NHS, freeing up time spent by social care workers and managers on administrative tasks, whilst equipping them with the information they need to deliver care. They are the platform on which other remote care tools can integrate and can enable the greater personalisation of care planning that focuses on the individual.

Escalation and Resilience

Adult Social Care teams working around hospital discharge provide a daily report into the NHS Escalation Management System Plus (EMS Plus) in place across the Integrated Care System. LCC Hospital Discharge and ICAT/CATCH teams add their weighted team status into the dashboard each day giving visibility of capacity, challenges, and pinch points. Mental Health also has an escalation system which is being piloted across the East Lancashire and Blackburn with Darwen geography.

Sitting behind the escalation system is a set of action cards detailing the response of each organisation when any partnership across an Acute Hospital footprint reaches set standardised escalation trigger levels.

Lancashire County Council Adult Social Care have resilience and business continuity plans in place and have stress tested these. Care providers equally have these plans in place, and many have enacted them across the last few years. The Lancashire County Council Contracts service works closely with care providers in ensuring plans are in place and appropriate business continuity actions are mobilised as required.

All care home and homecare providers upload their information regarding staffing, vaccinations, occupancy, PPE levels or new covid-19 infections etc onto the NECS (North of England Commissioning Service) Capacity Tracker. The information supplied by providers enables visibility of pinch points and where urgent support is required and high-level data extraction is used as part of the daily ICS system resilience reporting.

8. Prisons

There are 5 male prisons within Lancashire, with varying degrees of social care demand. Winter resilience planning by the two health and social care providers who are contracted to deliver support across the Prisons has taken place, to ensure that they have robust contingency plans to meet unexpected challenges, as well as delivering on the annual vaccination campaign.

Measures are in place to ensure that the men receive essential social care assessments and support even when tighter restrictions are in place such as infection outbreak response.

Adult Social Care are working closely with Prison Governors to ensure the delivery of social care to the men in custody mirrors as closely as possible the care and support they would expect to receive in the community.

A 'Buddy/Peer Support' scheme is now in operation as a shared programme between the Prisons and Adult Social Care locally and the national organisation RECOOP, training a

small number of prisoners to deliver some defined low level support, which enables those men receiving it to have greater levels of independence, wellbeing and emotional support. This is especially important across the winter months which can adversely affect mental wellbeing as well as physical health.

9. Public Health

Public Health have a primary focus on the health and wellbeing of all residents of Lancashire. There are many schemes and services that benefit people through the winter period, including: -

Affordable Warmth

Lancashire County Council works in partnership with the district councils to secure national Energy Company Obligation and other external funding through the [Cosy Homes in Lancashire](#) (CHiL) scheme for domestic energy efficiency measures. These include insulation, external door and window upgrades, heating measures and renewable energy technologies. CHiL can signpost to support with fuel debt, fuel bills, switching energy supplier etc. CHiL projects target those households living in fuel poverty and at greatest risk of their health being affected by having a cold home, but also provides an offer of support to all households.

Cold and damp homes, especially in winter, have impacts on people's health and wellbeing and consequently on health and social care services. In advance of winter and following the success of last year, Lancashire County Council has launched the £1m Affordable Warmth Lancashire Fund to help and protect vulnerable residents across Lancashire to heat their homes more efficiently and live in warmer homes. The fund is being distributed across the District Councils in Lancashire, who will allocate the funding to assist residents on low incomes and those who are particularly vulnerable to the health effects of living in a cold home. District councils will work with vulnerable residents to apply appropriate measures, that will improve the insulation and heating systems within people's homes including making them more energy efficient.

Advice On Managing Energy Bills

Preston Citizens Advice have a project funded by British Gas to provide fuel-related advice. They cover the whole of Lancashire, and provide residents with a range of support, including how to deal with fuel debt, energy saving tips and information, budgeting support, and exploring options to obtain additional funding.

The team can be contacted by email at energysupport@prestoncitizensadvice.org.uk

Help with Essential Household Items

The Essential Household Goods Support Scheme is run through Selnet and provides free essential household items to those individuals/families who do not have access to sufficient income or funds to meet their immediate needs, along with help and advice in seeking additional support.

The [Scheme](#) is available to people living in the administrative boundary of Lancashire County Council. Applications must be made by an approved referral organisation.

Further information is provided on the Selnet webpage: <https://selnet-underoneroof.org.uk/>



and Selnets can be contacted using the contact details below:

Office number: 01772 200690

Free phone number: 0800 246 5740

Email address: underoneroof@selnets-uk.com

Welfare Rights

The Welfare Rights Service (WRS) provides comprehensive and independent advice and assistance to Lancashire residents of working age with complex benefit issues, such as appealing decisions and pursuing legal remedies to unfair treatment affecting benefit entitlement. Customers can access the service by referral from our referral partners i.e. any Lancashire County Council service, other community services such as Citizens Advice, district councils, MPs, specialist nurses, mental health services and other community service and organisations.

The WRS provides advice and support to people over pension age with any benefit issue, so whether it's checking to see if there is anything that can be claimed to top-up pensions, or benefits that will help older people to remain living independently such as Attendance Allowance, Pension Credit, or Council Tax discounts, we can help. People over pension age can ring the pensioner benefits helpline on 01772 533321 to speak with an adviser or to leave a message when staff are not available, and they will receive a call back.

Welfare Rights keeps its website updated with benefits related news and changes that are important for residents and professionals working with residents to understand. Some changes such as the ending of Tax Credits and migrating people on to Universal Credit are explained in more detail: <https://www.lancashire.gov.uk/health-and-social-care/benefits-and-financial-help/moving-to-universal-credit-from-other-benefits/>

Further information on benefits, how to access the service, and benefits training for professionals can be found at <https://www.lancashire.gov.uk/health-and-social-care/benefits-and-financial-help>.

Good Day Calls

Public Health have allocated funding to continue this service which commenced last winter, through to the 31st March 2024. The service is delivered by AgeUK and provides a regular check in and welfare telephone call to people who benefit from the remote support to enhance and maintain their wellbeing through the winter months.

10. Communications Arrangements

Winter

Lancashire County Council has a dedicated 'Winter' page on the website delivering advice to residents such as how to keep warm and well plus information regarding travel, gritting and weather forecasts. Links are provided to partner sites including advice from the NHS and Lancashire Fire and Rescue.

Helpful advice is provided on the site regarding how to prepare for inclement weather and advice around 'choosing well' in relation to accessing health services and not increasing unnecessary pressure on GP surgeries and Hospitals. Residents are encouraged to take up the flu jab, particularly if they are entitled to a free vaccination, and to encourage older or



vulnerable friends, family, and neighbours to do the same. Eligible people are also encouraged to take up the COVID-19 vaccine to continue to protect themselves.

The Lancashire County Council Winter site will continue to be updated with relevant information and advice throughout the winter period. During bad weather social media and press releases are used to remind people to take care and encourage neighbours to visit those who may be vulnerable living nearby. Key stakeholders are updated about the situation and any effects on service delivery.

All staff are encouraged to share key messages relating to winter, winter wellness and winter wellbeing, including with colleagues and with people who need care and support.

Short Term Care and Support Capacity

Capacity and usage information regarding short term care and support services is circulated daily to key staff across partner agencies via the Lancashire County Council Care Navigation service. This gives critical information to help good decision making in supporting people to access the right services for their needs.



Appendix A: Table of Additional Capacity

Item	Detail
Continuation and extension of services	continuation of increased service and capacity levels include staffing and service capacity
Additional Crisis & Home First hours for 2022/23.	Additional up to 800 hours per week across the 7 months of winter
Additional winter 'buffer'	Winter 'contingency buffer' – dependent upon recruitment and market position
Reablement	Additional up to 450 hours per week across the 7 months of winter
Workforce - overtime	Funding allocation to support overtime in times of surge and pressure
Assistive Tech	Small quantity of Chiptech GOs for use by each ICAT and CATCH Team
Workforce – additional AMHP capacity at weekends	Additional AMHP capacity to support winter pressures and increases in demand
Assistive technology and community equipment – Community Beds	Technology and equipment for the LCC community beds to support people to maximise their independence
Workforce – BCF support	Staffing resource to support the Lancashire BCF review, supporting sustainability of capacity
Workforce – tactical management capacity	2 x G10 for 7 months across winter to support the management of resilience through winter and transformation, and tactical response to surge
Workforce - Care Navigation	Additional care navigation posts in the residential care finding service which supports Hospital Discharge, and the homecare service required for 7 months to bolster winter resilience and meet surge demands
DOLS (Deprivation Of Liberty Safeguards)	Additional section 12 Doctor capacity to meet the increased volume of DOLS across winter
Trusted Assessor – community equipment	Trusted assessor training for some short term care providers and housing partners re assessments for community equipment
Trusted Assessor – short term care and support provision	Additional staffing for short term care and support providers to test undertaking trusted assessments to support service capacity across winter
VCFSE – pump prime	Market stimulation to enhance the capacity to support people with low level social care needs, releasing capacity for regulated care tasks



Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Law and Governance

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;

Statutory and Non-Statutory Annual Reports on Complaints and Customer Feedback 2022-2023

(Appendices 'A' to 'C' refer)

Contact for further information:

Angela Esslinger, Tel: (01772 533950), Complaints and Appeals Manager
angela.esslinger@lancashire.gov.uk

Brief Summary

Lancashire County Council has a legal obligation to publish a complaints and customer feedback report on statutory social care complaints on an annual basis. There are two statutory procedures, both different: one for children and young people's social care complaints and one for adult social care complaints.

The Statutory Children's Social Care Annual Report on Complaints and Customer Feedback is set out at Appendix 'A'.

The Statutory Adult Social Care Annual Report on Complaints and Customer Feedback is set out at Appendix 'B'.

In addition to the statutory requirements, a Non-statutory Report on Complaints and Customer Feedback made through the Corporate Complaints Procedure (for complaints and feedback about all other services), is set out at Appendix 'C'.

Recommendation

Cabinet is asked to note the annual reports on Complaints and Customer Feedback for 2022/23, acknowledging the associated learning and recommended next steps, so that the county council can meet its legal obligations and community expectations.

Detail

Complaints are used by the county council as an opportunity to learn and improve. As a direct result of complaints made in 2022-2023, the council has learnt lessons and improved services as detailed within the respective annual reports.

Most complaints were found to be justified, and lessons learnt mainly centred around making improvements to the way the county council communicates with complainants. Many complaints could have been avoided by providing regular communication with customers and by being empathetic, clear, factual, and honest in our interactions, as well as doing what we say we will do.

Because complaints are an important tool to access customer satisfaction, the complaints team regularly reports on statistics and trends. Quarterly monitoring of complaints data and lessons learnt are now considered at a new Compliance and Assurance Board, and through annual reporting to the Executive Management Team. There is also reporting by exception when a significant change or risk has been identified. In addition, the complaints team attends directorate management team meetings, and links in with managers to ensure that complaints which are upheld result in continuous improvements in service provision.

Received complaints represented just over 1% of all active adult social care and children's social care cases throughout Lancashire in 2022/23.

Children's social care statutory complaints (see Appendix 'A') decreased, whilst non-statutory complaints increased with a total of 434 in 2022/23 compared to 385 in 2021/22. This was mainly due to increased numbers of complaints in relation to children with special educational needs and disabilities. Compliments more than doubled from 98 in 2021/22 to 219 in 2022/23, mainly due to improved recording and an increase in inclusion service compliments.

In adult social care services (see Appendix 'B'), there was a steady upward trend in complaints, including joint complaints with the NHS, with a total of 579 in 2022/23 compared to 484 in 2021/22; it was likely that this was due to an overall increase in assessment volumes. However, it should be noted that people were more likely to compliment adult social care services rather than to complain. Compliments had increased by 5% from 659 in 2021/22 to 691 in 2022/23.

Appendices 'A' and 'B' show that the overall numbers of statutory complaints received by the Local Government and Social Care Ombudsman (the Ombudsman) had increased from 135 in 2021/22 to 148 in 2022/23. Additional investigators had been appointed by the Ombudsman, and initial assessment practices had also recently changed, leading to more upheld complaints nationally.

For non-statutory corporate complaints (see Appendix 'C'), out of 1,379 corporate reports of dissatisfaction, just 74 formal complaints had been made. This means that 95% of matters were resolved proactively, outside the formal complaints procedure. Only 3 corporate complaints had been upheld by the Ombudsman, the same number as in 2021/22. Compliments had increased by 93% on 2021/22 figures, mainly due to better recording and significant rises in public health positive feedback.



The statutory reports are made publicly available on the county council's website and shared with other interested agencies such as Ofsted, the Care Quality Commission and Healthwatch Lancashire.

Recommended Next Steps

Given that the county council has received an increased number of complaints and compliments this year, several steps are recommended to ensure that patterns are identified and learning is utilised from our communities.

In 2023/24, the county council aims to:

- Refresh our customer relations policy and procedures, to ensure we are customer focused, and listen to our communities in an agile way to respond to feedback from residents, thereby building respectful and collaborative relationships to ensure all residents can prosper.
- Undertake an external review of our procedures, to ensure best practice and efficient use of resources.
- Undertake an integration of our teams to improve partnership working and the prioritisation complaints to ensure consistent standards within required timescales.
- Provide additional support for officers including an updated training offer.
- Undertake a digital review to design a single system for customer relations enquiries (to include executive correspondence, complaints, compliments, subject access requests and freedom of information requests).
- Ensure oversight of learning from complaints by a new Compliance and Assurance Board.
- Review how we monitor complaints and feedback key performance indicators.
- Work to shape our Corporate Complaints Procedure to ensure it meets the requirements introduced by the new statutory [Joint Ombudsman's complaints handling code](#). This will include changes to the reporting, logging and timescales of complaints, the appointment of a member responsible for complaints, more regular reporting to scrutiny committees and the publication of a detailed self-assessment, to provide a snapshot of not just compliance with the Code, but also the culture of our organisation, alongside the annual complaint performance reports.

Appendices

Appendices 'A' to 'C' are attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Statutory Children's Social Care Annual Report on Complaints and Customer Feedback 2022-2023
Appendix 'B'	Statutory Adult Social Care Annual Report on Complaints and Customer Feedback 2022-2023
Appendix 'C'	Non statutory Corporate Annual Report on Complaints and Customer Feedback 2022-2023



Consultations

Operational teams, managers and directors have been consulted on the annual report and the learning from complaints that has been identified.

Implications:

This item has the following implications, as indicated:

Financial

The costs outlined within the report were funded from within 2022/23 service budgets.

Risk management

If statutory social care annual reports on complaints and customer feedback are not published, the county council would be in breach of its statutory duties.

Equality and Cohesion and Human Rights

The extensive lessons learnt sections in the annual reports outline improvements made to services, as a direct result of upheld complaints and listening to feedback from often the county council's most vulnerable customers and their representatives. This has contributed positively to the general aims of the Public Sector Equality Duty, particularly in relation to advancing equality of opportunity for those with protected characteristics. In terms of social care related issues, people are often from the age (both younger and older people) and disability protected characteristics groups.

