

## Lancashire County Council

### Executive Scrutiny Committee

Wednesday, 7th January, 2015 at 2.00 pm in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston

#### Agenda

##### Part I (Open to Press and Public)

No.	Item	
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- |    |                                                                                                                                                                           |                   |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1. | <b>Apologies</b>                                                                                                                                                          |                   |
| 2. | <b>Disclosure of Pecuniary and Non-pecuniary Interests</b>                                                                                                                |                   |
|    | Members are asked to consider any Pecuniary or Non-pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda. |                   |
| 3. | <b>Minutes of the Meeting held on 2 December 2014</b>                                                                                                                     | (Pages 1 - 6)     |
| 4. | <b>Reports for decision by Cabinet</b>                                                                                                                                    | (Pages 7 - 8)     |
|    | (a) <b>Money Matters - The 2015/16 Budget and Financial Strategy 2016/17 to 2017/18</b>                                                                                   | (Pages 9 - 116)   |
| 5. | <b>Forthcoming Individual Cabinet Member Key Decisions</b>                                                                                                                | (Pages 117 - 118) |
|    | (a) <b>Implementing the Care Act - Approval of a new Deferred Payment Policy</b>                                                                                          | (Pages 119 - 156) |
|    | (b) <b>Fishergate Central Phase 2(a) Public Realm Improvement</b>                                                                                                         | (Pages 157 - 160) |
|    | (c) <b>Implementing the Care Act 2014 - Approval of a new Policy for Undertaking Assessments and Providing Support for Carers in Lancashire</b>                           | (Pages 161 - 188) |

- (d) **Implementing the Care Act: Development of a s75 Partnership Agreement with Lancashire Care Foundation Trust for meeting the County Council's responsibilities for provision of Social Care in Prisons** (Pages 189 - 222)
- (e) **The Provision of additional Primary School Places in Lancashire** (Pages 223 - 228)
- (f) **Schools Budget 2015/16** (Pages 229 - 250)
- (g) **Conversion of Footway to Cycle Track A6 London Road between Frenchwood Avenue and North Road, Preston** (Pages 251 - 268)
- (h) **Early Response Service** (Pages 269 - 274)

## **6. 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.

## **7. Date of Next Meeting**

The next meeting of the Executive Scrutiny Committee will be held on Tuesday 20 January 2015 at 2pm at the County Hall, Preston

## **8. Exclusion of Press and Public**

The Committee 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 1 of schedule 12A to the Local Government act 1972 as indicated against the heading to the item.

## **Part II (not open to the Press or Public)**

9. **Procurement of a Supplier or Suppliers to Provide Lancashire County Council with Supply and Distribution of Chilled and Fresh Produce** (Pages 275 - 284)
10. **Select Lists for Construction Works over £60,000** (Pages 285 - 292)
11. **Supply and Application of Surface Dressing** (Pages 293 - 296)
12. **Procurement of a Supplier to supply Traffic Signal Maintenance to Lancashire** (Pages 297 - 300)

I Young  
County Secretary and Solicitor

County Hall  
Preston





# Agenda Item 3

## Lancashire County Council

### Executive Scrutiny Committee

**Minutes of the Meeting held on Tuesday, 2nd December, 2014 at 2.00 pm in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston**

#### Present:

County Councillor Bill Winlow (Chair)

#### County Councillors

A Atkinson	P Hayhurst
A Barnes	S Holgate
Mrs S Charles	J Oakes
D Clifford	D O'Toole
B Dawson	N Penney
M Green	A Schofield

County Councillor Alan Schofield replaced County Councillor Geoff Driver for this meeting.

The Committee agreed that Items 5e and 5f would be taken immediately after Item 4a on the agenda, and that Item 5a was now a Part II item, and would be taken during the Part II section of the meeting.

#### 1. Apologies

None.

#### 2. Disclosure of Pecuniary and Non-pecuniary Interests

County Councillor Green declared a non-pecuniary interest in Item 5a as a member of South Ribble Borough Council.

#### 3. Minutes of the Last Meeting

**Resolved:** That the minutes of the meeting held on 4 November 2014 be confirmed as a correct record and signed by the Chair.

#### 4. Report for decision by Cabinet

The Committee considered the following report to be presented for decision by Cabinet on 6 November 2014:

- a. **The Annual Audit Letter for Lancashire County Council - Year Ended 31 March 2014**

Karen Murray, Director, Grant Thornton, the Council's External Auditor, attended to present this item.

The Annual Audit Letter for Lancashire County Council for the year ended 31 March 2014 was presented.

**Resolved:** That the recommendations in the report to cabinet be noted and that no additional comments or suggested alternative recommendations be made.

#### **5e East Lancashire Highways and Transport Masterplan - East Lancashire Strategic Cycle Network Investment Programme**

The Committee received a report setting out a proposed investment of just over £5m in three routes to contribute towards the delivery of the Strategic Cycle Network in East Lancashire. It was reported that this scheme was part of the wider East Lancashire Highways and Transport masterplan, and represented the first phase of the cycle network development.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

#### **5f Revised Criteria for Assessing Subsidised Bus Services**

A report was presented setting out a proposed revised criteria for assessing subsidised bus services. It was reported that the criteria had been developed following a wide and lengthy consultation process. The Committee was advised that the new assessment process would allow the Council to measure subsidised bus services in a more sustainable way and prioritise local community needs within the resources available.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

#### **b. Investors in People**

The Committee was advised that, following a detailed review, the County Council had retained its status as an employer that met the Investor in People (IiP) standard.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

c. **Update on the Implementation of the Living Wage**

The Committee received a report providing an update on the Living Wage within Lancashire County Council and requesting approval for the annual uplift of the Living Wage to be applied to all centrally employed staff from 1 April 2015.

It was confirmed that the Council fulfilled all the criteria to become accredited as a Living Wage employer, one of only two shire counties to be thus accredited.

It was confirmed that information and advice had been shared with schools, and the Committee welcomed the positive response to the implementation of the Living Wage from schools.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

d. **Money Matters - Update on the County Council's Revenue Budget for 2015/16 to 2017/18**

The Committee received a report further updating Cabinet on the Council's financial position for 2015/16 - 2017/18, in particular, the areas of risks and uncertainty highlighted to Cabinet in November. It was noted that the Autumn Statement was due the following day, and that any relevant information from that would be reported to Cabinet.

It was confirmed that further service offer information would be presented at Cabinet on 4 December.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

e. **Lancashire Community Safety Agreement 2014/16**

A report was presented setting out Community Safety Agreement for 2014/16. It was noted that the Agreement had been developed by the Lancashire Community Safety Strategy Group (LCSSG) in consultation with local partners.

It was noted that the principle of partnership working and the arrangements in place would ensure that any duplication of work would be addressed.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

f. **Lancashire Safeguarding Children Board Annual Report 2013/14**

The committee received a report presenting the annual report of the Lancashire Safeguarding Children Board (LSCB) for 2013/14. The Board has a statutory responsibility to ensure the effectiveness of work undertaken by agencies to safeguard children in Lancashire. The annual report set out the work undertaken in this regard in Lancashire for the 2013/14 financial year.

The work of the LSCB was welcomed by the committee, and it was noted that the LSCB and key partners would be attending a meeting of the Scrutiny Committee on Friday 5 December to consider the issues covered in the report in depth.

**Resolved:** That the recommendations in the report to the cabinet member be noted and that no additional comments or suggested alternative recommendations be made.

5. **Forthcoming Individual Cabinet Member Key Decisions**

The Committee considered the following key decisions due to be taken by individual Cabinet Members.

b. **Strategy for the Provision of School Places and Schools' Capital Investment 2015/16 to 2017/18**

The committee received a report setting out the strategy for the provision of school places and schools capital investment for 2015/16 to 2017/18. It was noted that the County Council was responsible for ensuring there were sufficient school places in the area, and that the strategy reflected a general increase in the birth rate, albeit one that was not consistent across the county.

In response to a request from councillors, it was agreed that information on school rolls and capacity would be provided to all councillors annually.

**Resolved:** That the recommendations in the report to the Cabinet Member be noted and that no additional comments or suggested alternative recommendations be made.

c. **Policy to reduce quantities of non-household waste delivered to Household Waste Recycling Centres**

The Committee received a report setting out proposals for the introduction of charges for the disposal of non-household waste at Household Waste Recycling Centres. It was reported that this followed from a report to Cabinet in January 2014 at which the principle of seeking ways to reduce the levels of non-household waste was agreed, and it was confirmed that the aim of the policy was primarily to reduce levels of waste and not to raise income.

It was noted that, due to an administrative error, the appendices had not been included in the agenda papers presented. It was therefore agreed that the Committee would make no recommendation, but that the appendices would be circulated outside of the meeting and all members invited to respond individually to the Cabinet Member with any concerns.

**Resolved:** That the appendices to the report be circulated to all members of the Committee, and individual member's response be made to the Cabinet Member for consideration.

#### **d. Reconfiguration of Sheltered Housing Services**

A report was presented on a proposal for the reconfiguration of Sheltered Housing services. It was reported that the proposals followed the decision of Full Council in February 2014 to reduce the "Supporting People" budget by £4m, which also recommended that a full consultation be undertaken before specific proposals be made.

The consultation was now complete, and the results were now presented to the committee.

**Resolved:** That the recommendations in the report to the Cabinet Member be noted and that no additional comments or suggested alternative recommendations be made.

#### **6. Urgent Business**

There was no urgent business.

#### **7. Date of Next Meeting**

It was noted that the next meeting of the Committee would be held at 2pm on Wednesday 7 January at County Hall Preston

#### **8. Exclusion of Press and Public**

**Resolved:** - That under Section 100A(4) of the Local Government Act, 1972, the press and 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 paragraphs of Part 1 of Schedule 12A to the Local Government Act, 1972 and that in all circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **9. Lancashire Advanced Engineering and Manufacturing Enterprise**

## **Zone**

The Committee received a report concerning the delivery of the Lancashire advanced engineering and Manufacturing Enterprise Zone.

**Resolved:** That the recommendations in the report to the Cabinet Member be noted and that no additional comments or suggested alternative recommendations be made.

### **10. The Development of an Extra Care Scheme in Fleetwood**

A report was presented on the development of extra care supported housing development in Fleetwood.

**Resolved:** That the recommendations in the report to the Cabinet Member be noted and that no additional comments or suggested alternative recommendations be made.

### **11. Fuel Cards**

The Committee considered a report on the award of a contract for the provision of fuel cards.

**Resolved:** That the recommendations in the report to the Cabinet Member be noted and that no additional comments or suggested alternative recommendations be made.

### **12. Environment and Asset Management Transformation Programme**

The Committee received a report setting out proposals for the transformation of the authority's Highways and Property Asset Management systems.

**Resolved:** That the recommendations in the report to the Cabinet Member be noted and that no additional comments or suggested alternative recommendations be made.

I Young  
County Secretary and Solicitor

County Hall  
Preston

# Agenda Item 4

## **Executive Scrutiny Committee**

Meeting to be held on Wednesday 7 January 2015

Electoral Division affected: None
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## **Cabinet Reports for Decision**

Contact for further information:

Josh Mynott, (01772) 534580, Office of the Chief Executive,

josh.mynott@lancashire.gov.uk

### **Executive Summary**

The Committee is invited to consider any decision making reports being presented to Cabinet on 8 January 2015.

### **Recommendation**

That the Committee scrutinise any reports for decision by Cabinet on 8 January 2015 and make recommendations to Cabinet as appropriate.

### **Background and Advice**

The Cabinet on 8 January 2015 will receive the decision making reports listed on the agenda cover sheet.

The committee is invited to consider any reports submitted to Cabinet for decision, and to comment as appropriate.

Any recommendations made by the Committee will be reported to Cabinet on 8 January.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Implications are as set out in the reports to Cabinet.

**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A



**Cabinet - 8 January 2015**

**Report of the County Treasurer**

Electoral Division affected:

All

**Money Matters - The 2015/16 Budget and Financial Strategy 2016/17 to 2017/18**  
(Appendices 'A' and 'B' to 'M')

Contact for further information:

Gill Kilpatrick, (01772) 534715, County Treasurer's Directorate

[gill.kilpatrick@lancashire.gov.uk](mailto:gill.kilpatrick@lancashire.gov.uk)

## **Executive Summary**

Over the past few months, the Cabinet has considered a number of reports setting out both the level of financial challenge facing the Council over the next three years, and the Chief Executive and her Management Team's service offer proposals which set out in an open and transparent way, what can be delivered within the resources available, and the proposals to deliver the level of savings required.

The Council continues to face significant challenges as a result both of the demand for its services and the wider public finance environment. This results in the Council having a net budget available of £669m in 2017/18 compared to £758m for 2014/15. Taking into account fees, charges and other sources of income, the Council will have total resources available to invest in services of £1.1billion. After taking into account the savings agreed by Full Council in February 2014, over the three years 2015/16 to 2016/17, the Council needs to make further savings of £176m.

In the Autumn Statement the Chancellor stated that austerity is expected to continue until 2019/20. The government's fiscal assumption is that Total Managed Expenditure (TME) in 2016/17 and 2017/18 will fall in real terms at the same rate as between 2010/11 and 2014/15 and TME will remain flat in real terms up to 2019/20. Therefore non-protected departments, of which local government is one, will see the same rate of funding reductions as those experienced since 2010.

The Council recognises that to be sustainable and deliver for our communities the Council will need to change. At its meetings in November and December 2014, Cabinet published for consultation the service offer proposals developed by the Chief Executive and her Management Team. The Cabinet resolved to consider the responses to this consultation before publishing their budget proposals for consultation.

This report provides Cabinet with updates on matters affecting the Council's financial position, including the details of the Local Government Finance Settlement for 2015/16, which was announced on 18 December 2014. The provisional

settlement for 2015/16 will result in the Council's resources for 2015/16 being £0.202m lower than forecast.

## **Recommendations**

Cabinet is asked:

- (i) To note the impact of the Local Government Finance Settlement which was published on 18 December 2014 on the level of Council resources for 2015/16;
- (ii) To consider any proposals for the revenue budget and council tax for 2015/16 for formal consultation following this meeting until 5 February 2015 when the Cabinet will consider its final budget recommendations to make to the Full Council on 12 February 2015;
- (iii) To note the formal notification from Defra of the termination of the waste infrastructure grant with effect from 31 July 2014, and the Council's proposed legal challenge. Cabinet is asked to agree that balances of £5.990m be set aside in 2015/16 to provide financial cover for this.
- (iv) To formally consult the following organisations in relation to the 2015/16 budget proposals:
  - The County Council's Budget Scrutiny Committee
  - The Office of the Police and Crime Commissioner
  - The Lancashire Combined Fire Authority
  - Recognised Trade Unions
  - Borough, City and Unitary Councils in Lancashire
  - Third Sector Lancashire
  - Association of Parish Councils
  - Lancashire Safeguarding Children's Board
  - Lancashire Care Association
  - The Older People's Forum
  - The Chamber of Commerce
  - The Lancashire Enterprise Partnership
  - Healthwatch Lancashire
  - The Clinical Commissioning Groups
  - Young People's Engagement Forums
- (v) In relation to the Schools Budget, agree that:
  - i. The County Council's allocation of Dedicated Schools Grant (DSG) is applied in its entirety to the Authority's Schools Budget and not to supplement the Schools Budget from other resources available to the Authority, and
  - ii. The detailed allocation of resources within the Schools Budget should be determined at a later date by the Cabinet Member for Children, Young People and Schools in consultation with the interim Executive Director for

Children and Young People and the County Treasurer in conjunction with the Lancashire Schools Forum.

**Background and Advice**

As set out at Appendix 'A'.

**Consultations**

As set out at Appendix 'A'.

**Implications:**

As set out at Appendix 'A'.

**Risk management**

As set out at Appendix 'A'.

**List of Background Papers**

Paper	Date	Contact/Directorate/Tel
Financial Outlook papers	April - December 2014	George Graham, County Treasurer's Directorate (01772) 538102

Reason for inclusion in Part II, if appropriate

N/A



## Appendix 'A'

### The 2015/16 Budget and Financial Strategy 2016/17 - 2017/18

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#### 1. Introduction

This report provides the Cabinet with an update on the County Council's budget for 2015/16 and future years following the publication of the Chancellor's Autumn Statement on 3 December 2014, the Local Government Finance Settlement for 2015/16 on 18 December 2014, and the impact of the savings identified by the County Council's Management Team in developing the service offer proposals.

The Council continues to face significant challenges as a result both of the demand for its services and the wider public finance environment. This results in the Council having a net budget available of £669m in 2017/18 compared to £758m for 2014/15. At the same time the Council faces the continuing increase in demand for services. Taking into account income from fees, charges and other sources, the Council will have a total resources available to invest in services in 2017/18 of £1.1 billion.

#### 2. The External Environment

The County Council is subject to a wide range of external influences which impact on the Council's finances in different ways. This section of the report considers these factors and their influence on the level of the County Council's resources.

##### 2.1 *The Autumn Statement*

The Chancellor of the Exchequer's Autumn Statement was published on 3 December 2014. This set out the global economic context within which the UK is operating and revised upwards the forecast for UK growth in 2014 from 2.7% to 3% and from 2.3% to 2.45% in 2015. The Chancellor made it clear that austerity measures will continue, in order to support the reduction in the deficit. Public spending control is central to the government's commitment to reducing the deficit, and a further £10 billion of efficiency savings are expected to be achieved by 2017/18. The government has to date delivered £67 billion of the £99 billion planned reductions in spending by the end of 2015/16.

The Chancellor stated that austerity is expected to continue until 2019/20. The government's fiscal assumption is that Total Managed Expenditure (TME) in 2016/17 and 2017/18 will fall in real terms at the same rate as between 2010/11 and 2014/15, and will remain flat in real terms in 2018/19 and 2019/20. Therefore non-protected departments, of which local government is one, will see the same rate of funding reductions as those experienced since 2010.

This represents further risk to the resources received by the Council in the form of Revenue Support Grant from the government. The existing forecast and projections reflects the continuation of the average reductions the Council had experienced since 2010 at 7%. However, the Local Government Association (LGA) and other commercial consultancies have forecast higher reductions in funding, and using a mid-point of their projections this refers to a reduction of 9% in 2016/17 and 2017/18.

This represents a further risk to the Council as a 2% reduction in funding will reduce available resources by £6.6m in 2016/17 and £6.1m in 2017/18. A 2% change over both years would amount to £12.7m in total.

## 2.2 *The Provisional Local Government Settlement for 2015/16*

The provisional Local Government Finance Settlement for 2015/16 was announced on 18 December 2014.

The government continues to present the allocation of government resources through the concept of spending power. Spending power measures the overall revenue funding available for local authority services, including Council Tax, locally retained business rates and government grants.

The paragraphs below set out for Cabinet the impact of the settlement on the level of resources the Council will receive from the government, in order to understand the impact on the Council's financial position.

The Council's support received through the settlement for 2015/16 broadly in line with the current forecast with a slight reduction in resources of £0.202m. This is made up as follows:

- Revenue Support Grant has increased by £0.833m from £156.582m to £157.415m.
- The Business Rates Top-Up funding has reduced by £1.157m from £140.072m to £138.915m.
- The amount the Council will receive in compensation for the business rate cap for small businesses has increased by £0.168m from £2.340m to £2.508m.
- The New Homes Bonus funding has reduced by £0.046m from £3.921m to £3.875m.

In addition, confirmation of specific grant funding has been received as part of the settlement for 2015/16.

- Department of Health revenue grant funding of £1.235m to cover a range of spending including continuing funding for the deprivation of liberty safeguards and healthwatch. This also includes £0.490m new burdens funding for the transfer of responsibility for social care in prisons.
- Educational Services Grant funding of £16.126m.
- Additional grant of £0.659m to support the Special Educational Needs and Disabilities (SEND) reforms. These additional resources are one-off and will enable the Council to mitigate the risks associated with the SEND reforms.
- Adults Social Care New Burdens grant funding of £6.885 for the Care Act which is currently anticipated to cover expenditure in 2015/16. The Council is exposed to considerable risks in relation to this in 2016/17 and beyond.

Within the Council's provisional settlement is an amount indicated to be for the local welfare provision of £2.6m. However, it must be emphasised that no additional resources have been allocated to local government for this, and this appears to only presentational.

### 2.3 *New Homes Bonus – Additional One-Off Resources*

As part of the settlement, the government has reduced the level of the national topslice of local government resources set aside to fund the new homes bonus. Nationally £1bn was previously held back in 2015/16 for New Homes bonus, now this is reduced to £950m with the £50m returned to local government. The provisional impact on the County Council is a one-off benefit in 2015/16 of £0.564m.

### 2.4 *Council Taxbase*

The City and Borough Councils must confirm the final figures in relation to taxbase (i.e. the number of properties upon which council tax is paid) by 31 January 2015. The Council has received provisional forecasts for the level of council taxbase in 2015/16 from most City and Borough Councils. This information indicates that taxbase may have increased above the forecast. However, given a only a proportion have been received from City and Borough Councils, and experience as shown this forecast to be volatile the information will be formally reported to Cabinet once figures are confirmed and reliance can be placed upon them.

### 2.5 *Council Tax Levels*

The council tax referendum limit was announced within the Provisional Local Government Settlement for 2015/16. Any council tax increase of 2% or above will require a referendum.

In addition, the arrangements for a 2015/16 council tax freeze grant were announced within the settlement. If a decision to freeze council tax is made, a council would receive an on-going grant to the equivalent of a 1% council tax rise. The government has announced a provisional allocation for the Council of £4.373m, which is slightly higher than a 1% increase in council tax, due to a higher council tax base being used to calculate.

The table below shows the impact of council tax increases in increments of 0.5% ranging from a freeze to an increase of 1.99%.

<b>Impact of an Increase in Council Tax</b>	<b>2015/16 £m</b>
A Freeze	4.373
0.50% increase	1.878
1.00% increase	3.756
1.50% increase	5.634
1.99% increase	7.474

Table 1

## 2.6 *The Better Care Fund*

The Better Care Fund is utilised to form a joint plan between the Council and the 6 Lancashire Clinical Commissioning Groups. Subject to the agreement of the Better Care Fund plan in 2015/16 the value of the pooled fund is £79.5m of which £25.3m has been allocated to the Council and is incorporated within the forecast for 2015/16. The final allocation for 2015/16 will be dependent upon planning and performance in 2014/15 and achieving specified goals in 2015/16.

## 2.7 *Business Rates income*

The Council's resource forecast for 2015/16 includes a share of the locally retained business rates. City and Borough Councils are currently calculating their respective forecasts in respect of the level of business rates income they expect to collect in 2015/16 of which the County Council will receive a share. The Council's resources will always reflect the actual level of business rates income collected by City and Borough Councils rather than the forecast allocation made by central government. Therefore resources available to the Council will be affected by any variation from the forecast. City and Borough Councils are required to provide this information to County Councils by 31 January 2015, and no forecasts have been received at present. We have been able to base initial projections on the National Non Domestic Rates returns from City and Borough Councils during the year, with allowances for growth in rateable value and the impact of business rates appeals. The formal notifications are required for budget setting.

## 2.8 *Public Health Grant*

The Council took responsibility for some Public Health services from 1 April 2013 and receives a specific earmarked grant to deliver these services. The allocation for 2015/16 is, in line with forecast, £59.8m. This is a ring-fenced grant and must be used to support public health activities.

From 1 October 2015 local authorities will become responsible for commissioning the age 0 to 5 Healthy Child Programme. Funding for this responsibility will sit within the overall ring-fenced Public Health budget. The transfer of age 0 to 5 Healthy Child Programme services will include:

- Health visiting services
- Family Nurse Partnership services (targeted service for teenage mothers)

Negotiations are currently underway with the NHS with regard to finalising the funding for this transfer of responsibility and the Council has received an indicative allocation of £9m in funding covering the six month period from 1 October 2015 to 31 March 2016. It is anticipated that the full-year allocation will rise to £18m in 2016/17, however, this has yet to be confirmed. It is important to note that the Council will also receive spending obligations, and at this stage, should not assume savings arising from the transfer in 2015/16.



### 3. Delivering the 2015/16 to 2017/18 Budget

#### 3.1 The Starting Point

The 2014/15 revenue budget was set at Full Council in February 2014. At that time the Council identified a 'Spending gap' between expenditure and resources of £161.488m by 2017/18 as follows:

	2015/16	2016/17	2017/18	Total
	£m	£m	£m	£m
Spending Gap	72.946	44.794	43.748	161.488

Table 2

#### 3.2 Changes to the Forecast of Spending and Resources

A detailed review of costs and resources was undertaken over the summer and the details reported to Cabinet in November. The Council's future costs are driven by both demand and inflation. In addition there are "legacy" pressures which have arisen from savings falling out of the current financial strategy.

The Council's forecast of resources was revised during the same period and reported to Cabinet in November, details are shown below in table 3. The overall impact of these changes that result in a revised spending gap of £176.671m by 2017/18. The November Cabinet report can be found at the following link

<http://council.lancashire.gov.uk/ieListDocuments.aspx?CId=122&MId=3015>

	2015/16	2016/17	2017/18	Total
	£m	£m	£m	£m
<b>Spending Gap as reported to Full Council February 2014</b>	<b>72.946</b>	<b>44.794</b>	<b>43.748</b>	<b>161.488</b>
Add change to forecast of spending:				
Service Demand Pressures	8.185	0.671	0.501	9.357
Inflation and Cost Changes	-1.020	-1.683	-1.310	-4.013

Legacy Financial Pressures	4.822	7.254	2.448	14.524
<b>Total Change to Forecast of Spending</b>	<b>11.988</b>	<b>6.241</b>	<b>1.638</b>	<b>19.867</b>
Less change to forecast of resources:				
Business Rates Top Up and Local Share	-6.418	1.583	0.134	-4.701
Council Tax Base	0.507	nil	nil	0.507
New Homes Bonus	0.568	-1.058	nil	-0.490
<b>Total Change to Forecast of Resources</b>	<b>-5.343</b>	<b>0.525</b>	<b>0.134</b>	<b>-4.684</b>
Impact of 2015/16 Settlement	<b>0.202</b>	-	-	<b>0.202</b>
<b>Revised Spending Gap</b>	<b>79.793</b>	<b>51.560</b>	<b>45.520</b>	<b>176.873</b>

Table 3

### 3.3 Meeting the Spending Gap

The Chief Executive and her Management Team have prepared a number of service offer proposals to re-design the way services are delivered within a reduced spending envelope. Cabinet requested that these proposals were the subject to consultation, in order that Cabinet could consider the views of stakeholders before formally publishing their budget proposals for 2015/16 and later years.

The results of the consultation are set out later in Appendices 'B' to 'M' of this report. The service offers developed by the Chief Executive and her Management Team to deliver investment in services within a gross budget of £1.1 billion, income of £445.569m and a net budget of £699m. The service offers proposals have also delivered savings of £155.948m.

	2015/16	2016/17	2017/18	Total
	£m	£m	£m	£m
Savings arising from the Service Offer proposals developed by the Chief Executive and her Management Team, published for consultation in November 2014	66.170	38.726	37.052	141.948

Savings arising from the Service Offer proposals developed by the Chief Executive and her Management Team, published for consultation in December 2014	6.250	5.250	2.500	14.000
<b>Total Savings arising from the Service Offer Proposals developed by the Chief Executive and her Management Team, published for consultation in December 2014</b>	<b>72.420</b>	<b>43.976</b>	<b>39.552</b>	<b>155.948</b>

Table 4

### 3.4 Overall Impact

The impact of the changes to spending and resources and the savings identified above on the Council's budget position is therefore:

	2015/16 £m	2016/17 £m	2017/18 £m	Total £m
<b>The Gap between spending and resources after impact of 2015/16 Finance Settlement</b>	<b>79.793</b>	<b>51.560</b>	<b>45.520</b>	<b>176.873</b>
Less: The savings from the service offer proposals developed by the Chief Executive and her Management Team, published for consultation	72.420	43.976	39.552	155.948
<b>Updated Position after impact of 2015/16 Finance Settlement and Service Offer Proposals</b>	<b>7.373</b>	<b>7.584</b>	<b>5.968</b>	<b>20.925</b>

Table 5

## 4. Risks and Uncertainties for 2015/16

The strategy to achieve a balanced budget package includes consideration of the risks and uncertainties around the Council's financial position. The key areas for consideration are as follows:

### *Legislative Change*

It has previously been reported to Cabinet that the Supreme Court judgement related to Deprivation of Liberty Safeguards (DOLS) presents a £2.9m risk, as proposals being considered do not provide any additional funding. Further analysis is being undertaken and a further update will be provided to Cabinet in the future.

## *Resources*

There is no clarity on the level of support from central government beyond 2015/16. Furthermore the Chancellor has announced in his Autumn Statement on 3 December 2014 that austerity measures will continue up to 2019/20 and a further £10 billion of efficiency savings will need to be achieved. In the Economic and Fiscal Outlook, the Office for Budget Responsibility (OBR) stated the Treasury's figures imply that 'roughly 40% of the total implied cut in day-to-day public services spending between 2009/10 and 2019/20 will have taken place over this Parliament, with roughly 60 per cent to come in the next Parliament. At present it is not known how this will impact on Local Government.

- The Councils projections include funding reductions of 7% and further analysis illustrates that if funding from the government was reduced by a further 2% this would reduce the resources available by £6.6m in 2016/17 and 2017/18. A 2% change over both years would amount to £12.7m in total.
- There is a potential risk to future income from locally collected business rates as a result of appeals against the rate they are charged. The Council's forecast of resources incorporates the estimated potential impact of such appeals.

## *Waste PFI Grant*

The Council received notification from Defra on the 16 December 2014 of the decision to terminate the payment of the waste infrastructure grant from 31 July 2014. The Council considers that it has very strong grounds to contest this decision and will now challenge Defra's decision by way of a Judicial Review. £5.990m of waste infrastructure grant is contained within the Council's forecast of resources for each of the three years 2015/16 to 2017/18. Although the Council is confident of its case, this resource must be considered to be at risk and therefore an amount set aside from reserves to provide cover in 2015/16. This position will be subject to review, and therefore may impact on the forecast of resources for future years.

## *Demand*

The level of demand for social care services continues to put pressure on the Council's budget in the current year and presents a continual pressure for future years. The services offers include significant savings based on being able to change the way services are delivered. The budget includes the most up to date demand forecasts but any future increases in demand will add pressure to the future budgets.

## *Inflation*

Actual inflation remains relatively low and therefore represents minimal risk in the forecast of spending to 2017/18.

## *Pay*

The forecasts include the pay award of 2.20% from 1 January 2015 to March 2016, and then an assumed increase of 2% each year thereafter. The forecasts also include the latest increases to the Living Wage of 2.7% in September 2014.

The Chancellor announced that restraint in public pay is expected to continue which could produce pay award increases less than the 2% provided for in the forecast, if this is the reality any impact will be reflected in future updates to the financial forecast.

### *The Care Act*

Care Act – The Care Bill became the Care Act on 14 May 2014. Under the Care Act local authorities will need to ensure that residents

- Receive services that prevent their care needs from becoming more serious
- Can access information and advice to make good decisions about their care and
- Have a range of high quality care providers to choose from

The Care Act also includes measures to allow deferred payments and to introduce a lifetime care limit of £72,000 for elderly care users. Under the reforms, with effect from 1 April 2015 local authorities will be expected to cover the costs for care once eligible users have reached their lifetime contribution limit. This additional responsibility will lead to additional pressures on the Council's budget.

Some additional resource (of c £3m) for set up costs has been allocated to local authorities through the Better Care Fund arrangements but at this stage the ongoing additional cost is not clear. In addition an indicative specific grant figure of £6.885m for 2015/16 has been provided. While these costs will be funded through the "new burdens" mechanism there is a significant risk, particularly in 2016/17, that the total resource provided will be insufficient and that the distribution mechanism used will fail to match the incidence of increased costs. A significant level of work is ongoing on this area, and further reports will be provided to members as information emerges.

## **5. Schools Budget**

In line with the school funding arrangements introduced in November 2007, Cabinet has agreed since 2008/09 in respect of the Schools Budget that:

- a) The County Council's allocation of Dedicated Schools Grant (DSG) is applied in its entirety to the Authority's Schools Budget and not to supplement the Schools Budget from other resources available to the Authority; and
- b) The detailed allocation of resources within the Schools Budget is determined at a later date by the Cabinet Member for Children, Young People and Schools in consultation with the Interim Executive Director for Children and Young People and the County Treasurer and in conjunction with the Lancashire Schools Forum.

The provisional Dedicated Schools Grant allocation is £839.957m in 2015/16, and currently supports the following:



Establishment type	Number
LEA maintained Primary Schools	476
LEA maintained Secondary Schools	62
LEA maintained Special Schools	30
Nursery Schools	24
Short Stay Schools	10
Primary Academy Schools	6
Secondary Academy Schools	20
Secondary Free Schools	1
All-through Free Schools	1
FE Colleges	23
Private, Voluntary and Independent Early Year Providers	925
<b>Total</b>	<b>1,578</b>

The Cabinet is asked to confirm the continuation of this approach in relation to the determination of the 2015/16 and future years' Schools Budget.

## 6. Budget Consultation 2015/16

Consultation on the service offer proposals developed by the Chief Executive and her Management Team has been undertaken with a range of organisation with the following responses received:

- The Clinical Commissioning Groups (Appendix 'B' refers)
- The Life in Lancashire Panel (Appendix 'C' refers)
- Young people's engagement forums (Appendix 'D' refers)
- Responses from the public (Appendix 'E' refers)
- Borough, District and Unitary Councils in Lancashire (Appendix 'F' refers)
- Budget Calculator – YouChoose Budget Report (Appendix 'G' refers)
- Third Sector Lancashire (Appendix 'H' refers)
- Association of Parish Councils and individual parish responses (Appendix 'I' refers)
- Lancashire Safeguarding Children's Board (Appendix 'J' refers)
- The Lancashire Care Association (Appendix 'K' refers)
- The Budget Scrutiny Committee (Appendix 'L' refers)
- Miscellaneous responses (Appendix 'M' refers)
- The Older People's Forum (no response received)
- The Chamber of Commerce (no response received)
- The Lancashire Economic Partnership (no response received)
- The Office of the Police and Crime Commissioner (no response received)

- The Lancashire Fire Authority (no response received)
- Health Watch (no response received)
- Trade Unions (no response received)

The feedback received from these groups is shown in Appendices 'B' to 'M'.

The formal budget consultation will begin upon the publication of the Cabinet's budget proposals on 8 January 2015, which will be reported to Cabinet at its meeting on 5 February 2015.

## **7. Equality and Diversity**

The consideration of savings proposals will also take full account of the Council's duty under s.149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Where necessary this consideration will involve consultation with those people who may be adversely affected by the proposals.

Having due regard means analysing at each step of formulating, deciding upon and implementing policy what the effect of that policy is or may be upon groups who share protected characteristics defined by the Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity, and, in some circumstances, marriage and civil partnership status.

Where analysis shows that there may be a possible negative impact it will then be necessary to consider whether any steps can be taken to mitigate or reduce the potential adverse effects. This may involve an amendment to the original proposals. The analysis and negative impacts must then be balanced against the reasons for the proposals, that is to say the need for budget savings.

Equality Analyses will be updated in due course to reflect the outcome of consultation and will be provided to Cabinet for them to be considered before making recommendations to Full Council.

## **8. Adequacy of Reserves**

The Council holds reserves for a number of reasons:

- To ensure the organisation is in a good position to deal with unexpected events, such as flooding or the destruction of a major asset through fire.
- To ensure the organisation can manage in year budget pressures due to the variation in demand for services.



- To adequately meet demands identified within the budget and fund specific projects.

There is no right answer to the question of the appropriate level of reserves for a local authority; this is a matter of judgement taking into account:

- The level of risk evident within the budget as set out above.
- A judgement on the effectiveness of budgetary control within the organisation.
- The degree to which funds have already been set aside for specific purposes which will reduce the need for general reserves.

The level of risk evident within the budget is clearly increasing as set out in the analysis above. Whilst this does not indicate a need to increase reserves, it sets the context within which the Council needs to consider the level of reserves it holds.

The effectiveness of budgetary control is a combination of both systems and processes and the risk environment within which the Council is operating. Budgetary control procedures remain strong.

The Council currently has earmarked reserves available of £105m to fund the costs of downsizing the Council. The Council will face significant severance costs as the number of staff reduces over the next three years.

In relation to the Council's general reserve (County Fund Balance), the forecast level at 31 March 2015 is £36m.

The Chancellor has stated that the austerity measures within which the Council is operating is likely to continue to 2019/20, if not beyond. Therefore is important the Council maintains a level of reserves which enables the Council to:

- Effectively manage the process of downsizing and reshaping of the Council, including the payment of severance costs and the availability of reserves to give protection to those services provided to the most vulnerable members of the community.
- Changes in the welfare system could lead to potential increases in demand for the Council's services, therefore adequate reserves are required until the impact becomes clearer.
- To manage potential instability in the Business Rates retention system. Whilst the Council has set aside £5m within a volatility reserve, in reality, business rate income would have to reduce by £12.4m before the safety net mechanism within the system kicks in, potentially exposing the Council to a level of resource volatility not covered by the reserve.

In overall terms, the Council has an appropriate level of reserves available to manage the overall financial risk it is facing in 2015/16, with some ability to be flexible in terms of managing the balance between holding reserves and managing budget reductions in 2015/16.

## **9. Capital Investment Programme**

The Capital Programme is largely funded by government allocations which come in the form of grants. Although the allocations can be used for any capital purpose they are issued by the Department of Transport for Integrated Transport and maintenance and from the Department of Education for schools basic need and maintenance. To date the following 2015/16 allocations have been notified for schools basic need (£8.467m) and integrated transport (£6.054m). It is anticipated that the additional allocations, which in 2014/15 totalled some £30m, will be received in December or January. No announcements on capital formed part of the provisional local government settlement. Consequently, an update on the Capital Programme will be presented to Cabinet for consideration at the meeting on 5 February 2015. The Integrated Transport and Maintenance funding grant allocation is expected to be announced on 23 December 2014.



**West Lancashire  
Clinical Commissioning Group**

Our Ref:

Please contact: Mike Maguire

Email: [mike.maguire@westlancashireccg.nhs.uk](mailto:mike.maguire@westlancashireccg.nhs.uk)

Direct Tel: 01695 588144

NHS West Lancashire CCG Offices  
NHS Hilldale  
Wigan Road  
Ormkirk  
L39 2JW

Tel: 01695 588 000  
Fax: 01695 588 331

12 December 2014

Dear Councillor Mein  
Leader  
Lancashire County Council  
County Hall  
Preston

[www.westlancashireccg.nhs.uk](http://www.westlancashireccg.nhs.uk)  
[info@westlancashireccg.nhs.uk](mailto:info@westlancashireccg.nhs.uk)

Dear Councillor Mein

**Consultation on the County Council's Budget 2015/2016 to 2017/2018**

NHS West Lancashire Clinical Commissioning Group (CCG) welcomes the opportunity to respond to the County Council's (LCC) budget consultation. It was helpful to have time with Steve Gross recently to understand the service offers for adult social care and public health in more detail. It would be valuable to have the opportunity of an equivalent session covering the important area of children of young people and would welcome discussion about arranging this.

Firstly we feel it important to acknowledge the scale of the challenge the County Council is facing and appreciate that difficult decisions will need to be made. We strongly believe that we all have a responsibility to ensure that decisions made in one part of the system do not adversely impact on another and that we ensure we work to a principle of the Lancashire health and care system working as one. We feel that some of the service offers do not demonstrate this. We highlight these in our response and call for greater and closer collaboration on these areas to mitigate against adverse impact.

**Commissioned Adult Social Care LD Service Offer**

This is an example of a service offer we feel risks having adverse impact on the system, particularly for continuing healthcare. We would ask for joint planning now on how to mitigate against this and a commitment to work collaboratively on the proposed reviews.

**Supporting People Additional Service Offer**

We are concerned about the scale of savings to be made in this area and particularly with regard to the short term supported accommodation services and the decommissioning of family intervention projects. We appreciate the alignment with the establishment of the integrated wellness service and the development of an asset approach but despite this still have significant concerns about the gap this decommissioning risks creating for some of the most vulnerable families within our local area.

**Adult Social Care (Staff) Service Offer**

We are uncomfortable with the assumption in this service offer in terms of what will be different is "delegation to and reliance upon other services/organisations to complete social care tasks". This

requires further explanation and discussion with organisations concerned. We feel the focus on prevention and early intervention could be stronger within this service offer, with greater emphasis on the role these staffing groups have within neighbourhood teams to facilitate rapid, appropriately supported hospital discharge.

We feel that identifying the people previously funded by LCC which will move to Continuing Health Care, particularly a problem around Learning Disabilities and Mental Health, will be an issue as there is no current idea of levels and size of potential risk - it is not currently quantifiable and there will be variability across the county. It would be useful if LCC would inform CCGs over the touch points with the NHS after the re assessments to assist CCGs in gauging the impact.

We believe that the suggested reduction of capacity in this area will present risks to the NHS in areas such as on areas such as hospital discharge and would request assurance from LCC that it will work with NHS colleagues to ensure that these risks are mitigated as far as possible.

As with all transformational change we would ask to be involved in the evaluation phase of these service offers.

We would also ask that NHS colleagues are involved in the planning and delivery of any public awareness raising in relation to the changes in service offers as the impact of LCC budget reductions may potentially have impact on GP provision in terms of presentation with anxiety and depression for example, and it would be beneficial for communications to be handled carefully, proactively and in collaboration with health.

### **Public Health and Wellbeing Service Offer**

We remain concerned about the cost savings to be made in this area, particularly given the national commitment to ring fencing this resource. We propose immediate discussion with colleagues across Lancashire on bringing this resource under the Better Care Fund.

We note the further detail provided in the equality impact assessments on the additional service offers for the re-commissioning of public health services and appreciate that savings could be achieved by reducing the number of providers. We are concerned however that one provider for key services for the whole of Lancashire may result in a loss of localism and we would look for assurances from you that this will not be the case. We would also look to learn lessons from the commissioning of the Integrated Wellness Service to ensure improved collaboration of CCGs in the development of service specifications for these key public health services from the outset.

We also feel that consideration should be given to putting efficiencies realised from the decommissioning back into some key services with the specific example of smoking services and sexual health services. This reflects the fact that these services were arguably historically underfunded and are, particularly in the example of smoking, vitally important for addressing health inequalities being the single most preventative cause of death.

Targeted early help runs across the whole life course and links very closely with New Models of Care and neighbourhoods being developed within the CCGs strategic vision. It needs to be embedded within these and not sit separately as a public health procured service. CCGs need to be engaged in specification development for redesigned provision to ensure integration into neighbourhoods. Linked to this we feel that there are public health lifestyle service commissioning integration opportunities in conjunction with health.