List of Background Papers

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		

Statutory Childrens Social Care Annual Report

Complaints and Customer Feedback

For the period 1 April 2022 to 31 March 2023



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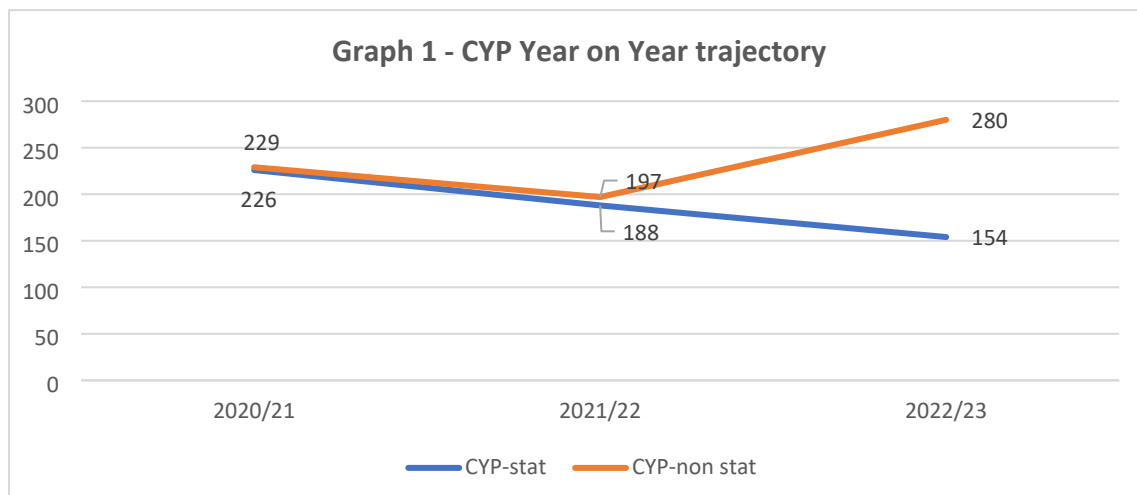


1. Executive Summary

Complaints and feedback are used by the council to better understand the needs of our customers and offer an opportunity to learn and improve. As a direct result of complaints in 2022/23 we have improved communication with customers and their families, made changes to policy and processes and staff and managers have attended specific training sessions. Many complaints can be avoided by providing regular communication with customers and by being empathetic, clear, factual, and honest in our interactions, as well as doing what we say we will do.

Graph 1 below shows:

- Statutory children's social care (CSC) complaints decreased by 18% from 188 in 2021/22 to 154 in 2022/23
- Non statutory children's complaints increased by 42% from 197 in 2021/22 to 280 in 2022/23, of which 51% were Inclusion Service complaints.



Only 1% of active cases resulted in a complaint being made. Most complaints are made by parents or guardians. Only 21 complaints were made directly by children. Compliments have increased. However, nationally more complaints are going to the Ombudsman and this trend is reflected in Lancashire. The Ombudsman has changed their investigation process, contributing towards an increase in the average uphold rate across all complaints for all councils.

The total amount spent on external independent investigations for children's complaints was £11,635.90 and a total of £8000 was paid out in final decisions for 2022/23.

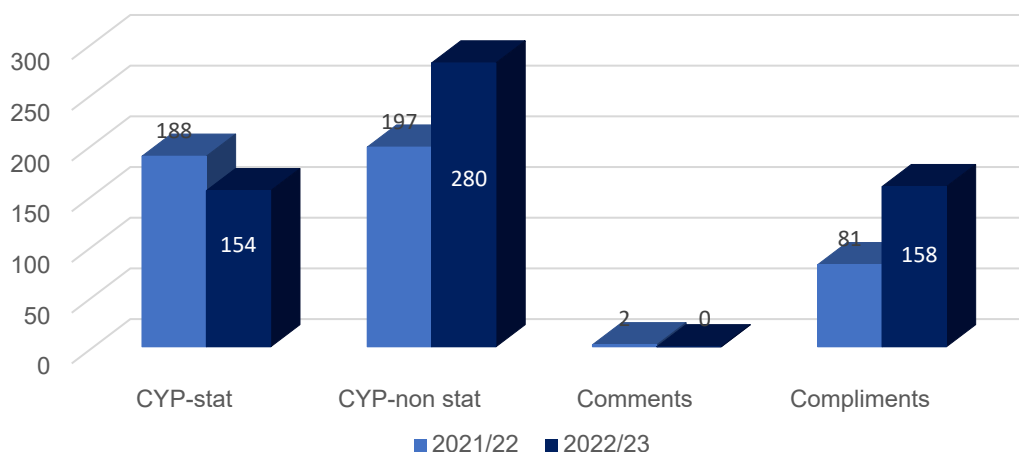
2 Background

There is a statutory and non-statutory procedure for complaints about children's and young people's services. The statutory process involves 3 stages for social care complainants, who are eligible to complain. The Stage 1 initial response is always compiled by the service manager involved. If the person complaining is still unhappy, they can request a Stage 2 independent investigation. If the complainant remains unhappy, a Stage 3 review panel, which considers the way the stage 2 was investigated, can be requested. The non-statutory process applies to non-social care complaints (for example education or Special Educational Needs and Disabilities: SEND) or for people complaining about CSC who do not have parental responsibility for a child (for example grandparents). In 2022/23 the total amount spent on external independent investigations for children's complaints was £11,635.90 which is an increase in costs due to more complex investigations.

Graph 2 shows a welcome decrease in closed CSC statutory complaints. Complaints specifically decreased by just over 18%, to make an overall total of 154 for 2022/23. The decrease in complaints is probably because of more direct and open work between families and social care and consequently there are improved working practices.

Most CSC complaints are made by parents or guardians. Only 21 complaints were made directly by children in 2022/23 (just 14%). Complaints made by children are prioritised for immediate attention and advocates are provided to help give children a voice.

Graph 2 - Feedback Type

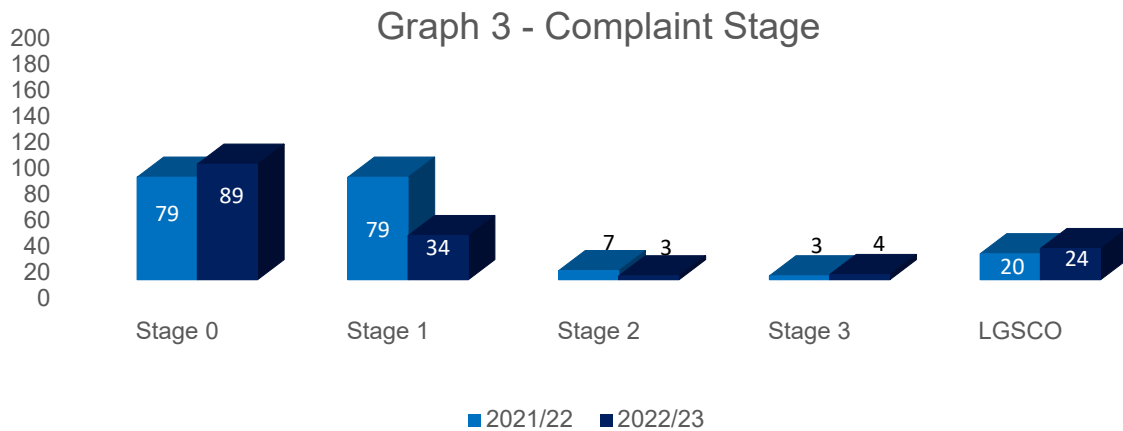


2.1 Breakdown of complaints by stage

The breakdown of complaints with outcomes recorded against them can be seen in Graph 3. Stage 0 is the early resolution of complaints.

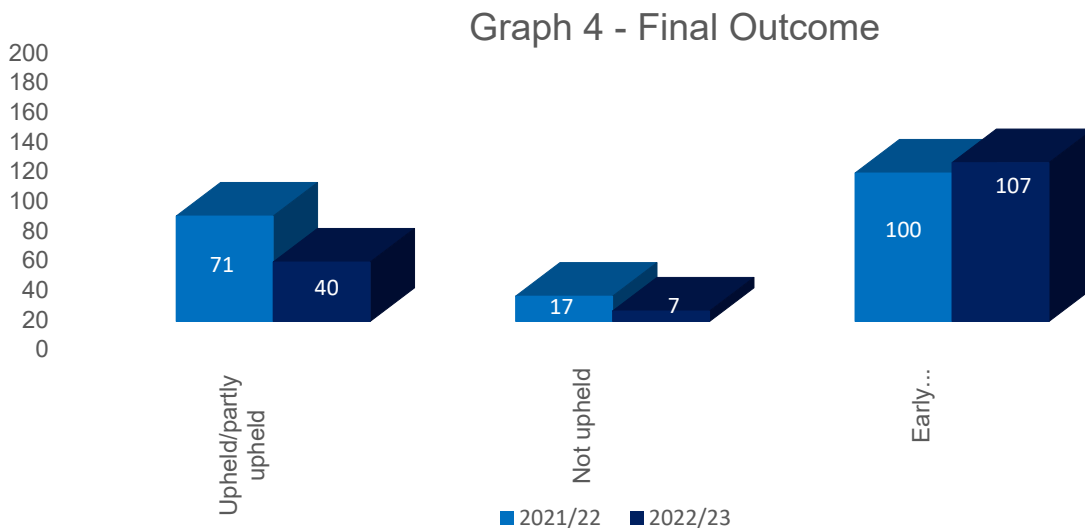


The main differences between 2022/23 and 2021/22 has been an increase in local and early resolution and an decrease in Stage 1 investigations.



2.2 Breakdown of complaints by outcome

Graph 4 shows a breakdown of the 154 closed statutory complaints which had a final outcome recorded at the time of writing this report. Of these 5% were not upheld, 26% were upheld or partly upheld and most complaints (69%) were signposted, resolved early or withdrawn.



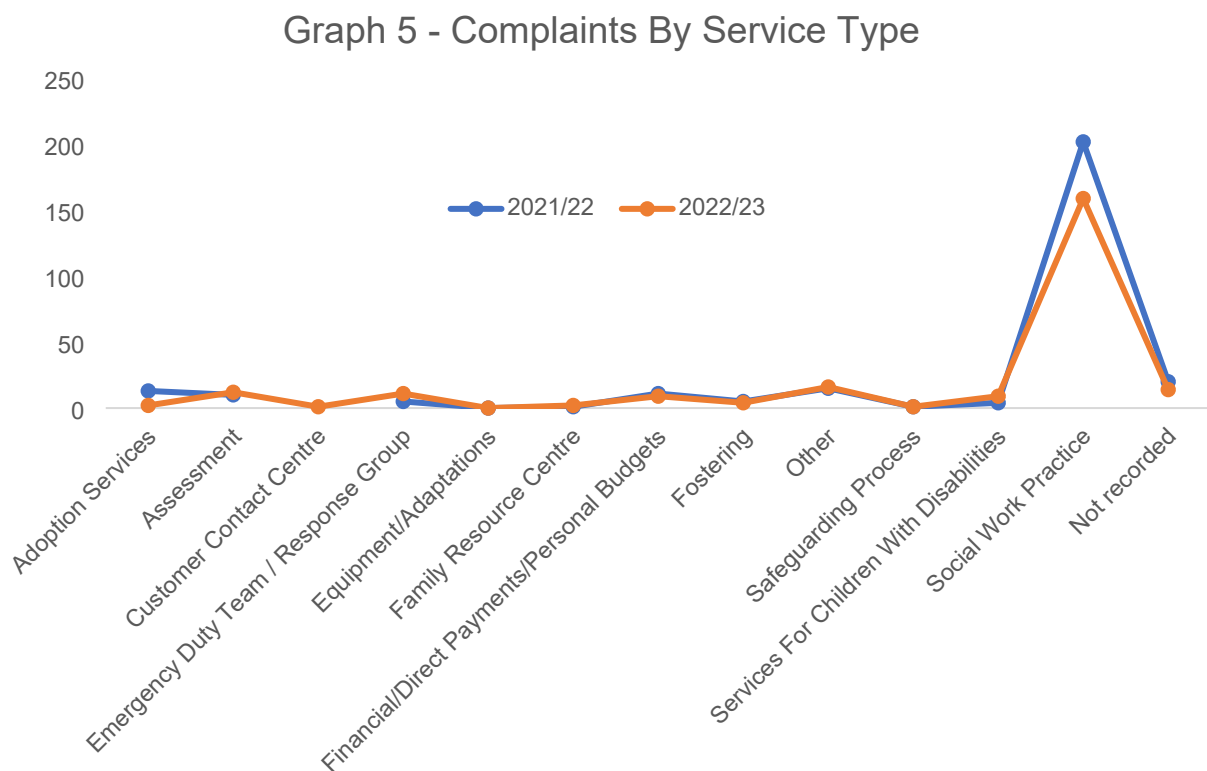
Of the total number of statutory CSC complaints received, 111 exceeded statutory timescales at Stages 0 to 2 (20 working days) which is a rate of 72%. In 2021/22, this was a total of 91 and a rate of 55%. Breached timescales continue to reflect the problem that complaints remain open on the recording system, after earlier stages have been responded to, in case they remain unresolved and need to be escalated to higher stages. For this reason, improvements are being made to the database to be able to



close the record immediately after a response has been issued and then re-open it again if the complainant remains dissatisfied and wishes the complaint to be escalated to the next stage.

2.3 What do people complain about in the statutory process?

Graph 5 shows a breakdown by service type for the last 2 financial years. The proportions are similar and social work practice continues to be the most frequent subject of complaint covering 65% of all statutory CYP complaints.



2.4 Case Studies

Three examples of case studies are outlined in Appendix 1.

- A complaint by a young person supported by an advocate.
- a corporate complaint by a parent.
- a statutory complaint by a parent.

2.5 Internal Learning

The main theme of complaints is communication. Although individual staff and managers have addressed failures in specific situations, improvements remain to be embedded into general customer care practice. As a result, in 2023/24, we will be taking a proactive approach to reshaping our services by launching a 'Customer Focus' strategy to ensure



all staff appreciate the vital role everyone plays in customer care and the escalation of complaints.

We need to continue to embed the strategic lessons of complaints into everyday practice. This means acting promptly when things go wrong and owning the recommendations in reports produced by the Local Government and Social Care Ombudsman to deliver improvements in how we work to ensure that the same mistakes are not repeated.

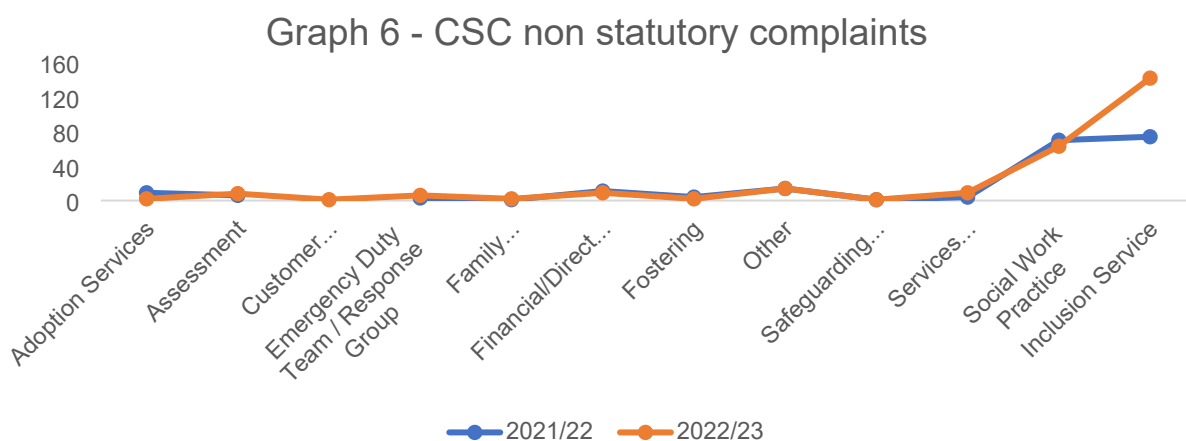
Please see Appendix 2 for details of learning from specific complaints upheld by managers.

3 Summary of non-statutory complaints

Non-CSC statutory complaints are made by a people who are **not** entitled to complain under the Children Act procedures (for example a family friend or a relative without parental responsibility) or if the complaint is about something that cannot be complained about under the Children Act (for example adoption or fostering matters/complaints by members of the public: please see further categories below). Complaints about the Inclusion Service are also non-statutory, if CSC is not involved.

3.1 What are non-statutory complaints about?

Non statutory complaints have increased from 197 in 2021/22 to 280 in 2022/23 (as shown in Graph 2). Graph 6 shows that the main theme is the Inclusion Service (followed by social work practice).



Senior managers are informed of the themes and learning on a regular basis through quarterly reporting and regular attendance at team meetings or senior management meetings.

4 Compliments

158 compliments were received for CSC in 2022/23. This is almost double the number of compliments received in 2021/22 (81). 61 compliments were received for the Inclusion



Service, which is over 3 times the number for the previous year (17).

Please see Appendix 3 for examples of compliments made.

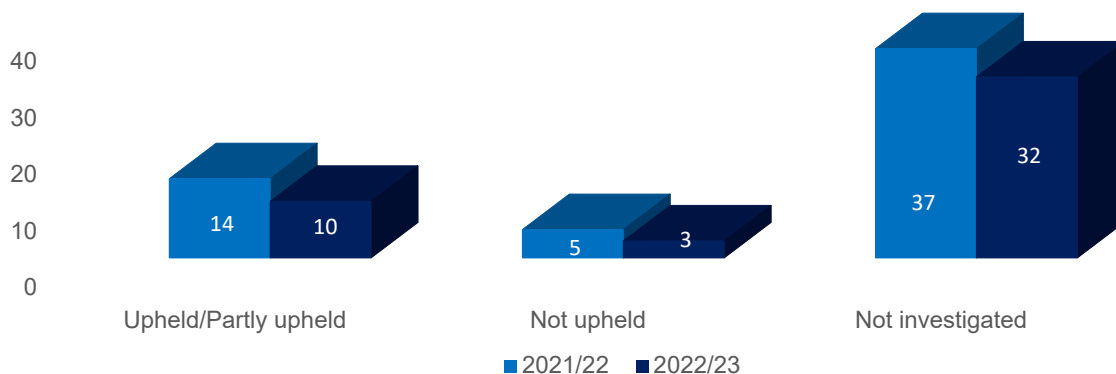
5. Ombudsman Complaints

The Local Government and Social Care Ombudsman acts as the regulator and provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the Ombudsman when all other options for pursuing their complaint are closed, after a proportionate response has been provided. The Ombudsman will only consider complaints that have already been through the council complaints procedures. Sometimes the council will make early referrals to the Ombudsman when complainants continue to be dissatisfied and the council considers that it has not done anything wrong or it has done all it can to resolve the matter.

In 2022/23 the Ombudsman received a total of 61 separate enquiries in relation to CSC, Inclusion and Education Services (including school appeals) in Lancashire (in 2021/22 it was 46). A total of 45 decisions were made by the Ombudsman for these services.

Graph 7 below shows of the 45 Ombudsman CSC decisions received in 2022/23, 58% were either not upheld or closed after initial enquiries. The number of enquiries referred back to the council for local resolution represent 20%. Only 22% of decisions were upheld.

Graph 7 - Final Outcome



The Ombudsman will also uphold complaints that the council has already upheld, and of the 10 complaints, 5 had already been partly upheld.

Please see Appendix 1b for Ombudsman identified learning.



A total of £8000 was paid out in final decisions for 2022/23 (which is almost double of the previous year) and does not include the payment for a remedy which remains under negotiation.

There were no public reports in relation to children and young people in 2022/23.



Appendix 1: Case Studies

Case Study 1	Complaint from a Young Person supported by an advocate.
Complaint Summary	<p>J raised a number of concerns within their complaint which included:</p> <ul style="list-style-type: none"> • The cumulative impact of their experiences is negatively impacting upon them in respect of their emotional development and family and social relationships. • J was unhappy with the Child and Family Assessment completed in November 2022 stating that the Social Worker did not listen and did not record some of the information provided in the assessment despite providing evidence. • J believes that the social worker chose to believe their parents rather than listening to what J was saying. • J was unhappy that they did not have a Social Worker to support them, and that support was not deemed necessary, and options were not discussed. • J requested additional support under section 20 to support them emotionally with the trauma/adverse childhood experiences. • J would like a personal advisor when they turn 18.
Complaint Outcome	<p>A meeting was held between J, their advocate and social worker and the following actions were taken as a result of this complaint:</p> <ul style="list-style-type: none"> • An apology was provided to J for how they felt. • Previous involvement from social care and the child and Family Wellbeing was explained and discussed with J. • J was informed of current support services in place including support from Crossroads and support within Accrington and Rossendale College. • It was agreed that a further child and family assessment would be undertaken which would consider all J's past experiences and views.

Case Study 2	Corporate Complaint from a Parent.
Complaint Summary	<p>K raised the following concerns:</p> <ul style="list-style-type: none"> • K contacted social care on 5 separate occasions to request a Child in Need assessment with a disability social worker for K's daughter and a carers assessment for K.



	<ul style="list-style-type: none"> • K completed 3 Multi-Agency Safeguarding Hub (MASH) assessments over the phone to be told each time that someone would call them back and is still waiting. • KB raised concerns with the difficulty in self-referring for assistance in this matter.
Complaint Outcome	<ul style="list-style-type: none"> • An apology for the calls not being returned was provided and an explanation of why this occurred. • Action was taken to ensure calls are returned promptly and measures implemented to include an additional layer of social work scrutiny at the transition point between teams and implementing a new call log and response tracker. • Immediate action was taken to open a MASH Assessment to progress the request and contact to be made from a social worker within the next working day to gather the information required to initiate both assessments.

Case Study 3	Statutory Complaint from a Parent.
Complaint Summary	<p>F raised a complaint about the assessment process and in particular:</p> <ul style="list-style-type: none"> • The social worker was unprofessional. • The social worker arrived 3 hours late. • The social worker asked inappropriate questions. • The social worker visited at inappropriate times. • The need for an assessment was not required.
Complaint Outcome	<p>As a result of this complaint the following action was taken:</p> <ul style="list-style-type: none"> • A full investigation was undertaken of the case and why the assessment process was started. • We agreed that an assessment should never have been triggered, this was based on information shared by partner agencies, which was subsequently found to be inaccurate through the social worker's enquiries. • An apology was made for the actions of the social worker and re-assurances provided that the worker will be provided with additional support within the team from a more experienced worker, co working with this identified worker, as well as additional input from their line manager and one to one input from a Practice Development Manager.



Appendix 2(a): Details of Learning

Area	Internal learning point for children’s services
<p>Improving relationships with families</p>	<p>Eight complaints involved the standard of communication between the social worker and the families, learning from complaints resulted in the following actions:</p> <ul style="list-style-type: none"> • In several complaints, social workers worked alongside their managers during reflective supervision sessions, to understand the impact on families when arranged visits are missed. In one case the social worker agreed that further communication would be in writing and within a set timeframe to avoid future miscommunication. • The inclusion team used the feedback to focus on better communication and transparency when dealing with complaints. • The complainant was advised that changes have been made within the team dealing with their case to ensure information is shared with both parents on the process of assessment. • Managers reminded staff of the importance of responding in a timely manner as well as bringing to the attention of managers tasks that could not be achieved, so that these could be reviewed by the team during busy periods. • The social worker was provided with additional support from a more experienced worker as well as support from their line manager and one to one input from a Practice Development Officer. • Meeting minutes would be thoroughly checked in future before they were sent out. The independent reviewing officer and minute taking service would work together to ensure minutes are sent out promptly. • Managers sent a note to staff to highlight the difficulties and process to follow in relation to decisions to be made by young people when they become homeless.
<p>Reflection, training, and improvements to social care provision</p>	<p>Complaints provide services with the opportunity to reflect on outcomes to inform training and development sessions with staff, either in supervision or formal training sessions to improve service delivery to families.</p> <p>Fourteen complaints identified further training and development needs through one-to-one reflective supervision sessions.</p>



	<ul style="list-style-type: none"> • In one, the worker considered the importance of statutory compliance, communication, and the impact of practice upon children and families. Training was provided through the Practice Development Team. In another complaint, training and guidance alterations were made to reflect the complainants' concerns. A further complaint resulted in a review being undertaken with the social worker to ensure that the complainant is aware of all family time arrangements between the complainant and the children and invited to all meetings. • Feedback from one complaint resulted in the whole team undertaking training. One of the sessions focussed on the importance of compliance with statutory timeframes. As a direct result of another complaint, a development session was held for workers to develop their understanding of the Special Guardianship Order process and the associated financial implications. In another, additional training regarding setting up payments was provided to staff members. • Another outcome resulted in all staff concerned being briefed on the importance of completing passport applications in a timely manner for children who are in care. • In another complaint, the worker refreshed their Information Governance training and attended additional Information Security Awareness training. Another outcome resulted in the incident being recorded and investigated in line with the council's Information Security Incident Management Policy. Team managers also raised the issue of confidentiality in team briefings to ensure all workers are aware of their responsibilities when handling personal data. Another complaint highlighted an issue with the sharing of information sharing and this was fully investigated, and training was re-visited.
<p>Communication</p>	<p>Communication is often at the centre of many complaints. All complaints resulted in further discussions being held with the workers within one-to-one reflective supervision sessions to identify improvements to communication between services and families. Specific aspects include:</p> <ul style="list-style-type: none"> • The impact of delays in communication with young people and families were discussed with several workers and



	<p>sometimes the teams concerned, to improve contact and respond in more timely ways.</p> <ul style="list-style-type: none"> • The worker apologised and agreed to return calls to the service user as soon as possible in the future. • The team manager listened to the call with the social worker and reflected that although it was not intentional, accepted that their delivery could have been a bit abrupt. The social worker has taken points raised for on-going learning. • The manager worked with social worker to consider the impact of their 'frank' conversation with the family and ways of delivering difficult messages more sensitively.
<p>Reviewing and improving processes, policies, and procedures</p>	<p>Several complaints identified organisational learning opportunities to several policies and procedures. Specific improvements include:</p> <ul style="list-style-type: none"> • The "staying put" policy was reviewed. Managers ensure that their teams are familiar with this policy and implement the procedures in timely and effective ways. • Delays in receiving assessment outcomes were considered as part of the team's service plan. • A revised transfer policy and a new procedure was implemented as it was recognised that the previous procedure was causing some delay.



Appendix 2(b): Ombudsman identified learning.

The main learning from upheld social care and education complaints is as follows:

SEND managers have developed a strategy in the form of an action plan for the outstanding provision in a child's EHC plan. They have also reviewed how they monitor EHC provision is in place and evidence how they will ensure they do not repeat the faults identified in this case. Furthermore, staff have been reminded, through appropriate training, of our non-delegable duty to secure the SEN provision set out in Section F of a child's EHC plan.

We unreasonably refused school transport for a child. We have reminded officers who assess transport eligibility of the requirement to consider the availability of school places at the point that places were allocated for the school application in question when determining the nearest suitable school.

We did not follow the statutory children's complaint process when we considered a complaint about post-adoption support. We have reminded staff members who consider statutory complaints procedure of the timescales set out in the statutory guidance, specifically in relation to providing a final response.

Mr and Mrs P were unhappy with the Council's response to their complaint about funding adaptations to their home. We are now properly considering their request, obtaining any further information necessary and providing Mr and Mrs P with a written decision explaining our reasons for any support offered. We are also considering whether improved procedures or guidance are needed for assessing potential special guardians.

We did not appropriately consider a complaint about support for a foster child. We undertook a stage 2 investigation and also reviewed our complaints handling procedures to ensure that all final responses direct complainants to the Ombudsman if they remain dissatisfied.

Appendix 3: Compliment examples

Children's Social Care

I wanted to express my gratitude with regards to the ongoing support I have received from your team, and in particular SE.

As you know, last week I began a new role acting up as Detective Sergeant in X's absence. SE has been superb in aiding my transition – her knowledge and understanding of children relevant to police investigations and associated legislation surrounding the care of these children is outstanding. SE's ability to explain processes, procedures, and options available to help safeguard children from a Children's Social Care perspective has ensured that I fully understand how to perform my role more effectively and collaboratively, ultimately resulting in us providing the best care for those who need it most.

I want to thank SE for her continued efforts – she clearly goes above and beyond to ensure she provides an exceptional service for the children who unfortunately come into contact with our teams. SE – thank you! Don't ever stop being you!

Short Breaks

Evergreen has literally been a lifeline for our family and we have felt supported and welcomed by the whole team. Our son loves attending his sessions and we know he will have lots of fun and be well looked after. We are so grateful for the respite that has already been provided to our little boy and can wholeheartedly say the care he has received and the break we have benefited from during this time has really kept our family together and made our day-to-day caring life and tasks more bearable and manageable.

Quality Assurance Inspection and Safeguarding

I just wanted to email to compliment a member of your team. After experiencing a rather unpleasant phone call earlier in the week, I was absolutely overwhelmed by the kindness and helpfulness of the lady I spoke with today. She was incredibly helpful and supportive. Her advice helped me tremendously and I wanted to let you know. Please could you pass this onto her manager. I am incredibly grateful.

Child Protection/Children in Need Family Safeguarding

I have worked with K on a case for over two years. I can honestly say she is one of the best social workers in Pendle and I have worked with many. She has always been professional, competent, reliable and consistent. What she plans always happens, her analysis, management of risk and ability to balance the positives and assess accordingly is second to none. She established good working relationships with the parents which proved positive and enabled change. I cannot praise K enough; I've been a social worker and Team Manager in the past and would have loved a team of workers with K's ability.

Front Door, Assessment and Adolescent Services



DE worked with my son LG who is autistic and has ADHD and complex needs. DE led the way with great professionalism and good leadership skills. She made sure she contacted all necessary agencies and got as many on board as possible. She was very driven and focused.

Inclusion

I wanted to express my heartfelt gratitude for all the invaluable help you provided in securing M's admission to B School. Your support and guidance throughout the entire process were truly instrumental, and I cannot thank you enough.

From the moment we embarked on this journey, you demonstrated an unwavering commitment to M's educational well-being. Your knowledge of the school system, familiarity with admission procedures, and attention to detail were invaluable resources. Your efforts to gather all the necessary documents, fill out applications, and coordinate appointments with the school's administrators were truly remarkable.



Statutory

Adult Social Care Complaints and Customer Feedback Annual Report

For the period 1 April 2022 to 31 March 2023

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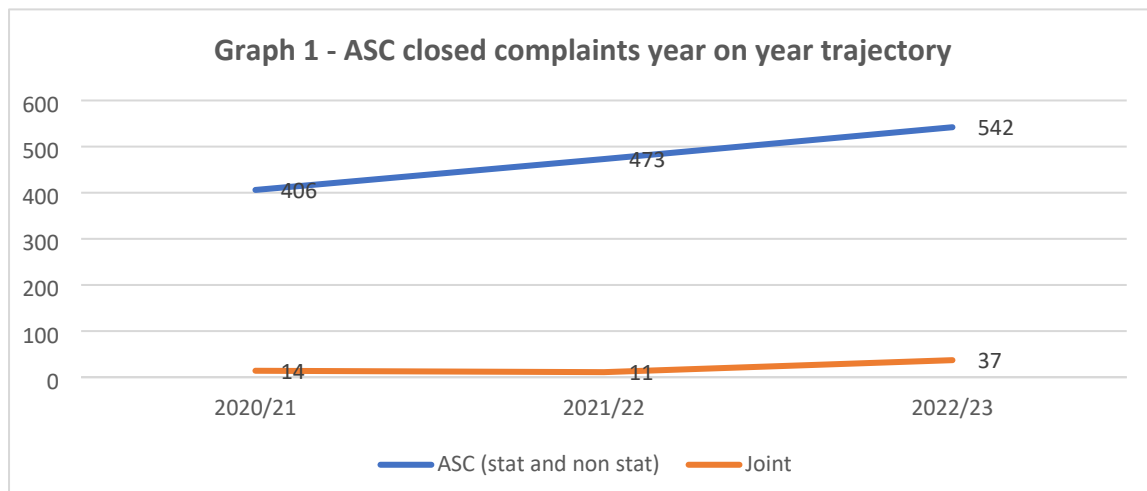
1 Executive Summary

Complaints and feedback are used by the council to better understand the needs of our customers and offer an opportunity to learn and improve. As a direct result of complaints in 2022/23 adult social care services have improved communication with customers and their families, made changes to policy and processes and staff and managers have attended specific training sessions. Many complaints can be avoided by providing regular communication with customers and by being empathetic, clear, factual, and honest in our interactions, as well as doing what we say we will do.

Only 1% of active cases result in a complaint being made and customers are more likely to compliment us than to complain. There are more compliments than complaints and compliments have increased by 5% on 2021/22 figures.

Graph 1 below shows:

- Complaints are continuing an upward trajectory, up by 12% on 2021/22 figures to 542 complaints for the year.
- There were also over triple the number of joint complaints with the NHS than the previous year. Continuing healthcare, support planning and finance were the biggest themes.