We recognise that analysis on the requirements/activity for public health commission services has been considered however we cannot see mention of how the increasing population may impact demand for these service.

We note the work we are contributing to in revising the memorandum of understanding between LCC public health function and the CCGs. We are concerned that the service offer for public health and wellbeing references delivering public health support to the CCGs in the “patient safety and quality improvement” domain only and if this provides the necessary capacity for fulfilling this function that is mandated.

In relation to public health intelligence we value the expertise brought by public health intelligence and cannot see this function clearly within the LCC management structure. We appreciate that consultants in public health as an example also bring these skills but there needs to be appropriate capacity for this important function.

We would be keen to understand the evidence for the assumption that savings can be realised through children’s services once the County Council takes on responsibility for commissioning Health Visiting Services.

#### **Management Structure**

We have some very productive working relationships with colleagues at the County Council both at an individual level and partnership level. We are keen to ensure a high level of business continuity as the County Council goes through this period of efficiency and welcome the offer from Steve Gross to have discussions in the spring to aid us in understanding how we as an organisation will effectively and efficiently interface with the new management structure of LCC whilst sustaining the momentum we have for our large scale transformation programmes such as Facing the Future Together.

We would also welcome discussion on ways, as the Better Care Fund becomes embedded, of aligning our commissioning capacity together.

I hope these views have been helpful and will be duly considered as part of the ongoing consultation period. I once again reiterate the commitment we have in West Lancashire to collaborative working for system wide transformation with improved outcomes achieved despite the challenging times our organisations face.

Yours sincerely



**Mike Maguire**  
**Chief Officer**

**Lancashire County Council budget consultation 2015/16-2017/18****Responses from Fylde and Wyre Clinical Commissioning Group**

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**Fylde and Wyre  
Clinical Commissioning Group**

Derby Road

Wesham

Lancashire

PR4 3AL

Tel: 01253 956315

Fax: 01253 956968

15 December 2014

County Councillor Jennifer Mein  
Leader of the County Council  
PO Box 78  
County Hall  
Preston  
PR1 8XJ

Dear Jennifer

**Consultation on the County Council's Budget 2015/16 to 2017/18**

Thank you for your letter of 10 November 2014 regarding the above.

The CCG acknowledges the continuing significant financial challenges faced by Lancashire County Council and that the service offer to the people of Lancashire must reflect the available resource.

We have reviewed the service offer, specifically focusing on the Social Care Services and Public Health and Wellbeing service offers. This review was aided by a 'walk through' of the offers provided by Steve Gross and Sakthi Karunanithi to whom we are grateful. We would also welcome a similar 'walk through' for the Children and Young People service offers, particularly the proposed reduced CAMHS service offer, considering that the existing service provision has been identified as a shared concern.

Whilst we recognise the challenge in providing a clear and concise summary of the offers, we found it extremely difficult to identify what reduced or additional service the people of Lancashire would receive. Consequently we are concerned whether people and organisations are in possession of sufficient information to fully understand and respond to the service offers.

Informed by the 'walk through', we and other CCGs who participated were particularly concerned about the impact of the following reduced service offers on the provision of health and care for the people of Lancashire:-

- Adult Social Care (Staff)

- Commissioned Social Care Learning Disabilities (Adults)
- Public Health and Wellbeing

2)

15 December 2014

Specifically, it appears likely that the reduced offers will further exacerbate the pressures being experienced by local urgent care systems and additionally result in an increased cost to the NHS, neither of which we understand has been quantified. Furthermore, continued investment in social care, prevention and public health is fundamental to enable us to collectively respond to the population challenges we face and make essential changes to the way services are provided.

We would welcome the opportunity for a more detailed discussion (involving all Lancashire CCGs) and understanding of the above reduced service offers to inform our response to the final budget consultation which we understand will take place in January 2015. We would also propose that the service offers are explained to and discussed by the Lancashire Health and Wellbeing Board in the context of the delivery of the Strategy and Better Care Fund Plan.

Thank you for the opportunity to respond.

Yours sincerely



**Peter Tinson**  
**Chief Operating Officer**

15 December 2014

County Councillor J Mein  
Lancashire County Council  
County Hall  
Preston  
Lancashire  
PR1 8RL  
(by email)

Moor Lane Mills  
Moor Lane  
Lancaster  
LA1 1QD  
Tel: 01524 519333  
Fax: 01524 519228

[www.lancashirenorthccg.nhs.uk](http://www.lancashirenorthccg.nhs.uk)

Dear Councillor Mein

### **Consultation on the County Council's Budget 2015/2016 to 2017/2018**

We welcome the opportunity to respond to the County Council's budget consultation. It was helpful to have time with Steve Gross last Friday to discuss some of the service offers for adult social care and public health. We would welcome, before Christmas, the offer of an equivalent session for the service offers covering children and young people. As there are significant cost savings and service reconfiguration to be made could you also please let us have a copy of your health impact assessment for the proposed changes?

This letter should be viewed as an initial, high level, response from Lancashire North Clinical Commissioning Group. With the other five CCGs in Lancashire we will, be requesting further information to inform a more detailed collective response which we intend to submit in January.

Regarding the proposed Adult Social Care and Public Health offers, we have grave concerns about the health impact of some of the proposed financial savings that you are proposing. There appears to be an underlying approach of shifting costs from the County Council budget to other partner organisations without any consultation or discussion e.g. the proposal to reassess 12,500 individuals with a mental health or learning disability and transfer to continuing healthcare funding.

We believe that the proposed changes also hold significant risk to the urgent care system, in particular to increasing the number of delayed discharges and the ability to support vulnerable adults in their own homes.

Over the past few years a substantial amount of partnership working has taken place between our two organisations where we have focused on integration and joint commissioning e.g. transitional care pathway. This is continuing at present via the Better Care Together Programme and the Better Care Fund. We are concerned that these proposals may damage the prospects for integrating partnership work in our area.

Regarding the Public Health offer, we are aware of the current ongoing loss of the faculty registered specialist public health workforce and have growing concerns as to how LCC will undertake their statutory role under the Health and Social Care Act 2012 to provide accredited specialist support to the CCG.

Whilst we appreciate the hugely challenging nature of savings your organisation is required to make, the impact on other partners is likely to be substantial, not only financially but also from a partnership perspective. We would welcome discussion through both the Health and Wellbeing Board and our local Health and Wellbeing Partnership so that we can more fully understand the impact across the whole health economy. We note the work we are currently doing on revising the memorandum of understanding between the CCGs and



LCC's public health function to fulfil the mandated area of providing public health support to NHS commissioners and the operating model that supports delivery of it. We see this work as dovetailing with the service offer on public health and wellbeing.

I look forward to hearing from you.

Yours sincerely



Andrew Bennett  
Chief Officer

Copy Dr A Gaw, Clinical Chair, LNCCG  
County Councillor A Ali, Chair HWBB, LCC  
Mr S Gross, Executive Director of Adult Services, LCC

## East Lancashire Clinical Commissioning Group

Enquiries to: Cathy Gardener  
 Contact no: 01282 644684  
 Email: [cathy.gardener@eastlancscg.nhs.uk](mailto:cathy.gardener@eastlancscg.nhs.uk);  
 Our Ref: MI/CG/DCAC

### East Lancashire Clinical Commissioning Group

Walshaw House  
 Regent Street  
 Nelson  
 Lancashire  
 BB9 8AS

Date: 16 December 2014

Tel: 01282 644700

Fax: 01282 615559

County Councillor Jennifer Mein  
 Leader of the County Council  
 PO Box 78  
 County Hall  
 Preston  
 PR1 8XJ

Dear Jennifer

### Consultation on the County Council's Budget 2015/2016 to 2017/2018

Thank you for the opportunity to respond to the County Council's budget consultation.

East Lancashire CCG acknowledges the significant financial challenges faced by Lancashire County Council and the impact that this has on the service offers. This letter forms an initial, high level response from East Lancashire CCG at this time.

Steve Gross and Sakthi Karunanithi met with CCG representatives on 5<sup>th</sup> December to review the offers for adult social care and public health in more detail. The meeting was helpful in understanding the potential impact on the overall health and social care system and we would welcome the offer of an equivalent session for the service offers covering children and young people and in particular the proposed reduced CAMHS service offer.

Our understanding of the Commissioned Social Care Learning Disabilities (Adults) service offer is that it will result in a reduction of provision of commissioned care to meet long term needs of services users. As a CCG we are concerned about the impact this service offer may have on the system, particularly in context of current pressures being experienced in urgent care and risks of increased costs to the NHS. We would welcome a more detailed understanding of the equality impact assessment conducted on this service offer and would suggest joint planning now on how to mitigate against this with a commitment to work collaboratively on the reviews proposed. It will also be helpful to know whether consultation with service users, carers and other stakeholders has taken place and the outcomes of this exercise.

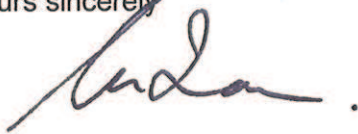
The Public Health and Wellbeing Service Offer is also of concern and we require specific detail of planned cost saving given the national commitment to ring fence this resource. It will be helpful to understand whether bringing this resource under the Better Care Fund has been considered and the rationale to any proposal. We would note the work being carried out on revising the memorandum of understanding between the CCGs and LCC's public health function to fulfil the mandated area of providing public health support to NHS commissioners and the operating model that supports delivery of it. We see this work as dovetailing with the service offer on public health and wellbeing.

East Lancashire CCG has a specific interest of any plans to reduce services previously commissioned by East Lancashire PCT as highlighted in your Service Offer Equality Analysis. Specific detail of any proposed reductions is requested.

We would welcome the opportunity for further discussion involving all Lancashire CCGs to understand the service offers in more detail and to form a collective CCG response which we understand will take place in January 2015. We are keen to see this prioritised to ensure business continuity, particularly when across Lancashire there are some large scale transformation programmes being implemented and the impact of any service change this may have of future health and social care sustainability. We would propose that the service offers are explained in detail and discussed by the Lancashire Health and Wellbeing Board in the context of the delivery of the Better Care Fund Plan.

I look forward to hearing from you.

Yours sincerely



**Mike Ions**  
**Chief Operating Officer**

Cc: CCG Executive Team/SMT





# Living in Lancashire Survey

**Budget consultation 2014**

**Rebecca Robinson, Mick Edwardson, and Sean Davies**

**December 2014**

For further information on the work of the Business Intelligence Team, please contact us at:

Living in Lancashire

Lancashire County Council

County Hall

Preston

PR1 8XJ

Tel: 0808 1443536

[www.lancashire.gov.uk/profile](http://www.lancashire.gov.uk/profile)

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## 1. Executive summary

This wave of the Living in Lancashire panel dealt with priorities for the county council's budget. The survey was sent by email or by post to all 2,474 members of the panel on 14 November. The fieldwork ended on 5 December 2014. In total 1,549 questionnaires were returned, giving an overall response rate of 63%.

### 1.1. Key findings

#### *Highest priority services for spending in the coming years*

- **Services for older people** including care in their own homes and in residential homes (59%), **primary and secondary education** (47%) and **repairing roads and bridges** including emergencies and fixing potholes (43%) are the highest priorities.

#### *Lowest priority services for spending in the coming years*

- As in the 2013 and 2012 surveys, **museums** are seen as the service that should be the lowest priority for spending in the coming years (45%). **Adult education** (29%) is the next lowest priority.
- **Welfare rights** (26%), **Trading Standards** (24%), **country parks, open spaces and picnic sites** (27%), and **libraries** (21%), are also seen as relatively low priorities.

#### *Budget decisions*

- Four-fifths of respondents (84%) agree that they appreciate that in the current climate there are difficult budget decisions that the county council needs to make.



## 2. Introduction

Lancashire County Council has used Living in Lancashire regularly since August 2001 (formerly known as Life in Lancashire). A panel of willing participants is recruited and is approached on a regular basis to seek their views on a range of topics and themes. Panel members are voluntary participants in the research they complete and no incentives are given for completion.

The panel has been designed to be a representative cross-section of the county's population. The results for each survey are weighted in order to reflect the demographic profile of the county's population.

The panel provides access to a sufficiently large sample of the population so that reliable results can be reported at a county wide level. It also provides data at a number of sub-area and sub-group levels.

Each wave of Living in Lancashire is themed. Firstly, it enables sufficient coverage on a particular topic to be able to provide insight into that topic. And secondly, it comes across better to the residents completing the questionnaires if there is a clear theme (or 2-3 clear themes) within each survey.

The panel is refreshed periodically. New members are recruited to the panel and some current members are retired on a random basis. This means that the panel remains fresh and is not subject to conditioning ie the views of panel members become too informed with county council services to be representative of the population as a whole.

## 3. Research objectives

The objective of this consultation is to obtain an indication of the service areas that residents believe should be budget priorities for the coming years.

This work follows on from previous annual budget consultations that have taken place since 2003.

## 4. Methodology

This wave of Living in Lancashire research was sent to 2,474 members of the panel on 14 November. The closing date was 5 December 2014.

The survey was conducted through a postal questionnaire and an online version of the same questionnaire. The postal questionnaire was sent to 1,876 members and the online questionnaire was sent to 598 members.

In total 1,549 questionnaires were returned, giving an overall response rate of 63%.

The dataset is weighted by age, ethnicity and district to reflect the Lancashire overall population, and figures are based on all respondents unless otherwise stated. The weighted responses have been scaled to match the effective response of 948, which is the equivalent size of the data if it had not been weighted and was a perfect random sample.

These questions were also asked in 2012 (wave 39<sup>1</sup>) and 2013 (wave 43<sup>2</sup>). Where relevant, responses from this wave are compared to the 2012 and 2013 responses.

### 4.1. Limitations

The table below shows the sample tolerances that apply to the results in this survey. Sampling tolerances vary with the size of the sample as well as the percentage results.

Number of respondents	50/50 + / -	30/70 + / -	10/90 + / -
50	14%	13%	8%
100	10%	9%	6%
200	7%	6%	4%
500	4%	4%	3%
1,000	3%	3%	2%
1,500	3%	2%	2%

On a question where 50% of the people in a sample of 1,000 respond with a particular answer, the chances are 95 out of 100 that the answer would be between 47% and 53% (ie +/- 3%), versus a complete coverage of the entire Lancashire population using the same procedure.

<sup>1</sup> Wave 39 was sent to panel members in November 2012. 1,496 responses were received, giving a response rate of 48%.

<sup>2</sup> Wave 43 was sent to panel members in November 2013. 1,266 responses were received, giving a response rate of 47%.

The following table shows what the percentage differences between two samples on a statistic must be greater than, to be statistically significant.

Size of sample A	Size of sample B	50/50	70/30	90/10
100	100	14%	13%	8%
100	200	12%	11%	7%
500	500	6%	6%	4%
1,000	500	5%	5%	3%

(Confidence interval at 95% certainty for a comparison of two samples)

For example, where the size of sample A and sample B is 500 responses in each and the percentage result in each group you are comparing is around 50% in each category, the difference in the results needs to be more than 6% to be statistically significant. This is to say that the difference in the results of the two groups of people is not due to chance alone and is a statistically valid difference (eg of opinion, service usage).

For each question in the survey, comparisons have been made between different sub-groups of respondents (eg age, gender, disability, ethnicity, geographic area) to look for statistically significant differences in opinion. Statistically valid differences between sub-groups are described in the main body of the report.

In charts or tables where responses do not add up to 100%, this is due to multiple responses or computer rounding.

## 5. Main research findings

### 5.1. Priorities for spending

The budget consultation questionnaire gave the proportion of spending and the actual expenditure on a range of services Lancashire County Council provides. It gave details on county council expenditure in 2014/15 and the sources of county council finances. It also informed panel members of the county council plans for the following years.

Panel members were then given a list of county council services and asked which three or four should be the highest spending priorities for the coming years. These priorities are shown on chart one.

**Services for older people** including care in their own homes and in residential homes (59%), **primary and secondary education** (47%) and **repairing roads and bridges** including emergencies and fixing potholes (43%) are the highest priorities.

**Crime prevention**, working with partner organisations to help prevent crime and disorder and reduce the fear of crime (36%) and **children's social care**, protecting vulnerable children (34%) are the next highest priorities.

The same options were given on the budget questionnaires in 2013 and 2012, enabling the priorities to be compared over time. The current results are broadly similar to those in the last two years, showing the public's spending priorities are remaining fairly consistent over time.

#### *5.1.1 Individual services - high priority for spending*

##### **Services for older people**

Services for older people are a higher priority for those aged 60 and over (69%).

##### **Primary and secondary education**

Primary and secondary education is a high priority for those aged 25 to 44 years (56%). While still a priority, it is less important for those aged 45-59 years (40%) or 60 and over (41%). Also, where respondents have children in the household it is a higher priority (65%) compared to households without children (42%).

### **Repairing roads and bridges**

Repairing roads and bridges is a high priority for all groups.

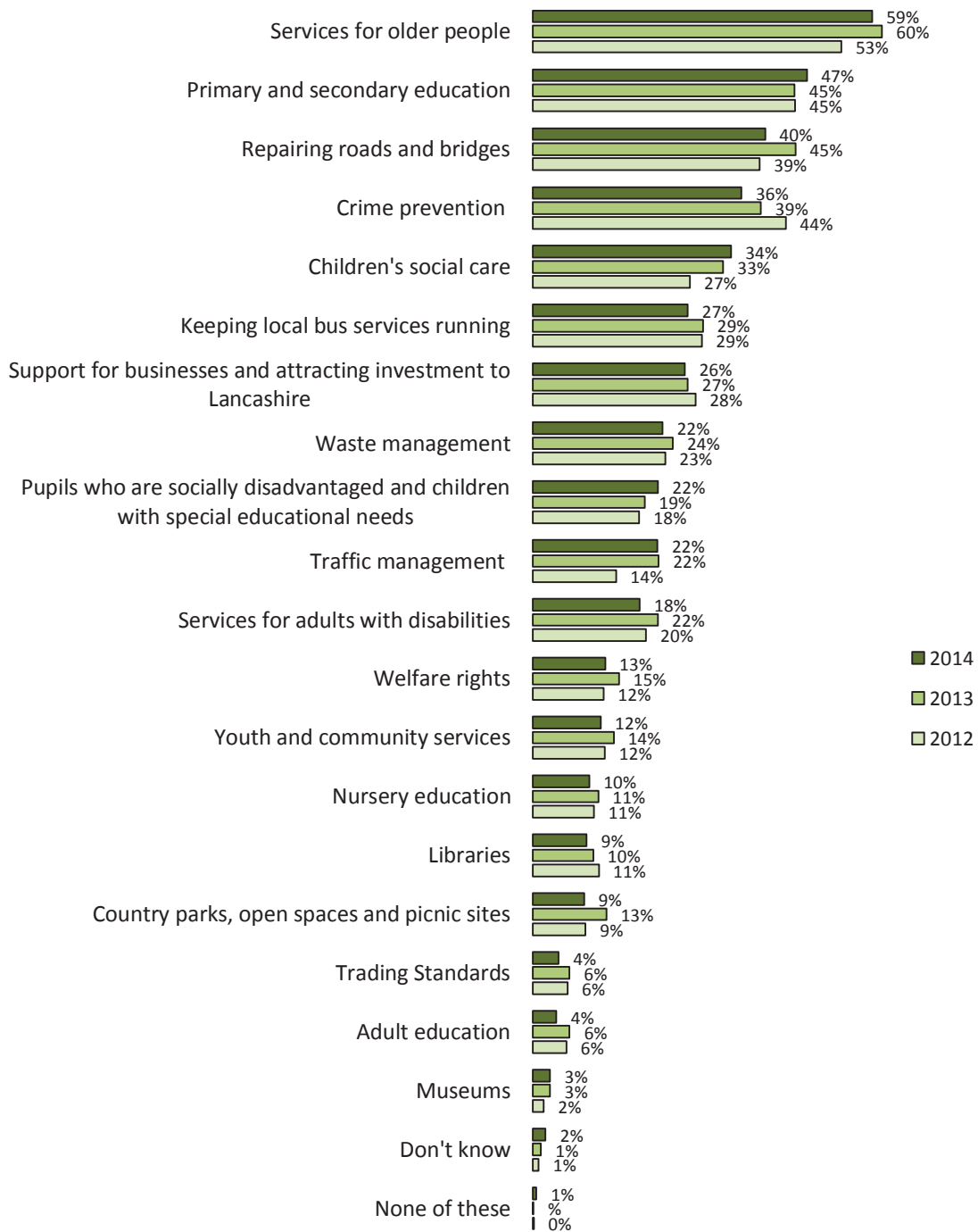
### **Crime prevention**

Although still a high priority, a smaller percentage of respondents identified crime prevention as a priority in 2014 (36%) compared to 2012 (44%).

### **Other services**

Keeping local bus services running is more of a priority to respondents in socio-economic groups DE (48%), respondents aged 60 and over (35%), respondent not in employment (34%) and respondents with a disability (33%).

**Chart 1 - Which three or four of the following services should be the highest priorities for spending in the coming years?**



Base: 2014 all respondents (unweighted 1,488, weighted 1,001)  
 2013 all respondents (unweighted 1,230, weighted 854)  
 2012 all respondents (unweighted 1,475, weighted 987)

From the same list of county council services, respondents were then asked to name the services that should be the lowest priorities for spending. The lowest priorities are shown on chart two.

As in the 2013 and 2012 surveys, the most common response to this question is **museums** (45%). **Adult education** (29%) is the next most common response. **Welfare rights** (28%), **Trading Standards** (27%), **country parks, open spaces and picnic sites** (27%), and **libraries** (21%), are also common responses.

### *5.1.2 Individual services - low priority for spending*

#### **Museums**

Museums are consistently chosen by all the different demographic groups as a low priority for spending. Retired respondents are more likely to say that museums are a low spending priority (53%).

#### **Adult education**

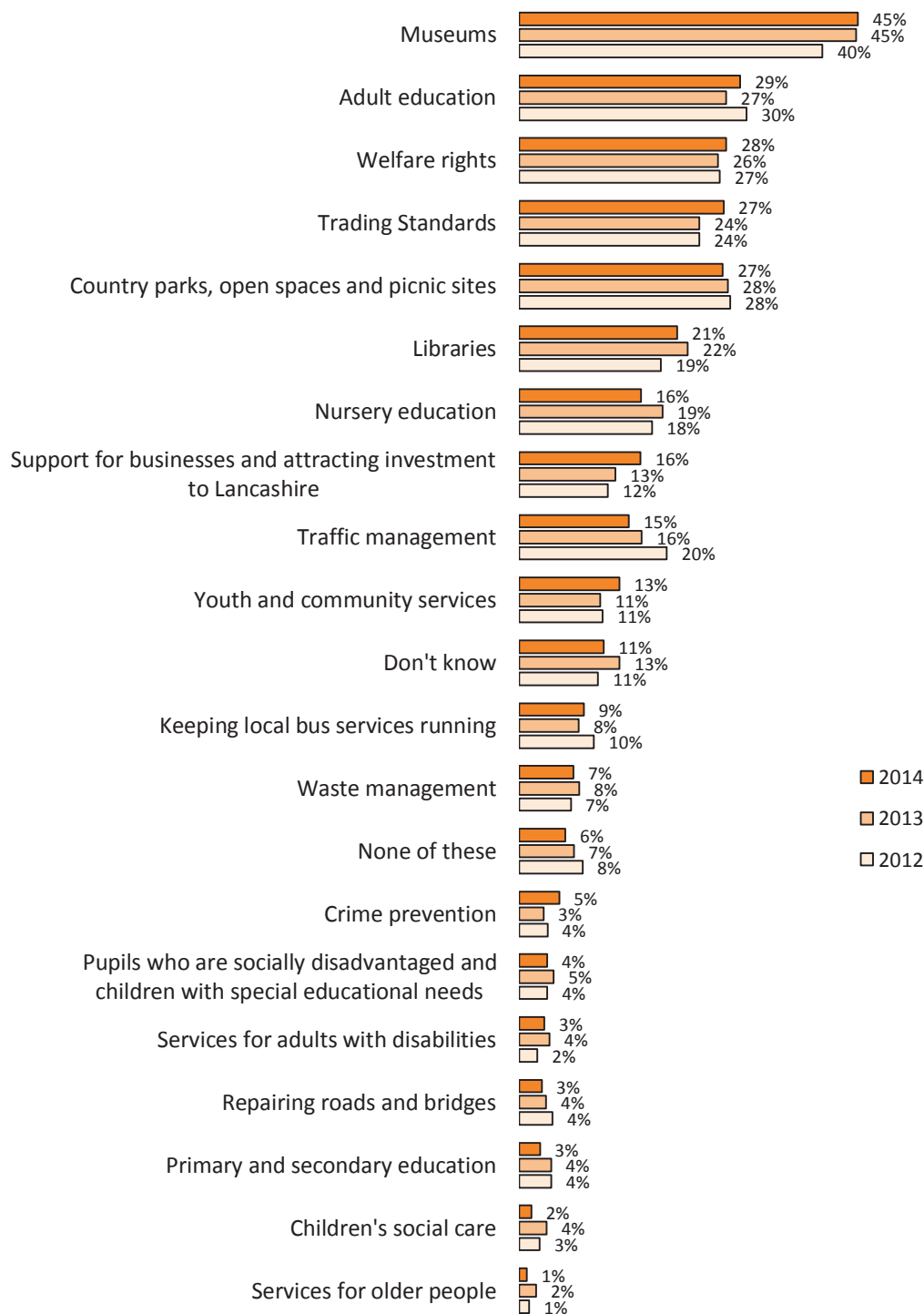
BME respondents and respondents not in employment are less likely to say that adult education is a low spending priority in the coming years (13% and 16% respectively).

#### **Welfare rights**

The respondents who put welfare rights as a low priority are in the highest socio-economic group AB and respondents in work (37% and 33% respectively).

Disabled respondents and respondents not in employment are less likely to choose welfare rights as a low priority (20% and 10% respectively).

**Chart 2 - And which three or four of these services should be the lowest priorities for spending in the coming years?**



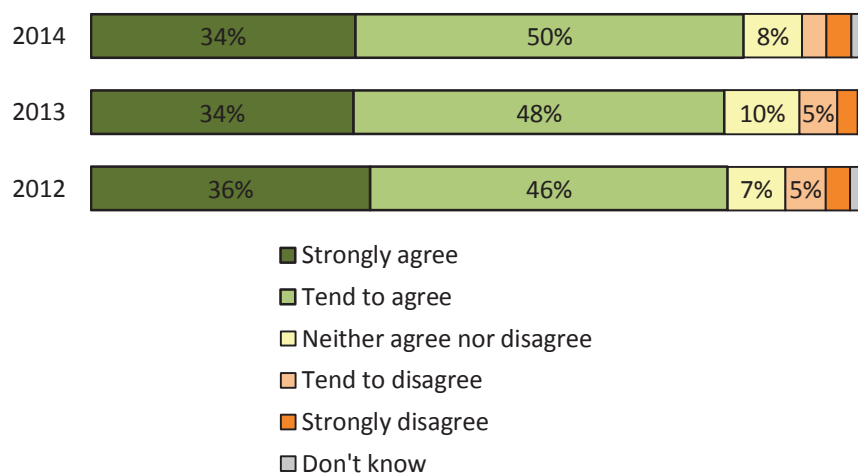
Base: 2014 all respondents (unweighted 1,405, weighted 944)  
 2013 all respondents (unweighted 1,151, weighted 800)  
 2012 all respondents (unweighted 1,357, weighted 923)



## 5.2. Budget decisions

For the past three years, panel members have been asked how strongly they agree or disagree with the statement 'I appreciate that in the current climate there are difficult budget decisions that the county council needs to make'. Four-fifths of respondents agree with this statement (84%). Responses to this question have not changed significantly since 2012.

**Chart 3 - How strongly do you agree or disagree with the following statement? I appreciate that in the current climate there are difficult budget decisions that the county council needs to make.**



Base: 2014 all respondents (unweighted 1,478, weighted 996)  
 2013 all respondents (unweighted 1,217, weighted 849)  
 2012 all respondents (unweighted 1,422, weighted 951)

Respondents not in employment and BME respondents are less likely to agree with the statement (74% and 65% respectively).

Respondents in socio-economic group AB are more likely to agree with the statement (91%) and respondents in the socio-economic group DE are less likely to agree with the statement (78%).

## 6. Appendix 1: Socio-economic group definitions

These groups are based on Market Research Society definitions and on the respondent. They are graded as A, B, C1, C2, D and E.

### Group A

- Professional people, very senior managers in business or commerce or top-level civil servants
- Retired people, previously grade A, and their widows

### Group B

- Middle management executives in large organisations, with appropriate qualifications
- Principle officers in local government and civil service
- Top management or owners of small business concerns, educational and service establishments
- Retired people, previously grade B, and their widows

### Group C1

- Junior management, owners of small establishments, and all others in non-manual positions
- Jobs in this group have very varied responsibilities and educational requirements
- Retired people, previously grade C1, and their widows

### Group C2

- All skilled manual workers, and those manual workers with responsibility for other people
- Retired people, previously grade C2, with pensions from their job
- Widows, if receiving pensions from their late partner's job

### Group D

- All semi-skilled and unskilled manual workers, and apprentices and trainees to skilled workers
- Retired people, previously grade D, with pensions from their late job
- Widows, if receiving pensions from their late partner's job

### Group E

- All those entirely dependent on the state long term, through sickness, unemployment, old age or other reasons
- Those unemployed for a period exceeding six months (otherwise classified on previous occupation)
- Casual workers and those without a regular income

## 7. Appendix 2: marked up questionnaire

<b>Which three or four of the following services should be the highest/lowest priorities for spending in the coming years?</b>		
	<b>Highest priorities</b>	<b>Lowest priorities</b>
Services for older people (including care in their own homes and in residential homes)	59%	1%
Primary and secondary education	47%	3%
Repairing roads and bridges (including emergencies and fixing potholes)	40%	3%
Crime prevention (working with partner organisations to help prevent crime and disorder and reduce the fear of crime)	36%	5%
Children's social care (protecting vulnerable children)	34%	2%
Keeping local bus services running	27%	9%
Support for businesses and attracting investment to Lancashire	26%	16%
Waste management (household waste disposal and recycling)	22%	7%
Pupils who are socially disadvantaged and children with special educational needs	22%	4%
Traffic management (making road travel safer and reducing congestion)	22%	15%
Services for adults with disabilities	18%	3%
Welfare rights (helping people get the financial support they are entitled to)	13%	28%
Youth and community services (activities and support for young people)	12%	13%
Nursery education	10%	16%
Libraries	9%	21%
Country parks, open spaces and picnic sites	9%	27%
Trading Standards (consumer protection)	4%	27%
Adult education	4%	29%
Museums	3%	45%
Don't know	2%	11%
None of these	1%	6%
<b>Unweighted base</b>	<b>1,488</b>	<b>1,405</b>
<b>Weighted base</b>	<b>1,001</b>	<b>944</b>

<b>How strongly do you agree or disagree with the following statement? I appreciate that in the current climate there are difficult budget decisions that the county council needs to make.</b>	
Strongly agree	34%
Tend to agree	50%
Neither agree nor disagree	8%
Tend to disagree	3%
Strongly disagree	3%
Don't know	2%
<b>Unweighted base</b>	<b>1,478</b>
<b>Weighted base</b>	<b>996</b>

## Lancashire County Council budget consultation 2015/16-2017/18

### Responses from Young people's engagement forums

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#### Your name

Lancashire Youth Council

#### Your views on the budget options

The following feedback on the Lancashire County Council Budget is offered by Lancashire Youth Council. We are a diverse group of young people aged 12-25 from across the county, supported by the Young People's Service.

At one of our elected member meetings, we considered the service offers, in particular the Public Health and Wellbeing information and specifically focussing on Wellbeing, Prevention and Early Help.

As there is currently no detail about the intended structure of those services and no consultation questions to shape our response, we wanted to put together a list of priorities which we feel are vital to remain for young people in Lancashire as the County Council changes.

These are:

✓We feel that young people who are vulnerable in some way should have access to 1-1 support. They may need support with motivation, self-confidence, access to training and education, help developing their CV or directing to positive activities to do in their spare time.

✓We feel that young people who may particularly need support are those who are NEET, those at risk of committing crime or those involved with the Youth Offending Team, those with mental health issues, suffer from abuse, become homeless, have issues with substance misuse or who have Special Educational Needs or Disabilities.

✓We feel that we should continue to work with other partners for the benefit of the young person and if need be broadening our age range to work with young people at a younger age before possible issues they may have become a major problem.

✓We feel we should offer open drop-ins for young people to get impartial information and advice, particularly around accessing training and work.

✓We feel that Youth Zones should continue to offer a variety of provision, including open youth clubs and discreet / closed groups (e.g. LGBT groups or young men's/women's groups) as are necessary. We understand that the offer in these venues may have to reduce but we feel that where possible we should continue to have youth provision open in different parts of each district rather than only having a single Youth Zone venue. We feel that staffing ratios are important to maintain a safe environment for young people and run a high quality service.

✓We feel that continuing to have Youth Councils is important. Lancashire Youth Council have developed to be a significant group of young people in the county who have led their own campaigns and been part of advising LCC and partners on a variety of issues.

✓We feel that the YPS is a vital preventative service for young people as the opportunities that are available through the YPS provide stability, give young people safe places to socialise, prevent young people's isolation, help them learn about others and build tolerance and give them someone impartial to talk to. Informal learning also builds confidence and contributes to a greater sense of wellbeing and independence, allowing young people to take responsibility and improving their chances in their chosen futures.

**Consultation Responses From Members of the Public**

<b>Subject matter/ Service Offer</b>	<b>District</b>	<b>Your views on the budget options</b>
Short Break Residential services, Fostering and Adoption Service Offer	Burnley	Parents of disabled kids need a break. Especially short breaks over the school hols. So to cut this would be ludicrous. Adult carers need a break too.
children's services on providing residential places and schools for looked after children Service Offer	Chorley	My only suggestion is reducing the amount of money that is spent by children's services on providing residential places and schools for looked after children within the private sector. I am aware that some placements are costing well in excess of £100,000 per child. The people employed by these organisations are usually minimum wage carers and teachers on less than national pay scales. Therefore these astronomical amounts end up as profit. The council should bring these services under their control and the budget should be spent on high quality care. Not profit, Thank you.

Arts  
Libraries, Museums, cultural  
and Registrars Service Offer

Burnley

'Why bother with Arts funding, the Arts are just a lot of people in ridiculous costumes being silly' Yes, the Arts can be occasionally like that, but oh, how wrong you would be if you thought it was only that. That would be rather like saying, 'What's the use of Formula 1 racing or the Football Premiership League'? Both of the afore mentioned organisations are cutting edge, innovative and eventually feed back to the general public in either the vehicles in which they drive, or, engages their a sense of loyalty and belonging to a particular club. The Arts are far more than both of these. The Arts of Music, Dance, Drama and Art have a unique ability to engage individuals and communities and both make them aware of their individuality and also greater connectivity and empathy with what it is to be human. I have been involved with the Arts in Lancashire for thirty years. Over that time I have seen how the Arts have helped heal communities, foster trust and allow individuals to express themselves in a safe environment, developing self-awareness, self-expression, respect and empathy for others – the building blocks of community cohesion. Never more have the Arts been needed. Working in a school, I have seen the gradual erosion of the Arts in the drive for academic excellence. If humans were automata, then this would be fine, but we know that we are living, breathing, emotional beings and that is where things go awry. If you don't make that academic grade, you are considered a failure. If you perceive yourself as a failure then why bother getting out of bed in the morning. It has been my humbling privilege to work in the Arts with many young people over the years. As they have got older I have received countless messages of how an engagement in the Arts has developed self-confidence. Yes, many people have not gone on to make a living in the Arts (although I could cite a few who have), but many more have told me that by direct Arts participation, they have had the confidence to present presentations for their degree or stand up in front of prospective customers and make that sales pitch. On a more pastoral note, I have lost count of the amount young people whose involvement in the Arts has saved them from falling into a life of petty crime, or from self harming or mental health problems. Why? The reason is that through self reflection, self release and self ownership individuals feel valued and not just another statistic. When people feel their worth, they are more likely to add to the value of society and I fundamentally believe that the Arts have a significant role to play in that development. Of course I could be wrong and we live in a world of mindless drones... but as easy as conclusion to reach, we all know that it is wrong. Ignore the Arts today and pay the price tomorrow.

Arts  
Libraries, Museums, cultural  
and Registrars Service Offer

Burnley

I think maintaining support of the arts in Lancashire is of great importance. Arts provision for young people and adults and children with additional needs has many benefits apart from simply providing entertainment. Children who take part in arts activities also gain many transferable skills such as team working abilities, confidence, increased concentration levels, empathy and many other skills. Other studies have shown how for every £1 invested in the arts, £3 is put back into the community when an arts project takes place so as well as the social investment and investment in education, there is also a worthwhile economic argument.



<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Burnley</p>	<p>I am concerned that support for the Arts will be cut as being an easy target whereas it is vital for the vitality of the county and the social development of young people that visual and dramatic art is expanded. There is considerable scope for closing many of the small libraries and delivering services in a more imaginative way that would enhance service delivery overall and give some scope for expanding book purchase.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>think it is important for the Lancaster area that the budget to The Dukes theatre - and other arts organisations - is not cut. The Dukes attracts visitors from a big area who come into Lancaster and spend money on other things - many people shop and then have something to eat before they go to the theatre and we all have to use the car park which brings revenue into the city. Everyone has felt the pinch these last few years and the arts provide a happy and invigorating escape from the pressures of modern life. I would guess that the Dukes is not management top heavy and does not waste the public money that it gets. It seems to me that more and more people enjoy going to The Dukes. If it had to close through lack of funding local people would have to travel long distance to go to the theatre clogging up the motorway and putting unnecessary fumes into the atmosphere. My guess is that most would not bother and would therefore lose the intellectual and social stimulus that an evening at the local theatre brings.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>The arts events this Autumn in Lancaster have been superb. The team organising these are to be applauded. Lancaster is experiencing a tourist explosion, our arts events are crucial to this and the revenue generated by these. The Dukes requires full support.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>I place a very high value on the arts - they are a key ingredient of a healthy, successful and culturally rich Lancashire. The arts deliver real economic, cultural and quality of life benefits to the county as a whole and should be celebrated. The arts also support and underpin many other areas of public life - Lancashire libraries, museums, health, education and tourism sectors all benefit from the arts.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>I hope that the arts will be protected, for example The Dukes theatre enriches the cultural and social dimensions of the city and would suffer greatly if further cuts to its budget were made. I am also saddened that Lancaster's historic market is under threat, it seems spectacularly unimaginative to fill Market Square with concrete and remove one of the few non chain store options for shopping. Lancaster has systematically had its history and culture removed over the decades in the name of 'progress' we need to enhance the city's unique character if it is to prosper.</p>

Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	I am firmly of the opinion that if any savings are to made, which of course there have to be in the present climate, then the arts should be ring fenced! I for one, appreciate the fact that there is a splendid theatre showing films;plays;workshops;discussions etc.,in Lancaster i.e The Dukes and The Grand which also has a following of loyal supporters.The physical experience of being with like minded people, watching a good play or a film lifts the spirit and in these days of austerity we all need
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	1 The public place a high value on the arts - they are a key ingredient of a healthy, successful and culturally rich Lancashire.2 The arts deliver real economic, cultural and quality of life benefits to the county and should be celebrated. 3 The arts support and underpin many other areas of public life - Lancashire libraries, museums, health, education and tourism sectors all benefit from the arts.4 ¿ The Lancashire public place a high value on arts projects with disadvantaged people and on arts events taking place in the county.
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	Please don't cut the arts budget. It makes such a difference in a positive way to all of us. Lancaster can offer so much to those who need it by giving a better experience of life.
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	The Arts and particularly Dukes in Lancaster make a valuable contribution to the well being and quality of life of a wide demographic in the city. While it would be an easy target to knock this out of your budget, doing so will, I think have a detrimental effect on the City, visitors and the perception of the facilities and qualities of the city by residents, students and visitors alike. I recently attended a performance of Mr. Turner at which every seat was sold out - there is definitely demand for what they offer. My partner is disabled and unable to travel distance to visit the theatre, music events or an art cinema and removing funding from Dukes would take away his opportunity to enjoy the arts inane environment which supports him to do this.
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	Firstly, I would suggest that, if you really want the public to have their say, you need to put a clear and concise summary on one page on your website. What you have offered is obscure and inadequate.That said, clearly adult social care is a priority, but my worry is that the arts may suffer. It is VITAL that the arts are protected. In particular, The Dukes Playhouse in Lancaster should have its grant enhanced. It makes a huge contribution to Lancaster. We see very little from Preston here in the north of the county. Please don't reduce the little we do have.