Nationally, more complaints re going to the Ombudsman and this trend is reflected in Lancashire. There also is a changed Ombudsman investigation process, contributing towards an increase in the average uphold rate across all complaints.

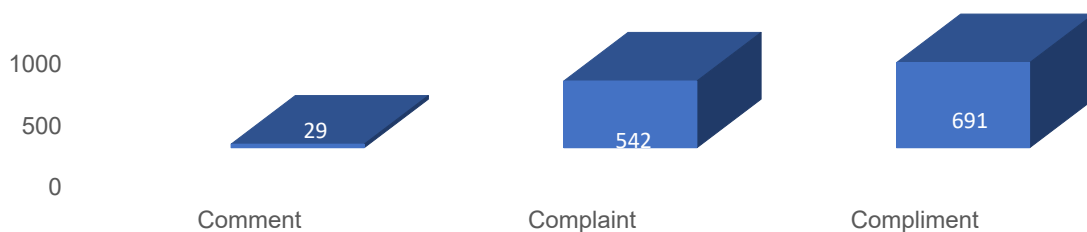


2 Background

The complaints procedure for adult social care and this report is produced in accordance with the requirements of the Local Authority Social Services and National Health Service Complaints Regulations (2009).

Graph 2 shows a breakdown of Adult Social Care (ASC) by feedback type. A total of 542 complaints were closed in 2022/23 which is a 12% increase from the previous financial year (484). The direction of travel is upwards. It should be noted that people are more likely to compliment adult social care rather than to complain. Compliments increased by 5% from 659 in 2021/22 to 691 in 2022/23. Comments stayed around the same 29 in 2022/23 (26 in 2021/22).

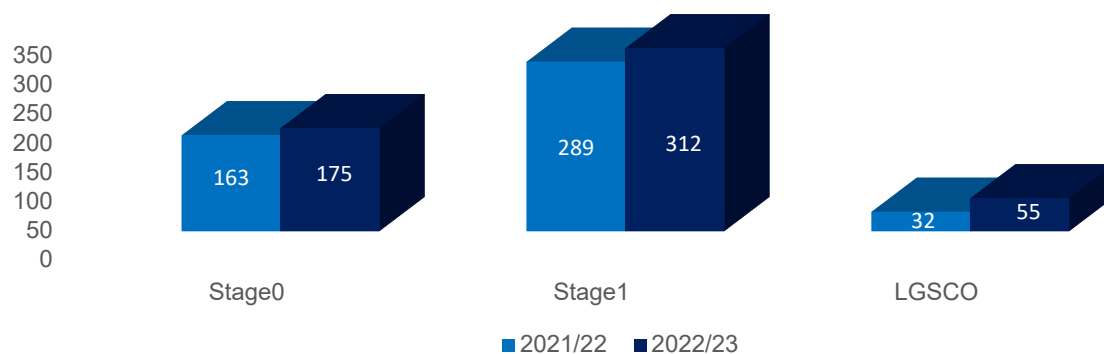
Graph 2 - Feedback Type



2.1 Breakdown of complaints by stage

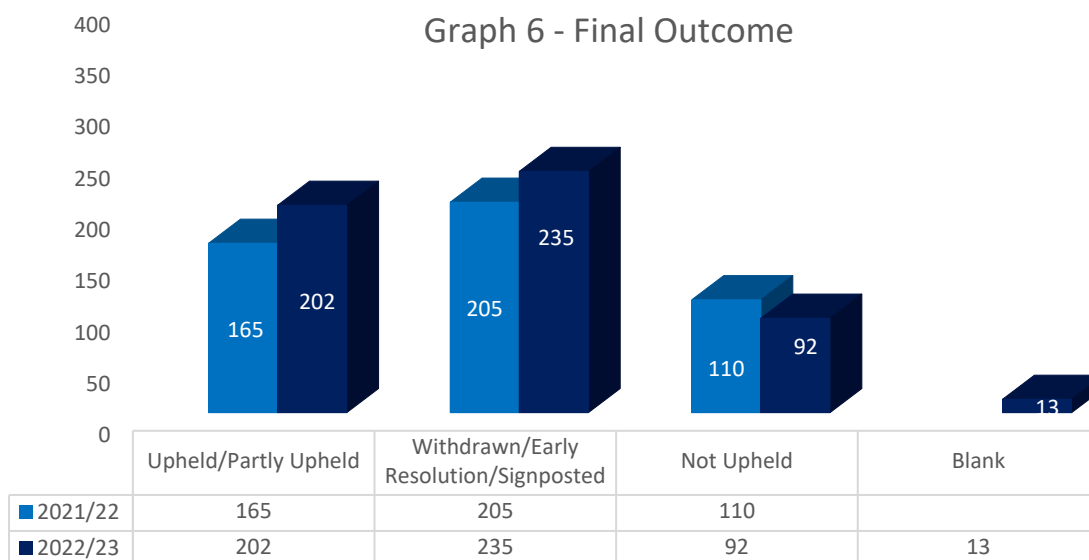
The breakdown of ASC complaints is shown in Graph 5. Stage 0 is the early resolution of complaints, so a significant proportion of complaints (32%) continue to be resolved at the first point of contact with council officers. Most complaints (58%) are resolved locally after further escalation, and a further 10% are resolved by a Local Government and Social Care Ombudsman (LGSCO) investigation.

Graph 5 - Complaint Stage



2.2 Breakdown of complaints by outcome

The outcomes of 542 closed complaints that commenced in this financial year are shown in Graph 6. Of all closed complaints, 235 were either withdrawn or resolved early, 202 had at least one aspect upheld and only 92 were not upheld. These are similar proportions to the figures for 2021/22.



A total of 312 internal complaint investigations were undertaken. The breakdown of these was 59% upheld/partly upheld (184), 12% withdrawn/early resolution/signposted/blank (38) and 29% not upheld (90). So, the direction of travel is upwards, and most complaints are found to justified, with very few complaints having no aspect upheld.

2.3 Timescales

19 complaints exceeded the statutory timescales of 6 months (4%). This is an improvement from the previous year which was 9%.

2.4 What do people complain about?

For 2021/22, the most frequent subject of complaint was Support Planning (113) which received 25% of the total number of complaints. This increased in 2022/23 to 141, which continues to be about a quarter of all complaints. The second largest category was about the assessment process, with 19% of complaints (102). The third largest category was finance with 58 (11%) of all complaints, which is a similar proportion to 2021/22.



2.5 Case Studies

Three examples of case studies are outlined in Appendix 1.

- A pattern of complaints made by grieving relatives in relation to invoicing.
- A complaint about lack of funds for a personal budget.
- A complaint about gender appropriate care for an older person.

2.6 Internal Learning

Although managers address complaints received with their staff, the learning is not always widely known and there is a risk that other mistakes with similar themes, continue to occur. To remedy this and give feedback from customers the priority that it deserves, a Shared Learning Panel considers the themes and root causes of complaints and cascades learning across the council. Although it did not meet for several months in 2022/23, it now meets monthly, and learning is distributed to the Quality Assurance and Practice Improvement Team and assured through the Quality and Safety Group through our Adult Social Services Assurance Board.

Improvements were made to:

- communication with customers,
- social care and support planning processes,
- direct payments and personal budgets,
- equipment in adaptations financial process, and
- discharge planning / reablement processes.

The specific learning themes and trends for internal complaints are outlined in Appendix 2 (a).

The main theme running through most complaints is communication. Although individual staff and managers have addressed failures in specific situations, improvements remain to be embedded into general customer care practice. As a result, in 2023/24, we will be taking a proactive approach to reshaping our services by launching a 'Customer Focus' strategy to ensure all staff appreciate the vital role we all play in customer care and the escalation of complaints.

We need to continue to embed the strategic lessons of complaints into everyday practice. This means acting promptly when things go wrong and owning the recommendations in reports produced by the Local Government and Social Care Ombudsman to deliver improvements in how we work to ensure that the same mistakes are not repeated.



2.7 Joint Complaints

A Joint Complaints Protocol has been recently updated with the NHS. Joint Complaints investigations increasingly involve many different parts of the council as well as contracted service providers therefore adding much more complexity, which the complaints team coordinates.

There was a significant increase in closed joint complaints during 2022/23 to 36 compared with 11 in 2021/22. These complaints generally take longer to resolve as they involve ASC and the NHS, typically Hospital Trusts and/or Integrated Care Boards (ICB's). A further 7 joint complaints were still open at the close of 2022/23. Of the closed complaints, 4 were upheld 15 were not upheld and 22 were partly upheld. Continuing Healthcare, support planning and finance were the biggest themes.

Learning from joint complaints is detailed in Appendix 2(b). We should consider improving public information to reduce complaints about these themes.

3 Compliments

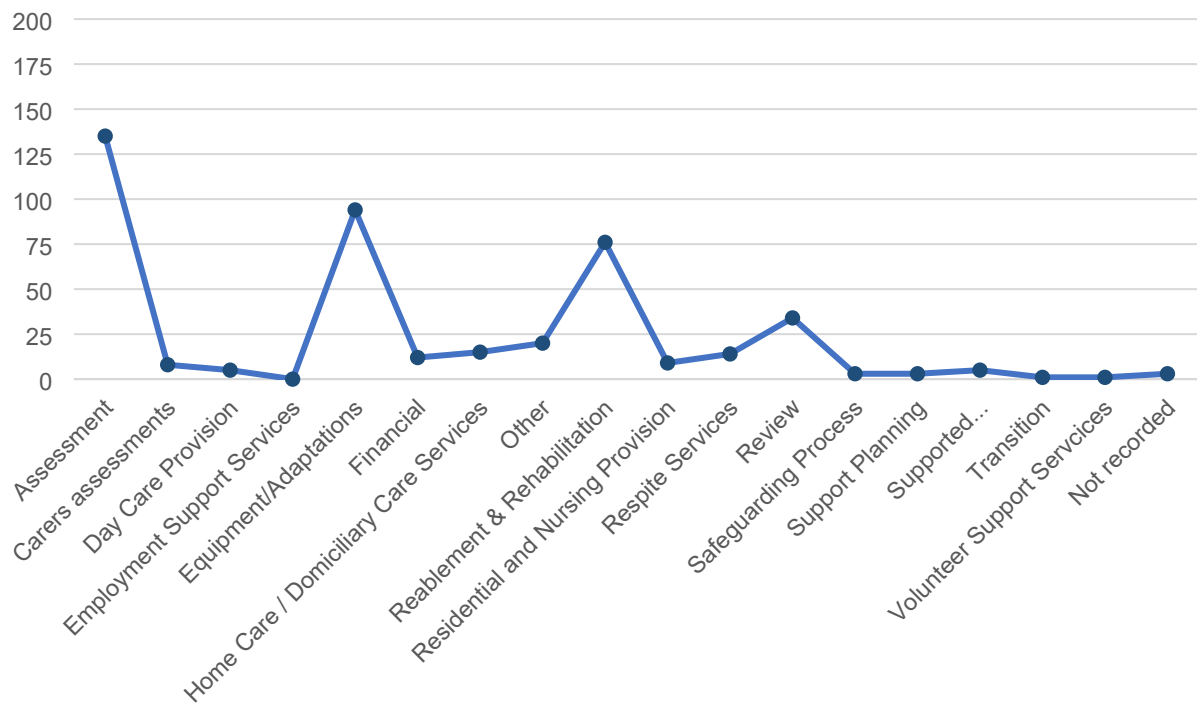
Compliments are mainly captured via 'Your Views Count' leaflets. Graph 8 shows the number of compliments received by service type for 2022/23. In total 438 compliments were made in this way in 2022/23. Unfortunately, the further compliments captured via other methods cannot be broken down into the same categories to allow an overall breakdown of the total compliments. This is because many compliments are sent to the council in an unstructured way in via emails, cards, and letters by service users / and their families and submitted by LCC managers.

The total number of all compliments has increased by 32 (5%) from 659 in 2021/22 to 691 in 2022/23. There has been a significant increase in compliments received for Rehabilitation & Reablement from less than 1% in 2021/22 to 17% in 2022/23, probably because of the 'Your Views Count' form being circulated again. The most frequent reason for a compliment for 2022/23 was assessment (31%).

Please see Appendix 3 for examples of compliments made.



Graph 8 - Compliments By Service Type



4. Ombudsman Complaints

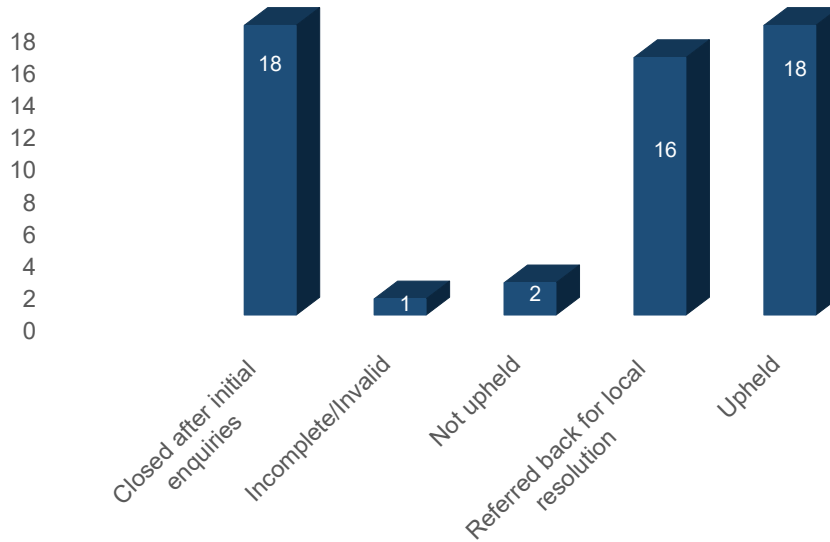
The Local Government and Social Care Ombudsman provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the Ombudsman when all other options for pursuing their complaint are closed by the council, after it is considered that a proportionate response has already been provided. The Ombudsman will only consider complaints that have already been through the council's complaints procedures, although sometimes an early referral will be made to the Ombudsman when complainants continue to be dissatisfied and the council considers that it has not done anything wrong, or it has done all it can to resolve the matter.

In 2022/23, the Ombudsman received a total of 55 separate enquiries in relation to ASC complaints in Lancashire (in 2021/22 it was 43).

Graph 9 overleaf, shows of the 55 Ombudsman ASC decisions received in 2021/22, 4% were not upheld, 63% were not investigated and 33% were upheld.



Graph 9 - Final Outcome



It should be noted that the Ombudsman will also uphold complaints that the council has already upheld. Of the 18 complaints that were either upheld or partly upheld, 6 were not upheld (or investigated) by ASC originally.

The final decisions resulted in a total of £22,469.50 being paid out by the council. There have not been any ASC public reports in 2022/23.

Some examples of continuous improvement and learning are outlined in Appendix 2(c).



Appendix 1: Case studies

- a. A pattern of several complaints being raised by relatives about incorrect invoicing was recognised by the complaints manager. These relatives had chosen to use the "tell us once" service when registering the death of their loved one, but despite this, were receiving incorrect invoices. The problem was investigated by the complaints team who linked in with the finance team, the blue badge team and registrar's service. It was identified that adult social care was not automatically notified by the national tell us once service (only the blue badge team). This problem was rectified, and new processes and responsibilities have been established to ensure that this information is now shared appropriately, internally and will not happen again.

- b. A complaint was made by a daughter on behalf of her mother regarding Direct Payment respite funds not being loaded on to her prepayment card when they should have been, resulting in her mother having to use own funds to pay for her Personal Assistant.

Funds were repaid quickly on receipt of the complaint, but we wanted to ensure that this did not happen again. The issue was caused due to a significant delay between the prepayment card being ordered and the account being updated with the card details. The reason for the delay was that the finance team had recently introduced some more stringent controls on the amendment of our supplier/payee bank accounts, with the goal of reducing the number of successful fraudulent requests which the council have been subject to in the past, costing the public purse large sums of money. This has had a knock-on impact creating a backlog of requests within the team. The finance team have now identified solutions to the process to prevent this situation from happening again in the future.

- c. A son complained that his mother was receiving male carers to administer personal care, and this was not appropriate.

Following the complaint being investigated with the care provider, reablement and service user and family, apologies were given for their experience. The provider now makes service users aware that both female and male Reablement Assistants can be expected as part of the service. This allows individuals to make informed decisions. Council managers have also stressed to the provider the importance of making every effort to provide the service user with a carer of their preferred gender.



Appendix 2(a): Internal learning details and themes

Area	Local Learning for Adult Social Care
<p>Social Care and support planning</p>	<p>In a complaint about a failure to explain the financial implications of residential care, incorrect invoices and poor communication, managers have worked with community teams to make sure that the social workers follow the correct procedures regarding commissioning additional services in residential care and communicate clearly with people who use our services. Staff will ensure that this is provided in a timely manner and that service users and their families are kept up to date. This will ensure that the costs of residential care and additional services are explained from the outset.</p> <p>In several complaints about social care assessments, managers have worked with social workers to ensure that all options available to the service user are discussed at the time the assessment is undertaken. This will help service users to make an informed choice of how and when they would like to receive care.</p> <p>The manager of the Acute and Community Operational reminded staff about the importance of maintaining good communication with people who use our services and ensure that their support plan details how care needs will be met.</p> <p>In other complaints specific to social work practice, managers took the following action with the individual workers concerned:</p> <ul style="list-style-type: none"> • Reminded the social worker to ensure that once care is commissioned, the required actions must be completed on the LAS system accurately and in a timely manner to avoid delays and large backdated invoices to the service user. • Reminded the social worker to ensure that the relevant 'financial implications' document is always provided. • Reminded the social worker to explain the implications of the third party top up for care homes to the service user before the care is commissioned.

	<ul style="list-style-type: none"> • Reminded the team to practice good communication with all service users and their families to improve patient journeys leaving hospital. • Reminded the social worker to complete care assessments in a timely manner. • Reminded social care staff to document conversations held with service users or their representatives are documented on case file records. • Reminded social care staff to ensure that they read case notes properly and take responsibility for acting on information received. • Reminded social workers inform service users and their families regarding the financial implications of care if they are no longer eligible for NHS funded care. • Reminded team managers to make sure that a timely initial response is completed and that a social worker is allocated in a timely manner to progress a case. • Reminded team managers when social workers are absent, to reallocate cases to ensure continuity and communication with the service user and their families. <p>In several complaints by relatives stating that they did not know about the cost of care, managers have worked with staff to ensure that they are clear in their advice and guidance regarding financial issues and funding. Staff will ensure that this is provided in a timely manner and that service users and their families are kept up to date.</p>
<p>Complaints about communication</p>	<p>In several complaints about poor communication staff were reminded to use language that all people understand and ensure that information is provided in a timely manner and that people are kept up to date.</p> <p>All social care staff have been reminded about the importance of returning phone calls and answering emails in a timely manner.</p>



	In a complaint about poor communication, the finance team manager reminded staff to check the preferred communication method with our customers before contacting them.
Customer Access Team	In a complaint about a carer's assessment and care needs assessment, managers from the customer access team agreed to support the advisors to identify when it is appropriate to send a notification to the Occupational Therapist Service. Staff were also reminded to provide the customer access service email address to enable complainants to email information so that it can be added to a service user's case notes.
Personal Budgets	<p>For a complaint about service user's not receiving any information about how direct payments work, leading to a large outstanding balance, team managers have reminded staff to ensure that changes in circumstances are recorded correctly and updated in a timely manner.</p> <p>The personal budget team are actively looking at solutions to prevent delays between the pre-payment card being ordered and the account being updated with the card details to ensure the funds reach the account in a timely manner.</p>
Equipment and adaptations	Following a complaint about the waiting list for an occupational therapy assessment, managers have worked with staff to ensure that they explain to the service user, or their family members, that we do not receive details of their referral until a recommendation following an assessment is made. This will help manage service user's expectations.
Financial	<p>In a complaint about the county council taking over the finances for a service user, managers have reminded staff to fully explain the systems and processes that guide our practice and affect those people who use our services.</p> <p>In a complaint about customer consent, the managers of the care finance assessment team have advised staff about the importance of obtaining the service user's consent before completing a financial assessment with a family member.</p> <p>In a complaint about an invoice being issued with a large debt after a long period of time, the receivables team have recognised that issues raised should have been reconciled in a timely manner. Staff will be reminded to apply identified</p>



	<p>credits to an invoice at the time the query is raised. This will enable customers to receive a correct invoice and pay the amount outstanding on time.</p> <p>Managers have attempted to improve communication between services within the county council, such as Adult Social Care, Care Data Team and Financial Departments/ Receivables Team to clarify when invoices should be raised and the actions to be completed, so that future issues are resolved in a timely manner.</p> <p>In several complaints about poor communication and incorrect invoices, managers have worked with finance staff to ensure:</p> <ul style="list-style-type: none"> • the receivables team suspends or ceases the package of care to avoid incorrectly invoicing the service user when we are notified of a hospital admission. • the finance team confirms the service start date with social care staff when backdated services are commissioned to avoid overcharging the service user.
<p>Information Governance Issues</p>	<p>Team managers to manage and monitor their mailboxes to ensure correspondence is not missed.</p>
<p>Reablement Service</p>	<p>In a complaint about goals not being met for a service user, the manager advised staff to provide evidence of whether a goal is met or not.</p> <p>Managers were reminded that there should only be a small (and relevant) number of staff involved in the assessment and discharge planning process.</p> <p>In a complaint about discharge planning, the team manager reminded staff to provide clear documentation that any proposed service to be commissioned has been discussed and explained to the service user. This helps to ensure that the goals have been set by the service user themselves.</p>



Appendix 2(b) Examples of Learning from Joint Complaints with the NHS

Mrs F complained about failings in her father Mr P's mental health care and support which she felt led to his death by suicide. In response, we wrote to Mrs F to apologise and explain what action we had taken to address the failings identified in relation to not involving the Crisis Team in June 2018. We also provided additional training for staff.

Mrs D complained that we did not keep accurate records about what was discussed with Miss S before she agreed to go to a Care Home. We also did not arrange funding with the local Integrated Care Board (ICB) to cover the interim period Miss S spent in the care home whilst she waited for a rehabilitation bed. We were also unclear with Mrs D in the local complaints process around the Continuing Healthcare screening process. These faults meant Miss S paid for a Care Home place which caused her distress and impacted on her recovery. In response we apologised and paid £1073.84 for the amount she paid for the Care Home placement as well the distress caused for paying for the placement which she should not have had to pay for. The Director of Adult Social Care issued a briefing note reminding complaints handling staff of the importance of being open and honest in our complaint resolutions.

Mr X complained about the care and treatment provided to his mother, Mrs Z by social care and hospital trust staff. As a result, Mrs Z experienced unnecessary discomfort which impacted on her dignity and Mr X was caused stress and worry. We were at fault for how we handled Mrs Z's discharge from hospital and how staff communicated with her during her physiotherapy assessments. There was also fault with our record keeping and Mrs Z's continence care. To remedy the complaint, we apologised to Mr X and Mrs Z and paid a total of £450 and took action to prevent similar problems occurring in the future.



Appendix 2(c): Learning from complaints with the Ombudsman.

Mr X complained about how we communicated an increase in care costs and overcharged for his late mother's care (Mrs Y). Mr X also complained Mrs Y received care from one carer instead of two in the weeks before she passed away. In response we apologised and paid £300 for distress and reviewed our processes to ensure care and support plans are updated when changes are made. We also reminded relevant staff of the need to update representatives when changes to care and support plans are agreed; and we ensured the care provider accurately records all care visits.

Ms Z complained that we failed to meet her eligible care needs, we did not properly assess her financial situation and we gave her inconsistent information about her care costs. In response, we reviewed Ms Z's care needs assessment and support plan and her disability related expenses to consider whether additional items should be included in light of her identified eligible care needs and we backdated her expenses to April 2021.

In response to a finding of fault about the actions of a care provider who mis-medicated Mr H's father on three occasions, we apologised, paid £500 for avoidable distress and improved monitoring of medication errors at the care home. We also reminded relevant officers of the need to ensure that care and support plans accurately record how we intend to meet a person's eligible needs. If support is offered but declined, we also clearly record this now on the person's records.

Miss J complained we cut her care and support without reasoning and did not suitably review her needs. We apologised and paid a total of £1,100 in missed support and distress to Miss J and her relatives and we reviewed additional support to make up for the support she missed out on before her budget was increased.

Mrs G complained that a commissioned Care Provider delayed advising the family of the late Mrs H's fall and that they unreasonably refused to allow her to return from hospital and did not deal with her complaint properly. In response we have ensured the Care Provider reviews its complaints handling practice to ensure it addresses all points of complaint in future and signposts to the Ombudsman.

Mrs H complained that a care provider failed to meet assessed needs and terminated her care plan which left her without care and support. The Ombudsman found we failed to adhere to Mrs H's care and support plan which meant she did not receive the package of support she needed.

We provided Mrs H with a written apology and paid £400 to acknowledge that we did not meet her assessed eligible needs over a period and the distress and uncertainty this reasonably caused.



Mr B complained on behalf of Mr M that the Council had wrongly charged Mr M for home care he did not want and should not be charged for. Mr B says this has caused Mr M a great deal of stress and upset and that he now has unjustified debt. In response, we agreed to waive Mr M's financial contribution since December 2020.

Mr X complained that we failed to deal properly with Mrs Y's move to xxxx Care Home, where she received inadequate care. We apologised for the way we dealt with Mrs Y's move to the Care Home. We also accepted the care she received there put her at risk of harm and we apologised for the distress caused to her family when she died of COVID-19. We also made a symbolic payment of £1,500 to Mrs Y's family for the avoidable distress and justifiable anger caused to them. The CQC was also informed of this decision.

Ms X complained that she was not offered a face-to face assessment, to ensure she received the support she needed. In response, we apologised and paid £250 financial redress and took action to ensure financial assessment officers are aware of their duties under the Equality Act 2010.

Mrs S complained we unfairly charged top up fees during her parents stay in a care home. We provided an apology, reimbursed the top up fees paid and acted to prevent a recurrence.

Mr Y's parents complained about a failure to secure respite care and a supported living placement for their adult son which caused avoidable frustration and avoidable stress and pressure on the family. We made symbolic payments of £500 each to reflect the loss of opportunity to have a break from the caring role and for Mr Y, to reflect the loss of a chance to experience respite breaks and the opportunities these would have afforded him (independence, socialising with peers, meeting new people. We completed carer's assessments and carer's support plans for Mr and Mrs X and we provided Mr and Mrs X with monthly updates about progress towards securing a supported living placement for Mr Y.

Mrs A complained that we failed to notify her and Mrs Y that the funding for Mrs Y's care home place had ended and we failed to complete a Continuing Healthcare assessment. We were found to be at fault for not returning Mrs X's call about a Continuing Healthcare assessment and for delaying in dealing with her complaint. We apologised to Mrs A for the avoidable time and trouble caused by the delay in dealing with her complaint.



Appendix 3: Compliment examples

Rehabilitation and reablement team

"I'm writing to express my thanks under admiration for the service I've received on behalf of myself and my 92 year old mother..."

I'm sure LCC like most organisations get their fair share of complaints but I feel that it is necessary to share compliments too. xxxx is a shining example of how to get the job done, whilst still showing the human kindness that is so important in these situations. Please pass on my comments to xxxx and the team. "

Care Settings Intervention Team

"A member of your staff paid me a visit regarding my problems, and I wish to make a profound and sincere thank you to the young lady called xxx. Well, what can I say ? she was very GOOD at her job. She went out of her way to make me feel good and that something was going to be done, and by God it was done. It is not very often I put pen to paper to compliment someone but when I do I mean it from the bottom of my heart.

This young lady knew what she was doing "" makes a change "" and whatever she said was done. Wow, in my humble opinion the women should be recommended to be trained and encouraged to go all the way to the top in her profession. I once owned my own business and know how hard it is to get GOOD staff.

This is why I thought I should put pen to paper and make my remarks known. I was sorry to see her move on to other duties and I wish her all the very best for the future. She is worth her weight in gold, as we say. God Bless her and keep her."

Community Older People & Physical Disability Team

"My dad who is 91 years old and lived and worked in Lancashire all his life has dementia. My mum had dementia (much worse than dad has) and eventually ended up in hospital and was diagnosed that she was not fit to go home and had to go into residential care. Mum had never been apart from dad and dad visited her every day for 4 hours a day. Mum died of covid in October 2020, not long before their 70 years of marriage.

Dad has recently deteriorated so much so quickly....

I was dreading the assessment, I felt disloyal to dad and was worried that I would say too much or not enough, and I knew it would be difficult with dad being there.

I need not have worried so much, xxx was amazing! She was very friendly, professional, so very experienced and made dad feel comfortable straight away. It was obvious immediately that she knew how to be and how to structure questions, taking into account that dad has dementia. Dad liked her and he doesn't like anyone coming into the house. xxxx was fantastic! A credit to Lancashire County Council and to the department that she works for.



I would like to give her my heartfelt thanks and I know that whoever xxxx has to visit and assess they are lucky to have her.

I know that you will pass on our thanks, and I hope that xxx will receive some recognition for her work, personality and professionalism."

County Reablement and Occupational Therapy Team

"My Aunt passed away this morning. ...

Thanks for everything you've done for her. It's greatly appreciated, and it will be for a few billion years yet.

Next April, around the time of your birthday, go outside at night. If you look up at the constellation Serpens, visible from Rossendale and Blackburn, at around 11pm, (it's at an elevation of 22° in the southeast), somewhere in there is a little point of light that's yours. M's Star will burn brightly for a long, long time.

Thank you for all your help and support. At some point, we'll need to discuss returning the hoist, and also removing the chairlift.

First things first, though: go and show off your new star to everyone! Images attached of where and what it is."



Non statutory corporate complaints and customer feedback

For the period 1 April 2022 to 31 March 2023

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1 Introduction

This report is for the period 1 April 2022 to the 31 March 2023 and covers corporate (non-statutory) complaints and compliments for all council direct provision and public health commissioned services. It reports on the corporate expressions of dissatisfaction / complaints/ learning and compliments mainly in relation to highways and public health.

This report does not cover the wider activity in responding to customer enquiries by other council teams e.g., the Customer Access Service or the Highways District Lead Team and excludes adult social care and children's complaints which are reported separately in their respective statutory complaints and feedback reports.

The council operates a 2-stage complaint procedure which forms part of the council constitution. It can be found in full on our webpage here:

<https://www.lancashire.gov.uk/media/920209/corporate-complaints-procedure.pdf>

Not all issues which are reported to the complaints team in the first instance are considered 'complaints'. The matter will usually be considered as a 'routine service issue' if it is a first notification and the council has not had a chance to put the situation right.

This report uses the terminology 'expression of dissatisfaction' (regardless of whether it is a formal complaint or not) for all issues which have been reported by customers to the complaints team.