<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>I don't think the arts should suffer, the reason I like living in Lancaster is because it is rich and diverse culturally with things going on and to get involved in and this needs promoting and expanding so that more people can feel proud of where they live and therefore take pride in other areas of their lives, which impacts all other areas, crime, education, health etc. I think it's easiest to cut the arts funding as it's not seen as essential, however it is, all civilisations are built upon the arts, the arts at what it is to be human and to have a culture to be part of.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>I feel very strongly that the arts play a huge part in making Lancaster the city it is and the benefits are felt by all the surrounding towns and villages. We regularly attend performances at the Dukes Theatre and will usually visit the shops and have a meal beforehand- thereby putting money into local businesses. I am certain we are not alone in this. I have also spoken to many people at the theatre who have travelled to Lancaster from outside the area to attend a performance. The Dukes is just one of many venues that offers different artistic performances which in my opinion really give Lancaster a very special identity &amp; make it stand out. The importance to the community cannot be overestimated- without such a vibrant arts scene the city would cease to be the attraction that it is.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>I would like you to seriously consider any further cuts to the Arts. The Arts budget is a smaller budget than most and has already been cut by nearly 30%. The arts are a key ingredient of a healthy, successful and culturally rich Lancashire. They deliver real economic growth to towns and cities and quality of life benefits to the county. The Dukes Theatre in Lancaster plays a significant part in improving the cultural economy of the city and it plays a crucial role in engaging with young people and the hard to reach when other services have had to be cut. The Lancashire public place a high value on arts projects with disadvantaged people and on arts events taking place in the county. The arts support and underpin many other areas of public life - Lancashire libraries, museums, health, education and tourism sectors all benefit from the arts. Further cuts to the Arts will have a detrimental knock on effect to other areas of the economy in Lancashire..</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>The budget for the Arts is a very small proportion of the total budget and if cut, would not only provide an insignificant saving but would have a negative impact on the life of the people in and around Lancaster. In times of austerity and difficulties for all people living on a reduced income, the existence and availability of "the Arts" to all is crucial in order to improve the quality of life and to provide artistic entertainment. The Dukes Theatre specifically is the Jewel in the Crown of the Duchy of Lancaster and must continue to be supported in every way.</p>

<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>The arts are an important part of the life, well-being and health of any community, and it is important funding for the arts in Lancaster is protected. The Dukes Theatre has a range of initiatives in place that positively impact on the lives of everyone in Lancaster, but especially engaged with teh community and including groups of people who would especially benefit from involvement (eg young people, deaf people; young carers; adults with learning needs). So, essentially funding the arts is partially contributing to the other important parts of the council's remit.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>The Arts are not the place to cut, it might seam easy when measured against 'vital' health services but it is not an either or. The arts bring meaning, comfort and reflection to our lives, nothing else does this. Without a vibrant arts city there is no reason to stay in this area, it would wither and be much less of a community. There are only a few employers in Lancaster, the wages are low but the quality and way of life here make it desirable - cut the culture and watch the community perish (or move to Manchester).</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>It is relatively an easy option to cut cultural funding for example to the Dukes Theatre but it will have a disproportionate effect on local sense of identity and morale to do so. I would urge that such a simple approach be not adopted and discussion held with the Dukes staff to find a least worst solution to the task of making cuts in the budget.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>Whilst fully understanding the difficult decisions that have to be made and supporting the Council's expressed desire to protect vulnerable people in Lancashire, I would like to put in a plea that the Arts budget is supported. It is a relatively small proportion of the whole budget but has a valuable and worthwhile contribution to make. This contribution is in the area of enrichment of our lives but also has a direct part to play in enhancing the economy via tourism and plays a significant part in supporting disadvantaged people in Lancashire. The Dukes Theatre and Live at Lica in Lancaster have both contributed in this area and it would be tragic if budget cuts lead to a permanent reduction or end to what can be achieved. Please support the Arts budget in your deliberations.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>The Dukes Theatre needs all the shell it can get. It is a wonderful, thriving place and Lancaster would be lost without it.</p>

Arts  
Libraries, Museums, cultural  
and Registrars Service Offer

Lancaster

I am writing in my role as Film Hub North West Central Coordinator, to show my support and outline the strategic importance of The Dukes and the key role the organisation plays in terms of building an audience for specialised and British Film. Cornerhouse is one of the Hub Lead Organisations for the BFI Film Audience Network (BFI FAN). As outlined in Film Forever, the BFI's plan for 2012-2017, the FAN ambition is to encourage people to build a lifelong relationship with film, to help build audiences for a broader range of films across all platforms and ensure that film culture can be accessed and enjoyed by everyone across the UK. The Film Hubs work collaboratively with partner organisations in their local areas to form a new Film Audience Network strategic leadership group to ensure a joined-up UK-wide approach. Cornerhouse leads Film Hub activity in Cheshire, Lancashire, Greater Manchester, Derbyshire, Merseyside, Staffordshire and Shropshire. The Dukes is a member of the Film Hub Strategic Leadership group, which is made up of 8 of the principal film exhibition organisations in our Hub region. These organisations provide guidance on Hub strategy, contribute to the FAN business planning cycle, make key recommendations and assessments concerning proposals for funding and share their expert knowledge and best practice in networking and training events. The Dukes is one of the lead organisations for the exhibition of cultural cinema in the North West. The film programme is curated with innovation ensuring audiences can access specialised film whilst the added value of educational talks and activities adds real depth to the cinema experience. The North West has the highest number (89%) of multiplex screens in the UK and it is vital that audiences are provided with diverse content and a greater choice of film culture. Projects such as 'The Dukes Recommends' provided audiences with screenings of archive films and contemporary world cinema creating an appetite for such titles that now have a firm place in the Dukes calendar. The Dukes have built on these foundations with a focus on older people, audience members with disabilities, ethnic communities and audiences from rural areas. They have developed a strong track record in breaking through selective perceptions around attendance to generate interest in specialist cinema from marginal communities, and by doing so provides access to these film titles that wouldn't otherwise be possible for the local area. Film Hub North West Central have recently worked with The Dukes on a successful consortium bid to the BFI Programme Development Fund to take part in a Gothic season of screenings across the UK and hope to work with them again on a similar application in the near future.

<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>"The arts are very important in Lancashire, especially in Lancaster. Originally I planned to come to Lancaster to study for three years at Lancaster University and then move on as the vast majority of students do. However at the end of my degree I saw an opportunity to apply for a paid internship with The Dukes supported by The Dukes, Lancaster University and Santander. During my 3 month contract I learned so many valuable skills and life lessons. I got to travel all over Lancashire delivering workshops and concentrating on engaging people who wouldn't normally come into contact with a theatre. The stories I heard and journeys I witnessed showed me that the arts are absolutely crucial to the development of any city or county. In terms of my personal journey I have decided to stay on in Lancashire and work freelance in the arts. It is thanks to the wonderful work being done by theatres (and other cultural bodies) like The Dukes that young people choose Lancaster as a destination to study and work. During my time in the Creative Learning department I was contacted by many prospective University students looking into what is available to them beyond the campus and the diverse array of offers available at The Dukes convinced many of them that Lancaster is a city with a vibrant arts scene unlike many other cities of its size. The range of people I have seen come through the doors of the theatre and all benefitting in unique ways inspires me. It is of vital importance that the arts continue to be publicly funded."</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>I understand it is a very difficult job to adequately balance the budget in a time of important cost savings, however I would urge you to consider that services which contribute to the enjoyment of our lives, such as funding to the arts, need to continue and adequately supported. This might be funding or the provision of assistance to organisations to build their own fundraising plans.</p>
<p>Arts Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Lancaster</p>	<p>While I understand the dilemmas facing the council to deliver £176 million in savings, I would ask that councillors very carefully consider protecting the arts sector. Lancaster is unofficially known as the arts capital of the county and has been branded an Arts City. It currently receives a high proportion of the county's arts budget and, in my opinion, provides very good value for money. The cultural offer in Lancaster is essential to the county's economy and tourism industry. The Dukes outdoor walkabout theatre season alone - the largest of its kind in the UK - attracts tens of thousands of people from across the country every year and they spend money locally too. I also think The Dukes should be recognised for its pioneering project with Age UK Lancashire in which a programme of special events has been organised to improve access to the arts for people with dementia and their relatives - a project which has attracted national publicity including a feature on Radio 4's Woman's Hour - helping to put the area on the map. At the other end of the age range, The Dukes does ground breaking work with thousands of young, disabled and vulnerable people each year. The arts are often described as 'the icing on the cake' but in Lancashire, they should be recognised for their importance in entertaining, educating and inspiring thousands of people and being a much needed boost to the economy. They give much more than they take. That's why I think their slice of the cake - in terms of the county's annual allocation - should not be reduced.</p>

Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	The arts have already taken a significant cut in budgets over the last few years and whilst they are only a small part of your budget I would urge you to not cut them anymore. More cuts would have a larger impact on their ability to function at all. The Dukes, More Music contribute to people's sense of belonging to the area and do important work specifically with young people.
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	The arts in Lancashire and in particular The Dukes Theatre, Lancaster are a very necessary part of the cultural wellbeing of the community. In these austere times it is very important to include entertainment and the Arts to develop a quality of life that cannot be found otherwise. Life would be even grimmer without the colour and excitement brought to us by the theatre. It is of great benefit to all ages, young and old alike. The Dukes offer an open door to all comers.
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	I am writing in support of the Duke's Theatre in Lancaster. It has had some cuts already and further cuts would jeopardise its work in the community. Not only does The Duke's provide entertainment to all ages and sections of the community all year round, but it also runs valuable youth and outreach projects for less advantaged groups. I know that the budget cuts are very difficult; one organisation's grant is another's loss, but I do urge you to consider the benefits for people's well-being that are provided by the Duke's.
Arts Libraries, Museums, cultural and Registrars Service Offer	Lancaster	I can see that it is very tough to make these cuts. But I look at County hall and wonder if more could be done to reduce running costs. I am particularly worried about the arts as they impact more than residents' quality of life. Please recognise the economic value of the arts, the huge pool,of talent here in Lancashire, the way arts change young people's lives, how they can support youth services as well as support for the elderly and those in poor health. The arts do not take up much of the County's budget so a major cut will not make a big difference to the overall budget - but a big cut to the arts would be devastating across the county and affect hundreds of thousands of residents in an area where they would feel deprived and consequently angry.

Arts  
Libraries, Museums, cultural  
and Registrars Service Offer

Lancaster

It is false economy to reduce the budget for arts and culture, which forms such a small part of the overall budget, and which has already taken cuts of 28% in the past few years. The economic contribution of the arts and cultural sector has grown since 2008, despite the UK economy as a whole remaining below its output level before the global financial crisis. Arts and culture make up 0.4 per cent of GDP - a significant return on the less than 0.1 per cent of government spending invested in the sector. The Dukes theatre in Lancaster confirmed that last year, 57% of tickets booked were by people outside of the Lancashire district, reinforcing the fact that these arts establishments and organisations are encouraging people to visit, and are also encouraging investors to spend their time and money in our towns and cities. Obviously, we are more likely to continue to welcome these visitors if we remain the culturally rich district that we are, rather than an identikit high-street-shops-and-budget-hotels-promoting town or city centre, where little or none of the gains are reinvested or shared with the local community. The Lancashire public place a high value on the arts. Theatres, museums, libraries, education and tourism sectors all benefit from arts funding, and these are all sectors which challenge and enrich the lives of the people of Lancashire, forming a healthy, successful and cultured community. I have grown up with the arts as an integral part of my life, and the Dukes theatre was at the core of my learning. This theatre doesn't stop at using its funding to open opportunities for artists, actors, musicians and writers, but also for young adults and vulnerable adults. Their Shattering Images theatre company offers opportunities to people with learning disabilities, giving them chances to explore ways of express themselves that other organisations would never attempt. I currently work as the Emerging Artist with the Creative Learning Department at the Dukes. As part of this, practitioners take time out of their House Programme schedule to help me to develop my acting, and I am also able to work as a creative practitioner and director with the youth theatre. Every session, I am overwhelmed by the unique storytelling techniques and enthusiasm for creating that these individuals show, and I think that it is so important to have the opportunity to explore new worlds and stories physically, whilst still journeying on a learning curve. Children and young people are at the heart of our work at the Dukes, and in this year, we provided more than 30,000 opportunities for young people to participate in creative activities.



Arts  
Libraries, Museums, cultural  
and Registrars Service Offer

Lancaster

Hello I realize you have many difficult choices ahead, but I would like to bring to your attention the enormous contribution the Arts in general and the Dukes Theatre Lancaster in particular, make to the community. The Dukes not only provides live entertainment and film but offers a wide range of cultural and community based programmes, some of which help young people with learning difficulties, also some work has been done to help Alzheimer sufferers, , Its Youth theatre is very strong and the summer Theatre in the Park is much loved . It is also forging ever stronger links with Lancaster University The Dukes also encourages original writing and helps the stories of local people to find expression. The City of Lancaster needs a centre of cultural activity, it is not a luxury! It also makes good economic sense as the theatre generates income ithroughout the City. Please try to preserve the funding you currently give to the Dukes and help our city thrive..Without it, life in Lancaster would be greatly impoverished. I do hope that in times of great pressure,, the Arts continue to have as much support as possible from both National and Local Governments.

Arts  
Libraries, Museums, cultural  
and Registrars Service Offer

Lancaster

I would urge the Cabinet not to cut funding to the arts. In these dark times of what I believe is an ongoing recession, matters cultural can make such a difference. Those who have money to spare can go to Vue or the other large commercial run cinemas to see films. The Dukes in Lancaster is able (at the moment) to offer decent entertainment in a decent environment at a decent price. To be able to afford a theatre ticket or a film for £5 is wonderful, and can make the day a little brighter.The Dukes also supports and enriches the lives of vulnerable youngsters, and those with physical and mental difficulties through DT3. This is a valuable project which enables young people to build confidence and have pride in their achievements. I'm not sure of the cost of running this project, nor am. I sure how it is funded, but believe that Public money is subsidising it.I hope my view will be considered.

Carers  
Carers Services Service Offer

Burnley

Yes do keep making cuts the way you are going and you won't be saving money in the long run you will be spending lots more than saving, same ole same ole always picking on the vulnerable the ones that can't fight for themselves, the carers that are so exhausted from caring for the loved one that they have no fight left in them, the same carers that save this country millions every year because they are caring for their family members at home, the ones that are already in crisis, You are liars we have had consultations about the services, respite homes etc what was that all about wasting everybody's time and the bit of energy they have got left, don't know what the papers and the TV news will make of all this but I'm sure we will find out going back to my first point keep making cuts and you will be needing to build more residential homes permanent ones because the family's will not be able to cope. I for one will be one of them.

Caring for families with Disabilities Carers Services Service Offer	Chorley	My worries and concerns are the effect it will have on vulnerable members in Lancashire : People with complex disabilities, learning disabilities, Health and Well-being, Special Educational Needs and their families. Many families caring for people with disabilities are already under substantial pressure. If cuts are made to services, respite and Lancashire Break Time many families will reach breaking point and even crises. This will cause an increase in assessments for the assessed needs for carers and respite for children, young people and adults.
Cultural Services Libraries, Museums, cultural and Registrars Service Offer	Lancaster	1. They are painful!2. I fear that all heads will need to be reduced, but I suggest one exception. Cultural Services seem tightly stretched already, and it is such a tiny head at £18.86M that there is little to be saved there anyway. So I suggest leaving Cultural Services at their present level. I also comment that these are *positive* contributions to life in Lancashire, as compared to so much of the other expenditure which is merely remedial.3. It is unclear to me where support for music education and practice comes in but, especially after the sad closure of the Lancashire Sinfonietta (Lancashire's only professional orchestra), I would like to see that protected too, for the same reasons.
Dementia Care Mental Health Commissioning Service Offer	Lancaster	Make sure everyone knows that these are government cuts which have been passed on to local councils, and that the austerity programme under which we are all suffering is ineffective in reducing the deficit caused by the banking crisis of 2008.I'm 90 years old and the dementia care I receive in my area is a life saver. Please don't cut anything which involves the basic humanity of caring for people in need with very few options.
General	Chorley	This survey is simply pathetic. how many people know what services are provided and the detailed nature of each service? You are presuming that people can make an informed decision on the budget and what services to cut, when in reality most people have little idea what the council does beyond street cleaning, collecting taxes and a few other high profile activities. Why don't you either tell people exactly what each service does in detail so they can make a more informed opinion, or better yet remove the 2% council tax rise limit and see what people will do. I'm a high rate tax payer and don't mind paying a bit more if it will help save a service.
General	Fylde	The 1980s the tories under MRS THATCHER FROZE the State pension. That is one of the reasons why there is a need for pension credits. Why not freeze all contributions to the civil service pension fund? This would save £45 billion within 12months

General	Lancaster	Why should we legitimise what you are doing? Get on and do the Tories' dirty work and take the consequences as people react.
General	Lancaster	In 2013 I was part of a team of local enthusiasts that ran a weekend music festival in Lancaster on a production budget of under £20K that brought in over 20,000 festival goers with a net boost to the hosting venues alone of £200,000. This was a tripling of the previous years attendance which was made possible with a grant of only £4.3K that was put into promotion. In 2014 that grant was doubled and attendance was about 40,000 with a conservative estimate of an extra £1m brought into the city. Our customer satisfaction rating is 98% and the sense of pride in our city is immeasurable. 30% of attendance was from out of district. All regions of the UK were represented.
Social Care Services Adult Social Care Staff Service Offer	Burnley	The budget must protect social care services and social work values, the budget must not infringe on the rights of bme communities in Burnley as these community needs developing to high standards. Burnley contains the most deprived communities in Lancashire, under investment in these communities cannot be accepted Their generation have largely contributed to the making of wealth for the uk economy moving to the point Burnley should retains its identity with further development Lancashire should make case further funding from Europe and various sources and the area should combine with other council to share resources

Social Care Services  
Adult Social Care Staff Service  
Offer

Hyndburn

As we know, a large portion of the council's budget is utilised on Social Care. There are many reasons for this, with the most prominent being the need to protect the most vulnerable in our society. Following a recent 'feedback meeting' involving SW's, OT's, RASO's and front line CSO's it quickly became apparent that there is a high risk of crisis looming in Social Care. This is a direct result of the high volume of referrals being received; the unsatisfactory manner in which they are forced to be dealt with by professionals; and the timescales being taken to resolve them. This, like many other areas within the council, are inevitable consequences of severe cuts to services which have previously proven to be the best solution, if not the only ones to social care needs. Without those vital services, professionals cannot provide the avenues of support they would like and service users don't benefit from the most appropriate care. Further to this, high absence rates within the workforce (as cited by a number of attendees in the meeting) combined with VR's, is adding to the already stressful workload on the remaining individuals/teams. My proposal is to consider training RASO's up to more prominent roles, getting your front line CSA's better trained to make decisions on cases (High priority/Low priority) and rewarding them better (better & justified wage) for it. This is better than recruiting from outside the business regularly and continuing turnover with extensive training costs. Budgeting does not always have to mean eradicating vital services/resources; strategic distribution of those resources within the personnel you already have is an excellent way of approaching the challenges you face.

Transport for Special Needs  
Disability Support Service Offer

Chorley

As a parent of a wheelchair using child with complex special needs, I am concerned that the proposed cuts and changes to services will have a huge impact on my son and our family. To date we have found that the current preferred providers for Lancashire Break Time are not fully inclusive for the care of wheelchair users (eg Barnardos who don't have wheelchair accessible transport so my son misses out on activities with the other children, Mosaic who don't have a base for activities). However the providers that we find do have the full capabilities for looking after him & including him in ALL activities including residential breaks are not preferred and so may not have their contracts renewed due to the reduction in finances. This is a MAJOR CONCERN to us. We also use The Legacy Rainbow House for residential breaks who do an excellent job of looking after my son (medical, transport, inclusion) - this provides some much needed respite for us which we are unable to get from LCC social care. I would like to know how the current overnight provisions can be cut when they don't currently exist for the under 11s. The residential provision was removed for 8 year olds but there has been NOTHING done to replace this so we find ourselves in a black

Transport for Special Needs to Schools  
 Home to Main Stream School  
 Transport Service Offer

Chorley

My main concern is for carers and transport of special needs children to school. Asking they are transported by private transport will create extra congestion. Already busy roads which are in my case reduced to 20 miles per hour due to school traffic will make an already traumatic journey for some to a major stress which cause potentially more accidents and the schools will have to reconfigure their dropping off procedures as expecting a child with special needs to walk of their own free will into school Will be traumatic

Supporting People (ASHW)  
 Supporting People Service Offer

South Ribble

My name is XXX and I am the Head of Independent Living at Progress Housing Group. I am responsible for the tenants who live in our 31 sheltered schemes across South Ribble and Fylde. In total 1330 properties. I also manage the Progress Lifeline service.

I am writing in response to your email dated 4 December 2014 to send the strongest objection to your proposed cuts of supporting people funding to tenants living in sheltered accommodation across Lancashire. These tenants, more often elderly and vulnerable, have moved into this type accommodation in order to have the reassurance of a support service and to feel safe and secure in their surroundings and the proposal that LCC have made completely understates the value of this service.

The removal of Supporting People funds will result in even further cuts in the service, so shortly after the cuts due in April 2015. We have just completed consulting with our sheltered tenants who are happy with the present service and feel that they could not manage their lives with a reduced level of support. For this reason as an organisation who values our tenants we presently subsidise the sheltered service in South Ribble and Fylde by £390,718 per annum and this will be increased to £455,001 in April 2015.

The outcome of your decision to cease the funding completely will result in tenants moving into Residential Care at a far earlier stage which will put their service under considerable strain.

The letter that you sent did not mention the community alarm service in any detail so I was saddened to hear at the providers meeting held on 15th December at Woodlands in Chorley that this service is also being affected by the proposed cuts as well as dispersed alarms that are provided to service users in their own homes.

Finally as an organisation we feel that the service should remain as it is for the benefit of all the tenants, as it is in line with your previous request for consultation and with the results that came from that.

<p>Bus Bus and Rail Travel Service Offer</p>	<p>West Lancashire</p>	<p>I think you should not stop funding for the buses as people are reliant on them, and stopping funding will lead to them stopping altogether, leaving elderly people in particular isolated.</p>
<p>Cultural Services Libraries, Museums, cultural and Registrars Service Offer</p>	<p>Hyndburn</p>	<p>Close libraries in rishton gt hardwood, clayton and oswaltdtwistle.. Perhaps provide a library van to visit the areas 1 day each week/fortnight /or provide a minibus in each area to do 2 to 3 journeys taking people to main library and back. Accrington library as a central library With introduction of e readers libraries not used as much. Job seekers could use library in Accrington perhaps have allocated area for unemployed to use. The buildings could be auctioned to raise further funding.</p>
<p>Highways/ Street parking Highways Service Offer</p>	<p>West Lancashire</p>	<p>I recognise the difficult decisions that need to be taken. However, some of the proposals in the Highways section seem to me likely to lead to increased insurance claims i.e. dimming of street lights and greater toleration of height differences on uneven pavements. The proposal to cut 7000 hours from on-street parking enforcement also seems perverse as it will reduce revenue taken through charges. While I do not wish to see over-zealous enforcement, there are locations where enforcement officers are not seen for weeks at a time where we have daily and brazen flouting of on street parking regulations. I am also concerned at plans to reduce gully cleaning as I already receive complaints about local flooding where blocked street gullies are involved. I have other concerns but I recognise your need to make spending reductions.</p>

**Lancashire County Council budget consultation 2015/16-2017/18****Responses from Borough, District and Unitary Councils in Lancashire-3TF**

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**Lancashire Leaders****Lancashire Leaders Group - Consultation Meeting on the County Council's Budget Proposals 2015/16 - 2017/18**

County Councillor David Borrow, Deputy Leader of the County Council (and Portfolio Holder for Finance) set out details of the County Council's budget proposals for 2015/16 - 2017/18. Details of the proposed service offers, put forward by the County Council's Management Team, had been published on 6 November and 4 December 2014, and were currently the subject of informal consultation.

In terms of background to the proposals, County Councillor Borrow reported that the County Council faced a budget gap of some £300m over the four year period 2014/15 - 2017/18. £140m of savings had been approved by the County Council's Full Council in February 2014 with £70m of those falling in 2014/15 and the remaining £70m falling over the three year period 2015/16 - 2017/18. Taking into account the pressures of demand for services, primarily in adult and children's social care, there remained a gap of some £176m in 2015/16 - 2017/18.

The proposed service options currently out for consultation, are designed to address this budget gap. It was emphasised that these were proposals put forward by the County Council's Management Team with the Cabinet's proposals due to be published on 8 January 2015 and which would be the subject of further, formal, consultation.

Indications in the recent Autumn Statement suggested that further reductions in local government spending would be required in future years and, following the General Election in May 2015, and any further announcements by a new Government prior to the Parliamentary Summer Recess, further changes to the County Council's budget may need to be brought forward.

Some 60% of the County Council's services are 'people' services, such as adult and children's social care, where any proposed changes would involve re-designing and re-configuring services within the new financial envelope. It was envisaged that the challenges would need to be met by working in partnership with District Councils and other public sector organisations, e.g. better utilisation of public sector buildings and property.

Jo Turton updated on the County Council's Transformation process, the purpose of which was to transform the organisation's staffing structure and to radically challenge all areas of spend which had led to the proposals currently the subject of informal consultation. This process had involved being creative and innovative and looking at what kind of services could be delivered within the proposed new budget. The

transformation would see the County Council emerge as a corporate body with no Directorates as now. The first phase of the staffing restructure was now well underway, involving 570 posts, and would end on 31 March 2016 when all posts at Grade 11 and above would be recruited to. This phase would achieve savings of £11.4m, the equivalent of a 40% reduction in posts. The second phase would take place between April 2015 and March 2016 when the structure at Grade 10 and below would be recruited to. It was pleasing that during this period the County Council had been accredited as a Living Wage employer and been re-accredited with Investors in People status.

In responding, members of the Group made the following points:

- In assessing the reductions, it was important that the impact at ground level was assessed;
- Reference was made to concerns already being expressed, for example by the Third Sector, that they would have to fill gaps in services;
- All County and District Councillors need to be fully briefed on proposals;
- Expectations would have to change and the public would have to accept that some services would take longer to deliver/respond;
- Joining up proposals, e.g. between the County Council and Unitaries was important to ensure no gaps in service provision on boundaries between authorities;
- Sharing buildings should extend to other public sector bodies, such as the Constabulary and Fire and Rescue Service;
- A concern in rural areas that changes to subsidised ad community transport will leave young people unable to travel to college as well as having a wider impact on residents in general;
- Changing public perceptions, e.g. around Council Tax which, for the County Council, only equates to 27% of funding.

In concluding the Group recognised the scale of the changes faced by the County Council and, indeed, by all local and public sector authorities. The importance of working together on service offers and the 'back office' and managing the changes from a public perception were also recognised as key.



**Burnley Council**

County Councillor Jennifer Mein  
Leader  
Lancashire County Council  
PO Box 78  
County Hall  
Preston PR1 8XJ

Your Ref: JM/AP  
15th December 2014

Dear Councillor Mein,

**CONSULTATION ON THE COUNTY COUNCIL'S BUDGET**

First, I would like to thank you for the opportunity to comment on Lancashire County Council's budget proposals.

A general comment that I would like to make is that the consultation document states that a number of reviews will take place to decide the detail of service changes. Where these impact on Burnley Council or the Borough, we would welcome further opportunity to comment and be involved as further details emerge.

I would also urge the County Council, when allocating scarce resources, to do so on the basis of need, recognising that despite our recent success in strengthening the local economy, Burnley remains the most deprived area in Lancashire.

I have highlighted a number of specific points in relation to the service areas below in bold.

Supporting People

I note that budgets will be reduced by £4m and that Family Intervention projects will be de-commissioned, though an action plan has been developed for mainstream services to take on this work.

**LCC has promised to do further consultation with districts and we would welcome this to help us assess any implications for our customer services, revenues and benefits and homelessness teams.**

Public health

I acknowledge that difficult choices facing the county council, but welcome your proposal to put greater focus on targeting vulnerable children, families and older people and supporting them with a joined up service in order to build their resilience and prevent further crises leading to increased demand on social care and health services.

**Burnley Council would like to emphasise the importance of targeting the most deprived areas like Burnley.**

School improvement

The proposals document says that a “more targeted approach focussing on disadvantaged pupils will be adopted for the following or consideration given to an increasing role for trading:

**My assumption, based on the above, is that Burnley schools will receive targeted support given the clear need to improve attainment in the area. If this is the case, Burnley Council would support the proposal. However, the statement “a review of providing targeted support,” may suggest that the current offer could, in future, be reduced. Indeed, the document goes on to say that there will be a “Reduction in targeted School Improvement activity” in order to achieve savings. Burnley Council would welcome a clarification on this, given the importance of skills and education to Burnley’s future. We would support a schools led approach to ensuring the education authority fulfils its statutory duty if the county council is unable to continue with current service levels.**

Bus and Rail Travel

The proposal is for the County Information centre in Burnley Bus station to close, with the loss of information and ticketing provision.

**Burnley bus station is busy. Burnley Council would therefore request further discussion with the County Council about the rationale for retaining services in Clitheroe and Nelson, but not Burnley.**

**I also wish to raise a concern about the decision to cease subsidised bus routes.**

**Before a final decision is taken, we urge the County Council to consult thoroughly to ensure that any significant impacts, particularly on older people, those with disabilities and young people accessing work or education, are mitigated as far as possible.**

Waste Management

The proposal document says that the cost sharing agreements with Waste Collection Authorities will be maintained up to 2017/18. The document notes that: “it is currently anticipated that these agreements will end and a substantial amount of the proposed spend in this area will be saved from 2018/19 onwards. This could be considered as an area for saving if a 'one-off saving' of the equivalent amount can be found in 2017/18.”

**The meaning of the last sentence is unclear, so Burnley Council seeks a clarification. We will continue to engage with ongoing discussions with regard changes to the cost share agreement.**

The County Council is proposing to charge for some non-household waste types at recycling centres.

**I wish to express my concern about this proposal, given the significant resources that Burnley Council puts into tackling fly tipping.**

**Given that charges are a disincentive to recycle waste responsibly for some people, there is a strong argument for believing that levels of fly tipping will increase, as the proposal document acknowledges. The document suggests that the increase could be short term, but what evidence does the county council have for that assertion? Research shows that once the law is broken by an individual the risk of them transgressing the law again is increased. Also as the proposed charges relate to types of waste with few distinguishing features, fly tips will be nearly impossible to**

trace back to the owner. This means the likelihood of being able to bring a successful prosecution would be low.

**If following the introduction of charges fly tipping levels increase for the types of waste being charged for, then Burnley Council would expect the county council to offset the cost that is being transferred to the district.**

#### Economic Development

The document says there is an opportunity to pool “local authority resources across Lancashire to achieve shared economic objectives, though this will be dependent on local authorities developing more collaborative and binding agreements.”

**Burnley Council would welcome further consideration of the pooling of business rates as part of wider discussions associated with partnership working including the creation of a Combined Authority.**

#### Property Review

At the recent Lancashire Leaders meeting, it was highlighted that the County Council is keen to maximise use of its property portfolio and further investigate co-location of services.

**Burnley Council would be very keen to investigate the possibility of co-location of services within Burnley town centre**

Finally as requested, I attach a copy of the Revenue Budget 2015/2016 Savings Proposal report that was considered and approved at Full Council on 10 December 2015. I would welcome your comments on the proposals.

Yours sincerely,

Councillor Mark Townsend

Leader

Burnley Council

#### **West Lancashire Borough Council**

Thank you for providing us with the opportunity to comment on your budget proposals for the next 3 years, based on correspondence received on the 10<sup>th</sup> November and 5<sup>th</sup> December.

Given the scale of funding reductions facing public services, there is a general acceptance that a point has been reached where consideration has to be given to making difficult budget decisions, including reducing the level of service provided in priority areas.

It is helpful to have started a debate on how this should be achieved at an early stage, however having looked through the service offer document and the associated equality impact assessments, we have in certain cases found it difficult to understand exactly what is being proposed, and consequently it is not possible for us to provide a comprehensive response.

As a general principle it is important to recognise that the public sector needs to work together to achieve the savings that are required and that consideration needs to be given to the wider impact of budget reductions than just the financial impact on the organisation making the saving. In particular there is a need to avoid “cost shunting” where pressures are transferred from one public sector body to another without due regard to all of the factors concerned. In this respect we would like to make clear that where your budget proposals mean that you will provide us with a reduced level of funding, then we are likely to have to reduce / cease the associated services that we provide or introduce charging to protect our own financial position.

There are a number of areas where the budget proposals would have a direct impact on the Borough Council as set out below:

- It is disappointing to note that while discussions are currently taking place on the future of the Waste Cost Sharing agreements that the Service Offer document states that it is anticipated that they will end after 2017/18. This seems to pre-judge the outcome of the current discussions and we would like to see a commitment that no decisions will be made in this area until after proper consideration has been given to all of the matters involved.
- We are concerned over the proposals to generate income at household waste recycling centres by charging for some non household waste types. The Service Offer document states that fly tipping could occur as a result but it is anticipated that such action will generally only be short term. It would be helpful to know what evidence this assertion is based on as in our view this could lead to an ongoing problem that district councils would then have to address. Consequently we would ask to be directly consulted on the proposed charging policy before it is introduced
- We have found it difficult to reconcile your proposals for making funding reductions to the Supporting People service area against your stated priorities of Improving Health and Wellbeing and Supporting the Most Vulnerable People. The scale of these funding reductions mean that we will have to radically reduce the services we provide in this area on your behalf and / or increase charges

The proposal to cease the provision of subsidised local bus services is a matter of concern for our residents. We note the related proposal to redefine the community transport service to provide links for those without access to mainstream public transport, but would ask that a more detailed cost benefit assessment is undertaken on individual routes rather than terminating the entire subsidised bus network.

I hope that you will find these responses helpful and that we can continue to work together to meet the challenges facing all public services.

Regards,

**Marc Taylor**

Borough Treasurer

West Lancashire Borough Council

**Ribble Valley**

SH/LC/1218

18 December 2014

Dear Jenny

**CONSULTATION ON THE COUNTY COUNCIL'S BUDGET 2015/16 TO 2017/18**

Thank you for consulting us on your budget plans for the above years.

I understand the enormous financial challenges facing us all in balancing our budgets, but would ask that when your Cabinet discuss the budget savings put forward by your officers, you ensure that rural areas like much of the Ribble Valley still have access to your services and are not penalised for living outside the main population centres.

Of particular concern to my members are:-

Highways – repair, maintenance and winter gritting;

Proposed removal of subsidised Bus Routes;

Reduction in Car Park Enforcement

It must be tempting when facing the substantial savings you must meet, to concentrate on providing more protection for urban areas where the bulk of your services are provided and which often cover both the majority of the population and those perceived to be in most need.

Rural residents, particularly the elderly and young face their own very real needs in accessing the most basic of public services and often access to even a twice a day bus service can be a lifeline.

I do understand that no decisions on the scale of savings you require to make will be easy but I am concerned that our residents will suffer more than most as many public services are steadily withdrawn from the hinterland.

I do hope you will listen to our very real concerns.

Yours sincerely

STUART HIRST

LEADER OF THE COUNCIL

Our Ref: AB/CS  
Your Ref:  
Date: 2 December 2014

County Councillor Jennifer Mein  
Leader  
Lancashire County Council  
PO Box 78  
County Hall  
Preston PR1 8XJ

Email: [Jennifer.mein@lancashire.gov.uk](mailto:Jennifer.mein@lancashire.gov.uk)

Dear Jenny

### **CONSULTATION ON THE COUNTY COUNCIL'S BUDGET 2015/16 TO 2017/18**

Thank you very much for seeking to consult us on your plans to deal with the financial challenges that we face, particularly given the scale of the savings that the county council needs to achieve in the coming years.

I have had chance to review the proposals and accompanying papers, and will send a fuller response in due course. However, I would like to raise some initial questions at this point to hopefully allow you time to respond so I can provide more informed feedback.

#### **Clarity over the totality of the budget reductions and impact on the overall organisational offer**

It is positive that you have attempted to explain to residents and other stakeholders what the new service offer will be once the budget cuts have been implemented. However, it is not clear how these new service offers take into account the significant savings that were agreed in February. In addition, as the service offers are split into 42 different offers, it is not possible to get a picture of the overall impact across the council.

#### Questions:

1. Do all of the service offers take into consideration the impact on service delivery that the reductions already agreed but not yet implemented will have?
2. Can you provide a summary of how the county council will operate once the budget reductions have been implemented? How will the overall business model of the organisation change?

My understanding is that the service offer proposals are meant to set out clearly to the communities of Lancashire what they will be able to expect from the county council as budget cuts are made. You acknowledge that if all of the existing proposals were implemented there would still be £34.7 million of savings to find over the three year period. This is equivalent of 19.7% of the required savings. Having

reviewed the service offers, there appears to be at least an additional £15.19 million of savings that have not yet been identified (in Adult Social Care (Areas identified as being in scope for delivery of additional savings), Supporting People and Lancashire Safeguarding Children's Board). This means that there is actually 28.3% of the savings requirement still to be identified. This is a significant saving still to be identified.

### Questions:

1. When do you expect to identify and consult on the options for meeting the remaining budget gap?
2. Will you identify saving options which will be used as a contingency in case the savings requirement increases, or if the proposed options do not deliver the expected savings?
3. What is your level of confidence that all of the savings currently identified will be delivered?

### **Greater clarity on proposed changes**

A number of service offers do not clearly identify how savings will be secured, or the likely impact. Some state that reviews will be undertaken into the provision of a service, but then have profiled savings. I presume that in these cases there must be an anticipated outcome of the reviews, and in these cases the expected change that will be made to achieve the saving should be clearly stated. For instance, in 'Care Services (Older People)' a review will be undertaken into the number of day centres and the number of care homes. There are savings of £1.3 million estimated, but no estimate is given about the number of centres or homes that will close or reduce in provision.

In other cases, such 'Bus and Rail Travel', the service offer and changes are clear, but the whole impact does not appear to have been identified. In removing the provision for subsidised local bus services, the papers identify areas of the county that will no longer have any bus service. However, I presume that the impact will be far greater, with other areas having extremely limited bus services.

### Questions:

1. Where a service offer identifies that a review will be undertaken, could you provide information about how the savings profile has been reached?
2. Could you clarify what areas will be affected by the withdrawal of the subsidised local bus services, including areas that may have some service limited subsidised remaining?
3. Has a risk assessment been undertaken to identify the risks involved in the implementation of the service offer proposals (for example, in terms of impact on other public services)?

### **Impact on public services across Lancashire**

I note that the county council hope that the new organisation will be able to provide leadership across the wider Lancashire public sector, and to deliver sustainable services. Many of the proposed changes to the service offers will potentially have a significant impact on other organisations delivering public services across Lancashire. For example; the libraries offer refers to working to develop contact points



with other partners; the planning and highways service offers will change the relationship between the county and district councils and the mental health commissioning and other offers seek to make changes in contracts held by LCFT.

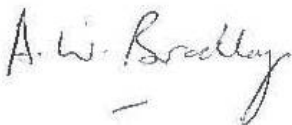
There is also likely to be an impact across public services if many of the service offers are implemented. Most strikingly, the commissioned adult social care service offer acknowledges that the changes may lead to 'increased crisis situations, admissions to hospital and residential care, increased impact upon informal carers'.

Questions:

1. Has the county council already engaged with stakeholders on specific changes to service offers to gauge the impact that the proposals may have on the sustainability or quality of services delivered by partner organisations?
2. What will the council's approach be if a proposal in the new service offers will materially impact on a partner organisation's sustainability, or the quality of the service that they can offer?

I hope that you will be able to respond to these questions, and that we can continue to work together to meet the challenges public services in Lancashire face.

Yours sincerely



Councillor Alistair Bradley  
Executive Leader  
Email: [alistair.bradley@chorley.gov.uk](mailto:alistair.bradley@chorley.gov.uk)  
Tel: 01257 515104

- cc. Lancashire Local Authorities Leaders and Chief Executives  
Members, Chorley Public Service Reform Board



# Budget consultation

**YouChoose Budget Calculator results**

December 2014

**Mick Edwardson and Rebecca Robinson**

**December 2014**

For further information on the work of the Business Intelligence Team, please contact us at:

Living in Lancashire

Lancashire County Council

County Hall

Preston

PR1 8XJ

Tel: 0808 1443536

[www.lancashire.gov.uk/profile](http://www.lancashire.gov.uk/profile)

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## 1. Executive summary

In recent years Lancashire County Council has taken a range of measures to reduce how much money it spends, focusing on minimising the impact of savings on the frontline services. Current predictions for local government funding indicate that the county council will need to make further savings of £176 million over the next three years (2015/16 – 2017/18).

Residents were invited to share their views on how to make these savings by completing an online budget calculator. In total, 311 responses were received. Three-quarters of responses (234 out of the 311) were submitted from computers on Lancashire County Council's network. The results should be treated as indicative only, as they do not form a representative sample of Lancashire residents.

### 1.1 Key findings

- Respondents made a reduction in the overall current budget, on average, of 21%.
- Respondents made the highest proportional reductions in spending for libraries (30%), museums (29%) and waste (26%).
- Respondents made the lowest proportional reductions for children's social care services (14%), child protection services (15%) and placements for looked after children (16%).
- Services that respondents were more likely to reduce spending for were services for people with physical disabilities or sensory impairment, service for people with a learning disability and older people – 98% of respondents chose to reduce spending for each of these services.
- Services that fewer respondents chose to reduce spending for were: Trading Standards (85%); countryside, public rights of way and environment and community projects services (86%); and highway maintenance (87%).
- A small number of respondents chose to increase spending in a number of areas. The services respondents were most likely to increase spending for were highway maintenance (11%), support for bus and rail services (7%) and road safety (7%).
- The largest absolute reductions (ie the largest reduction by monetary amount) were for services for older people (£34m), waste services (£32.5m), and services for people with a learning disability (£27.5m).
- Respondents were informed about ways the county council could bring in money or save money. Around three-quarters of respondents were in favour of reducing the cost of doing business (77%) and increasing income from cultural

and public protection services (72%). Over three-fifths of respondents were in favour of increasing income from adult social care services (62%).

- Respondents' changes to the budget would produce a decrease in council tax, on average, of 1.7%.

## 2. Introduction

In recent years Lancashire County Council has taken a range of measures to reduce how much money it spends, focusing on minimising the impact of savings on frontline services. Current predictions for local government funding indicate that the county council will need to make further savings of £176 million over the next three years (2015/16 – 2017/18).

Residents were invited to share their views on how to make these savings by completing an online budget calculator. In total, 311 responses were received.

## 3. Methodology

YouChoose is an online budget simulator that encourages members of the public to consider where county council budget cuts should fall, where efficiencies might be made, and where income might be generated.

YouChoose was available online from October until the start of December. It was promoted externally to members of the public through the Lancashire County Council website and press releases, and was promoted internally to Lancashire County Council employees on the intranet using team talk and staff notices.

Three-quarters of responses (234 out of the 311) were submitted from computers on Lancashire County Council's network. The results should be treated as indicative only, as they do not form a representative sample of Lancashire residents.

## 4. Main research findings

Respondents made a reduction in the overall current budget, on average, of 21%.

Respondents made the highest proportional reductions in spending for libraries (30%), museums (29%) and waste (26%). Respondents made the lowest proportional reductions for children's social care services (14%), child protection services (15%) and placements for looked after children (16%).