The Ombudsman

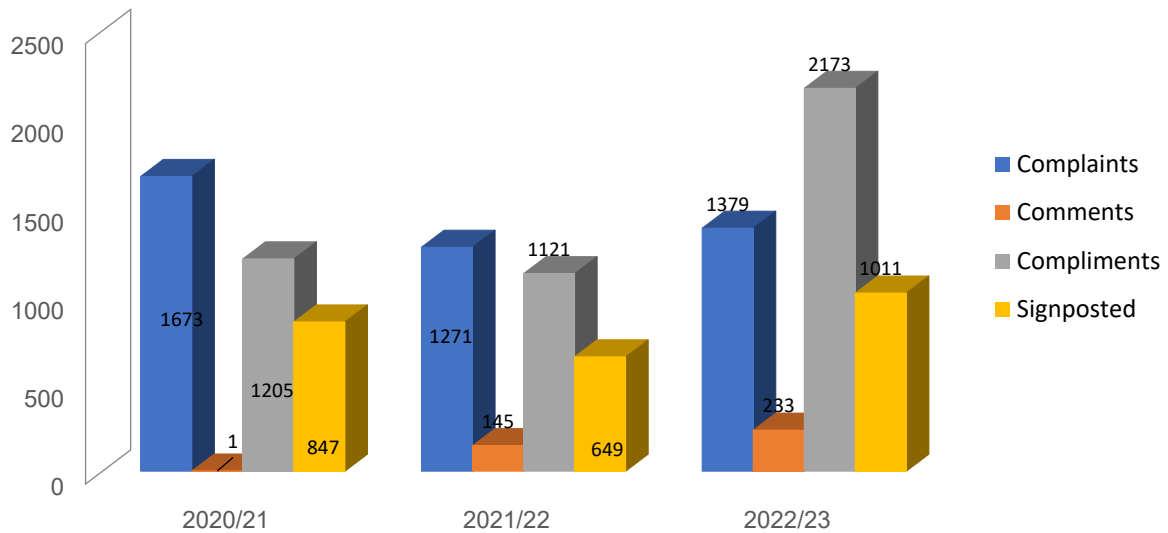
All complainants have the right to approach the Local Government and Social Care Ombudsman (the Ombudsman) for a free and independent investigation if they remain unhappy with the council outcome after Stage 2.

If you require any additional information please contact the Complaints Team on 01772 539414 or email your [request to complaintsandfeedback@lancashire.gov.uk](mailto:complaintsandfeedback@lancashire.gov.uk)



2. Summary of Corporate Feedback in 2022/23

Graph 1 - All Corporate Feedback



Graph 1 shows that in 2022/23 a total of 1379 expressions of dissatisfaction (initial complaints) were received. Of these, just 74 formal complaints were eventually made. Therefore 95% of issues were resolved outside of the formal complaint procedure.

Many issues initially reported to the complaints team are signposted outside of the corporate complaint's procedure and / or the council. There were 1011 internally signposted matters (a 56% increase), mainly due to problems with the implementation of a new human resources, payroll, and finance system. There was also an increase in the number of 'views' of the complaint's pages on the LCC website from 9,764 in 2021/22 to 11,296 in 2022/23 (16%).

Out of the 1323 closed matters (17 are still open at the time of writing this report), 63% related to Highways (834 individual matters).

A total of 32 final decisions were made by the Local Government & Social Care Ombudsman (the Ombudsman) in 2022/23; 22 and only 3 were upheld.

Learning is outlined in Appendix 2. Improvements have been made to communication with customers with the addition of a new role in Highways as well as new internal processes and public information.



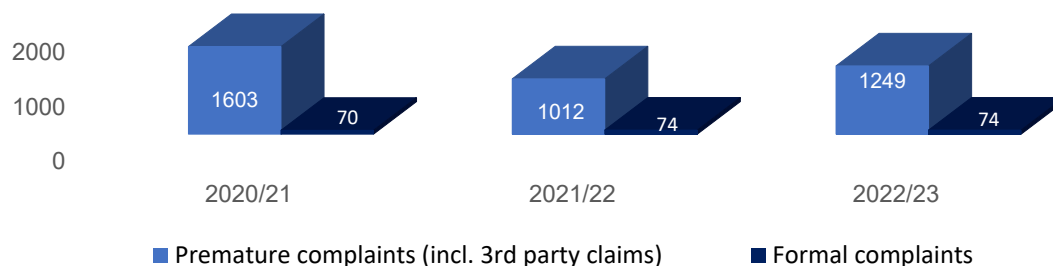
Comments are made when people want to give the council feedback but do not wish to make a complaint. There has been an increase in comments from 145 in 2021/22 to 233 in 2022/23, probably due to better recording.

Compliments have increased by 94% from 1121 in 2021/22 to 2173 in 2022/23 mainly due to better recording and increases in public health feedback. See Appendix 1 for some examples of compliments made for highways, public health, libraries, registration, welfare rights and the appeals and complaints teams.

2.1 Breakdown of feedback

Graph 2 shows of the 1323 closed corporate related matters of dissatisfaction, 94% (1249) were premature complaints and of those, 8% were third party claims, dealt with by our legal teams (78). They were resolved as part of ongoing business matters and by proactive management action. Just under 6% of matters (74) went on to become formal or informal complaints.

Graph 2 - Expressions of dissatisfaction



2.2 What do people make corporate 'complaints' about?

Table 1 overleaf shows a breakdown of all the expressions of dissatisfaction. Highways and Transport continues to be the single most common reason for expressions of dissatisfaction with 834 reports (63%). The reason that Highways and Transport attracts reports of dissatisfaction relates to the considerable size of the network and the fact that these services impact upon the entire population of Lancashire and not just those in direct receipt of council services. This also includes complaints about highways matters dealt with by the Customer Access Service. Although there has been a significant increase of Highways and Transport expressions of dissatisfaction by almost 40% from 597 in 2021/22 this also reflects an increase in reporting rates by the public. The most common reason relates to poor communication and lack of updates.

Table 1

Service area / issue	2022/23
Highways & Transport (Inc Customer Access)	846
Corporate Services	67
Public and Integrated Transport	55
Education & Skills	84
Growth, Environment & Planning	64
Closed after initial enquires. (External organisation)	208
Miscellaneous	16

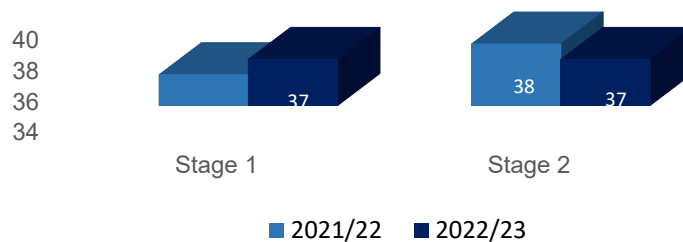
208 matters were eventually closed after initial enquires as they related to external organisations.

In 2021/22, there were 365 enquires signposted to Highways CAS. This increased to 539 in 2022/23 (48%).

2.3 Formal Complaints by Stage

Only 6% of matters raised with the complaints team enter the formal stages. The proportion of formal complaints being resolved at Stage 1 & Stage 2 in 2022/23 is broadly the same as the previous year. Please see Graph 3.

Graph 3- Formal Complaints



31% of complaints were found to have some aspect justified and were therefore either upheld in full or partly upheld.

Most complaints at Stage 2 are not upheld. Of the Stage 2 complaints, 11 were upheld/partially upheld and 26 were not upheld. Of these, 30 were resolved at this final point and 7 went on to the Ombudsman.



2.4 Internal learning from complaints

We aim to learn from the customer voice and improve services as a result of upheld complaints. Many complaints can be avoided by providing regular communication with customers and by being empathetic, clear, factual, and honest in our interactions, as well as doing what we say we will do.

Some of the improvements made as a result of learning from complaints are outlined in Appendix 2.

3. Public Health Commissioned Services

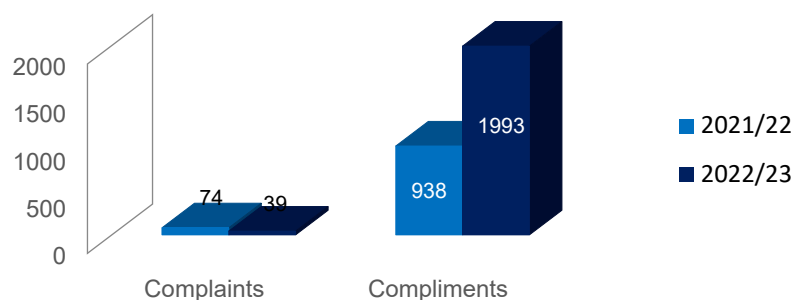
Public Health services are provided to the public through commissioned providers. However, as the council is responsible for the quality of these services, the performance of these contracts is monitored, and providers report back quarterly on their performance. From our perspective, it is important to know about the performance of our contracts and that complaints procedures are accessible to the public.

Some providers are still facing challenges with suitable recruitment to vacant posts due to the rise in cost of living and agencies being able to pay higher salaries.

Graph 4 shows that compliment figures have vastly improved as providers have moved back to business-as-usual following Covid.

- One quarter of compliments were about Positive Action in the Community (PAIC). This service coordinates the delivery of face to face and online youth mental health and suicide prevention training.
- 18% of compliments were from Lancashire & South Cumbria NHS Foundation Trust (Quit Squad) who deliver a tobacco and nicotine addiction treatment service, aimed to support people to stop smoking.
- 15% of compliments were from the LCC Blood Pressure Case Finding Service.

Graph 4 - Public Health Feedback 2021/23



Complaints have reduced by 44%. A common complaint theme was around service users' expectations of services offered and those provided within the community.



- Change Grow Live (CGL) Central & North received 14 complaints (36%) each. A number of these complaints related to prescription availability and appointment times and one about gelatine in medication. Improvements to medical information has resulted.
- Learning from complaints focuses mainly on improvements to worker behaviour following feedback.

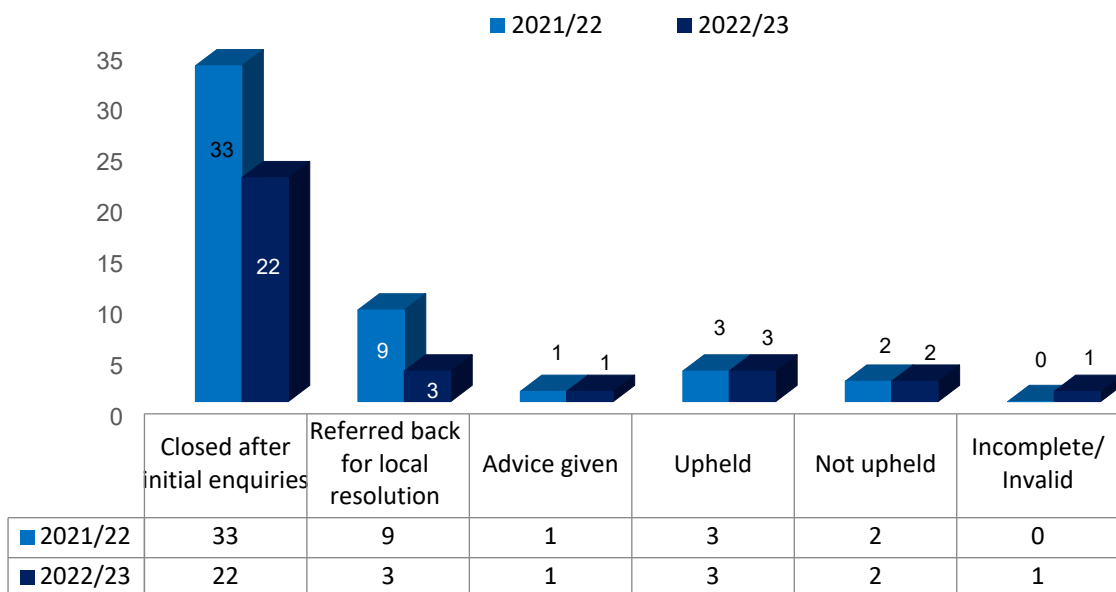
It should be noted that these results may be incomplete as some providers have not submitted their data for the full year despite several requests and this will be followed up with them.

4. Ombudsman Complaints

Sometimes complaints are not upheld at Stage 2, and people remain dissatisfied. In total 32 separate corporate complaints were made by the public to the Ombudsman in 2022/23 (48 separate corporate complaints were closed within the year in 2021/22). This is a decrease of a third on the previous year.

Graph 5 shows the outcome of complaints closed within the year (32 in total). Only 3 complaints were upheld, the same as 2020/21.

Graph 5 - Final outcome of LGSCO complaints



Examples of learning from complaints upheld by the Ombudsman can be seen in Appendix 2. All new processes and recommendations have been approved by the Ombudsman as a result of learning from these complaints.

There were no Ombudsman public reports in 2022/23.



Appendix 1: Examples of Compliments

Highways

With reference to the above complaint, thank you for your prompt response. Not only has the remedial work been carried out in a timely manner the adjacent pavement area has been coned for additional pedestrian safety. Long story short, thank you.

We (myself and 3 friends) used the new cycle path for the first time on Tuesday. We cycle from Lytham to Blackpool and back regularly, and what a difference it made to our outing - it is excellent, and so much safer! The next step would be to deter motorists from parking on the cycle tracks on the remaining part of that "ride", which we find a definite hazard. Please pass on our compliments and thanks to all involved.

Dear council. We would like to compliment the gentlemen who came to drop the kerb at the above address last week. P and his men not only made an excellent job of it but were pleasant, communicative and very courteous of our neighbours as the dropped kerb is on a small road/cul de sac. They always ensured there was room for everyone to pass and moved equipment, without asking, to assist. What a joy to see people with such an excellent work ethic and consideration for others.

....The staff were very friendly and the residents enjoyed the chit chat. If a wagon was in the way, I shouted and they moved it. Traffic management was magnificent and worked fantastic. The next day the tarmac was laid and the pavement kerbs lined up. Medals for everyone who were involved in the reconstruction. Hearty congratulations and if anyone moans to me about roadworks etc. I will tell them of the wonderful work carried out on the reconstruction.

Public Health

A brilliant course, I would 100% recommend to my colleagues, family and friends. My confidence in this topic has increased so much, and the interactive workshops were so engaging. Even though my sector isn't education/ social work it really has given me confidence, and new ideas to tackle what happens in my day-to-day role. Thank you!!

Welfare Rights.

We were delighted with the prompt, professional caring assistance we were given by this service. K was very attentive and rang to check on Dad's progress, his attendance allowance application and to see if there was any further assistance required. First class service. We have received from Lancashire County Council.



Registration Service

I am writing to compliment you on the service I have received from all the staff that I have been in contact with.

From the initial call to K - Ceremonies Officer to J who conducted our Notification of Marriage appointment today all of your staff have provided exemplary service... Without their assistance regarding an outstanding wedding certificate, we would have had the stress of cancelling the Notification of Marriage appointment and thus the ceremony itself which would have had a devastating effect on us both.

Local Government departments sometimes get a bad press, but I have only praise for your officers hence this email. Please pass on our thanks and gratitude to all the staff involved for their professional and compassionate service.

Appeals Team

I found the process emotionally exhausting so I can only image the stress that you all have to bear hearing so many cases. J was an exceptional panel clerk who ensured that the entire process ran smoothly, and A was swift and responsive to emails. I felt genuinely listened to and understood by the independent panel at each hearing who did a fantastic job

Whilst the decisions did not go the way I wanted, our appeals were not allowed, I believe the comprehensive explanations provided are just and fair.

Thank you all once again.

Libraries

I would like our gratitude passed on to your wonderful mobile library van driver 'J'.

I'm afraid we don't know his surname, but my elderly mother and I felt it was important to ensure his employer, LCC, knows what a valued and caring employee they have.

J is very polite, helpful and cheerful. He cannot do enough for us and goes above and beyond. He brightens up my Mother's Day no end and should, in our opinion, receive recognition for his devotion to his customers.

Complaints Team

Thank you very much for your reply and as you know I tried to contact the social work manager whom I can confirm, called me at 10:21 this morning. Happy to say that the meeting has been rescheduled and she has agreed to attend next meeting. Once again thank you to complaints for your genuine helpfulness.



Appendix 2a: Learning from complaints.

The Highways Service has:

- Appointed an additional District Lead Officer to support the resolution of highways complaints, improve responses to Members of Parliament and complainants.
- Increased the use of metal road signs providing intended works information and embraced the use of new technology in the form of QR codes.
- Created new letters and postcards to provide additional information, stating clearly when we expect to return between treatments.
- Implemented a new communication channel with local and parish councillors, to confirm when works are happening in their areas.
- Commissioned an online scheme dashboard to improve information on what we are doing and to provide a clear rationale for the work.
- Undertaken a bite sized campaign to show how we have embraced low carbon recycling schemes. For example: biobinders are a new alternative used in some cases to replace petroleum-based materials for asphalt mixtures to improve our highways and to reduce our carbon footprint.

The Complaints Team:

- Holds regular meetings with the Customer Access and the Customer Access Highways teams.
- Amplifies the customer voice within services to ensure complainants are heard and areas of dissatisfaction are responded to
- Provides training and works closely with all council teams to resolve complaints at the lowest possible level in order to prevent escalation within the complaints process.
- Works with services to identify and embed lessons learnt from upheld complaints.



Appendix 2b: Learning from upheld corporate Ombudsman complaints

1. Regarding a highways complaint about how we dealt with a customer's reports of surface water run-off entering their land from a nearby road, we paid £300 for the injustice and reviewed our decision-making procedure. Highways Managers also undertook a root cause analysis session facilitated by the complaints manager to consider why the communication failures and delays occurred. The root cause was identified as a goodwill gesture offer which went wrong due to a lack of recording and communication. Tablets have now been issued to all inspectors which makes recording much easier, as it can be done in real time.
2. In a complaint about Parking Services and the enforcement actions taken on behalf of the council to recover an unpaid Parking Charge Notice (PCN) and how the Enforcement Agents dealt with the complaint, we provided training to staff dealing with complaints about enforcement of parking notice charges.
3. In a complaint about not being given notice of a road closure the Highways Service has improved communication processes with parish councillors and homeowners both prior and during scheduled works.

Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Law and Governance

Part I

Electoral Division affected: None;

Corporate Priorities: N/A;

Corporate Parenting Board - Revised Terms of Reference

(Appendix 'A' refers)

Contact for further information:

Brendan Lee, Tel: (01772) 532356, Head of Permanence Service and Corporate Parenting,
brendan.lee@lancashire.gov.uk;

Andreas Feldhaar, Tel: (01524) 586571, Senior Development Lead, Permanence Service,
andreas.feldhaar@lancashire.gov.uk

Brief Summary

The Corporate Parenting Board is a working group of the Cabinet. Following the Cabinet meeting held on 6 July 2023, it was agreed that the county council sign up to the Care Leaver Covenant's 'whole Council approach' and adopt the five-part strategy. The responsibility of overseeing the council's adoption and implementation is that of the Corporate Parenting Board and therefore the Terms of Reference have been amended to reflect this and are now presented to Cabinet to consider.

Recommendation

Cabinet is asked to approve the Corporate Parenting Board's revised Terms of Reference, as set out at Appendix 'A'.

Detail

The Corporate Parenting Board is a working group of the Cabinet. Its role is to provide advice, support and leadership on matters relating to children looked after to the Cabinet Member for Children, Young People and Schools, the Cabinet generally and to all councillors in their role as corporate parents.

The Board brings together county councillors, key partners, and crucially young people who are in, or have experienced care to discuss issues, concerns and initiatives and propose actions.

A report was presented to Cabinet on 6 July 2023 where it considered a proposal that the county council signed up to and adopted the Care Leaver Covenant's 'whole Council approach', in order to improve the services provided to and opportunities for care leavers (ie Local Offer) with the county council's partners in Lancashire. It was noted that the Care Leaver Covenant was a national inclusion programme that supported care leavers aged 16 to 25 to live independently. The scheme was funded by the Department for Education and encouraged local authorities and partners to sign up and make pledges to support care leavers. The county council agreed to sign up to the Care Leaver Covenant's 'whole Council approach' and to adopt the five-part strategy, and that the responsibility for overseeing this would be the Corporate Parenting Board and requested that this be added to their Terms of Reference.

At the Corporate Parenting Board meeting held on 19 September 2023, it agreed to the additional responsibility for overseeing the county council's adoption and implementation of the Care Leavers Covenant 'whole Council approach' and has been included in the revised Terms of Reference under section (I) of the aims and objectives of the Corporate Parenting Board. The Board agreed to the revised Terms of Reference as set out at Appendix 'A', for consideration by Cabinet on 2 November 2023.

Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Constitution, Terms of Reference and Membership of the Corporate Parenting Board – September 2023

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

N/A



List of Background Papers

Paper	Date	Contact/Tel
None		
N/A		



Constitution, Terms of Reference and Membership of the Corporate Parenting Board – September 2023

Terms of reference for the Corporate Parenting Board

Purpose:

The Corporate Parenting Board is an advisory body. It has two main functions:

1. To support and make recommendations to the Cabinet Member for Children and Families and Cabinet Member for Education and Skills on matters related to corporate parenting.
2. To advise, guide and provide leadership to the county council on issues relating to looked after children, care leavers and its corporate parenting responsibility.

To meet this purpose, the Corporate Parenting Board has the following aims and objectives:

- (a) To make sure that the whole council and relevant partner agencies commit to excellent standards of corporate parenting.
- (b) To set high expectations and stable relationships for all children in care and care leavers.
- (c) To seek improved long-term outcomes for children in care, care leavers and their families – for their happiness; well-being; educational success; pathway into adulthood and future prospects.
- (d) To make sure that the voice of the child and young person in care and leaving care influences both policy and the services that they receive, and that young people are engaged with any action intended to develop and improve services or to recruit key staff members.
- (e) To oversee and monitor the key performance indicators for the placement and housing provisions, health, well-being and education of looked after children and care leavers.
- (f) To consider the outcomes of regulatory visits and inspection reports on provision for children in care and care leavers and to receive regular reports on:
 - the work of the adoption and fostering services
 - the education of children in care
 - provision for children and young people leaving care, housing and education, employment and training for care leavers; and
 - work with those in the Secure Estate.

- (g) To ensure that relevant key plans, strategies and associated resources identify and make explicit the contribution that they make to targets agreed for improvement.
- (h) To celebrate the achievements of children looked after, their carers and care leavers.
- (i) To develop an informed view of County Council provision and services through a programme of well-planned visits and feedback from Board members.
- (j) To ensure that children looked after by the local authority are offered the protection of the UN Convention on the Rights of the Child, 2 September 1990.
- (k) To establish and maintain specific task groups as necessary to make recommendations to it.
- (l) To oversee the county council's adoption and implementation of the Care Leavers Covenant 'whole council approach'.

Constitution

All Members of the Board and the Chair of the Board will be appointed by the Leader who will determine their period of office.

The Board will comprise of at least the following members, but the Leader may appoint additional members at his/her discretion:

- One or more Members of the largest group
- Opposition Groups Member nominee(s)
- Family/carer representatives
- Children and young people in our care and care leavers representing young people from across the county

All the above members of the Board will be entitled to vote and the Chair will have a casting vote.

The Leader can make changes to the above appointments at any time.

- No Cabinet members will serve on the Board

Co-opted membership

The Board may co-opt representatives, without voting rights, from significant services involved in corporate parenting:

Health provision – including CAMHS
 Children and Family Wellbeing Service
 Schools

Colleges
Police
Youth Justice
Private sector provision
Voluntary sector provision
Safeguarding Board
Department for Work and Pensions
Housing Authorities
Lancashire County Council Corporate Management Team

The Board can make changes to the co-opted representation at any time.

The Lead Officer and/or Director of Children's Social Care will also attend all meetings to advise and support the Board.

The Board does not have decision-making powers and is not a formal Committee of the County Council.

The Board will meet bi-monthly or as otherwise agreed. The frequency of meetings can be changed by resolution of the Board or by the Chairman in consultation with the Lead Officer.

The Terms of Reference will be reviewed annually at its first meeting following the Annual General Meeting of Full Council in May.

The Board will receive advice and reports from the following:

- (a) The Headteacher for Children Looked After, School Improvement
- (b) Lancashire's Children in Care Council (LINX) and the Care Leavers Forum (CLF)
- (c) Children and Young People's Champions:
 - representing the elected members of Lancashire County Council
- (d) Children's Rights Service
- (e) Health

September 2023

Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Education, Culture and Skills

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;
Delivering better services;

Approval to Consult on the Inclusion of Armed Forces Children & the Children of School Staff in the Admission Arrangements for Lancashire Community and Voluntary Controlled Schools from 2025 to 2026

(Appendices 'A' and 'B' refer)

Contact for further information:

Debbie Ormerod, Tel: (01772) 531878, Access to Education Entitlements Lead Officer, debbie.ormerod@lancashire.gov.uk;

Brief Summary

The county council, as admission authority, determines the admission criteria that is used to prioritise pupils for places at community primary and secondary schools. There have been no significant changes made to the admission criteria for these schools in the last 10 years.

The Department for Education's [School Admissions Code 2021](#), contained provisions allowing admission authorities to give priority within their admission arrangements to children based on eligibility for one or more of the pupil, early years or service premiums. Additionally, admission authorities were allowed to give priority in their admission criteria to the children of school staff.

In addition, in November 2022, the Ministry of Defence issued [Statutory Guidance on the Armed Forces Covenant Duty](#), with an expectation that county council's take all possible steps to support Armed Forces families in the delivery of their services.

To reflect both pieces of statutory guidance, it is proposed to change Lancashire County Council's admission criteria, applied when considering applications for community and voluntary controlled schools, to include children eligible for Services Premium, in order to provide support to Armed Forces families, and children of staff, to assist community and voluntary controlled schools with the recruitment and

retention of staff.

Recommendation

Cabinet is asked to approve the proposal to undertake a formal consultation process to change Lancashire County Council's admission criteria for community and voluntary controlled schools to include:

- (i) Children of Staff.
- (ii) Children eligible for Services Premium.

Detail

In February 2024, Cabinet will be asked to determine the admission arrangements for community and voluntary controlled primary and secondary schools and sixth forms schools for the school year 2025/2026.

Where changes are being proposed to the admission arrangements for community and voluntary controlled schools, the local authority is required to formally consult for a minimum of six weeks between 1 October and 31 January of the school year, before any changes can be applied. Any consultation on the changes to the admission criteria must therefore be completed by 31 January 2024 for the arrangements which apply for entry in September 2025.

The proposed timetable for these proposals are as follows;

Stage	Description	Timescale
Stage 1	Cabinet decision to consult	2 November 2023
Stage 2	Consultation process	10 November to 22 December 2023
Stage 3	Cabinet decision on changes	1 February 2024
Stage 4	Implementation	September 2025

School Admissions Code and Office of the Schools Adjudicator Report

Own admission authority schools, which are Diocesan Schools, Free Schools and Academies determine their own admission criteria and governors decide the priority for places.

The county council is the admissions authority for 235 community and voluntary controlled schools in Lancashire and determines the admission criteria for these schools which sets out how children are prioritised for places. In accordance with Sections 88A-Q of the School Standards and Framework Act 1998, as amended by the Education and Skills Act 2008 and regulations, the county council is required to consult widely about the admission arrangements and any proposed changes for schools where it is the admissions authority.



Children eligible for pupil premium, early years premium or service premium

The Department for Education's School Admissions Code contained new provisions allowing admission authorities to give priority in their admission arrangements to children based on eligibility for one or more of the pupil, early years or service premiums:

1.41 Admission authorities may give priority in their oversubscription criteria to children eligible for the early years' pupil premium, the pupil premium and also children eligible for the service premium. Admission authorities should clearly define in their arrangements the categories of eligible premium recipients to be prioritised.

Every local authority is required to make an annual report to the Schools Adjudicator. The Chief Schools Adjudicator then includes a summary of these reports in an annual report to the Secretary for State for Education. The summary is set out at Appendix 'A'.

In the annual report for 2019/2020, the Chief Schools Adjudicator reported that the number of admission authorities that had determined admission criteria including one or more of the premiums had risen from 67 in 2016 to 730 in 2020. Although there has been no subsequent data provided by the Office of the Schools Adjudicator on this, there is evidence of a growing number of admission authorities in Lancashire who have determined admission criteria which gives priority to children eligible to receive one of the pupil premiums.

Children of staff at the school

The School Admissions Code also has provisions which allows admission authorities to determine an admission criteria that may assist with the recruitment and retention of staff:

1.39 Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:

a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made; and/or

b) the member of staff is recruited to fill a vacant post at the school for which there is a demonstrable skill shortage.

1.40 Admissions authorities must specify in their admission arrangements how this priority will be applied, for example, which groups of staff it will apply to.

Although there are no national statistics available regarding the prevalence of this admission criteria, it is known that, within Lancashire, a growing number of admission authorities now include Children of Staff as a priority category.

Representations have been received from several primary and secondary head teachers asking for children of staff at their schools to be given priority within the oversubscription criteria, due to their concern over staff recruitment and retention.

It is known that the location of and access to a school can influence teachers and support staff when deciding whether to apply for a vacant post. Giving priority to children of staff within the admission criteria may encourage applicants who live outside the area and school staff may be less likely to look for other jobs if their children are being educated at the school where they work.

For the September 2024 intake, there are 38 secondary own admission authorities and 45 primary own admission authorities in Lancashire that include Children of Staff within their priority criteria. It is considered that the nine community secondary schools and six community primary schools may be disadvantaged if Children of Staff are not included within the admission criteria. Many neighbouring local authorities have already taken this step.

Armed Forces Covenant

The Armed Forces Act 2021 amended the Armed Forces Act 2006 ('the Act') by inserting sections 343AA to 343AF. These place a legal duty on the county council to have due regard to the principles of the Armed Forces Covenant, when exercising certain statutory functions in the fields of healthcare, education and housing. The Covenant Duty came into effect on 22 November 2022, and officers have been considering how school admissions arrangements can be developed to enhance the support available for Forces families.

In November 2022, the Ministry of Defence issued statutory guidance for the first time. The guidance clarified the legal obligations placed upon the county council, to recognise the issues facing Armed Forces families and to address any disadvantages arising for Service people from membership, or former membership, of the armed forces.

The guidance details the education-related disadvantages that can arise for Service children including an interrupted education, a disrupted social experience, impact on mental well-being and delays relating to support for Service children with additional needs. Case studies are provided throughout the guidance, to illustrate ways that the Armed Forces Covenant principles may be considered and applied. The School Admissions Code, September 2021 also requires local authorities to ensure that 'arrangements in their area support the Government's commitment to removing disadvantage for service children'.

In Lancashire, there is already policy and practice in place to support families who move into the area outside the school admission round. Discretionary admissions are secured at community schools for pupils close to their new family home, even when schools are full. The local Pupil Access Team also advocates on behalf of Armed Forces families, where a place is sought at an academy or church school and the decision lies with the Governing Body. Where an admission cannot be secured, parents are guided through the appeal process.

The county council is now seeking to consult on changes to the admission criteria for community and voluntary controlled schools, to give priority to those children who are eligible to receive Service premium, when considering applications for the Reception and Year 7 intakes.



There are approximately 12,750 primary school applications, and 14,000 secondary school applications made each year. The school census data evidences that the number of pupils admitted to community schools who would meet the Service premium eligibility criteria is small. In the last 3 years, the largest number of eligible children admitted to the Reception year of community schools has been 43. For the year 7 intake, this figure has been between 30 and 35 pupils for the last 3 years. Children in receipt of Service Pupil Premium would therefore make up less than 0.5% of a Reception or Year 7 intake. Appendix 'B' provides further information on Pupil Premium Service Children.

Proposed Admission Criteria for Community and Voluntary Controlled schools

In line with the Ministry of Defence Guidance and the Department for Education School Admissions Code, it is proposed that the admission criteria for primary and secondary community and voluntary controlled schools for September 2025 is as follows:

When a primary school is oversubscribed on parental preferences, then the following priorities apply in order:

1. Looked after children or a child who was previously looked after, but immediately after being looked after became subject to an adoption, child arrangement order, or special guardianship order or those children who appear to the school to have been in state care outside of England and ceased to be in state care as a result of being adopted, then.
2. Children for whom the Local Authority accepts that there are exceptional medical social or welfare reasons which are directly relevant to the school concerned, then.
- 3. Children of Staff, then**
- 4. Children eligible for Services Premium, then**
5. Children with older brothers and sisters attending the school when the younger child will start, then.
6. Remaining places are allocated according to where a child lives. Those living nearest to the preferred school by a straight line (radial) measure will have priority.

When a primary or secondary school with a Geographical Priority Area, is oversubscribed, the following priorities will be applied in order:

1. Looked after children or a child who was previously looked after, but immediately after being looked after became subject to an adoption, child arrangement order, or special guardianship order or those children who appear to the school to have been in state care outside of England and ceased to be in state care as a result of being adopted, then.