**Table 1 - Current budget (2014/15), average proposed spending and average proposed percentage change**

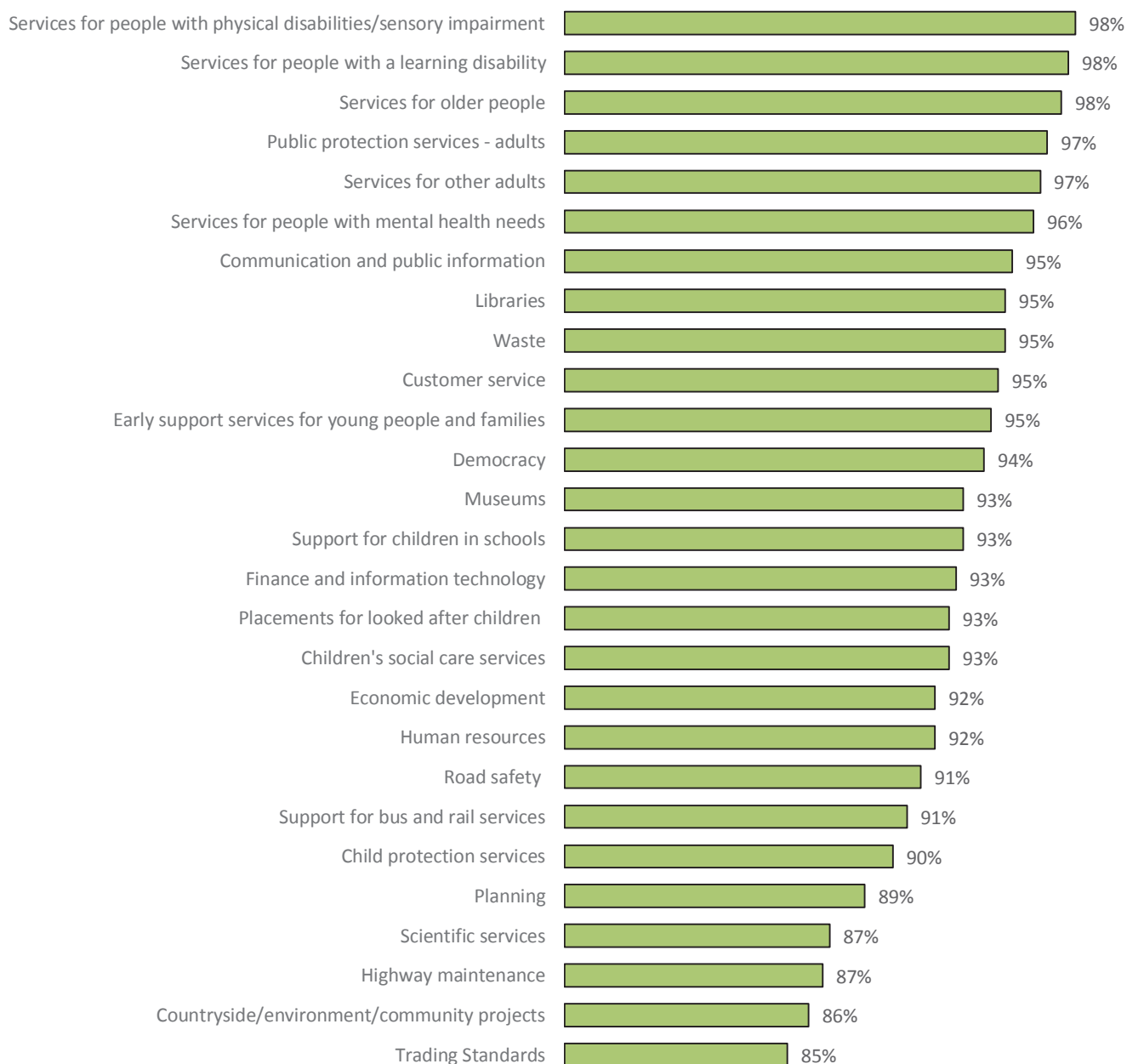
Service	Current spending	Average proposed spending	% difference
Libraries	£16,072,919	£11,245,337	-30
Museums	£2,790,458	£1,968,670	-29
Waste	£124,466,861	£91,927,368	-26
Customer service	£5,792,029	£4,317,800	-25
Economic development	£3,692,695	£2,767,220	-25
Democracy	£3,871,877	£2,955,226	-24
Human resources	£525,636	£401,998	-24
Other adults	£9,350,027	£7,114,148	-24
Road safety	£3,014,990	£2,317,411	-23
Communication and public information	£6,143,292	£4,819,581	-22
Planning	£2,147,768	£1,676,472	-22
People with a learning disability	£124,293,919	£96,819,361	-22
Older people	£156,128,799	£122,195,360	-22
Finance and information technology	£5,238,940	£4,145,533	-21
Support for bus and rail services	£42,052,375	£33,155,365	-21
People with physical disabilities or sensory impairment	£76,593,358	£60,480,842	-21
Countryside/public rights of way/environment/community projects	£1,552,366	£1,235,969	-20
Early support services for young people and families	£29,652,233	£23,737,789	-20
People with mental health needs	£28,447,665	£22,637,424	-20
Trading Standards	£2,752,807	£2,237,948	-19
Scientific services	£1,664,587	£1,355,554	-19
Support for children in schools	£16,134,154	£13,104,799	-19
Highway maintenance	£42,573,913	£35,528,406	-17
Public protection services - adults	£8,677,700	£7,197,740	-17
Placements for looked after children	£21,142,685	£17,836,598	-16
Child protection services	£4,427,069	£3,781,871	-15
Children's social care services	£106,336,327	£91,274,558	-14
<b>TOTAL - all respondents (311)</b>	<b>£845,537,449</b>	<b>£668,236,350</b>	<b>-21</b>



Services that respondents were more likely to reduce spending for were people with physical disabilities or sensory impairment, people with a learning disability and older people – 98% of respondents chose to reduce spending for each of these services.

Services that fewer respondents chose to reduce spending for were Trading Standards (85%), countryside, public rights of way and environment and community projects (86%) and highway maintenance (87%).

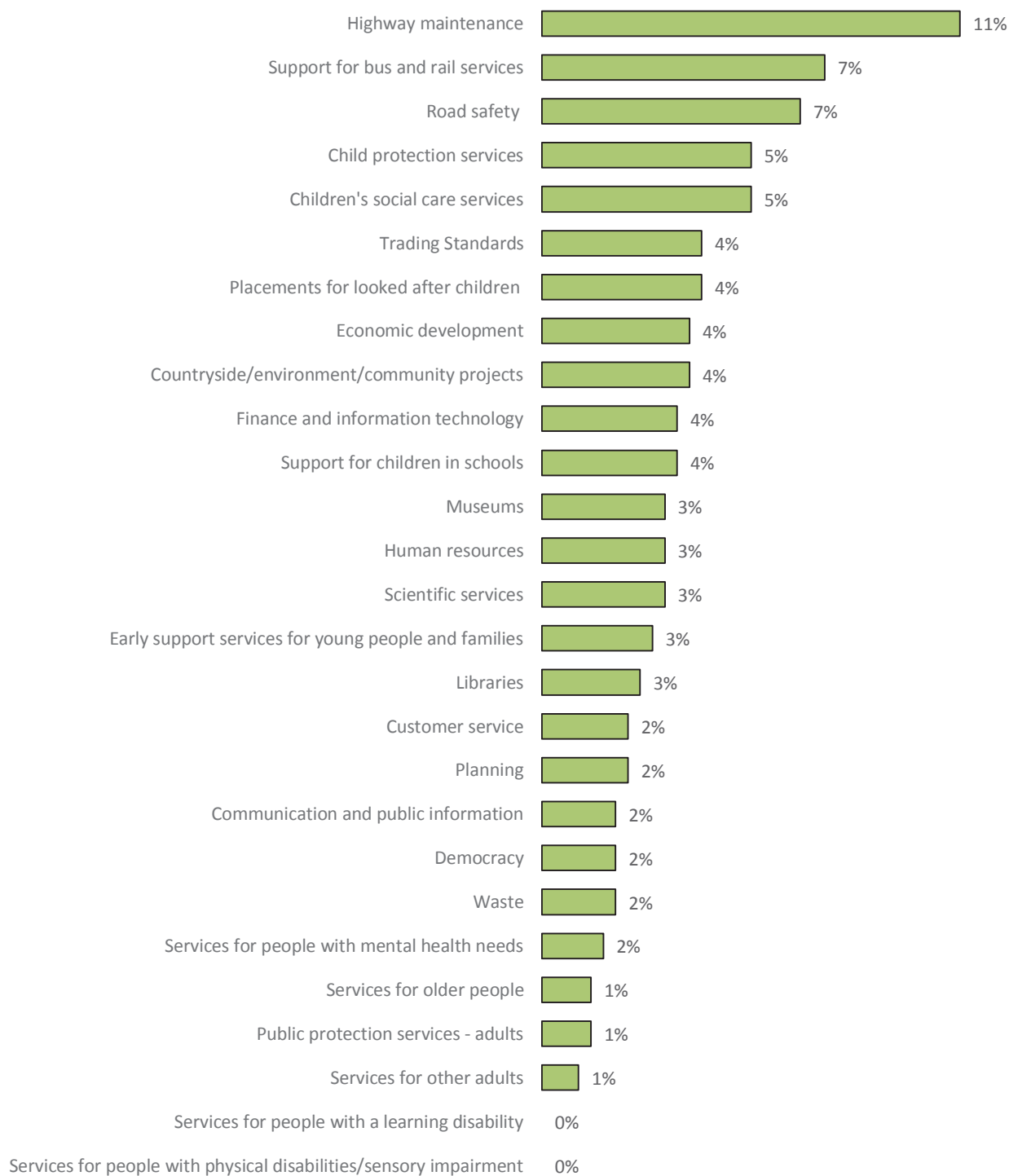
**Chart 1 - % of respondents who reduced each service budget**



Base: all respondents (311)

A small number of respondents chose to increase spending in a number of areas. The services respondents were most likely to increase spending for were highway maintenance (11%), support for bus and rail services (7%) and road safety (7%).

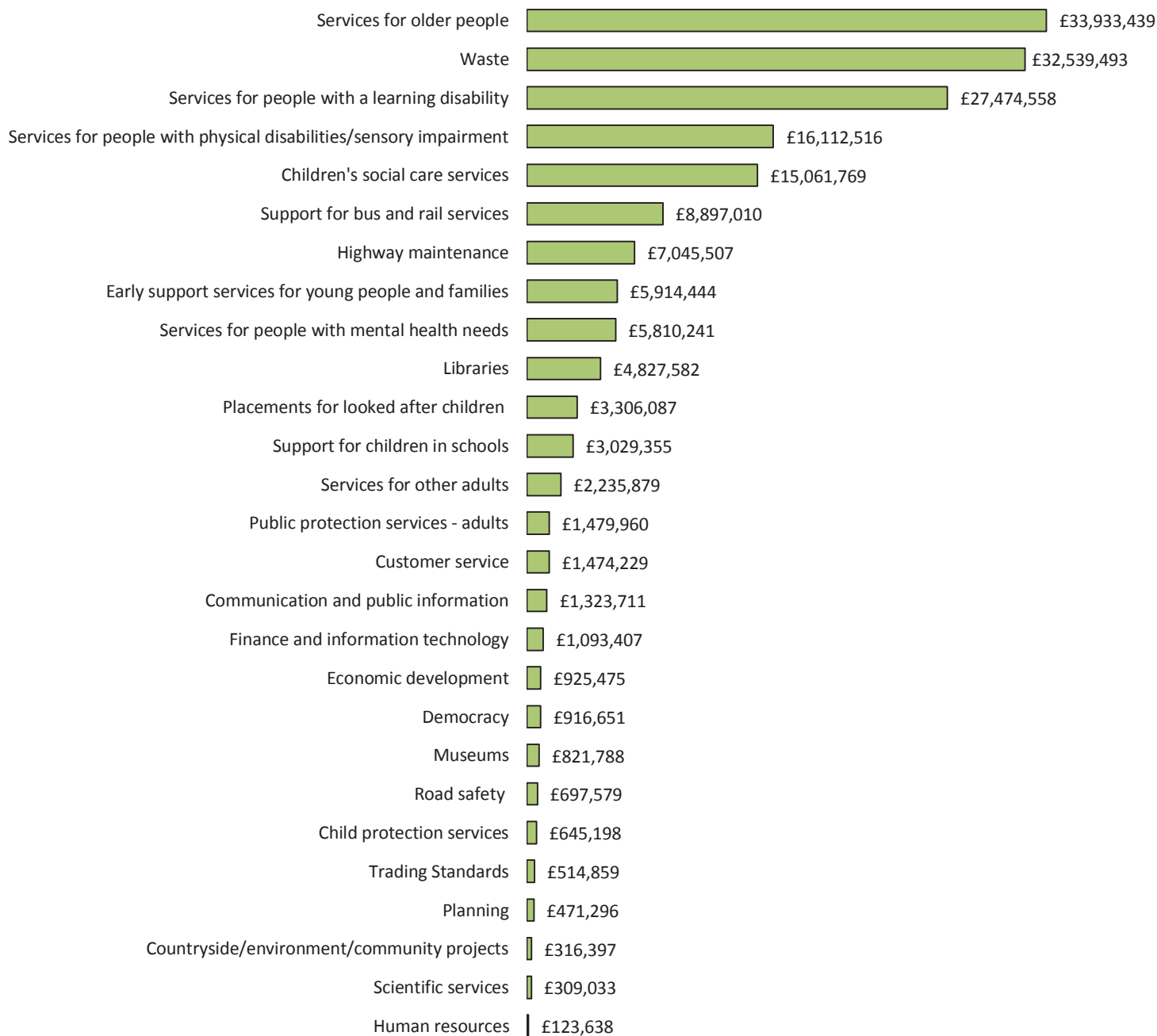
**Chart 2 - % of respondents who increased each service budget**



Base: all respondents (311)

The largest absolute average reductions (ie the largest reduction by monetary amount) were for services for older people (£34m), waste (£32.5m) and services for people with a learning disability (£27.5m). Although the three highest absolute reductions (older people, waste and people with a learning disability) are much higher than the other service absolute reductions, as a percentage of the service budget (-22%, -26% and -22% respectively) they are not unusually high. The large absolute reductions are a consequence of having the largest service budgets.

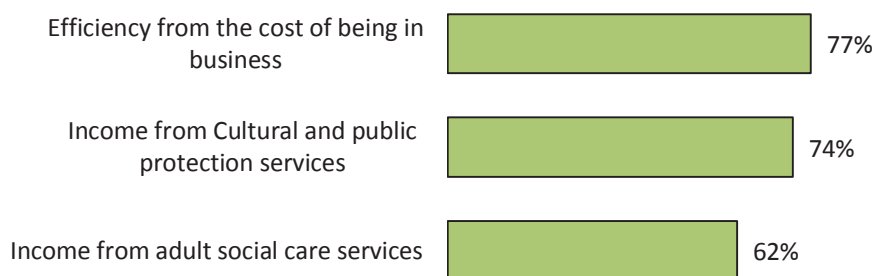
### Chart 3 - Absolute average reductions for services



Base: all respondents (311)

Respondents were informed about ways the county council could bring in money or save money. Around three-quarters of respondents were in favour of reducing the cost of doing business (77%) and increasing income from cultural and public protection services (72%). Over three-fifths of respondents were in favour of increasing income from adult social care services (62%).

#### Chart 4 - % of respondents supportive of increasing income/efficiency savings



Base: all respondents (311)

#### Council tax

Respondents' changes to the budget would produce a decrease in council tax, on average, of 1.7%.

#### Suggestions

The full text for all suggestions is in a separate appendix.

**Lancashire County Council budget consultation 2015/16-2017/18****Responses from the Third Sector Lancashire**

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Email Response-

I completely understand the near-impossible task the Council faces in making service reductions. I am horrified that the recent Autumn Statement presages even more cuts, to the point where one fears for the very survival of local government

It is generous of the Council to consult so widely, but difficult I think for us to respond in any detail, not least because of the time that would be needed to really 'get inside' all the issues.

I am therefore going to confine myself to four fairly general points, and hope they might be of some value.

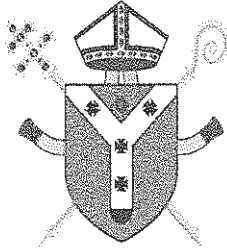
1. I perceive children's mental health issues to be a priority concern. Work on ACE (Adverse Childhood Experience) shows how they can lead to serious psychoses in adult life. Therefore attempts to mitigate ACE are critical: spending on them should save money on the long term
2. Efforts to integrate health and social care services at the neighbourhood level should be strongly supported; optimising use of IT in care and consultation, realising the assets that exist in local communities, are vital as are other changes in the delivery of primary and secondary health care. The Better Care Fund is but a starting point for the integration of services, and LCC policies should be firmly aimed in that direction
3. The third sector can play an increasing part in service delivery, especially through the larger charities. Smaller voluntary, community and faith groups should also be enabled to commission services, by the kind of arrangements mentioned in the Council's Procurement Strategy eg. Light Touch contracts; Alliance Commissioning and Innovative Partnerships.
4. The Council must have a communications strategy to explain to the public what is going on, not fearing to place the blame for the changes at the door of those who are insisting on them

My thoughts are with you and all the officers and members of the Council as you strive to deal with all this in as fair a way you can, even as jobs are at risk

Best wishes

Mike

Third sector Lancashire



LACE  
Croxteth Drive  
Sefton Park  
Liverpool  
L17 1AA

Tel: (0151) 522 1071  
Fax: (0151) 522 1082

Email: aes@rcaol.co.uk

15 December 2014

Mr P Bainbridge  
County Pupil Access Manager  
Lancashire County Council  
PO Box 78  
County Hall  
Fishergate  
Preston  
Lancashire  
PR1 8XJ

Dear Paul,

**Consultation on Proposed Changes the Home to School Transport Policy**

Thank you for the opportunity to comment on the County Council's proposed changes to the existing home to school transport policy. On behalf of the Archdiocese I should be grateful if you would present this response to the Council before it takes its decision following the consultation period.

The Archdiocese does, of course, recognise the financial challenges faced by the County Council and the need to carefully allocate resources but is concerned that the Council is intending to set aside long established principles, polices and practice to the hardship of a number of residents of the county, inevitably impacting on some families in need of assistance.

The Archdiocese believes that the proposed changes will:

- Have a severe and adverse financial consequence for some families wishing their children to start their education or join their brothers or sisters in Catholic education;
- Jeopardise the maintenance, continuity and development of Catholic education between the ages of 3 – 16 and which provides such valuable provision across Lancashire;
- Conflict with the 1996 Education Act (Section 509) which makes it clear that a local authority must have regard to the wish of any parent to have their child educated at a school in which the religious education provided is that of the denomination to which his or her parents adhere;

- Potentially undermine the arrangements made between the County Council and the Archdiocese regarding the siting of schools, the organisation of Catholic education in the county, and the network of Catholic schools serving parishes;
- Contribute to an increase in car use, presenting risks to the environment and subsequently to children's health and well-being, and;
- Promote exclusive, as opposed to inclusive, provision of education in the county.

Additionally, the maintenance of free or subsidised transport where it currently exists is also reinforced by conventions developed by the United Nations on Human Rights (1948), Civil and Political Rights (1996) and the Rights of the Child (1989). All three have been ratified by the UK Government in 1951, 1976 and 1991 respectively. The European Convention on Human Rights, incorporated into UK Law in 1998, guarantees that the enjoyment of the rights and freedoms to education shall be secured without discrimination on religious grounds.

Notwithstanding the above, it is acknowledged that the proposal to only implement this change from September 2016 has been done so as not to further disadvantage families that have already made decisions about their children's school for September 2015 as that decision may have been influenced by the existing policy.

In summary, restrictions on transport provision to Catholic schools run contrary to the thrust of Human Rights legislation and long standing national and local policies and practice. Whilst the Archdiocese is sure that the County Council would not knowingly intend to act in a discriminatory manner, it fears that may be the outcome of the County Council's proposed change. For the reasons outlined above the Archdiocese of Liverpool, on behalf of the communities served by Lancashire Catholic schools, asks that the County Council reconsiders its proposals which will penalise parents for seeking places at Catholic schools.

Yours sincerely,



Chris Williams  
Senior Buildings and Development Officer





## Lancashire County Council budget consultation 2015/16-2017/18

### Responses from Association of Parish Councils

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#### **Elswick Parish Council**

Elswick Parish Council wishes to protest most strongly against the proposal to withdraw subsidies to rural bus services. Twelve months ago this village witnessed at first hand the considerable hardship suffered by so many when the number 80 bus service was withdrawn. People could not get to work, college, shops, hospitals and the health centre. Elswick is situated six miles from centres such as Poulton and Kirkham and there is no alternative means of transport. We manage to just cope with a two hourly bus service to Preston which does not operate at weekends or evenings. Withdrawing the subsidy and axing the already inadequate services in our rural community will hit many vulnerable people who would have no option but to cease their employment. It will particularly affect those who are unable to drive such as young people and the elderly. Students will be forced to cease their studies and elderly people will be marooned in their villages unable to keep medical appointments or to shop. My Council recognises that you have immense difficulties facing you in your efforts to balance the County budget but implores you to reject this proposal as its implementation would create considerable distress and hardship to many people in this community.

#### **Burscough Parish Council**

Removal of Bus Subsidies, Response to proposed cuts

Burscough Parish Council wishes to object in the strongest terms regarding the proposed removal of all bus subsidies.

We are advised that every bus service in Burscough is subsidised and therefore every service for almost 10,000 people will be withdrawn. This is totally unacceptable.

The end of services between Ormskirk and Burscough would leave only a train service. The trains operate infrequently and of course unless people live close to the train station they will need a bus to get there.

The A59 between Ormskirk and Burscough has a high accident rate already. It has narrow pavements in places and the carriageway is narrower for a good part of its length than one would expect for a trunk road. It would seem to be reckless to encourage more cycling and walking, or to encourage more car use. The distances exceed recommended walking distances.

The route between Skelmersdale and Burscough provides a facility for people to get to work. The road is narrow and for much of its length it has no pavements or very narrow pavements. It is not suitable for cycling or walking in the dark and the

distances exceed recommended walking distances. To end this service would mean that for some, particularly young people and apprentices, they would have no way to get to work.

Removing bus services would affect younger people, older people and people who are disadvantaged disproportionately.

There are parts of Burscough that have no bus services at the present time, and we should be looking to improve provision, not abandon it.

We understand that plans are underway to hand over management of local bus services to parish councils but are yet to receive any firm proposals. We understand that proposals will come forward in the new year. It would seem to be disjointed and contradictory, to be advising this, at the same time as proposing the withdrawal of all subsidies, and having recently released a transport strategy that doesn't mention removal of subsidies.

Burscough already has a deficit of car parking spaces. If more people are to use cars, where are they to park?

The idea contradicts the recently approved LCC Transport Strategy which relies heavily on public transport, walking and cycling.

The Local Plan and the Yew Tree Farm Master plan make a great deal about persuading people out of cars and onto public transport.

At every level, the prospect of removing all bus services (as that is what is being proposed) is inconceivable and would lead to incredible hardship and yet more congestion on our roads.

The Parish Council asks that LCC thinks again about public transport and reconsiders the idea of any loss of bus provision.

Burscough Parish Council wishes to object in the strongest terms to proposals to reduce the ticketing service at Burscough Bridge Station.

The proposal is made without any prior discussion with local people to find out about why this facility is so important. Some of the reasons that it should not be closed or reduced are listed below:

Burscough is set to expand in the coming years so the need for a staffed ticket office, and the revenue arising from it, will grow. It seems short-sighted to remove this service.

Burscough has a visitor economy and through for instance the VISIT project, tourism using public transport has been heavily promoted. The staff in the ticket office contributes to the success of the visitor economy and removing them will adversely affect visitors.

The service is especially important to people who are less able: to remove the staff from Burscough will affect the less able disproportionately.

More work should be put into maximising income from the building and from the service rather than simply cutting services: In October the Parish Council asked Lancashire County Council whether it would consider letting the vacant interchange building, but we are still waiting to have discussions about that. If the vacant part of the building was marketed properly, the income from it could be used to offset these costs.

- LCC's own transport plan relies heavily on public transport. If we are to encourage people to use public transport, then we need this service. To cancel it, is contrary to the LCC commitment to public transport.

We understand that the Carnforth office handles all LCC ticket sales, and as such is able to show a profit. If the services offered by the ticketing staff were better marketed, there could be a greater income from the ticket sales. Before any changes are made, there should be a marketing campaign to raise awareness of how businesses and people can save money on their fares and get the best travel information.

Burscough Parish Council believe that closure or limiting the service is premature until all other avenues have been explored.

### **Newburgh Parish Council**

Newburgh Parish Council recognises the difficult task Lancashire County Council has in balancing the books following the requirement for further budget cuts. However, we are concerned about a number of the current budget proposals out for consultation which will have a great impact on our residents, namely:

#### **Highways Service**

Further reductions to the Highways Service will result in greater risk to our residents. Newburgh Parish Council has already had cause to write to LCC complaining about the standard of the service this year including the risk to the safety of our residents on a couple of occasions. We are not the only Parish Council in West Lancashire concerned about the current level of service and the proposed further cuts to the service.

#### **Rural Transport**

We are concerned about the impact on our residents should the proposal to cut all local subsidised bus services be approved. Newburgh is a small rural village with few facilities and elderly residents without access to a car rely on the local bus service to get to the shops and doctor/hospital appointments. The number of Newburgh

residents who use the bus may not be huge, but the bus is a lifeline for the people who do. Residents have been in touch with the Parish Council to tell us how important the bus service is to them as they can't afford to use taxis to get out and about. Further cuts to the local bus service will leave some of our residents isolated and will have an impact on their health and wellbeing.

## Lancashire County Council budget consultation 2015/16-2017/18

### Responses from Children Safeguarding Board

---

As Independent Chair of the Children Safeguarding Board I have restricted my comments to those things which seem to have the greatest potential impact on the safeguarding of children.

- LSCB funding – reduction of 60k proposed – loss of 48k can be managed within existing resources but remaining 12k will impact on effectiveness and efficiency of Board activity to ensure children are safeguarded.
- Children's Social Care – cutting 1.2m through management efficiencies – if this results in Senior Managers covering larger patches will there be an impact on the safety of service delivery?
- Fostering, adoption and residential – 0.93m coming through greater use of in-house provision and looking at overnight short breaks – The LSCB would be concerned if priority was not given to placement provision for those children where safeguarding risks exist – short breaks can be an essential safeguard against family stress that can lead to abuse or neglect.
- Early support - 14.7m budget reduction is likely to have a significant impact on the availability of early help – again an essential preventative service for some families where the situation might otherwise escalate to one which puts the child at risk. There is insufficient detail in the current proposals to establish how this will impact in practice without impacting on safeguarding activity.

It is not the role of the LSCB to take any political position re budget reductions but the LSCB would want an assurance that any safeguarding risks have been assessed and would wish to be informed as to the steps being taken to mitigate any such risks.

Jane

Jane Booth  
Lancashire Safeguarding Children Board



**Lancashire County Council budget consultation 2015/16-2017/18**

**Responses from Lancashire Care Association**

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**Lancashire Care Association Co. Ltd**

*Representing Providers of Quality Health and Social Care*

**LCA submission: comments on draft budgetary resolutions.**

**December 2014**

LCA: we represent independent sector care providers across Lancashire. LCA was established in 1992 and had been a not-for-profit limited company since 2001.

Social Care Partnership: we have worked with LCC through the Social Care Partnership since 2004 and jointly chair the Steering Group with the ED of ACS. We consider that we have a constructive relationship with ACS. Indeed, it is a partnership that will be required to work well to help the council, as well as care providers, negotiate the challenges ahead.

In Lancashire the independent sector is extensive and how well it is funded and regulated is crucial to service quality and effectiveness. Care homes with nursing in Lancashire are all in the private sector. The vast majority of residential care for older people is in the independent sector. LCC buys about c. 35% of the beds in the residential and nursing home sector and CCGs purchase c.12% through their funding of Continuing Health Care. The rest are 'self-funders' / customers. All domiciliary care, other than a specific re-ablement service, is commissioned through the independent sector for adults and older people.

The Adult Care Services service offer should, we believe, involve

- care that is safe and puts the service user / customer at the centre of that care through personalised approaches fit for 21<sup>st</sup> century care;
- a vibrant and viable care market as set out as a local authority duty in the Care Act; managing quality and risks in the care market is best done through a mature relationship with providers;
- care models ranged across the spectrum of care working in concert: residential and nursing sector as well as extra care and supported living; each should be fit for the future and work in an integrated way with the other models;
- integrated working with health is crucial for joined up thinking and joined up care;
- working with the independent sector to help the hospital-community interface work more efficiently;
- the quality independent sector is an asset and its inclusion in strategic planning processes established in health and social care is a necessity for a properly formulated care offer.

Increasingly, care in the care home setting is dealing with the so-called 'old elderly' (85+) and the level of physical and mental disability is markedly higher than in past years. Now approximately 80% of residents have some form of dementia. Average length of stay in nursing beds is just 10 months. The trend is for shorter lengths of stay, more challenging levels of need to be met and more end of life care.

There have been real terms cuts in the sector over the last three year settlement period and before. Care is delivered largely through the SME sector and there are no efficiencies left to be made.

Staffing is a care business's biggest cost and can range from half to two thirds, or more, of the cost. Proprietors struggle to recruit and retain staff at basic grade level and also at registered care manager level because an adequate workforce – in terms of pure numbers and in terms of expertise - isn't 'out there'. Much can be done from secondary education and on through apprenticeships and further and higher education to develop the workforce but here and now, proprietors struggle to recruit and retain.



Care does not operate in a true market, it is a managed market with commissioners having a big say in how prices are established and capacity developed and it has been LCA's view that quality and safety in the sector is best served through intelligent commissioning that is properly informed as to provider costs through the use of independent and rigorous costings methodologies. The courts require commissioners to pay 'due regard' to 'actual costs' and through the Social Care Partnership with LCC we have worked for over a decade now to make the best use of limited resources through the LaingBuisson Fair Price model and latterly through an 'actual costs' study.\* There is now a very good body of evidence on the components of cost.

Commissioners, even under the tremendous pressure of budget cuts should not commission without a true understanding of the cost components of efficient providers. The terminology is that authorities should pay 'due regard' to 'actual costs' and there is readily accessible evidence on the cost profile of care businesses in Lancashire from the work with LaingBuisson.

We think there are efficiencies to be made in the interface between community based care and hospital wards but this requires a strategic approach across agency boundaries which is not yet established whatever specific examples of effective projects there may be.

Telehealth and telemedicine can also, if properly developed in partnership with independent sector care providers, deliver savings to the NHS and local government.

While the LCC area has a low rate of third party 'top ups' (at 18% against the national average of 26%) we see no alternative to these care contributions filling some of the gap created by local authority underfunding. This is the rock and the hard place councils and independent providers find themselves between. We have worked with LCC to draw up rules around this that are transparent and fair to service users and to providers.

## **Summary**

LCA's submission is focused primarily around the provider sector's 'actual costs'. Whatever budgetary pressures there are, long-term health and social care remains most people's biggest worry as they look ahead. Their concerns are how to pay for it

and the worry about its quality. The independent sector can work with LCC to develop services we can be proud of in Lancashire even in extremis but we have to face the reality of provider costs in the context of the authority's need to pay 'due regard' to 'actual costs' and also recognise the escalating levels of need that 'social care' is expected to meet for what is a fraction of the cost of any hospital-based equivalent. Innovation for efficiency is something the independent sector can help develop given the right strategic processes.

## Reference

LaingBuisson: Actual Costs of Residential Care in Lancashire, Apr 2014

\* <http://accounts.logicareplus.co.uk/app/lib/associations/1/uploads/files/Actual-costs-of-care-in-Lancashire.pdf>

*Paul Simic*

CEO

Lancashire Care Association

Email: [paul.simic@lancashirecare.org.uk](mailto:paul.simic@lancashirecare.org.uk)

Website: [www.lancashirecare.org.uk](http://www.lancashirecare.org.uk)

Tel: 01772 455574

## Lancashire County Council budget consultation 2015/16-2017/18

### Responses from Budget Scrutiny Working Group

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#### Budget Scrutiny Working Group – Response to cabinet 8 January 2014

In general, the Budget Scrutiny working group (BSWG) has issued the following challenge on all proposals:

- Have the risks of the Service Offer been fully explored and mitigated where possible?
- Can the savings outlined be delivered earlier in the three year period?

The following comments were made in relation to specific offers and issues – page numbers refer to the page of the Service Offer document agreed by Cabinet in November)

#### Adult Services

- **P6 Adult Social Care(ASHW – SEO – 0021).**The potential opportunities in relation to Adult Social Care opened up by the proposed specialist external consultancy organisation were of great interest to the BSWG
- **P9 Care Services (Older People) (SEO – 6005)** The BSWG welcomed the strategy to reduce the number of older people placed in residential care, but wish to ensure that the needs of existing residents are taken into account, particularly if there was a possibility of future Residential Home closures. Reassurance on this point has been requested.
- **P9 Care Services (Older People) (SEO – 6005)** The BSWG also would like reassurance that the use of Workstart employees will in no way impact on the quality of care and safety of service users
- **P28 Mental Health Commissioning (SEO – 0017)** The BSWG queried where dementia care fitted in with the strategy, noting that it was often treated separately as an age related issue, rather than as a mental health condition.
- **Adult Social Care in general.** The BSWG recognises the challenges, and stresses the need that in any changes, it is absolutely essential that no vulnerable person is left behind. However, there are clearly opportunities being identified in integration with the NHS, and closer working with contractors, and these initiatives are strongly supported.
- **P44 Public Health and Wellbeing.** The proposals are strongly supported by the BSWG. However clarification and reassurance is sought about the proposals specifically in relation to road safety.

#### Children's Services

- **P48 SEND (SEO – 4070)** The BSWG felt that these changes would need to be handled extremely carefully, and that there is much strong feeling about services from young people with disabilities. Any suggestion that a service will be removed will need to be sensitively handled and introduced slowly
- **Proposals relating to schools** The BSWG noted that there are a number of proposals which move costs to schools. Whilst it was accepted that this is not unreasonable, the importance of working with schools to achieve this was stressed. It was recognised that this is already happening, and that the arrangements for continuing dialogue with schools are strong.
- **Children's services in general.** The BSWG recognised the importance not just of integration with other agencies but within the council itself

### County Benefits

- **P40 County Benefits (SEO – 5706)** The BSWG expressed concern about the government's withdrawal of CaUNSS money by the government, and would support any ongoing efforts being made to lobby government to restore the funding.

### Environment

- **P69 Highways (SEO – 2008).** The BSWG wanted the benefits of the improved ICT systems to be emphasised in terms of efficiencies and in terms of the customer interface.
- **P76 Sustainable Travel (SEO - 2014).** The importance on continuing to support cycling development was emphasised
- **P78 Bus and Rail Travel(SEO – 2003).** The proposal to end all subsidised local bus services was felt to be unacceptable to all, principally as it was felt to conflict with the council's health and wellbeing responsibilities and priorities. The BSWG would like to revisit this issue after the Cabinet member has made his decisions on the criteria for future evaluation in December, as it was recognised that the issue of subsidised buses needs serious consideration.

### Cultural Services

- **P98 Libraries, Museums, Culture and Registrars (SEO- 0014)** The BSWG were very supportive of the proposals, in particular the opportunities offered by e-books. Opportunities to work with districts should be actively sought

### The Costs of Being in Business

- Further information was requested by the BSWG on
  - the detail of the proposed savings
  - risks faced in relation to income generation activities in this area

### Further Service Offer Proposals

Following the further service offer proposals agreed by Cabinet in December, The BSWG made the following further comments:

- **Supporting People:** Whilst it was noted that the proposals would not affect individuals eligible for a care package, and that the providers will have two years to reconfigure services, there were concerns from the group regarding the potential impact of removing funding from sheltered accommodation.
- **Public Health:** There was strong support for the opportunities presented for removing duplication through the integration of health and wellbeing services.

In general, the BSWG felt that there would be an ongoing need for strong and effective overview and scrutiny to be maintained in the light of the significant changes being made to the council's overall service offer.





**Preston**  
City Council

Leader's office  
Town Hall  
Lancaster Road  
Preston PR1 2RL

[www.preston.gov.uk](http://www.preston.gov.uk)  
tel. 01772 906145  
[cldr.p.rankin@preston.gov.uk](mailto:cldr.p.rankin@preston.gov.uk)

19<sup>th</sup> December, 2014  
Your reference :  
Our reference : CE/TA

Councillor J. Mein,  
Leader,  
Lancashire County Council,  
County Hall,  
PRESTON.

Dear Cllr. Mein,

#### **LANCASHIRE COUNTY COUNCIL BUDGET**

Thank you for the opportunity to comment on your budget proposals. It is clear that the round of budget reductions is going to present significant challenges for the County Council, Lancashire and critically our residents.

Clearly the County Council's budget proposal will have an impact in Preston and I would welcome an opportunity for discussion in some detail on how and when these will be brought forward; in particular the proposals with regard to libraries and planning.

It is my view that as leaders we must work together to remodel public services. We should build on the positive debate around combined authorities to explore with all public sector bodies where we can share services to protect the service offer, particular to our most vulnerable communities.

Yours sincerely

Councillor Peter Rankin  
**Leader of the Council**

ccs: Cllr. D. Borrow, Jo Turton



Contact: Elaine Stoker  
Telephone: (01524) 582011  
Fax: (01524) 582020  
E-mail: [chiefexecutive@lancaster.gov.uk](mailto:chiefexecutive@lancaster.gov.uk)  
Website: [www.lancaster.gov.uk](http://www.lancaster.gov.uk)  
Our Ref: CE/ES/Ltrs - LCC  
Your Ref:



County Councillor Jennifer Mein  
Leader of the Council  
Lancashire County Council  
County Hall  
PO Box 78  
PRESTON  
PR1 8XJ

By email to: [fprenquiries@lancashire.gov.uk](mailto:fprenquiries@lancashire.gov.uk)

19 December 2014

Dear Councillor Mein

### **Consultation on the County Council's Budget 2015/15 to 2017/18**

We are pleased to take the opportunity to respond to the consultation on Lancashire County Council's budget for the coming three year period. In particular, we wish to reiterate the huge importance of the Arts to the economy of Lancaster district and to its future prosperity and the value of the County Council's investment to support current and future growth of our Visitor Economy and Inward Investment opportunities.

The Arts sector in Lancaster district is significant with over 600 businesses, up to 2,100 jobs and an estimated £50m contribution to the sub regional economy. The County Council's investment in the Arts in the district, although marginal in overall budget terms, has been hugely significant in terms of the development of this important sector and its current and potential impact on the visitor economy and inward investment. In particular, the County Council's investment to date has supported some of the more innovative and ground breaking work that has raised the profile of the area and its reputation for exceptional and accessible theatre, arts, music, dance and events, in a way that could not have happened otherwise. Every £1 public investment through Lancaster Arts Partners has delivered £5.19 in terms of economic impact.

The visitor economy is one of Lancaster District's identified priorities and you will be aware that we are working closely with Marketing Lancashire to promote Lancaster as a destination and an important part of Lancashire's offer. The Arts is a crucial and unique element of our offer to visitors. Lancaster now has a new destination brand which describes it as "One of England's most vibrant historic cities where culture and heritage captivate and inspire visitors". The Arts is identified as a key attribute of the new brand. As a result of work to develop the visitor economy, Lancaster has recently achieved membership of the English Heritage Cities Group, as one of just ten cities across England.

**Chief Executive**

**Mark Cullinan**  
**Chief Executive**

Town Hall  
Dalton Square  
LANCASTER LA1 1PJ

DX63531 Lancaster





At the same time, our developing Inward Investment strategy focuses on attracting a skilled workforce by competing as a great place to live and work to support the growth of businesses. Whilst Lancaster is identified as a growth centre within the sub-region, achieving business growth and investment will require us to provide not just an environment which is good for businesses, but also for the workforce of the future. Lancaster district has much to offer, but our theatre, arts, music and events offer adds uniquely to the appeal of the district as a place to live and work, setting it apart from many other places across the country. An excellent example of this is linked to Lancaster University as a world class university with its very real potential to deliver high value added economic growth through the Innovation Campus. However, the University is clear that they depend on the local cultural offer as an important element of their offer to attract students, for graduate retention and those developing new enterprises in the knowledge sector.

Given the current timing and the potential of these opportunities as well as the impact not just for Lancaster district, but for the wider sub region, we would be deeply concerned to see a significant reduction in Lancashire County Council's investment in the Arts. Whilst we fully understand financial pressures, the impact of cuts to the Arts would, for this district in particular, be disproportionate, undermining the wider visitor economy and the district's ability to play to its unique strengths.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Cullinan', with a stylized, cursive script.

**Mark Cullinan**  
**Chief Executive**

### Further Responses

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#### Public Responses

##### West Lancashire/ Supporting People

The further reduction proposed for 2017 to remove supporting people grant for older persons support (sheltered housing) will present financial difficulties for the district and clients. We have over 1000 older people that benefit from the services that are offered and these are significantly subsidised by the district already. As a stock retaining authority we are limited by financial caps for rent and service charge increases and so moving the services to "intensive" housing management and subsidising the service this way to make up the shortfall is not necessarily the approach that we can achieve in a two year period.

We have 12 category two schemes which are purpose built buildings and are capital assets and the services are based around this. Reductions in funding will require that we evaluate the use and need of these assets and could result in the organisation needing to dispose of the units.

The reductions will mean that we will require residents to fund services themselves, this is a risk as those who are vulnerable and unable to afford may choose to opt out. There is a risk to the County's health and wellbeing agenda for those who are vulnerable as the services we can offer will reduce and the prevention services and input that allows us to work with adult social care to reduce crisis intervention will not be available in the future. On review of our business plans these reductions may require us to de categorise and dispose of assets that are specifically for housing older residents, in the future this could impact on hospital discharges and admissions.

##### Preston/ Arts

I would like to see funding for the Arts protected. Arts funding in Lancashire has already seen severe funding cuts - which is only to be expected in an 'age of austerity'. But now, most of our remaining quality art providers and charities are hanging on by their fingernails. Further cuts would see so much lost that can never be recovered.

Access to quality arts provision - especially for youngsters - is essential in protecting and promoting social well-being. Art is not just for the wealthy, it is for everyone. Art helps people (young and old) to better understand, interpret and respond to the world around them. It is educational - helping people to interpret and communicate. It brings people together and helps to enhance social and

mental well-being. But to guarantee access for all we must fund its provision for people in areas of least engagement.

Personally, I don't want to live in an area where I must travel to Manchester or London to engage with and access great art. Then art really will have become just the pastime of the wealthy!



# Agenda Item 5

## Executive Scrutiny Committee

Meeting to be held on Wednesday 7 January 2015

Electoral Division affected: None
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### Individual Cabinet Member Key Decisions

Contact for further information:

Josh Mynott, (01772) 534580, Office of the Chief Executive,

[josh.mynott@lancashire.gov.uk](mailto:josh.mynott@lancashire.gov.uk)

#### Executive Summary

The Committee is invited to consider any key decisions due to be taken by Cabinet Members.

#### Recommendation

That the Committee scrutinise any reports for key decisions by individual Cabinet Members and make recommendations as appropriate.

#### Background and Advice

Cabinet Members are due to take the key decisions listed on the agenda cover sheet in January.

The committee is invited to consider any reports listed above, and to comment as appropriate.

Any comments or recommendations made by the Committee will be reported to the Cabinet Member at the relevant Decision Making Session (DMS)

#### Consultations

N/A

#### Implications:

This item has the following implications, as indicated:

#### Risk management

Implications are as set out in the individual reports.

**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

**Report to the Deputy Leader of the County Council and the Cabinet Member  
for Adult and Community Services**

**Report submitted by: Executive Director of Adult Services, Health and  
Wellbeing**

**Date: 14 January and 15 January 2015**

**Part I**

Electoral Divisions affected:  
All

**Implementing the Care Act - Approval of a new Deferred Payment Policy**  
(Appendices 'A' and 'B' refer)

Contact for further information:

Khadija Saeed, (01772) 536195, Adult Services, Health and Wellbeing Directorate  
[khadija.saeed@lancashire.gov.uk](mailto:khadija.saeed@lancashire.gov.uk)

**Executive Summary**

The Care Act 2014, sections 34-36 establish a requirement for a Deferred Payment Scheme which all relevant local authorities must have ready for implementation from 1 April 2015.

The establishment of the Deferred Payment Scheme will mean that people should not be forced to sell their home in their lifetime to pay for their residential and/or nursing care. By entering into a Deferred Payment Agreement (DPA), a person can 'defer' or delay paying the costs of their care and support until a later date. Deferring payment can help people to delay the need to sell their home, and provides peace of mind during a time that can be challenging or even a crisis point in their life as they make the transition into residential or nursing home care.

The care and support costs are deferred and not 'written off'. These costs of provision of care and support will have to be repaid by the individual, or by a third party on their behalf, at a later date.

Local authorities are required to follow new national guidance on the eligibility criteria for a deferred payment. There has however been some discretion allowed on how the scheme will be implemented locally. Local schemes for deferred payments have been in operation for some time, but the Care Act 2014 now establishes the requirement for a universal deferred payment scheme and the expectation that all local authorities have a local policy for Deferred Payments.

This report seeks approval for a new Deferred Payments Policy for Lancashire, which complies with legal requirements and uses local discretion where appropriate

This is deemed to be a Key Decision and the provisions of Standing Order No 25 have been complied with.

### **Recommendation**

The Cabinet Member for Adult and Community Services and the Deputy Leader of the County Council are recommended to approve the new Deferred Payment Policy (as set out at Appendix 'A') in order to ensure that the County Council complies with the requirements of the Care Act 2014 with effect from 1 April 2015.

### **Background and Advice**

The Care Act 2014 consolidates many pieces of social care legislation into a single statute and represents the most significant change to adult social care in over 60 years. It represents a fundamental change in adult social care law, redefining the relationship between the state, local authorities and citizens, particularly in relation to paying for care. The Act also converts many existing local authority adult social care policies and good practice into duties. It will be implemented in a phased approach with the care and support reforms to be implemented from 1 April 2015 followed by financial reforms from 1 April 2016.

Sections 34-36 of the Care Act establish a requirement for a Deferred Payment Scheme which all local authorities must have in place from April 2015. The establishment of the Deferred Payment Scheme will mean that people should not be forced to sell their home in their lifetime to pay for their residential and/or nursing care. By entering into a Deferred Payment Agreement (DPA), a person can 'defer' or delay paying the costs of their care and support until a later date. Deferring payment can help people to delay the need to sell their home, and provides peace of mind during a time that can be challenging or even a crisis point in their life as they make the transition into residential or nursing home care.

It should be stressed from the outset that the payment for care and support is deferred and not 'written off' - the costs of provision of care and support will have to be repaid by the individual, or by a third party on their behalf, at a later date.

Local schemes for deferred payments have been in operation for some time but the Care Act 2014 now establishes a 'universal' deferred payment scheme which means that it must be offered by a local authority to anyone ordinary resident within its areas who satisfies the eligibility criteria.

Local authorities are required to follow new national guidance on the eligibility criteria for a deferred payment. There has however been some discretion allowed on how the scheme will be implemented locally.



## Deferred Payment Policy Framework

The draft Deferred Payment policy, attached at Appendix 'A', sets out how the Deferred Payment Scheme would be operated by Lancashire County Council. This should be read in conjunction with the Care Act 2014 Regulations and Statutory Guidance.

Subject to approval, the proposed policy will come into effect from 1 April 2015. Any new Deferred Payment Agreements signed from this date will be considered under the terms of this policy.

The decision to approve an application for a deferred payment will be authorised by the Head of Exchequer Services or other Head of Service nominated by the Director of Governance, Finance and Public Services.

As at 31 March 2014, the Council had approximately 507 'deferred payment' arrangements in operation. The total value of these deferred payments accrued as at 31 March 2014 was approximately £10.7 million. There will be no change to the terms of existing agreements as a result of the implementation of this policy. Existing agreements will be reviewed periodically to assess whether a transfer to the new policy would be appropriate.

## Local Policy Options

The Care Act regulations allow the council the discretion to:

- a) Charge the client administration fees and interest;
- b) Set a rate of interest to be charged;
- c) Determine the rate of the administration fees as long as it does not exceed the cost that the Council has incurred in arranging the deferred payment;
- d) Include 'top up' fees in the deferred payment;
- e) Set an amount of rental income a person can retain if they decide to rent out their property;
- f) To extend deferred payments to those residents in supported living accommodation and independent living schemes;
- g) Accept other forms of security other than property, such as a third party guarantor, a solicitors undertaking letter, assets abroad and valuable objects;
- h) Use loan agreements in line with the Consumer Credit Act 1974 and Financial Services and Markets Act 2000.

The Council's policy assumes that discretion is only applied for points (a), (b), (c), (d) and (e) above.

The interest, administration fees and the amount that can be retained from rental income will be published annually in the Adult Social Care Fees and Charges Schedule. The decision could be made not to charge administration fees and interest; however this would then result in additional costs to the Council which is considered not to be sustainable.

The Council could exclude any top up fees from a deferred payment however this could result in non-compliance with The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014. It is not expected that this will expose the Council to any additional financial risk as the top up amount is included in the overall equity limit set by the Council when the deferred payment is agreed.

Further consideration will be given to using the discretion available under (f) and (g) when the first year of operation of the scheme is reviewed. Deferred payments could be offered to those residents in supported living accommodation. Other forms of security could be accepted rather than the client's property. These aspects will be reviewed at a later date once the overall impact of the mandatory requirements of the scheme have been assessed.

In respect of point (h) above, loan agreements could be offered in line with the Consumer Credit Act 1974 and Financial Services and Markets Act 2000. However this would involve releasing money to clients to pass onto their care home provider rather than the local authority paying the care home direct. This does not appear to present an efficient way to support individuals to pay for their care.

### Public Information and Advice

If the Deferred Payments policy is approved it will form the basis for producing public information which is written in plain English, and is made available in a variety of formats and at appropriate locations.

National template documents have been commissioned by the Department of Health (DH) to assist councils with this task, but these will have to be tailored to local requirements for Lancashire. The work on this will be incorporated in the Information and Advice Strategy which will be the subject of a future report to the Cabinet Member.

### Mental Capacity

The decision to seek and agree a Deferred Payment may involve assessing and considering carefully the decision making capacity of the individual concerned. The draft policy includes reference to the possible routes for making judgements in this type of circumstances and making such arrangements as other legislation allows.

The Equality Analysis set out at Appendix 'B' also addresses some of the issues for individuals who may lack capacity, and so have 'protected characteristics' as described in the Equalities Act 2010.

Council staff will themselves have an important role to play in these situations and will need to be aware of the new Deferred Payments policy and the concerns that may arise when mental capacity is an issue.

### Workforce

Effective implementation of this policy will require training the relevant staff.

It will also be necessary to ensure that due account is taken of the additional volumes of work. This could mean establishing additional posts or redesign of processes to achieve productivity improvements.

## **Consultations**

The Department of Health conducted an engagement exercise over autumn 2011 with care users and members of the care and support sector on reform of social care. This included some discussion of the proposals for universal deferred payment agreements.

The exercise found there was support for deferred payments; and a workshop on social care funding reform involving representatives from local authorities and disabilities groups noted *that "Universal deferred payments would give people additional choices and flexibility in meeting their care costs and there was strong support for them."*

Local authorities are required to follow new national guidance on the eligibility criteria for a deferred payment. There has however been some discretion allowed on how the scheme will be implemented locally with the expectation that the council has a local policy for Deferred Payments.

A number of events have been held where residential and nursing care providers in Lancashire were asked to provide insight into what clients may value from the new policy, and how clients may respond to the policy. Similarly, consultations have also been held with the Financial Assessment team, who support clients under the current deferred payment scheme. The views of both these groups have been taken into account in the final draft of the policy.

A briefing for County Councillors in November 2014 included a presentation on the Deferred Payment requirements.

## **Implications:**

This item has the following implications, as indicated:

### **Financial**

There will be additional costs associated with the Deferred Payments Scheme, both in terms of administration and interest costs. These costs will be recovered from the client so that the scheme is cost neutral to the Council.

It is not possible to model the cash flow implications of the Deferred Payments Scheme with any degree of certainty as there are a large number of currently unknown factors. These include the number of people who will be eligible for a deferred payment, the level of take up, the average value of payments, the timing of when people take up the offer, and the duration of the agreement up to the point when the property is eventually sold.

The Council is expecting to receive funding through a Department for Communities and Local Government revenue grant, currently estimated at £2.157m in 2015/16. It

is not known whether any of this funding will continue to be received beyond that year to fund on-going costs. The extent to which grant funding may not be sufficient to cover the additional costs will need to be taken into account in the Council's updated Medium Term Financial Strategy. The costs will be kept under review especially during the first year of the new scheme.

## **Legal**

Failure to agree a new Deferred Payments policy would mean the Council would not be compliant with the Care Act in this area.

The application of the Consumer Credit Act in the instance of Deferred Payment Agreements is very complex.

There are two issues that give rise to legal uncertainty as to how the provisions of the Act will be recorded and reflected in agreement form. First, it is not clear at this stage whether permission is needed to enter into the DPAs. Second, there is also a lack of clarity as to whether any provisions of the Consumer Credit Act have to be met in terms of forms of agreement/pre contract information etc.

The current widely held legal view is that Lancashire County Council doesn't need permission from the Financial Conduct Authority to enter into DPAs. However, we are not confident that the agreements will be exempt from the requirements of the Consumer Credit Act which legislation lays down standards including the provision of pre contract information, and strictly controls the format of agreements.

Notwithstanding the application of the regime laid down by the Consumer Credit Act, the County Council would always strive to ensure that its contractual arrangements with service users meet high standards of fairness and thus where possible we would investigate whether it is feasible to adopt some of the best practice enshrined in the Consumer Credit Act and regulations

The Deferred Payments Policy may need to be amended once further guidance is issued by the Local Government Association on this matter.

## **Human Resources**

Additional posts may need to be established in some areas of the Council's workforce to respond to the additional demands arising from this new policy. There will also be Learning and Development activity needed to support the changes.

A separate report will be drafted for the Leader to consider early in 2015, which will bring together all the additional workforce requirements arising from the Care Act, including those relating to the Deferred Payments Policy.

## **Equality Issues**

A completed Equality Analysis is set out at Appendix 'B'.

Existing agreements will be reviewed periodically to assess whether a transfer to the new policy would be appropriate.

For new potential applicants for a DPA, there are benefits arising from the new policy. Explicitly setting out the requirements for responding to applicants who may lack capacity should ensure that their interests are better protected.

However it is unlikely that the new policy would wish to be used by those of Islamic faith, since Sharia law does not allow the charging of interest which is a key element of the Deferred Payments Scheme. The new policy will be reviewed in the light of local experience and advice from government.

### List of Background Papers

Paper	Date	Contact/Directorate/Tel
Preparing for Implementation of the Care Act in Lancashire: <a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=5722">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=5722</a>	September 2014	Tony Pounder, Adult Services, Health and Wellbeing Directorate, (01772) 536287
Department of Health Care Act Impact Assessment	October 2014	Khadija Saeed, Adult Services, Health and Wellbeing Directorate, (01772) 536195

Reason for inclusion in Part II, if appropriate

N/A



**Appendix 'A'**

# **Lancashire County Council DRAFT Deferred Payments Scheme**

Deferred Payments Policy  
April 2015

**LANCASHIRE COUNTY COUNCIL.....“the Council”**

**Contents**

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## 1. Introduction

The Care Act 2014, sections 34-36 establish a requirement for a Deferred Payment Scheme which all relevant Local Authorities must have ready for implementation from April 2015. The establishment of the Deferred Payment Scheme will mean that people ordinary resident in Lancashire should not be forced to sell their home in their lifetime to pay for their residential and/or nursing care. By entering into a Deferred Payment Agreement (DPA), a person can 'defer' or delay paying the costs of their care and support until a later date. Deferring payment can help people to delay the need to sell their home, and provides peace of mind during a time that can be challenging or may be a crisis point in their life as they make the transition into residential or nursing home care.

It should be stressed from the outset that the payment for care and support is deferred and not 'written off' – the costs of provision of care and support will have to be repaid by the individual, or by a third party on their behalf, at a later date.

The new scheme will have national eligibility criteria which replaces the existing eligibility criteria for deferred payments devised separately by local authorities including Lancashire County Council. Local authorities are required to follow this new national guidance on the eligibility criteria for a deferred payment. There has however been some discretion allowed on how the scheme will be implemented locally.

This document details the Deferred Payment Scheme for Lancashire County Council and should be read in conjunction with the Care Act 2014 Regulations and Statutory Guidance.

## 2. Eligibility Criteria

To be eligible for a deferred payment, a client must meet all of the following three criteria at the point of applying for a deferred payment agreement:

(a) his/her needs are to be met by the provision of care in a care home. This is determined when someone is assessed as having eligible needs which the Council decides should be met through a residential or nursing care home placement;

and

(b) he/she has no more than £23,250 (for the financial year 2015/16, to be updated by regulations for future years) in assets excluding the value of their home (i.e. in savings and other non-housing assets); and

and

(c) his/her 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.

The scheme applies to those who are ordinary resident in Lancashire as defined by the relevant provisions of the Care Act, sections 39 – 41 and accompanying Statutory Guidance.

### **3. Permission to refuse a Deferred Payment Agreement**

A deferred payment agreement must be offered to those who are eligible for the scheme and who are able to provide adequate security for the debt.

The Council may refuse a DPA despite someone meeting the eligibility criteria:

- (a) if the Council is unable to secure a first charge on the person's property; and / or
- (b) if someone is seeking a top up; and/or
- (c) if a person does not agree to the terms and conditions of the agreement.

In any of the above circumstances, the Council will consider whether to exercise its discretion to offer a deferred payment.

The Council can refuse a request for deferred payment. In such circumstances the decision will be notified in writing to the applicant and/or their personal representative. The decision will set out the grounds for refusal and provide information on how to appeal.

### **4. Information and Advice where eligibility criteria is met**

Information and advice will be provided during the 12 week property disregard period and at other stages during the care and financial assessment process.

The information provided should, at a minimum set out and explain clearly:

- that the fees are being deferred or delayed and must still be paid back at a later date, for example through the sale of the home (potentially after the individual's death);
- the types of security that the Council is prepared to accept
- that if a home is used as security, the home may need to be sold at a later date to repay the amount due;
- that the total amount they can defer will be governed by an equity limit which may change if the value of their security changes;
- the circumstances where the Council may cease to defer further amounts (such as when the person qualifies for the Council's support in paying for their care), and the circumstances where the Council has to stop deferring further amounts (such as when the person reaches their equity limit);
- how interest will be charged on any amount deferred;
- that they will be liable to pay administrative charges;
- what happens on termination of the agreement, how the loan becomes due and their options for repayment;

- what happens if they do not repay the amount due;
- the eligibility criteria for a DPA;
- the requirements on them during the course of the DPA;
- the implications that a deferred payment agreement may have on their income, their benefit entitlements, and on the charges they may be liable to pay for social care services

The information should also:

- provide an overview of some potential advantages and disadvantages of taking out a DPA, and set out the other options for paying for their care that they may wish to consider;
- note the existence of the 12 week disregard, which will afford those who qualify for it some additional time to consider their options in paying for care; and
- suggest that people should consider taking independent financial advice and highlight the existence of a regulated financial advice sector.

Where a person lacks 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 their behalf.

If a family member requests a deferred payment and they do not have the legal power to act on behalf of the person, then the person and the family member should receive information and advice on how to obtain this, through Lasting Power of Attorney and Deputyships.

Where the Council is the Deputy for a person, then the Council Deputy may apply for deferred payments where this is in the best interests of the person.

The Council must not enter into deferred payment agreements with a person lacking the requisite mental capacity unless the proper arrangements are in place.

## **5. Arranging a Deferred Payment Agreement**

The Deferred Payment Agreement will only take effect upon the applicant or his / her duly appointed representative signing the Deferred Payment Agreement. A certified copy of the appointment of a Power of Attorney or order from the Court of Protection appointing a Deputy will be accepted as evidence of authorisation to sign on behalf of the applicant.

The person entering into the DPA will also be required to abide by a number of conditions:

- That the property is maintained in reasonable standard of repair and condition.

- All outgoings associated with the property (e.g. Council tax, service charges, ground rent, insurance) are paid.
- That any net rental income derived from letting the property during the period of the scheme will be assessed in accordance with Department of Health statutory guidance.
- That the person receiving care and/or their representative acknowledges that they have received the Council's advice that they should seek independent financial advice before committing themselves to this agreement.
- That the client and/or their representative provides any evidence required by the Council in support of the application.
- Where the property is jointly owned, the co-owners as well as the applicant must agree to the Council's form of charge.
- That the applicant and/or their representative notifies the Council of any change in circumstances which would affect the value of the property or the sustainability of the deferred payment.
- The property is insured throughout the length of the DPA term until the debt to the Council is paid.

## **6. How much can be deferred?**

The Council will need to consider whether a person can provide adequate security for the deferred payment agreement.

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

Three elements will dictate how much a person can defer:

- The amount of equity a person has available in their property
- The amount a person is contributing to their care costs from other sources, including income and (where they choose to) any contribution from savings, a financial product or a third-party
- The total care costs a person will face, including any top-ups the person might be seeking.

These are explained in more detail as follows:

*(a) The amount of equity a person has available in their property;*

When considering the *equity available*, the equity limit will be set at the value of the property minus 10% (ten percent), minus £14,250 (for financial year 2015/16, this is

in line with the lower capital limit, to be updated in future years for changes set out in any new regulations) and the amount of any encumbrance secured on it.

This limit provides some protection to the Council against changes in the value of the security such as possible house price fluctuations.

An independent valuation of the property will be used to establish the equity available.

When calculating progress towards the equity limit, the Council will include any interest or fees to be deferred.

The Council will not allow additional amounts to be deferred beyond the equity limit. However, interest and administrative charges will still accrue beyond this point.

*(b) The amount a person is contributing to their care costs from other sources, including income and (where they choose to) any contribution from savings, a financial product or a third-party;*

A person may meet the costs of their care and support from a combination of any of four primary sources:

- income, including pension income;
- savings or other assets they might have access to, this might include any contributions from a third party;
- a financial product designed to pay for long-term care; or
- a deferred payment agreement which enables them to pay for their care at a later date out of their property asset.

The share of care costs that someone defers will depend on the amount they will be paying from the other sources listed above. The Council will require a contribution towards care costs from a person's income, but the person has a right to retain a proportion of their income (the 'disposable income allowance'). The disposable income allowance is a fixed amount of a person's income which the Council must allow the person to retain, if the person wants to retain it. For 2015/16 this disposable income allowance is set at £144 per week.

If a person decides to rent out their property during the course of their DPA, the Council can permit that person to retain a proportion of any rental income from the property. The proportion that can be retained will be published annually in the Adult Social Care Fees and Charges Schedule.

*(c) The total care costs a person will face, including any top-ups the person might be seeking;*

At a minimum, the Council will allow someone to defer their 'core' care costs. To ensure sustainability of the deferral, the Council has discretion over the amount

people are permitted to top up. The Council will accept any top-up deemed to be reasonable given considerations of affordability, sustainability and available equity.

The Council will consider:

- the likely period the person would want a DPA for, that is if they intend to use it as a ‘bridging loan’;
- the equity available;
- the sustainability of any contributions from their savings;
- the flexibility to meet future care needs; and
- the period of time a person would be able to defer their care costs for.

Once a person has reached their equity limit, the Council may no longer fund the top-up, and the person may need to find other ways to pay for it or be prepared for a change in their care package.

## **7. Interest rate and administration charge**

The interest and administration fees will be published annually in the Adult Social Care Fees and Charges Schedule. Administration charges and interest will be added to the total amount deferred as they are accrued, although a person may request to pay these separately if they choose. The interest will accrue on a compound basis.

The Council will charge an interest rate equalling the County Council's 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. This states the national maximum interest rate will be updated every six months on 1st January and 1st July to track the conventional gilts rate specified.

Interest will accrue on the amount deferred even once someone has reached the ‘equity limit’, it will also accrue after someone has died up until the point at which the deferred amount is repaid to the local authority. If the Council cannot recover the debt and seeks to pursue this through the County Court system the Council may charge the higher County Court rate of interest.

The Council will set its administration charge at a level which does not exceed the actual costs incurred in provision of the Deferred Payment Scheme, as set out in the Care Act regulations. Relevant costs may include, but are not limited to, the costs incurred by the Council whilst:

- registering a legal charge with the Land Registry against the title of the property, including Land Registry search charges and any identity checks required;
- undertaking relevant postage, printing and telecommunications;
- costs of time spent by those providing the service;
- cost of valuation and re-valuation of the property;
- costs for removal of charges against property;

- overheads, including where appropriate (shares of) the County Council's payroll, audit, management costs, legal service.

## **8. Circumstances in which the Council may stop deferring care costs**

Circumstances in which the Council may stop deferring any more charges include:

- (a) when a person's total assets fall below the level of the means-test, and the person becomes eligible for local authority support in paying for their care; and / or
- (b) where a person no longer has need for or is no longer receiving care and support in a registered residential or nursing care home; and / or
- (c) if a person breaches the terms of their agreement; and / or
- (d) if under the charging regulations, the property becomes disregarded for any reason and the person consequently qualifies for local authority support in paying for their care.

The Council will also cease deferring further amounts when a person has reached the 'equity limit' that they are allowed to defer. This also applies when the value of the security has dropped (e.g. from a fall in house prices) and so the equity limit has been reached earlier than expected.

Interest would continue to accrue on the amount deferred until the agreement was terminated. This may be either by sale of the property, the person's death or by the Council being repaid separately.

If a decision is made to stop deferring care costs, the repayment will be subject to the usual terms of termination.

The Council will provide a minimum of 30 days advance notice that further deferrals will cease. Depending on their circumstances, the person may either receive local authority support in meeting the costs of their care, or may be required to meet their costs from their income and assets.

In exercising these powers to cease deferring additional amounts the County Council will make its decision following a full consideration of the person's relevant circumstances.

## **9. Obtaining security**

The Council must have adequate security in place when entering into a DPA.

The Council will accept a first legal mortgage charge as adequate security. The Council 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, the Council will 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 the Council. This is consistent with the procedure to be followed in cases where an individual is the sole owner of a property.

The 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.

The Council has full discretion in individual cases to refuse a DPA if it is not satisfied that adequate security is in place.

## **10. Drawing up the Deferred Payment Agreement**

Where someone chooses to enter into a DPA, the Council will aim to have the agreement finalised and in place by the end of the 12 week disregard period, or within 12 weeks of the person approaching the Council regarding DPAs in other circumstances.

The Council will provide a hardcopy of the deferred payment agreement to the person or their representative, and they should be provided with reasonable time to read and consider the agreement, including time for the individual to query any clauses and discuss the agreement further with the Council.

The agreement will clearly set out all terms, conditions and information necessary to enable the person to ascertain his or her rights and obligations under the agreement. The Council will follow the model agreement to be made available by the Department of Health.

The individual or their legally appointed representative must:

- sign or clearly and verifiably affirm they have received adequate information on options for paying for their care,
- that they understand how the DPA works and understand the agreement they are entering into;
- and that they have had the opportunity to ask questions about the contract.

## **11. The Council's responsibilities whilst the Agreement is in place**

The Council will at a minimum provide the individual and /or their representative with six monthly written updates of:

- the amount of fees deferred,



- interest and administrative charges accrued to date,
- the total amount due
- and the equity remaining in the property.

The Council will reassess the value of the property once the amount deferred exceeds 50% of the value of the security and periodically thereafter, and adjust the equity limit and review the amount deferred if the value has changed.

When someone is approaching or reaches the point at which they have deferred a substantial proportion of the equity available in their property, the Council will:

- review the cost of their care with the person,
- discuss when the person might be eligible for any means tested support,
- discuss the implications for any top-up they might currently have,
- and consider jointly whether a deferred payment agreement continues to be the best way for the person to meet these costs.

## **12. Decision making**

Individual decisions on Deferred Payment Agreements will be made on behalf of the County Council by the Head of Exchequer Services or other Head of Service nominated by the Director of Governance, Finance and Public Services.

## **13. Monitoring the Deferred Payment Agreement**

The amount being deferred will be reviewed on a regular basis to ensure the deferred amount does not exceed the equity limit with particular regard to the amount deferred as it approaches the equity limit.

## **14. Terminating the Deferred Payment Agreement**

A DPA can be terminated in three ways:

- (a) at any time by the individual, or someone acting on their behalf, by repaying the full amount due. This can happen during a person's lifetime or when the agreement is terminated through the DPA holder's death; or
- (b) when the property is sold and the Council is repaid; or
- (c) when the person dies and the amount is repaid to the Council from their estate.

On termination, the full amount due, including care costs, any interest accrued and any administration fees charged, must be paid to the Council.

If a *person decides to sell their home*, they should notify the Council during the sale process. They will be required to pay the amount due to the Council from the proceeds of the sale, and the local authority will relinquish the charge on their property.

A person may decide *to repay the amount due to the local authority from another source, or a third party may elect to repay the amount due on behalf of the individual*. In either case, the Council must be notified of the person's/the third party's intention in writing and the local authority will relinquish the charge on the property on receipt of the full amount due.

If the deferred payment is *terminated due to the person's death*, the amount due to the Council must be either paid out of the estate or paid by a third party. A person's family or a third party may wish to settle the debt to the Council by other means of repayment, and the Council will accept an alternative means of payment in this case, provided this payment covers the full amount due to the Council.

The Executor of the will or Administrator of the estate can decide how the amount due is to be paid; either from the person's estate, via the sale of the property, or by other means. The Council will wait at least two weeks following the person's death before approaching the Executor with a full breakdown of the total amount deferred, but a family member or the Executor can approach the Council to resolve the outstanding amount due prior to this point.

Responsibility for arranging for repayment of the amount due in the case of payment from the estate falls to the Executor of the will. Interest will continue to accrue on the amount owed to the Council after the individual's death and until the amount due to the Council is repaid in full.

If terminated through a person's death, the amount owed to the Council under a deferred payment agreement falls due 90 days after the person has died. After this 90 day period, if the Council concludes active steps to repay the debt are not being taken, for example if the sale is not progressing and the Council has actively sought to resolve the situation, or if the Council concludes the Executor is wilfully obstructing the sale of the property, then the Council may enter into legal proceedings to reclaim the amount due to it.

In whichever circumstance an agreement is terminated, the full amount due to the Council must be repaid to cover all costs accrued under the agreement, and the person, their legally appointed representative and/or the third party where appropriate, will be provided with a full breakdown of how the amount due has been calculated.

Once the amount has been paid, the Council will provide the individual with confirmation that the agreement has been concluded, and confirm (where appropriate) that the charge against the property has been removed.

## **15. Process for Appeals**

The decision on the outcome of the application for a deferred payment can be appealed. The grounds for appeal could include:

- The decision to refuse the application failed to take into account all the available and relevant information
- There are eligible care costs which the Council have failed to take into account.

Requests for an appeal should be made within 20 working days of being notified of the outcome of the application for a Deferred Payment Agreement. This period can be extended if there are exceptional circumstances.

If the person is dissatisfied with the outcome of the appeal, they can then appeal within 20 working days of being notified of the outcome of the review. This period can be extended for exceptional reasons.

The decision as to whether to uphold the outcome of the appeal will be made by the Director of Financial Resources.

If the person remains dissatisfied with the outcome of the appeal then they can request that this matter is dealt with under Lancashire County Council's Adults Social Care Complaints procedure.

The appeals process will be reviewed following publication of any relevant new regulations.

## **16. Glossary**

To be finalised after Cabinet Member approval.





Appendix 'B'

# Equality Analysis Toolkit

**Implementing the Care Act – approval of a new  
Deferred Payment Policy**

**Issue type: 3.3 Cabinet Member for Adult and Community  
Services Decision Making Session**

**Meeting: Cabinet Member for Adult and Community Services  
Thursday, 15th January, 2015**

**For Decision Making Items**

## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed ) or EHRC guidance - [EHRC - New public sector equality duty guidance](#)

Document 2 "Equality Analysis and the Equality Duty: Guidance for Public Authorities" may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Directorate contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## **Name/Nature of the Decision**

Approval is being sought for the implementation of a new Deferred Payment Scheme in response to the requirements of the Care Act 2014.

## **What in summary is the proposal being considered?**

The Care Act 2014 established a requirement for a Deferred Payment Scheme which all Local Authorities must have implemented from April 2015. The establishment of the Deferred Payment Scheme will mean that people should not be forced to sell their home in their lifetime to pay for their care. By entering into a Deferred Payment Agreement (DPA), a person can 'defer' or delay paying the costs of their care and support until a later date. Deferring payment can help people to delay the need to sell their home, and provides peace of mind during a time that can be challenging or even a crisis point in their life as they make the transition into residential or nursing home care.

It should be stressed from the outset that the payment for care and support is deferred and not 'written off' – the costs of provision of care and support will have to be repaid by the individual, or by a third party on their behalf, at a later date.

The new scheme will have national eligibility criteria which replaces the existing eligibility criteria for deferred payments devised separately by local authorities including Lancashire County Council. Local authorities are required to follow this new national guidance on the eligibility criteria for a deferred payment. There has however been some discretion allowed on how the scheme will be implemented locally.

In particular the regulations provide for Council's to charge interest on the loan from the commencement of the loan, where at present interest is charged by Lancashire County Council from when the debt becomes due following the death of the client or upon termination of the contract.

The Cabinet Member for Adult and Community Services will be asked to approve the new Deferred Payments Scheme for Lancashire County Council.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.



The new scheme will affect any person or their representative who applies for a Deferred Payment under the scheme across the County and does not relate to any separately identified specific geographical area within Lancashire.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The Department of Health has produced an impact assessment on the Care Act regulations covering the provisions that give local authorities a duty to offer deferred payments incorporating an equality impact assessment.

The Department of Health equality impact assessment concluded that:

Deferred payment agreements benefit people in residential care and their families. The population using care is almost exclusively disabled (physically or mentally) and is predominantly female and aged 75+.

Deferred payment agreements will predominantly benefit homeowners with low income and / or savings, who tend to belong to lower and middle socioeconomic groups.

Deferred payment agreements will not differentiate on the basis of race, however ethnic minorities are less likely to use residential care and because of this may make fewer agreements.

Deferred payments will not differentiate on the basis of faith, however charging of interest may pose a barrier to faith groups who have objections on religious grounds.

There are no grounds for a differential impact on sexual orientation, marriage or civil partnership. Deferred payment agreements will not differentiate on this basis.

The detailed Department of Health equality impact assessment that accompanied the final Care Act regulations relating to Deferred Payments (published in October 2014) can be found at the following link:

[http://www.legislation.gov.uk/ukia/2014/312/pdfs/ukia\\_20140312\\_en.pdf](http://www.legislation.gov.uk/ukia/2014/312/pdfs/ukia_20140312_en.pdf)

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Deferred payment agreements will be subject to eligibility criteria, notably whether someone needs residential care and whether they have limited liquid assets. Beyond this the scheme will not actively discriminate on the basis of equalities characteristics such as age, gender, sexual orientation, belief or socio-economic status. However it is likely there will be a differential level of uptake of deferred payments across different population groups.

Deferred payment agreements benefit people in residential care and their families. The take up of deferred payment agreements should reflect the makeup of people in care homes. In Lancashire the number of people resident in residential or nursing care as at 31<sup>st</sup> March 2014 is as follows:

Residents aged 65 and over	4,788
Residents aged 18 - 64 with a Physical Disability	189
Residents aged 18 - 64 with Mental Health needs	323
Residents aged 18 - 64 with a Learning Disability	266

These clients are almost exclusively disabled (physically or mentally) with substantial

care needs being eligible for local authority support. These clients are predominantly aged 65+ with approximately 75% being female. This is generally accepted to reflect two factors:

- increased longevity amongst women is associated with a higher prevalence of age-specific disability;
- women are more likely to survive male spouses and have less access to informal care.

Deferred payment agreements will not differentiate on the basis of race, however ethnic minorities are less likely to use residential care and because of this may make fewer agreements. The Joseph Rowntree Foundation note that the proportion of the minority ethnic population living in care homes is smaller than the white population living in care homes, and that older people from ethnic minorities are more likely to be living in larger households and a household with one or more carer. Based on this, it may be the case that the white population is more likely to use residential care and therefore to seek deferred payment agreements.

Deferred payment agreements may be compared to a loan. The Council proposes to charge a rate of interest that is sufficient to cover the borrowing costs, as allowed by regulations. Deferred payments will not differentiate on the basis of faith, however charging of interest may pose a barrier to faith groups who have objections on religious grounds.

It is noted that the payment of interest and charges on deferred payments may present a barrier to Muslim care users. This is because of the tenets of Sharia (Islamic) law, which prohibit the payment of interest.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

The Department of Health conducted an engagement exercise over Autumn 2011 with care users and members of the care and support sector on reform of social care. This encompassed discussion of proposals for universal deferred payment agreements.

The engagement found support for deferred payments; a workshop on social care funding reform involving representatives from local authorities and disabilities groups noted that “Universal deferred payments would give people additional choices and flexibility in meeting their care costs and there was strong support for them”.

Local authorities are required to follow new national guidance on the eligibility criteria for a deferred payment. There has however been some discretion allowed on how the scheme will be implemented locally with the expectation that the council has a local policy for Deferred Payments.

Three events were held where suppliers of residential and nursing care services in Lancashire were asked to provide insight into what clients may value from the new policy, and how clients may respond to the policy. Similarly, consultations have also been held with the Financial Assessment team, who support clients under the current deferred payment scheme.

In particular, these sessions highlighted the particular issues arising where clients lack mental capacity and are required to engage with a formal process, with the potential for there to be no Lasting Power of Attorney or Court appointed Deputy at the time they enter into residential or nursing care. The workforce capacity plan has been updated to reflect the possible need for additional resource within the Safeguarding Adults Finance team to support clients in this situation.

In view of the faith issues raised and the fact that we have concentrations of Muslim populations in Lancashire, it is intended that the Muslim community are identified as requiring specific communications as part of the Council's wider communications plan regarding the Care Act.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

There are two areas where those with protected characteristics may potentially be disadvantaged, explained as follows:

- 1) Deferred payment agreements may be compared to a loan. The Council proposes to charge a rate of interest that is sufficient to cover the borrowing costs, as allowed by regulations. Deferred payments will not differentiate on the basis of faith, however charging of interest may pose a barrier to faith groups who have objections on religious grounds.

It is noted that the payment of interest and charges on deferred payments may present a barrier to Muslim care users. This is because of the tenets of Sharia (Islamic) law, which prohibit the payment of interest.

- 2) Where a person lacks 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 their behalf.

If a family member requests a deferred payment and they do not have the legal power to act on behalf of the person, then the person and the family

member should receive information and advice on how to obtain this, through Lasting Power of Attorney and Deputyships.

Where the Council is the Deputy for a person, then the Council Deputy may apply for deferred payments where this is in the best interests of the person. The Council must not enter into deferred payment agreements with a person lacking the requisite mental capacity unless the proper arrangements are in place.

#### **Question 4 – Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The Council is currently seeking to review its Charging Policy for the use of the Safeguarding Adults Finance (SAF) Team, whose role involves:

- Application to Court of Protection or DWP to become formally involved in a person's financial affairs;
- On-going management of finance and property affairs including investments and asset sales, including welfare support required under roles as Court-Appointed Deputy.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how – For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The original proposal has not been changed to reflect the two areas identified at question 3, as it may create greater inequity to create separate provisions for these two groups to counteract the impact of the policy on them. i.e.

- 1) Not charging interest on the basis of faith
- 2) Not allowing choice on the basis of mental capacity

Following consultation, we were able to identify the mitigation at point 2 below.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

- 1) The Department of Health has during the legislative passage of the Care Act 2014 added in a new Section 36 to allow deferred payment agreements to be offered in a manner that would make them compliant with Sharia law. There were mixed views in response to the consultation as to whether it was necessary to enact this or not and as such it has decided not to enact it for April 2015. The Department of Health intends to engage further with the Muslim community to understand whether there would be a demand for a Sharia-compliant scheme, and if so what would be required of it.
- 2) In order to facilitate the use of the SAF team additional resource has been identified in the workforce capacity plan for the Care Act, so that charges to individuals relating to the use of the SAF team may be minimised, and access to the team can be ensured. This relates to those clients for whom it is deemed it is in their best interest to enter into a deferred payment agreement, but who lack the capacity to make the decision and do not have a legally appointed Lasting Power of Attorney or Deputy to make the decision on their



behalf.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

In order for the Council to be compliant with the Regulations and Guidance supporting the provisions of the Care Act 2014, the Council will need to agree an appropriate policy in relation to the offer of Deferred Payment Agreements in Lancashire. The policy that is being recommended is in keeping with the guidance and regulations, and where discretion is allowed, it has been applied in a manner which does not aim to discriminate against those with protected characteristics.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

- 1) Deferred payment agreements may be compared to a loan. The Council proposes to charge a rate of interest that is sufficient to cover the borrowing costs, as allowed by regulations. Deferred payments will not differentiate on the basis of faith, however charging of interest may pose a barrier to faith groups who have objections on religious grounds.

It is noted that the payment of interest and charges on deferred payments may present a barrier to Muslim care users. This is because of the tenets of Sharia (Islamic) law, which prohibit the payment of interest.

- 2) Where a person lacks 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 their behalf.

If a family member requests a deferred payment and they do not have the legal power to act on behalf of the person, then the person and the family member should receive information and advice on how to obtain this, through Lasting Power of Attorney and Deputyships.

Where the Council is the Deputy for a person, then the Council Deputy may apply for deferred payments where this is in the best interests of the person. The Council must not enter into deferred payment agreements with a person lacking the requisite mental capacity unless the proper arrangements are in place.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The financial assessment team will monitor any enquiries from those who feel prohibited from using that scheme based on faith.

Any increased usage of the SAF team will be monitored to ensure that there continues to be resource within the team to support individuals through the DPA process.

Additionally, the take-up of the scheme will be monitored across all nine of the protected characteristic groups.

Equality Analysis Prepared By      Khadija Saeed

Position/Role      Care Act Finance & Systems Lead

Equality Analysis Endorsed by Line Manager and/or Chief Officer  
Tony Pounder, Head of Care Act Implementation

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team.

Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

Contact for Environment Directorate, Lancashire County Commercial Group and One Connect Limited

Saulo Cwerner – Equality & Cohesion Manager

[Saulo.cwerner@lancashire.gov.uk](mailto:Saulo.cwerner@lancashire.gov.uk)

Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)

Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you



**Report to the Deputy Leader of the County Council and the Cabinet Member  
for Highways and Transport**  
**Report submitted by: Interim Executive Director for Environment**  
**Date: 14 January 2015**

**Part I**

Electoral Division affected:  
Preston City

## **Fishergate Central Phase 2(a) Public Realm Improvement**

Contact for further information:  
Marcus Hudson, 01772 530696, Environment Directorate,  
[marcus.hudson@lancashire.gov.uk](mailto:marcus.hudson@lancashire.gov.uk)

### **Executive Summary**

This report outlines the proposals for the next phase of public realm improvements in Preston City Centre, to extend the shared space initiative along Fishergate to complete the pedestrian connectivity between the Bus Station and its western apron and the Railway Station. Phase 2(a) of this work will see the initiative continue eastwards along Fishergate to Preston Minster, whilst the final phase 2(b) will see it completed from Miller Arcade along Lancaster Road to the west apron.

These public realm improvements form part of a bid to Government for Local Growth Fund monies made by the Lancashire Enterprise Partnership in March 2014. In July 2014, the Government announced a £6 million funding commitment through the Lancashire Growth Deal, to deliver the Fishergate Central project, a transformational public realm gateway in Preston City Centre. This funding is subject to the commitment of local contributions and to the Lancashire Enterprise Partnership receiving a business case and granting funding approval. This approval stage is anticipated in June 2015.

There is an imperative to begin works sooner, in order to contain the works in the 2015 calendar year and so avoid adverse winter weather conditions and a halt to works for the Christmas shopping period, and the consequent risks to costs, public safety and reputation. Delays at this stage may also affect the ability to make a start on the improvements to the Bus Station.

Accordingly, this report proposes that the Phase 2(a) works form an advance commitment against the wider Fishergate Central project.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

## **Recommendation**

That:

- i. the Cabinet Member for Highways and Transport is asked to approve the proposals set out in this report for the extension of the shared space initiative along Fishergate, known as Phase 2(a), and
- ii. that the Deputy Leader is asked to approve these works to be carried out as an advance commitment against the Fishergate Central Growth Deal project, and add the project to the Environment Directorate's 2014/15 Capital Programme to the value of £3.127 million.

## **Background and Advice**

Preston City Centre has a key role to play in fully realising the economic growth of the Preston, South Ribble and Lancashire City Deal area. A key part of Preston's economic asset base is its strategic location on the road and rail network. Significantly for Preston, the rail and bus stations sit at opposite ends of the city centre; the railway station to the west, the bus station to the east. As town and city centres reinvent themselves to take account of changing demands these key transport locations will serve to anchor a revitalised Preston City Centre, creating a centre that sits at the heart of Lancashire driving broader economic growth.

Investment in the City Centre's public realm is well underway. The current works represent the first major phase of a wider programme of gateway development work to improve connectivity between the two transport hubs (railway station and bus station) and the key development and commercial "Opportunity Areas" that are located between them. This work centres on Fishergate. Fishergate is the city's principal street, connecting the city centre's assets, key zones and development areas. It is the primary pedestrian route between the railway station and bus station, is directly adjacent to each of the City's 'Opportunity Areas', and plays host to the majority of principal high street stores and banks in the city.

Completing the rejuvenation of Fishergate is an essential component of change in the city centre, complementing gateway improvements at Preston's railway station and bus station, and enhancing Preston's image as an attractive and viable business location, especially for higher-value service sectors and retail occupiers.