2. Children for whom the Local Authority accepts that there are exceptional medical, social or welfare reasons which are directly relevant to the school concerned, then.
- 3. Children of Staff, then.**
- 4. Children eligible for Services Premium, then.**
5. Children living within the school's geographical priority area with older brothers or sisters attending the school when the younger child will start, then.
6. Children living within the school's geographical priority area, then.
7. Children living outside the school's geographical priority area with older brothers or sisters still attending the school when the younger child will start, then.
8. Children living outside the school's Geographical Priority Area.

The Children of Staff criteria will be qualified in an explanatory note; *Children of staff employed at the school for 2 or more years at the time at which the application is made, and / or the member of staff has been recruited to fill a post where there is a demonstrable skill shortage.*

Appendices

Appendices 'A' - 'B' are attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	The Chief Schools Adjudicator Annual Report – Summary Extracts
Appendix 'B'	Pupil Premium Service Children

Consultations

Consultation on the changes to the admission arrangements for community and voluntary controlled schools will take place with the following;

- Governors of community and voluntary controlled schools;
- Governors of voluntary aided and foundation, free schools and academies;
- Other Local Education Authorities adjoining Lancashire;
- Diocesan and Church Authority colleagues;
- Secular Society;
- Capital Development and Asset Management Team, School Place Planning Team;
- Liaison and Compliance Team, Education and Children's Services;
- Legal and Democratic Services;
- Public.



Implications:

This item has the following implications, as indicated:

Risk management

The School Admissions Code allows the suggested changes to be consulted upon.

Equality and Cohesion

The proposal may impact children (age protected characteristics groups) and people from other protected characteristics groups, particularly in relation to the Public Sector Equality Duty's general aim of "advancing equality of opportunity". Although it is anticipated that if the proposed changes are approved, the impact may be positive for those pupils and their families included and that the numbers of children prioritised will not be significant based on current information, there is also the potential for others to be adversely impacted when applying to some schools. As a result, when the consultation is concluded, an Equality Impact Assessment will be provided to assist in giving "due regard" to the Public Sector Equality Duty's requirements when making the final decision on this proposal.

If there is cabinet approval to consult on the changes to the admission criteria an Equality Impact Assessment will be undertaken.

List of Background Papers

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		

Extracts from the Office of the Schools Adjudicator Annual Reports.

Extract from the 2016 to 2017 report

The 2014 School Admissions Code allowed all admission authorities to give priority in their admission arrangements to children on the basis of eligibility for one or more of the pupil, early years or service premiums (the premiums). Local authority reports show that the admission authorities for over 300 schools now make use of one or more of the premiums in their oversubscription criteria. While this is a small proportion of the overall number of schools, I have noted that the schools which give such priority are a diverse group covering all age ranges, rural and urban schools, large and small schools and different categories of schools.

Extract from the 2017 to 2018 report

Last year, I reported that local authorities had told me that the admission authorities for over 300 schools were giving some priority in their arrangements to children on the basis of eligibility for one or more of the pupil, early years or service premiums (the premiums). This year's reports suggest that the admission authorities for around 550 schools now make use of one or more of the premiums in their oversubscription criteria and I say more about this in part 2 of this report. This year I also asked about numbers of children educated at home – what is known as elective home education. Again I say more about this in part 2 of this report, including the reasons local authorities consider lie behind the decisions of some parents to remove their children from school for home education and the 4 consequences of such decisions.

Extract from the 2018 to 2019 report

The number of schools where some priority is given to children entitled to one or more of the premiums has continued to grow and according to the figures provided for me now stands at 730 compared to 67 for admissions in 2016 which is the first year for which I have the relevant figures. Following a letter sent by the Minister of State for School Standards to admission authorities in December 2017 encouraging them to consider giving a high priority to children previously in care outside England, we asked local authorities about the number of schools giving such priority. Reports from local authorities suggest that the arrangements for over 6,000 schools include such priority and more details are given in part 2 of this report.

Extract from the 2019 to 2020 report

Part 2 of the report summarises reports made to me by local authorities in accordance with a template provided by the OSA. In the light of the Covid-19 pandemic and with the agreement of the DfE, I reduced the scope of the template so that it covered only those matters which the School Admissions Code (the Code) requires to be covered. This means that I did not ask about and so cannot report on such areas as elective home education and the use of the pupil premium.

The number of schools where some priority is given to children entitled to one or more of the premiums has continued to grow and according to the figures provided for me now stands at 730 compared to 67 for admissions in 2016 which is the first year for

which I have the relevant figures. Following a letter sent by the Minister of State for School Standards to admission authorities in December 2017 encouraging them to consider giving a high priority to children previously in care outside England, we asked local authorities about the number of schools giving such priority. Reports from local authorities suggest that the arrangements for over 6,000 schools include such priority.

Pupil Premium Service Children By Year Group

Year Group	Financial Year		
	2021/22	2022/23	2023/24
Reception	36	43	26
1	34	50	44
2	51	50	53
3	51	62	46
4	54	60	71
5	43	61	62
6	58	55	61
7	31	33	35
8	44	30	35
9	25	46	27
10	32	27	44
11	26	32	25
Total	485	549	529

Pupil Premium Service Children By Gender

Gender	Financial Year		
	2021/22	2022/23	2023/24
Female	220	244	244
Male	265	305	285
Total	485	549	529

CLA Children By Year Group

Year Group	Financial Year		
	2021/22	2022/23	2023/24
Reception	15	32	4
1	42	46	23
2	69	42	33
3	50	73	37
4	62	60	60
5	61	65	47
6	70	62	59
7	56	48	29
8	38	56	43
9	57	44	48
10	41	56	45
11	40	44	48
Total	601	628	476

Pupil Premium Service Children By Gender

Gender	Financial Year		
	2021/22	2022/23	2023/24
Female	268	268	206
Male	333	360	270
Total	601	628	476

FSM6 Children By Year Group

Year Group	Financial Year		
	2021/22	2022/23	2023/24
Reception	953	1059	998
1	1384	1463	1450
2	1434	1597	1647
3	1685	1676	1785
4	1838	1894	1827
5	1886	1984	1993
6	2024	1988	2098
7	825	806	822
8	795	774	821
9	782	724	747
10	717	703	719
11	679	635	638
Total	15002	15303	15545

Pupil Premium Service Children By Gender

Gender	Financial Year		
	2021/22	2022/23	2023/24
Female	7071	7225	7401
Male	7931	8078	8144
Total	15002	15303	15545

Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Strategy and Performance

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Delivering better services;
Caring for the vulnerable;

Update on the School Place Planning Delivery Programme 2023-25

(Appendix 'A' refers)

Contact for further information:

Mel Ormesher, Tel: (01772) 536966, Head of Asset Management,
mel.ormesher@lancashire.gov.uk

Brief Summary

In October 2022, Cabinet approved the School Place Planning Delivery Programme 2023-25, which sets out a series of projects to address school place sufficiency.

This report proposes to progress projects which will provide additional places at Broughton in Amounderness Church of England Primary School, Preston; Holy Trinity Roman Catholic Primary School, Pendle; and Longridge High School, Ribble Valley.

Recommendation

Cabinet is asked to:

- (i) Approve the temporary expansion of Broughton in Amounderness Church of England Primary School, Preston, by 1 form of entry, by increasing the admission number from 35 to 60 with effect from 2024/25.
- (ii) Approve the commencement of a public consultation on the proposal to permanently expand Broughton in Amounderness Church of England Primary school, Preston, by 1 form of entry, by increasing the published admission number from 35 to 60 with effect from 2025/26.
- (iii) Approve the temporary expansion of Holy Trinity Roman Catholic Primary

School, Pendle, by 0.5 form of entry, by increasing the published admission number from 15 to 30 for 2024/25.

- (iv) Approve the capital allocation for the Holy Trinity Roman Catholic Primary School, Pendle, project set out at Appendix 'A'.
- (v) Approve the additional capital allocation for the Longridge High School project set out at Appendix 'A'.

Detail

In October 2022, Cabinet approved the School Place Planning Programme 2023-25, which sets out a series of projects to provide additional primary and secondary school places where projected shortfalls have been identified. The programme proposed that the additional places should be provided through the expansion of existing schools and the establishment of new schools.

This report provides an update on the School Place Planning Programme 2023-25 and requests approval of enlargement proposals and of the related capital schemes.

Full details of the capital scheme projections are provided at Appendix 'A'. These are deemed to be exempt from publication as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information).

Projects

Preston North Primary Planning Area

Lancashire County Council has proposed a 1 form entry expansion at Broughton in Amounderness Church of England Primary School from 2025/26, initially through temporary expansion for 2024/25 and becoming permanent from 2025/26.

It is intended that the additional 25 places for 2024/25 can be provided within existing school accommodation with additional provision on the existing school site required to address demand from 2025/26. The capital funding requirement for this will form part of a future Cabinet report.

If the proposed temporary expansion is approved by Cabinet, a public consultation will be undertaken on the proposed permanent expansion, the details of which will form part of a future Cabinet report.

Brierfield Primary Planning Area

Lancashire County Council has proposed a temporary 0.5 form entry expansion at Holy Trinity Roman Catholic Primary School for 2024/25.

It is intended that the additional 15 places for 2024/25 can be provided within additional provision on the existing school site required to address demand.



In February 2023, a formal consultation process was approved by Cabinet for the permanent expansion of Holy Trinity Roman Catholic Primary School. However, in line with current forecasts, there is no longer a requirement for a permanent expansion and therefore no requirement to consult on the temporary arrangements.

The capital funding requirement for this is set out at Appendix 'A'.

Ribble Valley West Secondary Planning Area

At its meeting in February 2023, Cabinet approved the proposal to permanently increase the published admission number of Longridge High School by 15 places from 2023/24, and by a further 30 places from 2024/25, gradually increasing the school's capacity from 825 to 1,050. A revision to the capital allocation for the project is set out at Appendix 'A'.

Appendices

Appendix 'A', which is exempt from publication, is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	School Place Delivery Programme 2023-25 Capital Allocations

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

If additional school places are not created, there is a risk that the authority would fail in its statutory responsibility to make sure that a school place is available to all Lancashire children of the appropriate age range that want one. Providing additional school places increases the overall capacity in the area and, if demand falls, there may be surplus places.

Legal

With regards to statutory consultation on an expansion project, Department for Education guidance specifies that a decision on the proposal must be made within two months of the end of the representation period.

Procurement

The selection of contractors to undertake the capital works will be carried out in full compliance with the Public Contract Regulations 2015, either through the use of

established frameworks or through undertaking a compliant procurement exercise following the county council's Procurement Rules, where appropriate.

Financial

Capital Funding

Appendix 'A' provides details of the capital funding requirements and anticipated costs in relation to the capital schemes identified within the report, and funds have been set aside for these from the Basic Need allocation, based on current estimates. The schemes will be partially funded from housing developer contributions, agreed as part of the Section 106 agreement, although specific details are yet to be finalised. This is due to the Section 106 legal agreements detailing requirements around recalculations of the position, once accurate bedroom information becomes available, trigger points for payments not yet being reached and indexation calculation requirements. Some of these monies have already been received and the remainder will be payable in stages, as the various phases of the housing development are occupied. Cost estimates are immature, still require detailed design, procurement and a firm agreed price with suppliers. Future levels of Basic Need grant are as yet unconfirmed and may rise with increased housing in the area. Future reports will update on the consultation processes as well as detailed delivery plans and funding sources for any further schemes to be committed.

Revenue Funding

In year expansions will be funded via the Dedicated Schools Grant through the county council's expansion policy for the first 2 terms. This policy will ensure the schools have the appropriate level of funding. October Census data will then drive the Dedicated Schools Grant budget for the following financial year and incorporate all revised pupil numbers each year. This will provide Lancashire with the full year funding for these pupils through the Dedicated Schools Grant Schools Block, which is increased in line with the rising pupil numbers.

Equality and Cohesion

As part of the statutory decision-making process, the county council must comply with the Public Sector Equality Duty, which requires 'due regard' to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and foster good relations between people who share a relevant protected characteristic and people who do not share it. The proposals included in this report will not disadvantage any group and will benefit current and additional future pupils of Lancashire.



List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

Appendix 'A' - Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. Appendix 'A' contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Report to the Cabinet

Meeting to be held on Thursday, 2 November 2023

Report of the Director of Public Health

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Caring for the vulnerable;

Lancashire Warm Spaces Grant Scheme

Contact for further information:

Clare Platt, Tel: (01772) 532780, Head of Health Equity, Welfare & Partnerships,
clare.platt@lancashire.gov.uk;

Andrea Smith, Tel: (01772) 539829, Public Health Specialist (Wider Determinants),
andrea.smith@lancashire.gov.uk;

Brief Summary

Further to Full Council's recent Notice of Motion, this report describes the proposal for provision of warm spaces in Lancashire Libraries and the implementation of a grant scheme to support access to warm spaces in the community, together with an online directory and supporting resources.

Recommendation

Cabinet is asked to:

- (i) Approve the implementation of a warm spaces grant scheme for local organisations, to a total value of £72,000; with a maximum allocation of £500 per application.
- (ii) Approve the utilisation of Lancashire libraries as warm spaces, with a budget allocation of £25,000.

Detail

Further to a discussion of a Notice of Motion, regarding warm spaces at the meeting of Full Council on 12 October 2023, Lancashire County Council resolved that:

- Lancashire County Council recognises the good work of our Lancashire Libraries and community groups last winter in helping to keep our residents warm and well.
- This Council further recognises the success of the support we put in place last winter, including the Lancashire Warm Spaces Grant Scheme, our Lancashire Warm Spaces online directory and supportive resources and the dedicated cost of living support, activities and warm refreshments offered across our 64 Lancashire Libraries.
- This Council welcomes the new Cost of Living Fund established by the Government to fund work by organisations supporting low-income households.
- To complement this new fund, this council resolves to establish a Warm and Welcome Places Grants Scheme for 2023/24 to support community organisations to provide Warm and Welcome spaces across the county in the winter period, with detailed criteria to be approved by Cabinet.
- Further, this council resolves to continue to promote a Warm and Welcome offer from our Lancashire Libraries and to continue to promote our Lancashire Warm Spaces online directory and supportive resources.

This approach to warm and welcome spaces provides one element of a wider strategic, and developing, approach to community wellbeing, supporting the individuals and communities of Lancashire.

Lancashire Warm Spaces

It is proposed to deliver a grant scheme to support access to warm spaces in the community, to a total value of £72,000 during 2023/24.

Further to advice, feedback and reviewing the administration of last year's scheme, it is proposed:

- A maximum of £500 available for voluntary, community, faith and social enterprise sector organisations (including parish and town councils) to set up / maintain a warm space project.
- A minimum expectation that every project should be:
 - Warm
 - Welcoming
 - Free to access
- Up to four funding rounds for receipt of applications, until spring 2024, according to demand and availability of funding.
- A 'light-touch' application process with a clearly defined eligibility criteria.

Online Directory:

- A secure and easy-to-use registration process for organisations
- A publicly available and user-friendly interactive map of all registered warm spaces available to access across Lancashire



Supportive Resources:

- A Lancashire Warm Spaces Charter, setting out supportive values, beliefs, and behaviours
- A dedicated mailbox
- An information e-pack to help registered organisations to set up/improve a warm space project
- Promotional materials for registered organisations, including social media assets and printable posters

Lancashire Libraries:

- It is proposed that a budget allocation of £25,000 is made available to support Lancashire libraries as warm spaces:
- Provision of a warm drink offer across all Lancashire libraries
- Targeted cost-of-living support and information

Officers will work to ensure that the warm spaces programme of support is equitable in access and delivery. It is proposed that the following opportunities be explored:

- A Lancashire-wide communications plan, targeting those residents that would benefit most from accessing support, including a warm spaces offer
- Support for voluntary, community, faith and social enterprise sector organisations to attract and maintain volunteers
- The sharing of best practice amongst the network of registered warm spaces
- Linking in with relevant national campaigns

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

Financial

The costs of £0.097m will be funded from the public health grants available to the local authority.

List of Background Papers

Paper

Date

Contact/Tel

None

Reason for inclusion in Part II, if appropriate

N/A



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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