The Lancashire Strategic Economic Plan submitted to Government by the Lancashire Enterprise Partnership at the end of March 2014 included a bid for LGF funding towards these public realm interventions. In July 2014, the Government announced that through the Lancashire Growth Deal it would commit £6 million over two years, 2015/16 and 2016/17. This came with the proviso that the Lancashire Enterprise Partnership (LEP) and its partners commit monies to deliver a transformational public realm gateway in Preston City Centre, together with the redevelopment of the Preston Bus Station.

The Cabinet agreed at its meeting on 6 November 2014 to reallocate the County Council contribution of £8.3 million to the construction of a new bus station, contained within the approved capital programme, to the refurbishment of the Preston Bus Station and Multi Storey Car Park (MSCP). This provides the match funding that will secure the £6.0million Growth Deal contribution.

The wider Fishergate Central Gateway improvements include the extension of the shared space initiative along Fishergate to complete the pedestrian connectivity between the Bus Station and its western apron and Railway Station. Phase 2(a) of this work will see the initiative continue eastwards along Fishergate to Preston Minster, whilst the final phase 2(b) will see it completed from Miller Arcade along Lancaster Road to the west apron.

Before this funding becomes available, the project must be appraised through the LEP's two stage business case process. An Outline Business Case is anticipated for submission to the LEP Board in April 2015 followed by a Full Business Case in June 2015.

However, an updated technical assessment of the works programme has flagged an imperative to begin works much sooner, in order to contain the works in the 2015 calendar year and so avoid adverse winter weather conditions and a halt to works for the Christmas shopping period, and the consequent risks to costs, public safety and reputation. These risks can be better managed if works are started at the earliest opportunity in the new calendar year.

In order to achieve an accelerated delivery programme, it is recommended that the Phase 2(a) works be carried out, at risk, as an advance commitment against the wider Fishergate Central Growth Deal project. Given that the intent of the £6.0m Growth Deal contribution is to facilitate the wider Fishergate Central Gateway programme of works, this is seen as a low risk position.

Working to an accelerated delivery programme would see public realm works along Fishergate begin as early as next February and be delivered by November 2015.

## **Consultations**

A public awareness event has been held in St George's Shopping Centre and, subject to approval, businesses will also be consulted prior to commencement of the proposed works.

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

As outlined in the report, there is a risk of delay to delivery of the Fishergate public realm improvements if works have to fall either side of the Christmas period, firstly, because of the agreed halt on works affecting Christmas shopping traffic and pedestrian movements, and secondly, because of the likelihood of more adverse winter weather conditions and failing light slowing the pace of works. This would

have implications for levels of disruption to the public and businesses, public safety and the County Council's reputation. Delays to the works programme may also incur additional costs or place the contract at risk. These risks can be better managed if works are started at the earliest opportunity in the calendar year.

In advance of the formal approval to draw down grant funding through the Lancashire Growth Deal, any costs incurred in this project will be done so at risk.

## **Financial**

The report is seeking approval to make an advance start on Phase 2(a) of the Fishergate Central Growth Deal public realm improvements in advance of Growth Deal funding being secured. The cost estimate for completing this phase is £3.127 million. If funding for the Growth Deal is not confirmed, which is judged to be a small risk, then any capital expenditure incurred on this phase of the project will need to be met from the Environment Directorate's capital programme. If such a risk was to materialise this could be mitigated by a re-prioritisation of the capital programme over the next three years 2015/16 to 2017/18 to maintain total capital expenditure within available resources.

## **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
Lancashire Strategic Economic Plan: A Growth Deal for the Arc of Prosperity	March 2014	Kathryn Molloy/Office of the Chief Executive/01772 538790

Reason for inclusion in Part II, if appropriate

N/A.



**Report to the Cabinet Member for Adult and Community Services**  
**Report submitted by: Executive Director of Adult Services, Health and Wellbeing**  
**Date: 15 January 2015**

**Part I**

Electoral Divisions affected:  
All

**Implementing the Care Act 2014 - Approval of a new Policy for Undertaking Assessments and Providing Support for Carers in Lancashire**  
(Appendix 'A' refers)

Contact for further information:  
Craig Frost, (01282) 470823, Adult Services, Health and Wellbeing Directorate  
[craig.frost@lancashire.gov.uk](mailto:craig.frost@lancashire.gov.uk)

## **Executive Summary**

The Care Act places new statutory duties on local authorities to support carers of all ages from 1 April 2015.

The Act recognises the vital role that carers play and aims to help them maintain their caring role, if they are willing and able to do so, which will often help the people they care for to postpone or delay the need for more formal services. This is in addition to preventing excessive and/or inappropriate caring roles.

It puts carers on an equal legal footing to those they care for, places an emphasis on prevention, gives carers of all ages the same rights to an assessment on the appearance of needs and, if a carer is deemed to have eligible needs, the right to a support plan and personal budget.

In order to meet its statutory duties, the County Council must implement new arrangements for carers from 1 April 2015, particularly in respect of carers' assessment, the provision of support, which must include the option of a personal budget to those eligible.

This report sets out key elements of a new policy framework that would enable further development of a new offer to carers and ensure the County Council meets its legal obligations. The report also highlights the financial and operational risks associated with the implementation of the changes.

This is deemed to be a Key Decision and the provisions of Standing Order No 25 have been complied with.

## **Recommendation**

The Cabinet Member for Adult and Community Service is recommended to:

- (i) Approve a new Carers' policy framework for Lancashire which is compliant with the Care Act from 1 April 2015 and sets out -
  - a. How assessments of carers will be undertaken;
  - b. The Council's service offer to carers, including the option of Personal Budgets to eligible individuals;
  - c. that the Council's new service offer to carers will no longer include provision of 'Time for Me' grants from 1 April 2015;
  - d. the Council's intention to waive its powers to financially assess and/or impose charges on carers in respect of their Personal budgets;
- (ii) Authorise the Executive Director of Adult Services, Health and Wellbeing, in consultation with the County Treasurer, to approve the final carers' personal budget configuration;
- (iii) Approve the continuation of respite care provision in line with existing arrangements so that it is costed against the Personal Budget of the individual receiving care or support;
- (iv) Note the financial and operational risks associated with the new policy framework;
- (v) Endorse the intention to review the impact of the new policy for carers by the end of 2015/16.

## **Background and Advice**

### 1) Introduction

The Care Act places new statutory duties on local authorities on supporting carers of all ages under the care and support reforms that take effect from 1 April 2015. It recognises the vital role that carers play and aims to help them maintain their caring role, if they are willing and able to do so, which will often help the people they care for to postpone or delay the need for more formal services. This is in addition to preventing excessive and/or inappropriate caring roles.

In relation to the local authorities obligations specifically relating to young carers the Care Act cannot be read without equal attention being given to the Children and Families Act 2014. Together this legislation clarifies the law in relation to young carers and reinforces the significance of a whole family approach.

The 'NHS Five Year Forward View' commits the NHS to find new ways to support carers, to build on the new rights created by the Care Act and to help the most vulnerable carers. This enhanced NHS agenda for carers fits closely with new Care Act responsibilities and should help provide a good framework for refreshing carers commissioning strategies under Lancashire's Better Care Fund plan.

It is important to highlight at the outset that the new duties in relation to carers are of great importance and priority in the context of Care Act implementation and compliance – the key mandatory requirements are summarised as follows:

- The principles and duties enshrined in the Act put carers on an equal legal footing to those they care for, for example the wellbeing principle, which is at the heart of the care and support reforms, applies equally to adults with care and support needs and their carers.
- The emphasis on prevention will mean that carers of all ages should receive support, including the provision of good information and advice, early on and before reaching a crisis point.
- Carers of all ages will have the same rights to an assessment on the appearance of needs regardless of their level of need, who they care for, what type of care they provide or how often they provide it and their financial resources. The previous requirement to provide 'substantial' and 'regular' care to be defined as a carer will be removed.
- If a carer is deemed to have eligible needs, the local authority should prepare a support plan to help the carer decide how their needs should be met and which, if any, would be met by a personal budget.

There is a high degree of uncertainty nationally about the number of carers that may be identified or may come forward for assessment and support from local authorities, which is reflected in the Department of Health's impact assessment. This is exemplified by the considerable difference between the number of carers identified in the 2011 Census and the number of carers currently receiving an assessment by their local authority.

This position and gap is similarly uncertain in Lancashire, with 133,213 people identifying themselves as a carer during the 2011 Census. This compares to the approximately 6,000 carer assessments undertaken annually by, or on behalf, of the County Council, or indeed the approximately 17,000 carers currently supported by the carers' services which have been commissioned in Lancashire.

The County Council has a good track record of supporting carers of all ages in Lancashire, particularly through the range of supports commissioned from carers' services, such as Peace of Mind 4 Carers service, 'Time for Me' grants, 'Sitting-in' services and information and advice. The Care Act presents an opportunity to build on that to provide appropriate levels of timely support to many more carers, in order to prevent, reduce or delay the need for care and support of the person they care for.

The support service for young carers in Lancashire is a County Council commissioned service provided by Barnardos countywide. The service is part of the County Council's Wellbeing, Prevention and Early Help core offer. In addition, there are a small number of local carer organisations who deliver services funded from charity resources in some areas across Lancashire.

The current young carer commissioned service includes the provision of activities for young carers accessing the service, to widen their social network and enhance their

emotional health and wellbeing, whilst providing a break from caring responsibilities. The commissioned service provided support to 798 young carers in 2013/14, however the 2011 census data in Lancashire states:

- 2,610 young carers aged 0-15years (2% of the 0-15 population)
- 7,201 young carers aged 16 – 4 years (5% of the 16-24 population).

The government will be providing funding to local authorities to support the new requirements relating to carers. However, the funding allocation for the County Council is not yet known. This together with the unpredictability of the additional demand for assessments and personal budgets from carers, particularly at a time when the County Council is under unprecedented budgetary pressure, creates significant financial risk.

Therefore, it is proposed that the County Council puts in place a policy framework for carers from 1 April 2015, to ensure Care Act compliance whilst adopting a reasonable but cautious approach that provides an opportunity to contain costs within the government funding.

It is proposed that a review of the arrangements should be undertaken towards the end of 2015/16, which considers the volume of new demand from carers, the effectiveness of the new arrangements, the views of carers and carers' services, the financial implications including actual costs, predicted future costs and any further government funding. A review would provide the opportunity to evaluate the impact and make any required policy adjustments on a firmer footing.

## 2) Information and advice

Local authorities will be responsible for ensuring that all adults in their area with a need for information and advice about care and support, including carers, are able to access it. It is intended that an information and advice strategy will be produced prior to April 2015, which will be the subject of a future report to the Cabinet Member for Adult and Community Services.

## 3) Carers' assessments

The statutory guidance states that 'where an individual provides or intends to provide care for another adult and it appears that the carer may have any level of needs for support, local authorities must carry out a carer's assessment'. It also sets out what the carer's assessment must consider in determining whether they are eligible for support from the local authority under national eligibility criteria.

Currently, the vast majority of carers' assessments are undertaken in combination with the person they care for by County Council staff. It is estimated that 6,000 assessments were undertaken in the last year, including about 500 separate carers' assessments completed by carers' services on behalf of the County Council.

In accordance with the Care Act, those individuals with a current carer's assessment under previous legislation will be transitioned to the new arrangements on a phased basis – the statutory guidance says the 'passporting' of carers into the new legislation should normally take place at the point of review. This means that the

assessment approach to 'meeting needs', as opposed to duties to provide specific services, for those with an existing carer's assessment will be addressed as part of the County Council's usual process for review.

Due to the difficulty in estimating the level of demand for new carers' assessments, it is appropriate to apply the same methodology the Department of Health used in their impact assessment to Lancashire. Applying this approach results in a predicted figure of 8,034 extra assessments in 2015/16, representing a 133% increase in activity.

Local authorities will have the power to delegate assessments to other bodies providing that all relevant duties are fulfilled, but they retain ultimate responsibility for how its functions are carried out. In order to manage the extra demand in an effective way, it is proposed that all separate assessments will be carried out by appropriately trained assessors at the carers' services, and only combined assessments with the person they care for will be undertaken in-house.

Furthermore, it is proposed that carers will be encouraged to choose a separate assessment, although they will, of course, be able to opt for a combined assessment with the person they care for if they wish. The main benefits of this approach are:

- A specialist carers' service will have the necessary skills and knowledge to be able to offer a comprehensive carer's assessment ensuring the carer is aware of and referred into all services and support that may be appropriate to them
- A carer's assessment undertaken by a carers' service will provide a contact point for the carer should a crisis occur or further information be required. This could potentially reduce the demand on the County Council.

The Act also sets out the importance of appropriate and proportionate assessment, including face-to-face assessment, phone assessment, online assessment and supported self-assessment. Therefore, different assessment options will be available according to the needs of the individual, which will also promote efficiency and cost effectiveness.

## **Young Carers**

Young carers will need to have either their own/family assessment or a care assessment of the adult they care for, to identify support needs that prevent inappropriate care by the young carer.

In relation to young carers, the implications of the legislation are that all young carers have the right to an assessment of needs for support which must be aligned to the assessment of an adult or sibling they care for.

The assessment is to identify the support needed to prevent inappropriate care and must consider:

- The impact of the person's needs on the young carer's wellbeing, welfare, education and development.

- Whether any of the caring responsibilities the young carer is undertaking are inappropriate.
- Whether a young carer is a 'child in need' under the Children Act 1989.

The responsibility for assessing the needs of young carers sits across Adult and Children's Services with the responsibility for responding to their needs resting with the service responsible for assessing the person they support. Adult and Children's Services are fully committed to working together to ensure effective arrangements for young carers and a whole family approach under the legislative changes.

#### 4) Carers' personal budgets

The statutory duties on personal budgets apply to people in need of care and support and carers equally meaning that everyone whose needs are met by the local authority must receive a personal budget as part of their support plan.

'Time for me' grant funding for carer breaks are currently available and are administered by Carers' Services on behalf of the County Council. A carer may apply for up to a maximum of £350 once every two years. In 2013/14, 1,170 applications were received and 832 approved at an average cost of £271 per grant.

These grants do share some of the characteristics of carer personal budgets as defined by the Care Act, but simply extending them in their current form would not fulfil the statutory duties.

Therefore, it is crucial that a system is developed for providing eligible adult carers, who care for an adult, with a personal budget from 1 April 2015 that complies with the Care Act, particularly on the following key principles:

- The allocation of a clear upfront indicative allocation at the start of the planning process will help people to develop the plan and make appropriate choices over how their needs are met.
- The process used to establish the personal budget is transparent and the method used robust, so that people have confidence that the personal budget allocation is correct and therefore sufficient to meet their care and support needs.
- The personal budget is the mechanism that, in conjunction with the support plan, enables the person to exercise greater choice and take control over how their care and support needs are met.

A Resource Allocation System (RAS) may be used by councils to decide how much money people get for their support. There are clear rules, so people can see that money is given out fairly. Once their needs have been assessed, they will be allocated an indicative budget, so they know how much money they have to spend on support. The purpose of an indicative budget is to help them plan the support that will help meet their assessed needs – it might not be the final amount that they get, as it may not be enough (or is more than enough) to meet those needs.

It is proposed that a RAS is introduced for eligible adult carers, who care for an adult, with mechanisms in place for:

- **Understanding and weighting the carer's needs and outcomes**.....based on the carer's assessment or combined assessment.
- **Translating the weightings into an indicative allocation**.....based on three allocation bandings.
- **Arriving at a final allocation**.....based on the principle of sufficiency with a process in place for authorising amounts that exceed the indicative allocation.

The statutory guidance points out that complex RAS models may not work for all client groups. A simple approach is considered sensible for carers' personal budgets, hence the intention of having three allocation bandings. If the proposal on carers' personal budgets is approved, more detailed work will be required to fully develop the personal budget configuration in two respects.

- Firstly, the monetary amount of each banding will need to be determined.
- Secondly, there will need to be an equitable and transparent process for establishing which banding a carer would be assigned based on the impact their caring role has on their life.

Therefore, it is proposed the signing-off of the final arrangements is delegated to the Executive Director of Adult Services, Health and Wellbeing in consultation with the County Treasurer.

To inform the development of the RAS model, there may also be an opportunity to undertake some benchmarking with other local authorities as their plans for personal budgets emerge. There is also a proposal for North West councils to work collaboratively to explore the feasibility of developing and implementing a regional framework for measuring impact, eligibility and RAS for carers.

A carer would be able to use their final personal budget allocation on any support they identify in their support plan providing it is safe, legal and meets their needs. Examples of the types of support a carer may choose are a course of relaxation classes, training on stress management, gym or leisure centre membership, adult learning, development of new work skills or refreshing existing skills, pursuit of hobbies, or purchase of laptop so they can stay in touch with family and friends.

The vast majority of carers' personal budgets will be paid annually via a direct payment to maximise the carer's ability to exercise choice and control, and that the personal budget will continue to be paid each year unless the review process (see section 6 on support plan reviews) identifies a change in needs or circumstances.

Again, applying the methodology of the Department of Health's impact assessment to Lancashire estimates that, of the predicted demand for the 8,034 extra carers' assessments, 3,844 (47.85%) carers would be eligible for a personal budget in 2015/16. This amount of extra activity would be in addition to carers already in the

system that will be eligible for a personal budget as they are 'passported' into the new arrangements until their next review post Care Act implementation.

Considering that entitlement to a carer's personal budget will be based on the assessed needs and inability to achieve two or more outcomes of the individual carer, as defined in the Care Act regulations, it proposed that the current arrangements for accessing non-statutory 'Time for Me' grants is ceased from 2015/16.

Any adult carer caring for an adult, who would have previously applied for a 'Time for Me' grant, would instead be offered an assessment to determine if they are eligible for a personal budget. It is expected that this change will prevent any undermining and/or duplication of the new carers' personal budget offer and ensure that funding is provided in a more robust, equitable and systematic way according to individual need.

It is intended that the 'Time for Me' brand is retained and used as the name for the new carers' personal budgets offer.

#### 5) Respite care

The use of respite care (or 'replacement care') usually meets the needs of both the carer and the person they care for, so who should receive the funding for this type of support in their personal budget is debatable.

However, the County Council currently funds respite care in the name of the person with care needs, so it is proposed to maintain the existing arrangements, in order to ensure continuity and avoid confusion during a time of major change. This approach complies with the statutory guidance:

*'Local authorities should consider how to align personal budgets where they are meeting the needs of both the carer and the adult needing care concurrently. Where an adult has eligible needs for care and support, and has a personal budget and care and support plan in their own right, and the carer's needs can be met, in part or in full, by the provision of care and support to that person needing care, then this kind of provision should be incorporated into the plan and personal budget of the person with care needs, as well as being detailed in a care and support plan for the carer.'* (END)

There may be occasions where the person being cared for does not have eligible needs, so does not have their own personal budget, but the carer is eligible for support in their own right. In these cases, the carer must still receive a support plan, which covers their needs, and details how they will be met, which may include respite/replacement care to the person they care for. The final personal budget allocation for the carer would be for the costs of meeting the carer's needs, providing the person requiring the care is involved in the decision making process and agrees with the course of action.



## 6) Support Plan Reviews

The Act sets out the importance of keeping carer support plans under regular review in a person-centred and outcome focussed way, so they have the opportunity to reflect on what is working, what is not working and what might need to change, and mitigate the risk of them entering a crisis situation.

It describes the circumstances where it may be appropriate to carry out a 'light touch' review or when a reassessment may be required because the needs of the carer and/or the person they care for have changed.

In terms of timing, it is expected that planned reviews will be conducted no later than every 12 months, although a light touch review should be considered 6-8 weeks after agreement of the support plan and personal budget. Unplanned reviews that occur due to a change in circumstances should be reviewed immediately to determine if the support plan needs revising.

The statutory guidance makes it clear that it would be illegal to use the review process to arbitrarily reduce a support package and that any reduction to a personal budget should be the result of a change in need or circumstance.

## 7) Charging

The Care Act gives local authorities the power to charge for support to carers, however the statutory guidance warns about the potential consequences of doing so:

*'Local authorities are not required to charge a carer for support and indeed in many cases it would be a false economy to do so. When deciding whether to charge, and in determining what an appropriate charge is, a local authority should consider how it wishes to express the way it values carers within its local community as partners in care, and recognise the significant contribution carers make. Carers help to maintain the health and wellbeing of the person they care for, support this person's independence and enable them to stay in their own homes for longer. In many cases of course, carers voluntarily meet eligible needs that the local authority would otherwise be required to meet. Local authorities should consider carefully the likely impact of any charges on carers, particularly in terms of their willingness and ability to continue their caring responsibilities.'* (END)

It is proposed that support to carers is not subject to financial assessment and charging during 2015/16, and this should be re-examined as part of the wider review referred to above ahead of 2016/17.

## **Consultations**

There has been some initial consultation with the Lancashire Carers Forum on the intended approach to carers' assessments, personal budgets, 'Time for Me' grants and charging. The forum was supportive of the proposed policy framework. Going forward, there should be an opportunity to undertake further consultation on specific aspects as required, e.g. configuration of personal budgets.

## **Implications:**

This item has the following implications, as indicated:

### **Risk management**

If the recommendations are not taken forward, the County Council will not meet its statutory duties under the Care Act and relevant sections of the Children and Families Act from 1 April 2015, which will result in the County Council being highly exposed to legal challenge and reputational damage.

The unpredictability of the new demand from carer's inevitably creates financial risks, as set out in the financial implications section below, and operational risks.

The operational risks will be managed through workforce capacity and learning and development plans that are being developed in preparation for Care Act implementation, and developing carers' services in partnership with the service providers under a new service specification.

### **Financial**

At this time, it is extremely difficult to estimate the potential financial impact to the County Council in relation to the new rights for carers. The reasons for this are twofold.

Firstly, due to the unpredictability of the volume of extra demand, in terms of the number of carers that may request an assessment, the timing of when they may come forward and the proportion that, following an assessment, may be eligible for a personal budget.

Secondly, the amount of funding allocation the County Council will receive from the government to support implementation of the new statutory duties for carers in Lancashire is not yet known.

However, it is intended that a further report will be submitted to the Cabinet Member prior to April 2015 that sets out in detail the financial implications and risks of the key changes under the Care Act, including the statutory duties relating to carers.

The extent to which additional Care Act grant funding may not be sufficient to cover the additional costs will need to be taken into account in the Council's updated Medium Term Financial Strategy. The actual costs will be kept under review especially during the first year of implementation of the new arrangements.

### **Legal**

The Care Act will change the law underpinning adult social care, including major changes in relation to supporting carers from 1 April 2015. In essence, the Act will ensure there is parity of esteem between the carer and the person they care for. This report is compliant with the legal duties set out in the legislation and statutory guidance, which are available at the following links:

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/366104/43380\\_23902777\\_Care\\_Act\\_Book.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf).

## **Equality and Diversity**

An equality analysis is attached at Appendix 'A'.

## **Procurement**

The carers' services referred to in this report are currently being retendered with new contracts due to be awarded from 1 April 2015, as detailed in the report to the Cabinet Member for Adult and Community Services on 'Re-commissioning Carers' Services across Lancashire' listed in the background papers.

## **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
Preparing for Implementation of the Care Act in Lancashire: <a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=5722">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=5722</a>	16/09/2014	Tony Pounder, Adult Services, Health and Wellbeing, 01772 536287
Re-commissioning Carers Services across Lancashire: <a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=6068">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=6068</a>	21/10/2014	Joanne Miller, Adult Services, Health and Wellbeing, 07775 221258

Reason for inclusion in Part II, if appropriate

N/A



## Section 4

# Equality Analysis Toolkit

**Implementing the Care Act 2014 – Approval of a new Policy for undertaking assessments and providing support for Carers in Lancashire**

**For Decision Making Items**

January 2015

## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance - [EHRC - New public sector equality duty guidance](#)

Document 2 "Equality Analysis and the Equality Duty: Guidance for Public Authorities" may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Directorate contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## **Name/Nature of the Decision**

### **Implementing the Care Act 2014 – Approval of a new Policy for undertaking assessments and providing support for Carers in Lancashire**

The Cabinet Member for Adult and Community Service is recommended to:

- i. Approve a new Carers' policy framework for Lancashire which is compliant with the Care Act from 1<sup>st</sup> April 2015 and sets out
  - a. How assessments of carers will be undertaken
  - b. The Council's service offer to carers, including the option of Personal Budgets to eligible individuals
  - c. that the Council's new service offer to carers will no longer include provision of 'Time for Me' grants from 1 April 2015;
  - d. the Council's intention to waive its powers to financially assess and / or impose charges on carers in respect of their Personal budgets
- ii. Authorise the Executive Director of Adult Services, Health and Wellbeing in consultation with the County Treasurer to approve the final carers' personal budget configuration;
- iii. Approve the continuation of respite care provision in line with existing arrangements so that it is costed against the Personal Budget of the individual receiving care or support;
- iv. Note the financial and operational risks associated with the new policy framework;
- v. Endorse the intention to review the impact of the new policy for carers by the end of 2015/16.

### **What in summary is the proposal being considered?**

The Care Act places new statutory duties on local authorities to support carers of all ages from 1 April 2015.



The Act recognises the vital role that carers play and aims to help them maintain their caring role, if they are willing and able to do so, which will often help the people they care for to postpone or delay the need for more formal services. This is in addition to preventing excessive and/or inappropriate caring roles. It puts carers on an equal legal footing to those they care for, places an emphasis on prevention, gives carers of all ages the same rights to an assessment on the appearance of needs and, if a carer is deemed to have eligible needs, the right to a support plan and personal budget.

In order to meet its statutory duties, the County Council must implement new arrangements for carers from 1 April 2015, particularly in respect of carers' assessment, the provision of support, which must include the option of a personal budget to those eligible.

The report sets out key elements of a new policy framework that would enable further development of a new offer to carers and ensure the County Council meets its legal obligations. The report also highlights the financial and operational risks associated with the implementation of the changes.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect carers across the county in a similar way

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

The decision will have an impact on all carers in Lancashire

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

There are currently around 17,000 carers registered with carers services in Lancashire. It is estimated that as a result of the proposal, a further 8,034 carers are expected to come forward to have a carers assessment.

Monitoring information reveals the following:

- around 92% of those carers supported by carers services describe themselves as white British

- there are significantly lower numbers of carers registered with carers service in the 18-40 age group
- around 50% of those providing care provide it to an older person, typically parent or spouse/partner

National figures reveal that:

- 58% of carers are women

Carers caring for children and young people under the age of 18 (parent carers) will be impacted as they can currently apply for a Time For Me (a grant of up to £350 that can be applied for every other year to be spent on anything to give the carer a break). Under the new proposals, parent carers will not be eligible for a personal budget.

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

Initially, the Lancashire Carers Forum will be consulted about the proposed plans to introduce a carers personal budget and to cease the Time for Me Process.

Further consultation is planned via carers service social media and feedback and involvement groups. The proposals and feedback will be reviewed and any significant issues raised will be incorporated into the refreshed EA.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposal will result in a fairer system than the current Time for Me process as the allocated amount will be based on need rather than by application via a written application.

Through the use of a Resource Allocation System (RAS) – which is basically a simple way of explaining to an individual what resources the council can make available to meet identified support needs and to achieve agreed outcomes – an indicative amount will be generated to meet the needs of the carer. The potential negative impact of this on individual carers who may share protected characteristics are:

- The amount they are assessed as being eligible for may be less than the amount they may have received under a Time for Me grant previously, in some cases, there will be no monetary allocation just information and advice
- Parent Carers (those caring for children and young people under 18) who have accessed the Time for Me grant will not be eligible for a personal budget under new proposals.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Plans to reduce the carer respite allocation for those who have previously used 25+ short break vouchers (25+ nights equivalent care) may combine with this decision as the total amount available to the carer

to have a break for some will be reduced.

In addition, general plans to reduce social care spend will impact on some carers who will consequently have a greater caring role.

Welfare Reform will impact on some carers who may have their benefits reduced or ended.

Time for Me is currently prioritised to those who have never applied before, due to high demand, this means that it is likely to be several years between successful applications. Under the proposal, there is the potential for carers to receive a personal budget every year, mitigating some of the potential cumulative affects identified above.

### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No changes have been made however a refresh of the EA may be necessary following consultation.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

To mitigate any potential adverse effects of the proposal, we will:

1. Offer carers the option of having their carers assessment via their social worker or their local carers service
2. Introduce a carers RAS to ensure that there is a fair system in place based on need
3. Build in flexible policies and procedures to ensure the budget remains flexible and is able to be tailored to the carers needs
4. Offer carers a choice around how they have their carers assessment, which will include face to face at a venue to suit the carer, e-mail, post or over the telephone
5. Ensure workers who speak a range of languages are available to undertake carers assessments
6. A comprehensive local and national communication campaign will be put in place to promote awareness of carers assessment eligibility and personal budgets. This will take account of the diverse carer population including effective promotion within groups with protected characteristics.
7. The personal budget will be flexible recognising the wide range of carers needs and what to them is a meaningful break
8. Carers services will promote opportunities for parent carers to access alternative grants and sources of funding not open to carers of adults
9. Once the government's allocation of Care Act funding is finalised it is hoped that the total budget for carers can be increased in response to the extra anticipated demand.



## Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The reasons for the proposal are:

1. To meet its statutory duties, the County Council must implement new arrangements for carers from 1 April 2015, particularly in respect of carers' assessment and personal budgets
2. To ensure best and fairest use of available funding to support carers based on need rather than an application process
3. To support a wider number of carers in Lancashire to have support in a way that makes sense to them

Currently, carers do not receive a personal budget and instead are able to apply for up to £350 every two years. This process is managed by carers services and decisions made via a panel of carers. The process currently takes no account of need and decisions are based purely on an anonymised written application.

On balance, the proposal will enable a fairer system to be developed which will benefit all carers across the county with a greater number of carers receiving a budget. The budget, it is proposed will be available annually and the budget will respond directly to need. However, some carers who would have received £350 under the Time for Me process will potentially receive a smaller amount or information only under the proposed changes. It is currently too early to determine the numbers of carers that this will impact on.

Parent Carers will not be able to have a personal budget until their child reaches 18 years, however, parent carers have access to alternative sources of funding that carers of adults are not able to access.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

To cease the Time for Me process and develop a system to offer carers a personal budget via the use of a RAS within the carers assessment.

All carers will be eligible for a carers assessment and the RAS will determine the indicative budget according to the carers need. Some carers, when applying the RAS may be eligible for information and advice only and will be signposted to universal services to meet their needs.

Parent Carers will be affected as they can currently apply under the Time for Me process but will not be eligible under the new proposal.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

1. Monthly monitoring meetings will take place with carers services to raise and resolve issues, identify and share good practice, review policies/procedures
2. Monitoring information will be collated both internally and via carers services. This will be scrutinised at least every 3 months by the responsible LCC Officer
3. A review of arrangements will take place 3 months and 6 months after the start of the new proposal and monitoring will include analysis across each of the 9 x protected characteristic groups

4. Carers Services will survey carers annually
5. Issues from carers will be raised at the Lancashire Carers Forum
6. The Personal Social Care Performance Management group will monitor the impact and identify issues and trends

Equality Analysis Prepared By: Joanne Miller

Position/Role : Carers Strategy Officer

Equality Analysis Endorsed by Line Manager and/or Chief Officer: Tony Pounder, Head of Care Act Implementation

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team.

Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

Contact for Environment Directorate, Lancashire County Commercial Group and One Connect Limited

Saulo Cwerner – Equality & Cohesion Manager

[Saulo.cwerner@lancashire.gov.uk](mailto:Saulo.cwerner@lancashire.gov.uk)

Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)

Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you

**Report to the Cabinet Member for Adult and Community Services**  
**Report submitted by: Executive Director of Adult Services, Health and Wellbeing**  
**Date: 15 January 2015**

**Part I**

Electoral Divisions affected:  
All

**Implementing the Care Act: Development of a s75 Partnership Agreement with Lancashire Care Foundation Trust for meeting the County Council's responsibilities for provision of Social Care in Prisons**  
(Appendix 'A' refers)

Contact for further information:  
Julie Dockerty, (01772) 536146, Adult Services, Health and Wellbeing Directorate  
[julie.dockerty@lancashire.gov.uk](mailto:julie.dockerty@lancashire.gov.uk)

## **Executive Summary**

A previous report to the Cabinet Member in September 2014 set out that under s.76 of the Care Act 2014 the County Council must establish effective governance and operational arrangements for the assessment of need and for the provision of a broad range of support into the five prisons and two approved premises located in Lancashire.

Negotiations have been taking place with Lancashire Care Foundation Trust (LCFT) for several months with a view to establishing a new Section 75 partnership agreement under the NHS Act 2006. Such s75 agreements enable NHS and local authority bodies to undertake each other's functions in order to support the delivery of local objectives. The new s75 agreement with LCFT would mean it will discharge the substantive majority of the County Council's responsibilities for social care in prisons as part of an integrated health and social care service for prisoners.

This is deemed to be a Key Decision and the provisions of Standing Order No 25 have been complied with.

## **Recommendation**

The Cabinet Member for Adult and Community Service is recommended to:

- (i) Approve the negotiation and completion of a Section 75 partnership agreement with Lancashire Care Foundation Trust to enable that organisation to discharge

the Council's responsibilities under s76 of the Care Act including making provision for the social care assessments and meeting identified need in Lancashire's prisons and other approved premises (as defined by statute). It is proposed that the agreement would remain in place for an initial period of 2 years, commencing 1 April 2015, with the option to extend for a further 3 years;

(ii) Authorise the Executive Director of Adult Services, Health and Wellbeing, in consultation with the County Secretary and Solicitor, to agree the finalised Section 75 agreement.

## **Background and Advice**

Section 76 of the Care Act 2014 sets out the new responsibility for Local Authorities to assess and meet the social care needs of offenders in prison and approved premises. In the past, it has been unclear which group of statutory bodies is accountable for meeting the social care needs of prisoners, and that continues to be the position. From the implementation date in April 2015 all adults in prisons settings should expect broadly similar access to and levels of social care and support as the rest of the population. Councils will receive funding from central government towards the associated costs.

In Lancashire, there are five adult men's prisons, with approximately 3,900 places, and the County Council will become responsible for providing social care to those prisoners in need from April 2015. This report sets out the Council's commissioning proposals to deal with this new responsibility.

The County Council will become responsible for the assessment of prisoners' social care and support needs of all those detained in the relevant institutions in Lancashire. Prisons are obliged to co-operate and assist the Council in the undertaking of this work.

Further provisions of the Care Act mean that responsibility for providing prisoners' care and support will rest with prisons up to a specified threshold. Above this threshold, the responsibility for provision of care will rest with the County Council. The eligibility threshold reflects that which applies to people who live in the community and require care and support.

## **Commissioning and Delivery Options**

In Lancashire, NHS England invited the County Council to collaborate with the intention of jointly commissioning an integrated Health and Social Care service and some initial discussions have been had to explore the feasibility. However the timescales for re-commissioning in Lancashire will not enable the council to meet its responsibilities in the required timeframe. Nevertheless, we will continue to work with NHS England to see if there are benefits in aligning our commissioning approaches and timescales at some future date.

LCFT already provides health care services into all five Lancashire prisons, so given its strategic and operational experience in this field, together with their appetite to

extend their existing partnerships with the County Council, they have been seen as the obvious external organisation to partner with for delivery of these new services. Securing LCFT as the lead organisation to start quickly on this work has built confidence that Lancashire can deliver to a challenging project timescale. LCFT has also been able to provide existing information about need and demand which is obviously necessary for commissioning any other provision likely to be required.

As an existing partner of the County Council, LCFT has indicated its willingness to respond positively to provide social care services from April 2015. The intention is therefore to develop a partnership agreement between the County Council and LCFT using the flexibilities contained in s75 of the NHS Act 2006. The requirements of such a S75 agreement are laid out in statutory instrument SI 2000 no 167 which sets out the aims and outcomes of the arrangement, the NHS and Council functions which are subject to the arrangement including how the arrangements are to be managed, monitored and the duration of the arrangement and provision for review of termination of the arrangement.

### **Development of the Section 75 Agreement**

The proposals set out and endorsed in the September 2014 have formed the basis for the further work that has been undertaken. A key step was establishing a Social Care Steering Group to oversee this work including representatives from the County Council, LCFT and the Prison service. The County Council representatives include the Head of Care Act Implementation.

1 April 2015 is the deadline by which robust arrangements must be established. However partners have reached a firm view already that suitable agreement on the business terms for a s75 Partnership between LCFT and the County Council can be reached by the end of this financial year, ready for implementation date. This includes the draft schedules required for the section 75 agreement. The schedules will define the main objectives, resource management and governance requirements

#### **1. Services in scope**

The service relates to the discharge of the County Council's responsibilities under the provision of the Care Act 2014, s76.

#### **2. Draft Aims**

- To provide an integrated approach to the delivery of social care assessments including assessments for equipment to support rehabilitation and care management service that fulfils the responsibilities of the Authority under the Care Act 2014.
- To undertake a full assessment in order to identify the eligibility and social care needs of Prisoners.
- To provide the most appropriate solution to the prisoners' social care needs by taking into account individual circumstances in a person-centred way and the custodial regime.
- To maintain or increase the functional independence of people within their current setting by giving advice on available options and providing equipment.
- To provide advice and information to reduce, delay or prevent further need.

- Arrange support for the individual and others involved in their care, and enable care to be provided safely which enables them to remain living as independently as possible for as long as possible, whilst in prison and in preparation for resettlement.

### **3. Service users, manner, location and access to the service**

The Trust will provide high quality assessments and interventions to prisoners in Lancashire who have eligible social care needs, to include:

- Assessments which accord with the Care Act requirements
- Customised support plans to meet identified needs and agreed outcomes
- Advice and information with regard to enhancing quality of life
- Demonstrating and instructing in the use of equipment
- Guidance to prison peer supporters and prison officers
- Use of assistive technology identified for use in a prison setting

### **4. Finance**

Details of budgets and services included within the agreement, information in relation to the contributions made by LCFT and the County Council. This schedule will identify the way resources will be managed to meet the identified needs of prisoners with eligible needs including the way we will manage risks and pressures.

### **5. Governance**

The intention is to establish a s75 Prisons' Partnership Board involving LCFT and the County Council with the following responsibilities:

- monitoring the effectiveness of the arrangements for delivery of the service, including the quality and performance;
- monitoring expenditure relating to the Services within the budgets set by the Partners and in accordance with the Annual Development Plan; and
- submitting quarterly reports and an annual return to the Partners, to enable them to monitor the success of the Partnership Arrangements
- Identifying and managing risks in relation to service delivery with the prison service
- establishing information sharing agreements to ensure assessments and support plans are recorded on the County Councils Liquid Logic system
- define the terms by which the partnership agreement can be terminated

The partners will nominate an Authorised Officer, who shall be the main point of contact for the partners and will be responsible for representing each organisations perspectives and will manage the agreement. The Authorised Officers will be responsible for taking decisions concerning the Partnership Arrangements, unless they indicate that the decision is one that must be referred to their respective senior managers or in the case of the Trust to its boards or in the case of the Authority to a Cabinet Member.



## **6. Staffing**

Lancashire Care Foundation Trust will recruit staff to manage the assessment and care service. The staff will play a key role in ensuring the Local Authorities statutory duties are met with regards to the assessment and care planning of Social Care Needs in prisons and Approved Premises. The two social work posts will report to LCFT's social Care lead, and will be recruited to in accordance with the Authority's vacancy management procedure.

## **7. Consultations**

Regulations issued pursuant to the 2006 Act stipulate that partners should, prior to entering into an agreement under s.75 of the Act consult, with anyone likely to be affected. This would usually mean staff, service users and other NHS bodies.

The five Lancashire Prison Governors have been made aware of our intentions and are supportive of the proposal as it simplifies arrangements for delivery of an integrated health and social care service. In addition NHS England the primary commissioner of prison health services are aware and supportive of the proposal.

Relevant staff within LCFT have been fully consulted and engaged in the development of the Section 75 partnership agreement. Formal consultations with staff and staff side representatives will take place in December.

Focus group sessions will have been held with prisoners during December who regularly participate in establish networks to consult and consider the impact of the partnership from their perspective. The groups will focus on the operational aspects of accessing assessment and support for identified needs.

The social care steering group will continue to develop the s75 agreement which will be subject to final approval by the Executive Director of Adult Services, Health and Well Being and via Lancashire Care Foundation Trust Board.

### **Implications:**

This item has the following implications, as indicated:

#### **Risk management**

Negotiations are occurring in good faith on both sides, but there is a risk that LCFT and the County Council fail to reach agreement and the s75 is not approved signed off. In that case the County Council will have to take on operational management of the new services for prisons, which will prove challenging.

#### **Financial**

Further work is required to verify the full costs of these services and the budgets available to meet them. The final allocation of funding from the Department of Health is not expected until late December 2014. However work has already commenced to agree the principles involved in scoping the financial governance requirements with LCFT finance which will identify the costs associated with:

- Prevention
- Cost of assessments
- Cost of support for those with eligible needs

Initial allocations of funding to pay LCFT for a first round of staff recruitment have been agreed, and total £350,000 in a full year 2015/16. Given the timescales for recruitment and security checks, some costs may need to be met from funding identified within the 2014/15 Adult Services budget for general Care Act implementation as there is no specific 2014/15 Care Act in Prisons Grant.

## **Personnel**

Two social work posts are currently being established to be based within LCFT's Specialist Services to manage the assessment activity required.

In addition the Trust will also employ social care support workers to deliver the care identified during the assessment process during the initial period of this new arrangement. These posts will play a key role in ensuring the Local Authorities statutory duties are met with regards to the assessment and care planning of Social Care Needs in prisons and Approved Premises.

## **Legal**

Section 75 of the NHS Act 2006 was introduced to increase flexibility in working arrangements between health and social care agencies where there is any overlap between the provision of health and social care services. The Act also removed any doubts as to whether either partner has the power to commission those services delivered by the other.

The focus of the legislation is aimed at streamlining health and social care services and enabling NHS and local authority bodies to pool resources and/or staff so that services could be commissioned or provided from a single source.

The Care Act reinforces existing good practice in calling on NHS and local authorities to promote the integration of health and social care services, and this particular s75 agreement provides a basis for that in the context of the prisons in Lancashire.

## **Equality and Diversity/Human Rights**

The Council is required by s.149 of the Equality Act 2010 in carrying out its functions to pay due regard to: the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This duty will be fully considered as an integral part of the discussions and negotiations with LCFT in relation to new arrangements for the delivery of Social care assessment and delivery services. A full analysis of any impacts upon groups of

persons receiving services who have a relevant protected characteristic is set out at Appendix 'A'. At this stage it is not considered that any potential impacts upon disabled persons or other groups of people with a relevant protected characteristic are of such significance that they fundamentally undermine the business case for the partnership.

### List of Background Papers

Paper	Date	Contact/Directorate/Tel
Preparing for Implementation of the Care Act in Lancashire: <a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=5722">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=5722</a>	16/09/2014	Tony Pounder, Adult Services, Health and Wellbeing, (01772) 536287
Care Act - Social Care in Prisons in Lancashire <a href="http://mgintranet/ieDecisionDetails.aspx?ID=5723&amp;LO\$=1">http://mgintranet/ieDecisionDetails.aspx?ID=5723&amp;LO\$=1</a>	16/09/2014	Julie Dockerty, Adult Services Health and Wellbeing, (01772) 536146
Reason for inclusion in Part II, if appropriate		
N/A		



## Section 4

# Equality

# Analysis Toolkit

Implementing the Care Act: Development of a s75 Partnership Agreement with Lancashire Care Foundation Trust for meeting the County Council's responsibilities for provision of Social Care in Prisons

**Issue type: 3.3 Cabinet Member for Adult and Community Services Decision Making Session**

**Meeting: Cabinet Member for Adult and Community Services  
Wednesday, 15th January, 2015**

## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance - [EHRC - New public sector equality duty guidance](#)

Document 2 "Equality Analysis and the Equality Duty: Guidance for Public Authorities" may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Directorate contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## **Name/Nature of the Decision**

Implementing the Care Act: Development of a s75 Partnership Agreement with Lancashire Care Foundation Trust for meeting the County Council's responsibilities for provision of Social Care in Prisons

## **What in summary is the proposal being considered?**

Section 76 of the Care Act 2014 sets out the new responsibility for Local Authorities to assess and meet the social care needs of offenders in prison and approved premises. In the past, it has been unclear which group of statutory bodies are accountable for meeting the social care needs of prisoners, and indeed that continues to be the position. From the implementation date in April 2015 all adults in prisons settings should expect broadly similar access to and levels of social care and support as the rest of the population. Councils will receive funding from central government towards the associated costs.

LCFT already provides health care services into all five Lancashire prisons, so given its strategic and operational experience in this field, together with their appetite to extend their existing partnerships with the County Council, they have been seen as the obvious external organisation to partner with for delivery of these new services. Securing LCFT as the lead organisation to start quickly on this work has built confidence that Lancashire can deliver to a challenging project timescale. LCFT has also been able to provide existing information about need and demand which is obviously necessary for commissioning any other provision likely to be required.

An earlier report in September 2014 explained that under s.76 of the Care Act 2014 the County Council must establish effective governance and operational arrangements for the assessment of need and for the provision of a broad range of support into the five prisons and two approved premises located in Lancashire.

Negotiations have been occurring with Lancashire Care Foundation Trust (LCFT) for several months with a view to establishing a new Section 75 partnership agreement under the NHS Act 2006. Such s75 agreements enable NHS and local authority bodies to undertake each other's functions in order to support the delivery of local objectives. The new s75 agreement with LCFT would mean it will discharge the substantive majority of the County Council's responsibilities for social care into prisons as part of an integrated health and social care service for prisoners.

The Cabinet Member for Adult Services, Health and Wellbeing Directorate will be asked to consider approving the governance and operational arrangements for the assessment of need and provision of social care required to meet the County Councils new responsibility for social care into Lancashire's five prisons and two



approved premises.

A Section 75 partnership agreement under the NHS Act 2006, enables NHS and local authority bodies to undertake each other's functions in order to support the delivery of local objectives to ensure compliance with our new Care Act responsibilities. The proposed agreement with Lancashire Care Foundation Trust will regularise and strengthen the new responsibility for assessment of social care need, service delivery in prison and approved premises and will set out the governance arrangements, to ensure that the responsibilities of both parties are clearly defined, as outlined in this report.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect the 5 prisons in Lancashire –

HMP/YOI Lancaster Farms  
HMP Kirkham  
HMP Preston  
HMP Garth  
HMP Wymott

And two approved premises –

Edith Rigby House, Preston  
Highfield House, Accrington

The Lancashire Prison Health Needs Assessment 2011 showed that the prison population contains a higher percentage of people from a BME background compared to the national average.

In the assessment the number prisoners who declared an ethnicity other than White British was 16.09%. This compares to the national average of 12.5% and 10% for Lancashire.

The total number of Foreign National prisoners was 158. There might be the need to access appropriate translation services if any of these prisoners required an assessment or social care.

[Empty box]

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

In Lancashire, there are five adult men's prisons, with approximately 3,900 places, and the County Council will become responsible for providing social care to those prisoners in need from April 2015. There are two approved premises in Lancashire one for women in Preston with 11 places and one for men in Accrington with 19 places.

The introduction of the Authority being responsible for providing social care to prisoners could potentially affect all of the groups: Age, Disability including Deaf people, Gender reassignment, Pregnancy and maternity, Race/ethnicity/nationality, Religion or belief, Sex/gender, Sexual orientation, Marriage or Civil Partnership status. However the impact of implementing the Care Act provisions in relation to prisoners should not have any adverse impact on individuals with these protected

characteristics, indeed they should lead to an improved response.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

yes

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

N/A

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

The Lancashire Prison Health Assessment 2011 made the following conclusions.

- Long Term Conditions - A large-scale UK study has reported higher rates of chronic diseases amongst prisoners when compared to the wider community; 46% of their sample of sentenced males had some form of longstanding illness or disability such as heart disease, asthma and diabetes.

The Prison Reform Trust estimates that:

- 15% of people in prison report a disability.
- 20 -30% of all offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.
- 23% of young offenders have learning difficulties (IQ below 70)

- 36% have borderline learning difficulties
- 26% of the prison population, are from a minority ethnic group This compares to around one in 10 of the general population

This indicates that there could be a high demand on the social care needs with the prisons.

Department of Health - Care Act Impact Assessment highlighted that the overall lack of clarity in previous legislation regarding the identification and meeting of care needs has now been addressed by the Care Act. This should reduce the likelihood that prisoners will not have their care needs assessed and met.

The National Offender Management Service provided three pieces of data on the prisons population in September 2013, the number of prisoners aged 50+ entering into custody in the year to September 2013 and projections of the number of older prisoners between November 2013 and December 2019.

This showed a population of prisoners aged 50+ years of 10,400 in September 2013, of whom 7,072 entered within the year. This population was estimated to grow by 0.95% between the period Nov 13 and Nov 15 and this growth was applied to estimate a prisons population of 10,500 in September 2015. This population is expected to grow by approximately a further 100 prisoners per year thereafter.

For the under 50 year prisoner population, the September 2013 NOMS estimate of 74,000 prisoners has been used. No growth in population to September 2015 is assumed for this age group. In fact prisoner numbers have dropped in the past years.

Information from NOMS suggests an average of 1.02 inter-prison moves per prisoner per year take place. This will require a high level of cooperation between local authorities to share assessment and support planning information regarding prisoners known to them if they then move to a different area.

There are concerns that some prisoners will not want to request an assessment or support as they may feel that this could make them vulnerable and susceptible to bullying and intimidation.

There may be issues around delivery of care as the fabric of prisons and therefore the prisoner's environment is largely pre-determined. There may be restrictions on how a prisoner's environment can be fully adapted to suit their care needs.

Gov.uk - Safety in Custody Report – September 2014

	12 months ending									
	Sep 05	Sep 06	Sep 07	Sep 08	Sep 09	Sep 10	Sep 11	Sep 12	Sep 13	Sep 14

<b>Total deaths<sup>1</sup></b>	<b>176</b>	<b>156</b>	<b>182</b>	<b>166</b>	<b>166</b>	<b>193</b>	<b>199</b>	<b>194</b>	<b>198</b>	<b>235</b>
Self-inflicted	84	61	87	70	61	60	59	57	63	87
Natural Causes	85	90	89	90	101	123	127	130	123	133
Homicide	3	1	1	3	0	1	1	1	2	3
Other <sup>2</sup>	4	4	5	3	4	9	12	6	10	12

Total prison population as at November 2014 – 85,925

**Info for impact assessment – source Lancashire JSNA Data Compendium 2012**

The elderly prison population has increased at a significant rate in England and Wales over the last decade. For example, between 1998 and 2008, the numbers of over 50's in the prison system grew from 3,504 to 6,161.

A Health Needs Assessment of Lancashire Prisons in 2011 found that Wymott, Garth and Kirkham prisons all have a higher percentage of older prisoners than the national average of 2.9% with Wymott having the largest proportion of prisoners over 55 (13.6%) compared to 6.4% in Garth and 5.2% in Kirkham. As of March 2010 there were 265 prisoners aged over 55 in Lancashire prisons. Elderly prisoners experience imprisonment differently to the rest of the prison population. Those serving life-sentences are especially more susceptible to developing psychological difficulties in adjustment, they are less likely to have friends and family to return to once they have been released and are more likely to have serious health problems. The result of these unique issues is that those who will be released in the community in old age are likely to face significant challenges in their resettlement.

Staff

It will also impact on the staff who work in these services. Lancashire Care Foundation Trust has been consulting their staff regarding planned changes to the offender health service and have developed a Transformation Programme to improve the contractual and operational delivery across five prisons and Criminal Justice Liaison Service in Lancashire. The Transformation Programme will result in variations to terms and conditions including new the introduction of new Job descriptions, change in shift patterns/core prison days, rotational working. The intention is to develop an integrated health and social care service.

The new model will provide an increase overall in leadership roles to ensure that patients are seen by the right person at the right time, and increase both management and clinical supervision for all staff. The appointment of Clinical Pharmacy Staffing and Nursing Prescribers will underpin the new model whilst ensuring improved safe appropriate prescribing practice and governance. Although there is a reduction in some grades of staff there will be an overall increase in supervisory staff and Health & Social Care Support Workers, in support of a 'gold

standard' care pathway which uses a greater breadth of skill mix.

The increased supervision will ensure that all staff have greater access to the support required to manage risks and safeguarding issues within this patient cohort, in line with current LCFT Policies.

The breakdown for Lancashire's prisons taken from the Health needs Assessment 2014:

## Age

The table below shows the age structure of each prison at the most recent point available (a snapshot at June 2014). The population of HMP Preston is younger than the national average, while that of HMP Garth and HMP Wymott (the oldest population of the five Lancashire prisons) are both older than the national average. HMP Lancaster Farms, being a young offenders' prison, is made up entirely of younger (under 25) prisoners.

Figure 8 - Age Structure by Establishment<sup>23</sup>

Current Age Structure	15-49		50-59		60+		50+	
	number	%	number	%	number	%	number	%
HMP Garth	649	81%	104	13%	53	7%	157	19%
HMP Kirkham	559	88%	63	10%	16	3%	79	12%
HMP Lancaster Farms	389	100%	0	0%	0	0%	0	0%
HMP Preston	690	91%	43	6%	22	3%	65	9%
HMP Wymott	834	75%	146	13%	125	11%	271	25%
England averages	75332	88%	7006	8%	3530	4%	10536	12%

At June 2014 the ages of the youngest and oldest prisoners at each institution were as follows

Figure 9 - Youngest and Oldest Prisoners by Establishment

	HMP Garth	HMP Kirkham	HMP Lancs Farms	HMP Preston	HMP Wymott
Youngest Prisoner	21	21	18	18	21
Oldest Prisoner	84	71	24	80	85

## Ethnicity

The ethnic profiles of all five Lancashire cluster prisons are predominantly white British – 79% at HMP Garth, 71% at HMP Kirkham, 86% at HMP Preston, 85% at HMP Wymott, and an estimated 82% for the future population of HMP Lancaster Farms. HMP Kirkham has the most ethnically diverse population, with the most common ethnic groups after white British being Asian Pakistani (11%), Asian Other (3.5%), and Asian Indian (2.5% of the population). While HMP Kirkham has the highest proportion of non-white British prisoners, with 29% having any other ethnicity (compared to 21% in HMP Garth, 14% at HMP Preston and 15% at HMP Wymott), HMP Garth has the greatest proportion of foreign nationals with 8.1%. HMP Kirkham has the lowest current proportion of foreign nationals with just 1.93%

of prisoners having a non---UK nationality; the future population of HMP Lancaster Farms is estimated to be even lower at just 1%.

## Disability

The available data regarding disabilities in the five Lancashire cluster establishments was limited. Data was requested from the Offender Management Unit (OMU) of each prison regarding numbers of disabled prisoners, and the recent HMIP reports were used to provide responses to a self---report measure, the question “Do you consider yourself to have a disability?” No OMU data regarding disabilities was available for HMP Preston or HMP Wymott; in addition the HMIP inspections carried out recently at HMPs Garth, Wymott and Preston did not include a survey of prisoners to ask this question.

Figure 19 - Prisoners with Disabilities

	HMP Garth	HMP Kirkham <sup>27</sup>	HMP Kirkham	HMP Lancaster Farms Current Population	HMP Lancaster Farms Predicted Estimate
Prisoners with disabilities	31% (n=237)	1% (n=5)	14% (n=23)	13% (n=22)	15%
Prisoners with no disability	69% (n=538)	99% (n=625)	86% (n=137)	88% (154)	85%

HMP Garth has the highest identified proportion of prisoners with disabilities. It seems evident that identification of disability in the current population of HMP Kirkham is low. In comparison to self---report of disability in the 2013 HMIP survey. OMU data for the full year 2013/14 indicates a higher level of identification with 33 prisoners identified as disabled, however the number of 'not disabled' prisoners is not known. The national average response to the HMIP survey across all prisons was 15%.

## Vulnerabilities (e.g.Learning Disabilities)

The table below shows the number of recorded diagnoses of learning disabilities and autistic spectrum disorders recorded on SystmOne for new receptions during each year (and for currently registered patients at time of snapshot). As previously, an estimate for the future likely population of HMP Lancaster Farms has been calculated based on similar establishments.

Figure 22 - Learning Disabilities and Autism

Learning Disabilities and Autistic Spectrum	Snapshot June 2014	2013/14	2012/13	2011/12



HMP Garth	15	1	4	0
HMP Kirkham	6	10	3	3
HMP Lancaster Farms Current Population	8	23	17	8
HMP Lancaster Farms Predicted Estimate	2			
HMP Preston	10	17	19	22
HMP Wymott	12	7	12	4

## Dementia

The numbers of prisoners recorded as having dementia are set out below. As would be expected by their older age profiles, HMP Garth and HMP Wymott have the highest identified numbers of dementia among patients.

*Figure 23 - Dementia*

Dementia	Snapshot June 2014	2013/14	2012/13	2011/12
HMP Garth	12	4	3	0
HMP Kirkham	1	1	0	0
HMP Lancaster Farms (Current)	0	0	0	0
HMP Lancaster Farms (Predicted)	0			
HMP Preston	3	0	2	0
HMP Wymott	3	3	2	0

## Religion

The table below shows the recorded religion of prisoners at the three establishments. Only 2013/14 data was available for most prisons; as such this has been used to compare across the cluster. Estimated predicted proportion for HMP Lancaster Farms have been calculated based on an average between two similar local prisons (HMP Buckley Hall and HMP Kennet).

Figure 20 - Religion by Establishment

	HMP Garth		HMP Kirkham		HMP Lancaster Farms		HMP L.F. Predicted Estimate	HMP Preston		HMP Wymott	
	2013/14.	%	2013/14.	%	2011 <sup>29</sup>	%	%	2013/14.	%	2013/14.	%
No religion	193	24.9%	126	20.5%	265	51.8%	27.4%	223	31.3%	336	31.1%
Church of England	191	24.6%	155	25.2%	58	11.3%	23.5%	163	22.9%	303	28.0%
Church of Scotland	0	0.0%	0	0.0%	0	0.0%	0%	5	0.7%	0	0.0%
Muslim	88	11.4%	116	18.9%	34	6.6%	9.2%	60	8.4%	85	7.9%
Roman Catholic	185	23.9%	165	26.8%	127	24.8%	36.7%	206	28.9%	226	20.9%
Christian	61	7.9%	21	3.4%	17	3.3%	6.0%	26	3.7%	48	4.4%
Buddhist	30	3.9%	13	2.1%	4	0.8%	2.3%	7	1.0%	30	2.8%
Sikh	6	0.8%	2	0.3%	0	0.0%	0.7%	0	0.0%	2	0.2%
Mormon	0	0.0%	4	0.7%	0	0.0%	1.0%	12	1.7%	13	1.2%
Hindu	0	0.0%	1	0.2%	0	0.0%	0.3%	0	0.0%	1	0.1%
Rastafarian	0	0.0%	0	0.0%	0	0.0%	0.4%	0	0.0%	1	0.1%
Jewish	3	0.4%	2	0.3%	0	0.0%	0.2%	1	0.1%	2	0.2%
Pagan	0	0.0%	2	0.3%	0	0.0%	0%	2	0.3%	13	1.2%
Pentecostal	0	0.0%	1	0.2%	0	0.0%	0.2%	1	0.1%	2	0.2%
Protestant	0	0.0%	0	0.0%	0	0.0%	0%	1	0.1%	0	0.0%
Atheist	0	0.0%	3	0.5%	0	0.0%	0.1%	2	0.3%	3	0.3%
Agnostic	0	0.0%	0	0.0%	0	0.0%	0.2%	0	0.0%	0	0.0%
Jehovah's Witness	0	0.0%	1	0.2%	0	0.0%	0%	0	0.0%	6	0.6%
Church of Ireland	0	0.0%	0	0.0%	0	0.0%	0.1%	0	0.0%	0	0.0%
Greek Orthodox	0	0.0%	0	0.0%	0	0.0%	0.2%	1	0.1%	1	0.1%
Methodist	0	0.0%	1	0.2%	0	0.0%	0%	2	0.3%	9	0.8%
Orthodox	0	0.0%	0	0.0%	0	0.0%		0	0.0%	0	0.0%
Other/not specified	18	2.3%	0	0.0%	7	1.4%	0.5%	0	0.0%	0	0.0%
Presbyterian	0	0.0%	1	0.2%	0	0.0%	0.0%	0	0.0%	0	0.0%
Salvation Army	0	0.0%	1	0.2%	0	0.0%	0.0%	0	0.0%	0	0.0%
Seventh day Adventist	0	0.0%	0	0.0%	0	0.0%	0.0%	0	0.0%	1	0.1%
Total all prisoners	775	100.0%	615	100.0%	512	100.0%	100.0%	712	100.0%	1082	100.0%

**Gender** – Lancashire's Prison population is all male

**Homelessness**

Both the offender Management Unit and healthcare record homelessness prior to imprisonment or reception, however the recording is not consistent across establishments. OMU Data was not available for any of the prisons in the cluster

and, as can be seen from the chart below recording of this information on SystmOne may not have been accurate. The numbers recorded by healthcare indicate that HMP Preston has the highest proportion of recently homeless or No fixed abode prisoners

Figure 24 - Homelessness Prior to Imprisonment

Prisoner homeless in the past year	Snapshot June 2014	2013/14	2012/13	2011/12
HMP Garth	5	0	0	0
%	0.6%	0.0%	0.0%	0.0%
HMP Kirkham	0	0	0	0
%	0.0%	0.0%	0.0%	0.0%
HMP Lancs Farms	0	0	0	0
%	0.0%	0.0%	0.0%	0.0%
HMP Lancaster Farms Predicted Estimate	4.3%	4.4%	0.3%	0.0%
HMP Preston	141	339	249	345
%	18.7%	14.0%	13.1%	15.6%
HMP Wymott	0	0	0	0

### Sexual Orient

Information regarding prisoners' sexual orientation is not routinely recorded; only HMP Kirkham was able to provide this information as recorded by the OMU. The HMIP prisoner's surveys (carried out in 2013 at HMP Kirkham and 2011 at HMP Lancaster Farms) contained a question regarding sexuality, but the most recent published HMIP inspections at HMP Garth, HMP Preston and HMP Wymott did not ask this question. As such the data is extremely limited; however what data is available indicates a very low proportion of prisoners identified or self-identifying as being homosexual, bisexual or transgender.

Figure 21 - Prisoners' Sexuality

	HMP Kirkham: OMU 2013/14	HMP Kirkham: HMIP 2013	HMP Lancaster Farms HMIP 2011
Heterosexual	524 (88.1%)	156 (99%)	172 (100%)
Bi sexual	63 (10.6%)	2 (1%)	0 (0%)
Homosexual	7 (1.2%)	0 (0%)	0 (0%)
Trans gender	1 (0.2%)	0 (0%)	0 (0%)

The breakdown of the approved premises is -

		Edith Rigby House	Highfield House	Total
Total Residents		11	19	30
Age	18-21 yrs	1	2	3

	22-25 yrs	1	3	4
	26-35 yrs	6	9	15
	Over 35 yrs	2	5	7
	Not Known as Service User is Limited access	1		1
Ethnicity	Asian or Asian British: Pakistani		1	1
	Black or Black British: Caribbean	1	1	2
	Black or Black British: Other		2	2
	White: British/English/Welsh/Scottish/Northern Irish	10	15	25
Disability	N	5	13	18
	Y	4	3	7
	Missing Information	2	3	5
Religion	Christian		1	1
	No Religion		1	1
	Not Disclosed	1	1	2
	Missing Information	10	16	26
Gender	Female	11		11
	Male		19	19
Domestic Status	Married / Civil partnership		1	1
	Not Known	1		1
	Single	1		1
	Missing Information	9	18	27
Sexual Orient	Heterosexual/Straight		2	2
	Not Disclosed			0
	Missing Information	11	17	28

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

### Prisoner and those in approved premises

Lancashire Care Foundation Trust have established prisoner forums to discuss experiences of using health services the remit of these groups will be expanded to

include discussions and feedback in relation to social care.

Feedback from the focus groups will be used to finalise the operational pathways being developed to manage the assessment and deliver of care services from April 2015

Leaflets outlining the changes resulting from the Care Act will be circulated to prisons.

Best practice will be applied for managing long term conditions for delaying and preventing social care needs.

LCFT service user champion lead has worked with prisoners/patients to elicit their thoughts and opinions on improving the service.

### **Staff**

Lancashire Care Foundation Trust has been consulting their staff regarding planned changes to the offender health service and have developed a Transformation Programme to improve the contractual and operational delivery across five prisons and Criminal Justice Liaison Service in Lancashire.

Staff consultations are planned to take place in December via Lancashire Care Foundation Trust Partnership Forum, HR leads are also briefing service managers to consider further requirements in relation to engagement and consultation requirements, Trade Union representatives have been consulted on the proposed partnership.

### **Stakeholders**

Close partnership working with each prison will continue to be required to ensure effective implementation of the provision of social care. The prison service have been actively involved in the scoping and designing the service and pathway to ensure consideration has been given to the current prison population and the best way to meet the needs within in each setting.

The NHS England the primary commissioner of prison health services are aware and supportive of the proposal.

The Prison Governors have also been made aware of our intentions and also supportive of the proposal as it simplifies arrangements for delivery of an integrated health and social care service.

### **County Council and Lancashire Care Foundation Trust**

A post implementation a review will be undertaken to establish the impact of providing social care in prisons. This will include data gathering, feedback and lessons learnt.

Since April 2013, Lancashire County Council have commissioned N-Compass to provide advocacy support to prisoners who wish to make a complaint about health services. So far, 8 prisoners have been supported in this way. A report is currently being compiled to help predict what the demand for advocacy support could be from prisoners.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?

- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The Department of Health Guidance has confirmed that those in custodial settings will be subject to a financial assessment to determine how much they must pay towards the cost of their care and support as for anyone in the community with eligible support needs. The approach to this process will need to take account of the high numbers of people represented in the prison population with mental health and learning difficulties which may impact on their ability to understand their finances. If people do not have eligible needs but they wish to purchase care services, this request will need to be referred for decision to National Offender management service representatives.

There is a risk that Prisoners will be able to decline social care without understanding the impact of this decision. In particular potentially prisoners with Learning Difficulties. It will be important to ensure that the assessment process identifies the capacity of each person to take this decision and seek support from, advocacy services.

Providing social care in Prisoners could stigmatise and therefore create the potential for hate crime and bullying. Prisoners may also be reluctant to receive social care as this might lead to them feeling vulnerable.

For prisoners, those in custody and their families:

- Understanding the limitations of social care support available in these settings, clearly communicating what is available to meet immediate need and what can be planned to responds to meet long term need
- Some will be anxious about the prospect of receiving support and are concerned about their reputation and status within the prison community in accepting support
- An increase in advocacy referrals

### **Staff**

For the staff affected, appropriate consultation with Lancashire Care Foundation Trust Partnership is planned to take place in December. Any particular adverse impact that is identified for any individual or groups will be considered at that stage, but since these are new employment opportunities for staff it is not apparent that there will be any adverse impact.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

The Offender Health BU faces difficulties within the prison estate, warnings by the Chief Inspector of Prisons Nick Hardwick of a “political and policy failure...#157; in prisons backed by the findings of a recent Prison Reform Trust report show a system under significant strain. In the past five weeks the prison population has increased by 734 people – the size of a large prison - and now stands at 84,533. The latest Ministry of Justice statistics show that 74 out of 119 prison establishments in operational use in England and Wales are overcrowded, with the prison estate as a whole holding 9,242 more prisoners than it was designed and built to hold. Each one a new service user with considerable health needs often mental health being introduced into an overpopulated, volatile environment.

Prisoners will be supported to develop a better understanding of their needs enabling them to have their immediate needs met but to engaging in developing approaches to minimise the impacts of their needs in situ. If the cabinet item is approved prisoners supported in the service will be able to understand how their needs will be met and the cost of their care with support plans. This should be positive overall

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Will need to factor in impact of financial charges for some prisoners.

Please identify how –



For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The final proposal remains the same as originally stated. The following arrangements will be in place to respond to any emerging themes and issues associated with implementation of this new responsibility.

A Social Care Steering Group will be formed to oversee the Section 75 agreement including representatives from the County Council, LCFT. The County Council representatives include the Head of Care Act Implementation. The role of the group will be:

- To oversee the effectiveness of the partnership agreement
- To monitor service performance against the performance framework
- To manage the financial contributions including any payment adjustments
- To develop and review the partnership agreement as required
- To resolve any disputes in accordance with the partnership agreement

The section 75 agreement is currently being developed, the draft aims and outcomes for the service are:

#### **Aims**

- To provide an integrated approach to the delivery of social care assessments including assessments for equipment to support rehabilitation and care management service that fulfils the responsibilities of the Authority under the Care Act 2014
- To undertake a full assessment in order to identify the eligibility and social care needs of Prisoners.
- To provide the most appropriate solution to the prisoners' social care needs by taking into account individual circumstances in a person-centred way and the custodial regime.
- To maintain or increase the functional independence of people within their current setting by giving advice on available options and providing equipment.
- To provide advice and information to reduce, delay or prevent further need
- Arrange support for the individual and others involved in their care, and enable care to be provided safely which enables them to remain living as independently as possible for as long as possible, whilst in prison and in preparation for resettlement.

Following a period of implementation a review will be completed to establish how effective the introduction has been and what the impacts have been.

The report's recommendations leaves some flexibility for the Executive Director of

Adult Service Health and Well Being to respond to any issues raised during the development of the operational and governance arrangements before finalising the partnership agreement on behalf of the County Council.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The proposals in this report will have a positive impact and it is not obvious that any group with protected characteristics will be adversely affected by the development of the s75 Partnership.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

Section 76 of the Care Act 2014 sets out the new responsibility for Local Authorities to assess and meet the social care needs of offenders in prison and approved premises from April 2015. From the implementation date in April 2015 all adults in prisons settings should expect broadly similar access to and levels of social care and

support as the rest of the population. Councils will receive funding from central government towards the associated costs.

Prisoners are already living in a managed situation which could assist in providing their social care needs.

Prisoners will be supported to develop a better understanding of their needs enabling them to have their immediate needs met but to engaging in developing approaches to minimise the impacts of their needs in situ. If the cabinet item is approved prisoners supported in the service will be able to understand how their needs will be met and the cost of their care with support plans. This should be positive overall

Lancashire Care Foundation Trust already has extensive experience and expertise in working in prison settings and have established relationships across Lancashire's Prison community and approved premises. This experience will be an asset in meeting the new responsibilities set out in the Care Act as they already understand the service model, culture and demographic profile which will assist in delivering social care assessment and support in these settings.

## **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The final proposal remains the same as originally stated

The Cabinet Member for Adult and Community Service is recommended to:

(i) Approve the full development of a Section 75 partnership agreement with Lancashire Care Foundation Trust for discharging the Council's responsibilities under s76 of the Care Act including for the provision of social care assessments and meeting identified need in Lancashire's prisons and Approved Premises. This agreement would run for an initial period of 2 years, commencing 1<sup>st</sup> April 2015, with possible extension for a further 3 years

(ii) Authorise the Executive Director for Adult Services Health and Well Being be authorised to agree the finalised Section 75 agreement

Any prisoners with social care needs may be affected which could potentially include the following groups: Age, Disability including Deaf people, Gender reassignment, Pregnancy and maternity, Race/ethnicity/nationality, Religion or belief, Sex/gender,

Sexual orientation, Marriage or Civil Partnership Status.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The Section 75 agreement will set out the operational performance requirements and monitoring arrangements. A joint officer group will be formed with named representatives from each partner to take decisions in relation to the delivery of the service set out in the agreement.

Post implementation a review will be undertaken to establish the impact of providing social care in prisons. This will include data gathering and lessons learnt. Feedback will also be sought from the prison Governor and staff at each prison.

Ongoing monitoring across all of the 9 protected characteristic groups will be undertaken and will be reflected in the governance arrangements set out in the section 75 agreement.

Equality Analysis Prepared By Julie Dockerty

Position/Role Care Act Policy and Implementation Lead

Equality Analysis Endorsed by Line Manager and/or Chief Officer Tony Pounder, Head of Care Act Implementation

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team.

Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

Contact for Environment Directorate, Lancashire County Commercial Group and One Connect Limited

Saulo Cwerner – Equality & Cohesion Manager

[Saulo.cwerner@lancashire.gov.uk](mailto:Saulo.cwerner@lancashire.gov.uk)

Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)

Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you



# Agenda Item 5e

**Report to the Cabinet Member for Children, Young People and Schools**  
**Report submitted by: Interim Executive Director for Children and Young People**  
**Date 12 January 2015**

## Part I

Electoral Divisions affected:  
Chorley North; Chorley Rural West; Heysham; Leyland Central; Morecambe North; Morecambe South; Morecambe West;

### **The Provision of Additional Primary School Places in Lancashire**

Contact for further information:

Lynn MacDonald, 01772 532402, Directorate for Children and Young People,  
[Lynn.macdonald@lancashire.gov.uk](mailto:Lynn.macdonald@lancashire.gov.uk)

#### **Executive Summary**

Lancashire County Council has a statutory duty to ensure that a primary or secondary school place is available for every child of statutory school age living in Lancashire who requires one. As a result of high birth rates and/or additional housing impact, a number of areas across Lancashire have been identified as requiring additional reception places for 2015 and beyond.

As reported to the Cabinet Member for Children, Young People and Schools on 11 September 2014, in addition to the sustained increase in births in the Morecambe and Heysham area which requires an additional permanent 30 reception places from September 2016 (these permanent places are the subject of a separate report to the Cabinet Member), a particularly high birth rate in the area in 2011/12 (Reception intake in September 2016) means that a further 2 Forms of Entry (60 places) are required in the area for one year only.

In addition, as reported to the Cabinet Member for Children, Young People and Schools on 4 December 2014, a sustained increase in the number of births in the Euxton area (which covers the Buckshaw Village development) means that, as local children reach statutory school age, there may not be sufficient places in this area to meet the demand for September 2015 and beyond. Approval of the report on 4 December, secured an additional 60 temporary places in Euxton for 2015, providing an additional 1 FE at both Euxton Primrose Hill Primary School and Trinity CE/Methodist Primary School for 2015/16 academic year only.

This report outlines action taken in the area to secure temporary places in Morecambe and Heysham for September 2016 and permanent places in Euxton for September 2016 and beyond. It recommends consultation on the permanent expansion of both Trinity CE/Methodist Primary and Euxton Primrose Hill Primary School, to enable each of them to admit an additional 30 reception pupils per year, with effect from September 2016.

This is deemed to be a Key Decision and Standing Order 25 has been complied with.

**Recommendation:**

In order to allow an increase in the reception intake for September 2016 (and beyond, in the case of Euxton), the Cabinet Member for Children, Young People and Schools is recommended to:

- (i) approve a temporary increase, for one year only, in the admission number of
  - St. Mary's Catholic Primary, Morecambe, from 30 to 60 places for September 2016; and
  - Trumacar Community Primary School, from 45 to 75 places for September 2016;
- (ii) agree that a period of consultation be undertaken on the permanent expansion of Euxton Primrose Hill Primary School to allow a permanent increase in Reception intakes from 30 to 60 places for September 2016 and beyond. This will be enabled by expansion of the existing building; and
- (iii) agree that a period of consultation be undertaken on the permanent expansion of Trinity CE/Methodist Primary School to allow a permanent increase in Reception intake from 60 to 90 places for September 2016 and beyond. This will be enabled by expanding the school onto a second site (currently referred to locally as 'Group One' site) which is secured for the provision of primary school places on Buckshaw Village.

**Background and Advice**

As detailed in the 'Strategy for the Provision of School Places and Schools' Capital Investment 2014/15 to 2016/17' (link below) after a steady decrease between 1989 and 2001, birth rates across the county have subsequently been rising.

[http://www3.lancashire.gov.uk/corporate/atoz/a\\_to\\_z/service.asp?u\\_id=3617&tab=1](http://www3.lancashire.gov.uk/corporate/atoz/a_to_z/service.asp?u_id=3617&tab=1)

As a result of the rising birth rate, coupled with the effect of significant housing development in some areas, intake into primary schools in some areas is expected to increase over the foreseeable future. The changing dynamics of Lancashire's population, influenced by increased births, immigration, housing developments and economic migration, means that Lancashire County Council's provision of school places must also change in order to meet the changing needs of residents, whether through provision of additional places or through the redistribution of existing places within the county.



As reported to the Cabinet Member for Children, Young People and Schools on 11 September 2014, there is a sustained need in Morecambe and Heysham for an additional 30 permanent places and an additional need for 60 temporary places for September 2016.

As reported to the Cabinet Member on 4 December 2014, a permanent need for at least 47 additional primary places has been identified for Euxton.

### **Morecambe and Heysham**

The following table gives the position in the Morecambe and Heysham Primary Schools:

	Projected intake		
<b>Reception Places</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
675	681	764	693

The table above shows a sustained need for additional places in the Morecambe and Heysham area. The need is for an additional 6 places in 2015, rising to 89 places for 2016 and 18 places in 2017, based upon live births in the area. However, planned housing in the area has the potential to generate an approximate yield of an additional 11 pupils per year group over the next five years. Therefore, in September 2014, the Cabinet Member for Children, Young People and Schools agreed to begin a period of consultation on the permanent expansion of Lancaster Road Primary School, in Morecambe, to provide an additional 30 reception places from 2016. The outcome of consultation on this proposal is the subject of a separate report to the Cabinet Member, to be considered in January 2015.

In order to provide the additional temporary places required for 2016, all schools within the area of growth were contacted in order to seek expressions of interest in expansion before visits to schools then took place. In an initial assessment of the potential to expand existing schools, the following factors were considered:

- the current strength of the school in terms of attainment levels and leadership;
- parental preferences;
- the existing size of the school;
- the existing site and the area available to expand the buildings and maintain;
- adequate play and sports space;
- access to the site and proximity to the area of growth; and
- any potential joint investment benefits which are immediately obvious.

Having considered these factors, it is proposed that an additional 30 Reception places be provided in each of the following schools, for September 2016 only:

- St. Mary's Catholic Primary, Morecambe (taking the admission number from 30 to 60); and
- Trumacar Community Primary School, (taking the admission number from 45 to 75).

## Euxton

The following table gives the position in the Euxton primary schools:

Reception Places	Projected intake		
	2015	2016	2017
220	267	267	254

The table above shows a sustained need for additional places in the Euxton area, which includes the Buckshaw Village development. The need is for an additional 47 places in 2015 and 2016 and for 34 places in 2017, based upon live births in the area. However, planned housing in the area has the potential to generate an approximate yield of an additional 6 pupils per year group over the next 5 years.

The need for places for September 2015 has been resolved by the provision of 30 temporary places at both Euxton Primrose Hill Primary School (taking the school's Reception intake from 30 to 60) and at Trinity CE/Methodist Primary School (taking the school's Reception intake from 60 to 90).

However, in order that additional permanent places could be provided at either of the sites, it was necessary to secure additional land to increase the overall site size of each school. Only by doing so would it be possible to proceed with permanent expansion and maintain the recommended area of playing fields as outlined by the Department for Education.

Additional site area, directly adjacent to the existing Euxton Primrose Hill Primary School site has now been purchased by Lancashire County Council and, therefore, supplements the existing site area to satisfy DfE Guidance.

A site (locally referred to as 'Group One' on Buckshaw Village) is secured via a Section 106 Agreement for the provision of additional primary school places. Officers are currently in the process of transferring the land from the developer. It is proposed that the existing school in the village, Trinity CE/Methodist Primary School, is expanded onto this additional site, to enable the school to increase its intake to 3 Forms of Entry.

Therefore, it is proposed that:

- A period of formal consultation is undertaken on the permanent expansion of Primrose Hill Primary School, Euxton from September 2016 to allow a permanent increase in Reception intakes from 30 to 60 places for September 2016 and beyond. This will be enabled by expanding the school building on the existing site; and
- A period of formal consultation is undertaken on the permanent expansion of Trinity CE/Methodist Primary School, Euxton from September 2016 to allow a permanent increase in Reception intakes from 60 to 90 places for September 2016 and beyond. This will be enabled by expanding the school onto a second site secured for the provision of primary school places on Buckshaw Village (currently referred to locally as 'Group One' site).

## Process for permanent expansion

Should the authority wish to propose the provision of additional permanent places for 2016 and beyond, relevant statutory procedures must be followed. Details of the planned timescale to include these statutory procedures are as follows:

Action	Timescale
Consultation on the proposals to enlarge the Primary Schools referred to above (non- statutory stage)	January-February 2015 (4 weeks)
Report to Cabinet Member on the responses to the consultation and seeking permission to publish notices	April 2015
Publish Statutory Notices	April 2015
Representation Period	4 weeks
Decision by the Cabinet Member	July 2015 (The decision must be made within 2 months of the end of the representation period)
Implementation	September 2016

### Implications:

This item has the following implications, as indicated:

### Risk management

If additional primary school places are not created there is a risk that the Authority would fail in its statutory responsibility to make sure that a maintained school place is available to all Lancashire children of the appropriate age range who want one. Providing additional places increases the overall capacity in the areas and, if birth rates fail to yield the expected number of pupils for 2015 intake or there is an increased level of outward migration of families from this area, there may be surplus places.

Whilst the additional land required to complement the site area of Primrose Hill Community Primary School has now been secured by the county council, the site required for the expansion of Trinity CE/Methodist Primary School is secured within a Section 106 agreement of the Town and Country Planning Act of 1990, which Chorley and South Ribble Borough Councils are party to.

### Land and Property

Lancashire County Council is currently in discussion with the developer and Chorley Borough Council planning officers about the transfer of the site, subject to resolution of Highways matters and rewording of the Section 106 agreement.

Any final decision on the Trinity CE/Methodist proposal is subject to this site transfer.

The approval of any physical school expansion will be subject to obtaining relevant planning permission and Section 77(3) consent for the change of use in the land (or

meeting the terms of The School Playing Fields General Disposal and Change of Use Consent (No 5) 2014.)

### **Legal and Financial Implications**

Where required to enable the provision of additional permanent or temporary places, the provision of a temporary classroom or adjustment or expansion of existing premises may require schools' capital funding. The proposals set out in this report can be funded from allocations set out for this purpose within the current schools' capital allocation.

The basic provision of places is the highest priority in terms of allocating capital funding to local authorities and previous capital allocations and processes indicate that funding would be available for this type of project. The cost of delivering these places would be approximately £7.5million, as contained within the 2014/15 to 2016/2017 Capital Programme, reported to the Cabinet Member in June 2014.

Should the temporary expansion of the schools be approved the schools in question would receive revenue funding assistance for one year to reflect the fact that pupils would begin two terms before the increased numbers are reflected in the school budget. This funding will be provided through the Dedicated Schools Grant in accordance with the rules agreed by the Lancashire Schools Forum. This will ensure that the school is not financially disadvantaged by the expansion.

### **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

# Agenda Item 5f

**Report to the Cabinet Member for Children, Young People and Schools**  
**Report submitted by: County Treasurer**  
**Date 16 January 2015**

**Part I**

Electoral Division affected:  
All

**Schools Budget 2015/16**  
(Appendices 'A' and 'B' refer)  
(Appendix 'B' will be tabled)

Contact for further information:  
Andrew Good, 01772 534053, County Treasurers Directorate  
[andrew.good@lancashire.gov.uk](mailto:andrew.good@lancashire.gov.uk)

## **Executive Summary**

In accordance with the Government's school funding framework, the Authority is required to submit a final Schools Block budget proforma for 2015/16 to the Education Funding Agency (EFA) by 20 January 2015.

This report seeks the approval of the Cabinet Member for Children, Young People and Schools to submit the Schools Block budget proforma and requests approval of the Lancashire Early Years and High Needs Block Budgets for 2015/16.

Decisions and recommendations arising from the Schools Forum's consideration of the 2015/16 budget proposals will be provided for the Cabinet Member's consideration.

This is deemed to be a Key Decision and Standing Order 25 has been complied with.

## **Recommendation**

The Cabinet Member for Children, Young People and Schools is recommended to:

- (i) Note the report, including the 2015/16 Dedicated Schools Grant (DSG) allocation, the final budget proposals for each funding block and any comments made by the Lancashire Schools Forum;
- (ii) Approve the estimated level of Dedicated Schools Grant for 2015/16, on which to base the Schools Budget;

- (iii) Authorise the County Treasurer to submit the final Schools Block budget proforma for 2015/16 to the EFA by 20 January 2015, on the basis set out in this report;
- (iv) Approve the 2015/16 budgets for the Early Years and High Needs Blocks; and
- (v) Approve that the Dedicated Schools Grant Reserve underwrite the uncertainties around the Early Years and High Needs Blocks.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure that the necessary proforma can be submitted as required to the Education Funding Agency by 20 January 2015.

### **Background and Advice**

In April 2013, the government introduced a new school funding framework to bring a greater consistency to the arrangements for funding schools and early years settings across England. The Department for Education's (DfE) school funding reforms allocated amounts to each local authority for each pupil through the Dedicated Schools Grant (DSG) based on previous funding levels, but from April 2013 DSG funding was allocated in three notional blocks:

- Schools Block;
- Early Years Block, and;
- High Needs Block.

The notional blocks are not ring-fenced.

This report sets out the budget proposals for 2015/16 across the three funding blocks and for the centrally retained budget.

### **SUBMISSION OF DRAFT PROFORMA FOR SCHOOLS BLOCK BUDGET 2015/16**

The new funding framework requires that a draft Schools Block proforma is submitted to the Education Funding Agency (EFA) in October 2014, based on provisional pupil data. The Schools Block is the main source of funding for primary schools, secondary schools, free schools and academies in Lancashire.

On 23 October 2014, the Cabinet Member for Children, Young People and Schools approved the draft proforma for the Schools Block budget for 2015/16, which was then submitted to the EFA before the 31 October 2014 deadline.

On 11 November, the Authority was contacted by the EFA with a small number of questions on Lancashire's submission, as part of the compliance checking process. Responses to the queries were provided to the EFA and on 27 November the EFA

provided confirmation that Lancashire's formula appears to be compliant with regulations.

A further proforma must be submitted by 20 January 2015, to confirm final values attributable to each factor. The January submission cannot alter the Schools Block factors from those submitted in October, but allows the values to change based on final data from the October school census.

No equivalent submissions are required for the Early Years or High Needs Block budgets.

### **TIMETABLE FOR SETTING FINAL SCHOOLS BUDGET 2015/16**

Calculation of final budget proposals cannot begin until after DfE release data arising from the October 2014 school census and provide 2015/16 Dedicate Schools Grant (DSG) allocations for Lancashire.

The EFA timetable for issuing this information to local authorities and then receiving the agreed Schools Block proforma for compliance checking does not easily fit with the County Council's submission deadlines for seeking approval for the 2015/16 Schools Budget. These timetabling challenges are further compounded as the January Schools Budget decision is deemed a key decision under the constitution and must therefore be considered by the Executive Scrutiny Committee prior to the Cabinet Member's consideration. Due to the Christmas/New Year holidays, the report needs to be submitted before essential information required to develop 2015/16 Schools Budget proposals will be received from the EFA.

This report therefore sets out an outline of the Schools Budget setting process, the key principles that will be used to develop final proposals for 2015/16 and some of the budget pressures being faced.

Once the EFA publish relevant pupil data and Dedicated School Grant allocation information in mid-December 2014 an Appendix to the report will be produced that provides more detailed budget information for the 2015/16 Schools Budget in Lancashire (Appendix 'A'). Subject to the timely receipt of data from the EFA, it is intended that Appendix 'A' will be produced by 19 December 2014.

The Lancashire Schools Forum are scheduled to meet on 15 January 2015 to consider the 2015/16 Schools Budget. A further appendix (Appendix 'B') will be tabled in time for consideration of report setting out the decisions and recommendations arising from the Forum.

The proposed timetable for approving the final Schools Budget for 2015/16, submitting Lancashire's Schools Block proforma to the EFA and issuing budgets to individual schools and early years settings is set out below.

<b>Date</b>	<b>Action</b>
23 October 2014	Cabinet Member for Children, Young People and Schools approval was given to submit the provisional Schools Block budget proforma for 2015/16

24 October 2014	Lancashire provisional 2015/16 Schools Block proforma submitted
November 2014	Clarification provided to EFA in response to queries on Lancashire's provisional proforma and confirmation of compliance with regulations received.
12 December 2014	Outline Schools Budget 2015/16 report for Cabinet Member submitted
Mid-December 2014	Authority Proforma Tool (APT) to be re-issued by DfE, containing Lancashire October 2014 census based pupil data and factors
Week commencing 15 December 2014	Publication of DSG Schools Block allocations for 2015/16 (prior to academy recouplement)
19 December 2015	Appendix 'A' to the Cabinet Member report to be submitted, setting out details of Lancashire's 2015/16 Schools Budget funding allocation from EFA
6 January 2015	Executive Scrutiny Committee
12 January 2015	Schools Forum Chairman's Working Group

15 January 2015	Schools Forum
16 January 2015	Cabinet Member for Children, Young People and Schools to agree the 2015/16 Schools Budget, at which Appendix 'B' setting out any comments from the Schools Forum will be tabled
20 January 2015	Deadline for submission of final 2015/16 authority Schools Block proforma tool to EFA
Mid/end February 2015	Issue school and early years setting budgets.

## **SCHOOLS BUDGET PRINCIPLES**

When the Authority consulted the Schools Forum about the submission of the provisional Schools Budget proforma in October 2014, views were also sought on the principles that should apply to finalising the Schools Budget for 2015/16, once the EFA issue final data. The recommended principles are set out below:

### *General principles*

- Maximisation of delegated resources;
- Increase in level of AWPU;
- Maximisation of headroom;
- Minimise schools in Minimum Funding Guarantee (MFG).

### *Principles for 2015/16*

- Stability – Minimise turbulence at an individual setting level;
- Minimum Funding Guarantee (MFG) - DfE set 2015/16 MFG at minus 1.5%;
- Capping – Apply the same rate as MFG 1.5%;
- Funding by phase – Maintain at the 2014/15 funding level subject to changes in pupil numbers if headroom will allow;



- Volume Changes - To aid stability global cash values attributed to each formula factor (excluding AWPU) be limited at the 2014/15 levels by reducing the funding rate;
- Cost Pressures – To be met from headroom (if available) in the first instance. Then, if need be, by reducing all unit values excluding the lump sum;
- Shortfall - All funding rates excluding lump sums are reduced;
- Headroom - Used to increase basic pupil funding in the first instance and prior attainment funding in the Schools Block;
- Primary prior attainment – Apply a weighting to pupils assessed under the new Early Years Foundation Stage Profile, so that funding is commensurate with the percentage of pupils not reaching 73 points under the old profile;
- Any one-off funding to be distributed in 2015/16 from underspends in 2013/14 should be accompanied by strong guidance to urge schools to use this funding for one-off expenditure, for example maintenance funding, and not to commit it to ongoing staffing costs or hold it in reserve.

Once final data is received from the EFA, these principles will be used to shape the 2015/16 budget proposals that will then be produced as Appendices A and B.

### **SCHOOLS BUDGET PRESSURES 2015/16**

The DfE have already confirmed that Guaranteed Unit of Funding (GUF) that Lancashire will receive per pupil in our 2015/16 Dedicated Schools Grant (DSG) will remain fixed at the 2011/12 level.

Following a DfE consultation on 'Fairer schools funding in 2015-16' earlier this year, the final 2015/16 funding guidance confirms that an additional £390m will be made available nationally for the lowest funded authorities. Whilst the level of school funding received by Lancashire is below the national average, we will not benefit from the DfE proposals.

However, there are significant income pressures, cost pressures and risks on school budgets in 2015/16, and some key issues are set out below:

#### **2 Year Old DSG Calculation**

From April 2015, DSG funding to local authorities for 2 year olds will be based on participation instead of demographic information. The EFA propose to use two data collections in 2015/16 only, to ensure the most up-to-date data is available when determining funding for 2 year olds in the first year of the new arrangements.

The count dates for calculating the 2015/16 two year old DSG are scheduled for January 2015 and October 2015, with a final notification of the funding to be announced in December 2015.

Clearly, the 2 year old element of DSG will not therefore be included in the DSG announcement that is expected in December 2014 and the Lancashire Early Years Block budget will need to include a local estimate of our likely 2 year old DSG.

The Authority is working to maximise the number of places taken up in Lancashire by eligible 2 year old children and a second count date allows increased take up during the year to be used in the calculation of our final 2 year old DSG figure.

However, there is a significant risk that the overall level of DSG allocated on the basis of 2 year olds will reduce in 2015/16.

### **3 and 4 Year Old DSG Calculation**

The December 2014 DSG notification will include an estimated value attributable to 3 and 4 year olds. This figure will be adjusted in June 2015, based on figures from the January 2015 Early Years Count.

The 3 and 4 year old DSG for 2015/16 will therefore need to be estimated. This arrangement is similar to that which operated in 2014/15.

### **SEND reforms**

The introduction of the Special Educational Needs and/or a Disability (SEND) reforms introduces a new Education, Health and Care Plans assessment system. This new system may have cost implications for schools, which could bring pressure on the High Needs Block Budget.

### **Budget Redeterminations**

The new school funding framework fixes the funding that is distributed through the Schools Block once the proforma has been compliance checked by the EFA. No in-year budget redeterminations are allowed.

However, Early Years and High Needs Block funding is redetermined each term based on participation/take-up. As described above, the level of DSG received in Lancashire will go up or down based on Early Years participation. There are however some children that receive funding based on local criteria, and this poses a risk in the Early Years Budget, as no additional funding will be received if the number of eligible pupils in this cohort increases.

Funding for High Needs will be fixed in the December DSG notification and therefore no additional income will be received if the High Needs Budget costs increase in-year at redeterminations (for example, as a result of the SEND reforms).

### **Teachers Pension Scheme**

The Government have confirmed that they are introducing changes to employers' pension contributions for teaching staff from September 2015. This change will increase the employers contribution schools need to make for their teaching staff to 16.48% from 14.1%.

### **Insurance Costs**

The County Council has retendered for part of its insurance cover from April 2015 and there have been significant cost rises in some areas. This will impact on the charges for schools that buy into the LCC cover arrangements.

### **Pay Awards**

Teaching staff have received a 1% pay award for 2015/16, whilst support staff unions have recently agreed a pay increase of 2.2% from January 2015.

### **Consultations**

The views of schools and other educational partners and of the Schools Forum were sought in the Autumn Term, before initial proposals had to be submitted to the EFA. A dialogue with the Schools Forum has continued and any comments from the Forum arising from the budget considerations on 15 January 2015 will be reported to Cabinet Member on 16 January 2015.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

#### **Financial**

The major financial risk contained in the 2015/16 funding proposals relates to the Government's decision to change Dedicated Schools Grant funding for 2 year olds to a participation based calculation. Even though the Authority is working to maximise the number of places taken up in Lancashire there is a significant risk that the overall level of DSG allocated on the basis of 2 year olds could reduce in 2015/16.

Any reduction in DSG funding would be contained in the overall school and early years funding envelope by reducing the level of funding distributed.

There are also some uncertainties surrounding the calculation of the Early Years and High Needs Blocks, as described in the report.

The authority holds a DSG Reserve, at a level of 1% of the total DSG. It is proposed that this Reserve underwrite the uncertainties around the Early Years and High Needs Blocks.

### **Legal**

At the time of writing, this report reflects arrangements required by the draft School and Early Years Finance (England) Regulations 2014. The DfE have indicated that the regulations will come into force by 1 January 2015. The draft Regulations give effect to changes announced by the government in connection with school funding for 2015/16, as set out in 'Fairer Schools Funding Arrangements for 2015 to 2016', so they are unlikely to change. However, a small risk remains there may be edits to draft regulations that would impact on the budget process.

Final Regulations should be in place before the Cabinet Member considers the report and the submission to the EFA is required.

### List of Background Papers

Paper	Date	Contact/Directorate/Tel
DfE/EFA 2015/16 funding documentation, including: <ul style="list-style-type: none"> <li>• Fairer schools funding: arrangements for 2015 to 2016</li> <li>• Schools revenue funding 2015 to 2016: technical note</li> <li>• Schools revenue funding 2015 to 2016: operational guide</li> </ul>	July 2014	<a href="https://www.gov.uk/government/publications/fairer-schools-funding-arrangements-for-2015-to-2016">https://www.gov.uk/government/publications/fairer-schools-funding-arrangements-for-2015-to-2016</a>
Draft School and Early Years Finance (England) Regulations 2014	August 2014	<a href="https://www.gov.uk/government/consultations/school-and-early-years-finance-england-regulations-2014">https://www.gov.uk/government/consultations/school-and-early-years-finance-england-regulations-2014</a>
Lancashire formula and de-delegation consultations with schools	September 2014	Paul Bonser, Directorate for Children and Young People, 01772 531815

Reason for inclusion in Part II, if appropriate

N/A

## Report to the Cabinet Member for Children Young People and Schools

### Appendix A

This Appendix to the Schools Budget 2015/16 report has been prepared following receipt of pupil data and Dedicated Schools Grant (DSG) allocation information from the Education Funding Agency in mid-December 2014 and presents the initial estimated budget position as at 18<sup>th</sup> December 2014. A final appendix will be submitted to the Cabinet Member on the 16<sup>th</sup> January 2015.

#### Summary

On 12 December 2014, the Education Funding Agency (EFA) provided the final schools block data based on the October 2014 School Census to be used in the calculation of the Schools Budget for 2015/16.

The EFA sub-divide the Dedicated Schools Grant (DSG) into three un-ring fenced blocks, namely: Early Years Block, Schools Block and High Needs Block. On 17 December, the EFA issued the 2015/16 Dedicated Schools Grant (DSG) allocation for Lancashire.

The DSG for 2015/16 comprises:

- Schools block - based on school block units of funding (SBUF) announced in July 2014 plus a cash transfer to bring non-recoupment academies into local authorities' overall budget calculations.
- Early years block covering:
  - The three and four year old entitlement - set at the same per pupil rate as 2014/15 as announced in October 2014;
  - The early years pupil premium - a provisional allocation as announced in October 2014; and
  - funding for disadvantaged two year olds for which the hourly rates were announced in October 2014. Initial allocations will be made in June 2015.
- High needs block - the total high needs block for 2014/15 has been carried forward plus:
  - Increases in places for academic year 2015/16 resulting from the exceptions process; and
  - Lancashire has received £1.003m additional top-up of £47m nationally distributed based on the 2-19 aged population in each local authority.

The DSG allocation notified is prior to adjustments for:

- Academies recoupment from the schools block;
- Deductions for high needs places in academies and non-maintained special schools;
- Changes to the non-recoupment academies cash transfer in relation to estimated pupil number and central budgets;
- Deduction for national copyright licences;
- Updates to the funding for three and four year olds;
- Initial allocations for disadvantaged two year olds; and

- Updates to the early years pupil premium.

### **One Off allocation of DSG reserves**

In July 2014 the Schools Forum supported funding held in the DSG reserve over and above £8.4m would be distributed on a one off basis in 2015/16, in accordance with decisions to be taken as part of the budget setting process. The amount to be allocated is £10.600m.

### **Budget setting basis**

For the purpose of this paper, the schools budget refers to all budgets in the three funding blocks. The schools budget setting process for the 2015/16 financial year can only be set by considering the interactions of the three funding blocks together.

Annex A provides information on the agreed funding formulae to be used in the calculation of each of the funding blocks.

### **Forecast funding available 2015/16**

The forecast funding to be used in the calculation of the Schools Budget for 2015/16 is set out in the table below and amounts to a total of £861.255m.

This figure includes:

- DSG Allocation notified by the EFA;
- Lancashire's estimate of participation for disadvantaged two year olds;
- Lancashire's estimate of growth in funding for three and four year olds;
- Lancashire's estimate of the High Needs reduction;
- allocation of the £10.600m DSG reserves as a one off.

The EFA have included Early Years PPG within the Early Years block DSG. For the purpose of setting the schools budget this has been removed as it will be distributed as a separate allocation.

## **Forecast DSG Income from EFA 2015/16**

	£m
<u>DSG</u>	
Schools Block	692.186
Early Years Block	47.135
High Needs Block	100.405
Additions for non block funding	0.231
2015/16 DSG Allocation notified	839.957
<u>Included in DSG but not schools budgets (separate budget)</u>	
Early Years PPG	(0.959)
<u>Estimated Allocation in June 2015</u>	
Participation for disadvantaged two year olds	13.823
<u>Estimated Growth</u>	
Early Years Block	1.834
Forecast DSG	854.655
<u>Estimated High Need Block Reduction</u>	
High Need Block Reduction for pre & post 16 which are funded outside DSG	(4.000)
<u>Additional funding Available</u>	
Allocation of reserves as a one off	10.600
Total forecast funding available 2015/16	861.255

## **DSG allocations**

### Schools Block £692.186m

The authority's Schools Block Unit of Funding (SBUF) for the Schools Block is the amount announced in July 2014 of £4,478.54 per pupil. This has been reduced by £7.51 compared to 2014/15 following the introduction of a formulaic approach to charging for the carbon reduction commitment compared to a top slice methodology used previously.

This amount has been multiplied by the pupil numbers from the October 2014 school census and the January 2014 alternative provision census plus the reception uplift, minus high needs places as set out in the Education Funding Agency (EFA) pupil number tool notification.

### Early Years Block £47.135m

The Early Years block comprises:

- Funding for the three and four year old entitlement to 15 hours free education;
- The early years pupil premium; and
- Participation funding for disadvantaged two year olds (to be allocated in June 2015).

### Early Years entitlement for three and four year olds

The amount per pupil for the Early Years free entitlement is the same as for 2014/15. Initially, this has been multiplied by pupil numbers from the January 2014 early years census and school census to produce a provisional allocation. This will be updated in:

- July 2015 based on January 2015 pupil numbers; and
- July 2016 based on 5/12ths of the January 2015 pupil numbers (to cover the April 2015 to August 2015 period) and 7/12ths of the January 2016 pupil numbers (to cover the September 2015 to March 2016 period).

This means that the final allocation for three and four year olds for 2015 /16 will be based on  $5/12 \times$  January 2015 pupil numbers plus  $7/12 \times$  January 2016 pupil numbers.

Officers have estimated growth of 1.8% for three and four year olds to reflect increase in demand, this equates to a potential further £1.834m of DSG.

### Early Years pupil premium

Provisional allocations for the Early Years pupil premium (EYPP) were announced in October 2014 and are being dealt with under a separate allocation process to the schools budget and therefore the value of grant has been deducted from the DSG for the purpose of calculating funding available for the schools budget.

### Participation funding for disadvantaged two year olds

The 2015/16 per child hourly rates for disadvantaged two-year-olds were published in October 2014 and Lancashire's rate is £4.85.

Initial allocations for the funding of two year olds will be announced in June 2015. The allocations will be based on number of eligible children participating in early education as recorded in the January 2015 Early Years census and school census.

The EFA will offer local authorities an opportunity in the autumn term of 2015 to report any significant increases in participation since January 2015 via a voluntary data collection. Allocations will be adjusted in January 2016 to reflect these increases. A local authority's initial 2015/16 allocation will not be adjusted at this point if local authorities choose not to submit an autumn count.

The allocations will be updated in June 2016, based on 5/12ths of the January 2015 participation numbers (to cover the April 2015 to August 2015 period) and 7/12ths of the January 2016 participation numbers (to cover the September 2015 to March 2016 period). This means that the final allocations for the funding for two year olds will be based on  $5/12 \times$  January 2015 participation numbers plus  $7/12 \times$  January 2016 participation numbers.

Officers have estimated participation funding for disadvantaged two year olds of £13.823m.



### High Needs Block £100.405m

The high needs block is a single block for local authorities, high needs pupils/students aged 0-24. The block includes place funding for pre 16 and post 16.

For 2015 to 2016 the high needs block is made up of:

- each local authority's total high needs block from 2014/15; plus
- 5/12ths of the growth/deduction in pre 16 high needs places agreed for 2014/15 academic year; plus
- 4/12ths of growth/deduction in post 16 high needs places agreed for 2014/15 academic year; plus
- changes to place funding in schools for the 2015/16 academic year resulting from the outcome of the high needs exceptions process, covering the first two terms of that increase (i.e. 7/12ths for pre 16 and 8/12ths for post 16); plus
- increases in hospital funding resulting from the high need exceptions process; and
- each local authority's share of additional top-up funding of £47m based on each local authority's proportion of the 2-19 aged population projections for 2015. Lancashire's share of this £ 1.003m.

### Estimate of EFA adjustment to High Needs Block – Reduction £4.000m

Adjustments will be made to this sub block to account for both pre and post 16 places which are funded outside of the DSG: those that are funded by the EFA through direct payments to academies (with special units or resourced provision), special academies, alternative provision academies, academies with hospital education and non-maintained special schools; and post 16 places that are funded through the sixth form grant to local authorities.

### Induction for newly qualified teachers (NQTs) £0.231m

In September 2012, the induction regulations changed so that teaching schools can act as the appropriate body to monitor and quality assure NQT induction. In order to allow schools to pay for the services of their preferred appropriate body, the funding for statutory induction of NQTs was moved into the DSG in 2013/14, to allow funding to be delegated to all schools through local funding formulae. This is allocated to each local authority on a per pupil basis (using the pupil numbers used for the schools block).

### Allocation of reserves as a one off £10.600m

In July 2014, the Lancashire Schools Forum supported funding held in the DSG reserve over £8.400m would be distributed on a one off basis in 2015/16, in accordance with decisions to be taken as part of the budget setting process. Officers have asked the Secretary of State to exempt this one off additional funding from Minimum Funding Guarantee (MFG).

£10.600m will be distributed through the basic pupil element and lump sum to primary schools, secondary schools and their academy equivalents, top up elements in Special Schools and PRUs, and base rates to Early Years providers.

### **Budget 2015/16**

The latest Individual School Budgets (ISB) across all phases has been constructed using the final datasets made available from the EFA and our latest local Early Years and High Needs data. The budget setting principles agreed by the Schools Forum have been used as the basis for developing the initial forecast of ISBs. This has allowed Officers to calculate the headroom / shortfall in funding available in the schools budget.

This Schools Block budget estimate has been calculated using the School Forum principle of stability in cash values attributed to each formula factor (excluding AWPUs). Factors are limited to the 2014/15 levels. The funding rates for some factors have reduced in comparison to 2014/15 rates because of data variations.

The table below shows those reductions. The reduction in the basic entitlement is the result of the removal of a one-off allocation of reserves in 2014/15.

### **Schools Block Budget funding rate changes**

	£	£
	<b>Primary</b>	<b>Secondary</b>
Basic Entitlement	(12.05)	(14.61)
Lump Sum	0.00	0.00
Split Site	0.00	0.00
Rates	0.00	0.00
PFI	0.00	0.00
Rents	0.00	0.00
6th Form DSG	0.00	0.00
Prior Attainment	(8.59)	0.00
EAL	(20.42)	0.00
CLA	(130.86)	(130.86)
FSM	(22.01)	(19.60)
IDACI Band 1	(8.09)	0.00
IDACI Band 2	(8.09)	0.00
IDACI Band 3	(8.09)	0.00
IDACI Band 4	(8.09)	0.00
IDACI Band 5	(8.09)	0.00
IDACI Band 6	(8.09)	0.00

## **Budget Summary – Before headroom / shortfall in funding**

The table below summarises the ISBs for primary, secondary, academy and early years together with a global high needs budget using the principles agreed by the Forum.

### **DSG allocated to**

	£m
Schools Block	699.878
Early Years Block	61.848
High Needs Block	65.988
Centrally retained budget	35.626
<b>Total Allocations</b>	<b>863.340</b>

At this stage, we have within the schools block:

- 105 schools and academies in MFG (97 primary and 8 secondary) compared to 144 in 2014/15;
- 170 schools and academies capped (154 primary and 16 secondary) compared to 225 in 2014/15;
- 231 schools and academies not in MFG or capped compared to 197 in 2014/15;
- Net cost of MFG after applying the cap is £3.581m compared to £3.653m in 2014/15.

As in 2014/15, no special schools or early years providers are in MFG.

### **Pupil Premium Grant**

The Pupil Premium Grant (PPG) is allocated in addition to the funding which is allocated through the Schools Budget. It is to support disadvantaged pupils, who continue to underachieve compared with their peers.

At present we have not been notified of funding rates for 2015/16.

### **Central Services and Commissioned Services Budget 2015/16**

As a result of the national funding reforms introduced in April 2013, the central items budget is now split into two distinct areas, these are now known as the centrally retained budgets:

- Central Services - Where funding stays with the LA. These areas are generally LA statutory functions and budgets are capped at the previous year's level;
- Commissioned Services - Where funding is held centrally but then allocated to schools/service providers in connection with the education provision for individual pupils/young people.

As in previous years a detailed review of the centrally retained budgets has been undertaken and information is provided in the table below together with explanatory notes for the variance between 2014/15 and 2015/16:

Central Expenditure Limit	Approved Budget 2014/15 £m	2015/16			Total £m	Variance from 2014/15 £m	Notes
		High Needs Budget £m	Early Years Budget £m	Central Provision £m			
<b>Central Services</b>							
Carbon Trading	0.047	0.047	-	-	0.047	-	
Prudential Borrowing	0.240	-	-	0.240	0.240	-	
Licences negotiated centrally by Secretary of State	-	-	-	0.500	0.500	0.500	1
School Forum	0.188	-	-	0.188	0.188	-	
<b>Sub total Central Services</b>	<b>0.475</b>	<b>0.047</b>	<b>-</b>	<b>0.928</b>	<b>0.975</b>	<b>0.500</b>	
<b>Commissioned Services</b>							
EU Energy Performance Directive	0.022	0.011	0.011	-	0.022	-	
Schools Budget PRC	0.500	-	-	-	-	(0.500)	2
High Needs Block Top up	2.249	2.249	-	-	2.249	-	
Pupil Access							
Children Missing Education & Vulnerable Children Admissions	0.161	0.161	-	-	0.161	-	
ICT	0.029	0.029	-	-	0.029	-	
Commissioned services	1.459	1.459	-	-	1.459	-	
Hospital Provision	0.610	0.610	-	-	0.610	-	
IDSS							
Out County - Specialist provision	15.097	15.097	-	-	15.097	-	
Out County - Mainstream / academies	1.374	1.374	-	-	1.374	-	
Specialised Equipment	0.447	0.447	-	-	0.447	-	
Inclusion Projects	0.897	0.897	-	-	0.897	-	
Lovaas/Aba	0.050	-	-	-	-	(0.050)	3
Teachers & Support	3.964	4.264	-	-	4.264	0.300	4
Multi Agency Development	0.075	0.075	-	-	0.075	-	
Early Intervention	1.400	1.400	-	-	1.400	-	
Careers Education Information Advice & Guidance	0.150	0.150	-	-	0.150	-	
Support for Vulnerable Pupils	0.977	0.977	-	-	0.977	-	
Special School PFI	0.950	1.051	-	-	1.051	0.101	5
Overheads	1.912	1.912	-	-	1.912	-	
Growth Fund	1.384	-	-	1.540	1.540	0.156	6
2 Year Old Capacity Building / Pump Priming	0.300	-	-	-	-	(0.300)	7
<b>Sub Total Commissioned Services</b>	<b>34.944</b>	<b>32.163</b>	<b>0.011</b>	<b>2.477</b>	<b>34.651</b>	<b>(0.293)</b>	
<b>Total Central Expenditure Limit</b>	<b>35.419</b>	<b>32.210</b>	<b>0.011</b>	<b>3.405</b>	<b>35.626</b>	<b>0.207</b>	

Notes:

- Expenditure on licenses which are negotiated centrally by the Secretary of State – Realignment £0.500m  
This has previously been treated as a top-slice from the DSG, regulations allow this to be included within central schools expenditure and therefore this is a realignment of where the expenditure is recorded.
- Schools Budget Termination of Employment costs – Reduction £0.500m  
In accordance with DfE guidance it was agreed that the funding of Termination of Employment costs would cease to be funded via the central expenditure limit and instead be delegated to schools within the Schools Funding Formula in 2015/16.
- LOVASS – Reduction £0.050m  
The requirement of this funding ends in the current year. The budget of £0.050m is not required in 2015/16.
- Teachers & Support - Increase £0.300m  
This allocation represents a movement to reflect the services offered for SEND by IDSS.

5. Special Schools PFI – Increase £0.101m

The DfE amended the Schools and Early Years Finance (England) Regulations to allow the PFI affordability gap funding for special schools to be retained within the High Needs Block central items budget. This is the only way to ensure that this funding will not be re-determined in year with the consequential impact on funding. As with all PFI costs they are index linked and vary each year which has resulted in the increase.

6. Growth Fund – Increase £0.156m

There is a need to increase the top-slice of the DSG for the Growth Fund to support schools which are required to provide extra places in order to meet basic need with the authority.

7. Two Year Olds Capacity building / pump priming – Reduction £0.300m

The requirement of the Two Year Old pump priming funding ends in the current year. The budget of £0.300m is not required in 2015/16.

### **Funding Shortfall**

The table below has taken the figures discussed above for the DSG allocation, additional funding made available by the Forum from reserves, the estimate of ISBs and the centrally retained budget to calculate the initial shortfall in funding to the Forum. This is detailed in the table below:

### **Calculation of funding shortfall**

	£m
Forecast DSG	854.655
High Need Block Reduction for pre & post 16 which are funded outside DSG	(4.000)
Allocation of reserves as a one off	10.600
Total forecast funding available 2015/16	861.255
<u>Allocated to</u>	
Schools Block	699.878
Early Years Block	61.848
High Needs Block	65.988
Centrally retained budget	35.626
Total Allocations	863.340
Shortfall in funding	(2.085)

It should be noted that there is a shortfall in funding and therefore the Lancashire Schools Forum will be presented with a number of options in January 2015 on how this will be met.

Recommendations from the Forum will be tabled at the Cabinet Member Decision Making Session on 16 January 2015, as Appendix B.

## SCHOOL FUNDING FORMULAE 2015/16

### **Schools Block Formula 2015/16**

The Authority's 2015/16 Schools Block funding formula contains the following factors:

1. A basic per-pupil element, one rate for the primary phase and another for the secondary phase;
2. Deprivation, measured by Free School Meals EVER6 (FSM6) and Income Deprivation Affecting Children Index (IDACI);
3. Looked after children;
4. Prior attainment as a proxy measure for SEN;
5. English as an additional language, for a period of 3 years;
6. A lump sum for each primary school and a lump sum for each secondary school;
7. Split sites;
8. Rates;
9. Sixth form;
10. Private finance initiative (PFI) contracts.

A Pupil Mobility factor and a Sparsity factor were also available in the national framework, but it was decided not to use these factors in Lancashire.

Authorities were also allowed to ask the Education Funding Agency (EFA) to approve a limited number of premises related exceptional formula factors, if they met the following criteria:

- Apply to less than 5% of in the local authority; and
- Account for more than 1% of the budget of the school or schools affected.

Lancashire was successful in applying for a Rents factor under this process.

### **High Needs Block (HNB) funding for Special Schools 2015/16**

**There are three sources of funding:**

A. Lancashire HNB

B. EFA

C. Other commissioners / authorities

A. Lancashire HNB funding has 3 components

- Base funding for all pre 16 places funded at £10,000 per place.
- Top up funding for pre and post 16 Lancashire pupils comprising of
  - WPN
  - School specific
- Pre 16 place related top up funding

B. EFA – Post 16

- Base Funding for all post 16 pupils, this is the equivalent of the £10,000, the value is calculated by the EFA and passported through the authority to schools.

C. Other commissioners / authorities

- Top up funding for other commissioners / authorities pupils in a commissioned place in a Lancashire school, this top up will comprise of
  - WPN
  - School specific
- The financial responsibility / risk for the recoument of this funding is the responsibility of the school.

**Lancashire funding – how it is calculated**

**Pre 16 Base funding**

This is based on the number of pre 16 places and will include any places taken by pupils from out of authority. Base funding is fixed for the year and will not be re-determined within the year.

**Lancashire pupil related top up funding (pre and post 16)**

This will be re-determined up or down termly in line with the SEN counts in June, November and February.

- WPN funding will be allocated for the total WPN of all Pre and Post 16 Lancashire pupils. The WPN's funded are net of the 2.5 WPN (the amount relating to the value of up to £10,000)
- School specific funding will allocated to the total number of all pre and post 16 Lancashire pupils on the SEN count.

**Pre 16 place related top up funding**

This will be re-determined termly in line with the SEN count terms but using the school census dates in May, October and January. This funding will be allocated on a pro rata termly basis. If the total number of pre 16 pupils on the census exceeds the number of pre 16 base funded places then the school / academy will receive an additional £10,000 pro rata for that term for each place above that funded in the pre 16 base funding.

It should be noted that Lancashire does not receive base funding for post 16 places, this funding is an allocation made by the EFA, as a consequence of this Lancashire does not receive any funding to fund additional post 16 places.

**Funded terms**

April - August	September - December	January - March
5/12	4/12	3/12

**High Needs Block (HNB) funding for Pupil Referral Unit 2015/16**

**Base funding**



Base funding will be provided at £10,000 per funded place from September 2015 and £8,000 per funded place from before that date. Base funding is fixed for the year and will not be re-determined within the year.

PRUs will be expected to admit pupils in year up to the number of funded places.

### **Place related top up**

It has been decided locally to supplement the base funding with additional place related top up, this will be re-determined termly in line with the PRU count dates in June, November and February. This funding will be allocated on a pro rata termly basis.

There are two elements to this top up:

- Top up for places exceeding approved places.

If the total number of pupils on the census exceeds the number of funded places then the PRU will receive an additional £8,000/£10,000 pro rata for that term for each place above that funded in the base funding.

- For the period April to August 2015, in addition to the DfE place funding of £8,000, the Authority has agreed to supplement this with an additional £2,000 for each pupil on roll, pro rata.

### **Pupil related top up funding**

Top up funding will be provided for:

- Exclusions
- Medical needs
- Other needs
- Primary support

### **Re-determinations of top up funding**

Top up Funding will be re-determined up or down in accordance with the Schools and Early Years Finance (England) Regulations. This will be applied to place related top up and pupil related top up funding, meaning budgets can increase or reduce.

Termly re-determinations will be applied from in line with re-determinations of all schools and academies:

- June PRU count (April to August)
- November PRU count (September to December)
- February PRU count (January to March)

### **Transitional Protection**

As previously agreed by the Forum, transitional protection funding has ceased and is not funded in 2015/16.

### **Other funding**

In addition to the formula funding PRUs may receive funding for the following:

CIAG Secondary - The Forum have agreed to commission YPS to continue to deliver CIAG on behalf of PRUs for the 2015/16 financial year. This funding will be passported to YPS in its entirety

Pupils with statements - Funding from the high needs block will also be provided for pupils with statements where the cost is above £10,000, this will be funded at the 2015/16 WPN rate.

One to One support – Funding provided for via ACERS for hard place pupils with significant additional needs such as one to one or two to one support. This funding will be agreed in an individual package basis.

### **Early Years Single Funding Formula (EYSFF) 2015/16**

The 2015/16 guidance does not introduce any changes to the Early Years funding formulae nationally.

The 3 and 4 year old formula will comprise:

- Base Rates;
- Deprivation Supplement;
- Rurality Supplement;
- Teachers Supplement;
- PFI Supplement.

The 2 Year old formula will comprise:

- 2 year old base rate;
- Targeted support.

**Report to the Cabinet Member for Highways and Transport**  
**Report submitted by: Interim Executive Director for Environment**  
**Date: 12 January 2015**

## Part I

Electoral Divisions affected:  
Preston City, Preston  
Central South, and Preston  
South East

### **Conversion of Footway to Cycle Track** **A6 London Road between Frenchwood Avenue and North Road, Preston** (Appendices 'A' and 'B' refer)

Contact for further information:  
David Griffiths, 01772 530228, Environment Directorate  
[david.griffiths@lancashire.gov.uk](mailto:david.griffiths@lancashire.gov.uk)

#### **Executive Summary**

As part of the on-going Local Sustainable Transport Fund (LSTF) works, it is proposed to change a footway into a shared use cycle track for pedestrians and cyclists along A6 London Road between Frenchwood Avenue and North Road, Preston.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

#### **Recommendation**

The Cabinet Member for Highways and Transport is asked to give approval to the:

- i. conversion from a footway to a shared use cycle track with a right of way for pedestrians, along London Road between Frenchwood Avenue and North Road, Preston. Works considered appropriate to construct the cycleway to enable cyclists to be safely accommodated, as set out in the report and shown on the plan attached at Appendix 'A', and
- ii. relocation of the existing bus shelter between the two Moore Street junctions a further 1.5m away from the existing kerb edge to make sufficient space to accommodate both pedestrians and cyclists, as set out in the report and shown on the plan attached at Appendix 'B'.

- iii. the dedication of adjoining land in the ownership of the County Council and the taking of dedication from the City Council of adjoining land as a widening of the A6 highway should it be required for the cycletrack as set out in the report and shown on the plan attached at Appendix A

## **Background and Advice**

The County Council has developed proposals to improve cycle routes from the south of Preston into the city centre and Cardinal Newman College. At present these cycle routes are poor.

The proposed scheme links to the Puffin crossing upgrade schemes at Albyn Street East and James Street. The cycletrack will be constructed to a width of 3 metres by extending the existing footway into the verge as part of the scheme. The width of the existing carriageway will not be reduced.

The verge along the full length is owned by either the County Council or Preston City Council. Both the County Council and Preston City Council are in full support of the scheme and have indicated their willingness to dedicate the land. The City Council also maintain the bus shelter and are content with its relocation as detailed in the report.

The conversion would not jeopardise the safety of pedestrians as the shared space would be sufficiently wide to safely provide a route for both pedestrians and cyclists. Should the scheme be approved it could ultimately link to other improvements for cyclists currently being considered.

At its meeting on 8<sup>th</sup> September 2014, the Preston Three Tier Forum acknowledged that much had been done to encourage recreational cycling in Preston. It was suggested that more work was required to establish safe, dedicated routes into the city and to provide suitable storage facilities. It was noted that a number of local employers actively encouraged cycling and provided facilities to cyclists and it would be important to research this to ensure a joined up approach. This scheme forms part of that approach.

## **Consultations**

The following have been consulted regarding the proposals:

- The County Councillors for Preston City, Preston Central South and Preston South East,
- Local District Councillors representing the Town Centre Ward, St Matthews Ward, St Georges Ward and Fishwick Ward,
- Lancashire Constabulary,
- Local Residents and Businesses with properties fronting onto the shared use space,

- Local Residents with properties affected by the bus stop relocation between the two Moore Street Junctions,
- Local Cycle Representatives.
- Local Bus Operators

The following comments have been received:

### Route in General

Local cycle representatives have carried out an audit of the proposed route. The proposed scheme scored 34/50. This high score was largely due to the fact it runs alongside the A6 arterial route into Preston and it is off-road, so scores well in both Safety and Directness.

### Conversion of footway to Cycletrack

A local resident with a frontage onto the proposed shared space has stated that the shared use space is a wonderful idea to help promote the environmentally friendly mode of transport that is cycling. She supports the scheme and would like to see more in Preston.

### Relocation of Bus Shelter

The Operations Manager at Preston Bus strongly objects to the shared use footway as he said that one of his staff members was off work for 9 months following a collision with a cyclist travelling at speed on a shared use footway. If the scheme must go ahead he would prefer a separate cycleway around the back of the bus shelter to reduce the potential for conflict with bus passengers, although he still feels any shared use space is potentially unsafe.

A local resident with property situated behind the bus shelter has stated that his preferred option is relocating the bus shelter back 1.5m with the shared use in front.

Another local resident with property situated behind the bus shelter has stated that she has no objection to either relocating the bus shelter or taking the cycle track around the back of the existing shelter. She did raise concerns that taking the cycle track around the back of the existing shelter would require the trees and vegetation to be removed and would like a fence or other screen put up in place to prevent easy access to the properties. She also said that some of the other residents had told her they would prefer the vegetation left as is.

### Comments on the matters raised by consultees

In addition to the consultation carried out it should be noted that the bus shelter was originally sited at the front of the footway but was demolished by a road traffic collision in 2012 and a new bus shelter was installed at its current location.

Three main options have been considered in the location of the bus shelter.

1. Relocate the bus shelter a further 1.5m away from the road. Install a small retaining wall behind the shelter to support the toe of the embankment.

2. Relocate the bus shelter to the front of the footway and widen the footway behind the relocated shelter to 3.0m.
3. Leave the bus shelter in its current location and split the footway in two so that the area in front of the shelter is pedestrian only and the area behind the shelter cyclists only. In order to accommodate sufficient space behind the shelter a large area of the grass embankment will have to be removed and a large retaining wall installed.

The preferred option following consultation and taking into account the cost differential between the options is Option 1

As no objections were received from the residents most affected by the change, it is proposed to relocate the bus shelter a further 1.5m away from the edge of the footway.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Currently cyclists are required to use the road which at peak travel times is busy and potentially hazardous to cyclists. The route is a principal means of access to and from the city centre and Cardinal Newman College.

Since the start of 2009 there have been two accidents involving vehicles clipping cyclists when overtaking them. The route is heavily used by buses so the shared use path would reduce the chance of an accident involving a bus pulling out from a bus stop and a cyclist trying to overtake the bus.

The safety of pedestrians may be jeopardised if cyclists use the footway without the proper remedial measures in place. These remedial measures include widening the footway to 3m, surface markings, removal or relocation of street furniture and appropriate signing as set out in Local Transport Note 1/12: Shared Use Routes for Pedestrians and Cyclists.

It is considered that a 3 metre shared use cycle track provides sufficient room for all users of the track in both directions.

A stage 2 safety audit has been undertaken and the recommendations from this have been incorporated in the final scheme.

As stated above, local cycle representatives have carried out an audit of the proposed route and the scheme scored well in terms of both safety and directness.

### **Financial**

The overall scheme cost is estimated at £90,000 and would be met from the LSTF. The breakdown of costs is shown below:

### Conversion of footway to Cycletrack

The footway will require widening to 3 metres. As a result there would be more room for cyclists and pedestrians to safely share the path. Signing and markings would be required if the conversion to a shared use cycle track is approved. The improvements to the footway required have an estimated cost of £75,000 which would be met from the LSTF.

### Relocation of the Bus Shelter

Three main options have been considered in the location of the bus shelter.

- 1) Relocate the bus shelter a further 1.5m away from the road. Install a small retaining wall behind the shelter to support the toe of the embankment. Cost estimate £15,000.
- 2) Relocate the bus shelter to the front of the footway and widen the footway behind the relocated shelter to 3.0m. Cost estimate £15,000.
- 3) Leave the bus shelter in its current location and split the footway in two so that the area in front of the shelter is pedestrian only and the area behind the shelter cyclists only. In order to accommodate sufficient space behind the shelter a large area of the grass embankment will have to be removed and a large retaining wall installed. Cost estimate £75,000.

The preferred option following consultation and taking into account the cost differential between the options is Option 1 which has an estimated cost of £15,000 to be met from the LSTF.

### **Legal**

The legal procedure to convert a footway to a shared use cycle track is under Section 66 of the Highways Act 1980, to remove the footway and under Section 65 to create a shared use cycle track, although this may involve little actual physical work. A width of 3metres is considered reasonable and is achievable in this matter with the new dedications proposed.

Under Section 66 the Highway Authority is under a duty to provide proper and sufficient footways for use on foot only by the made-up carriageways where it is considered necessary or desirable for the safety or accommodation of pedestrians.

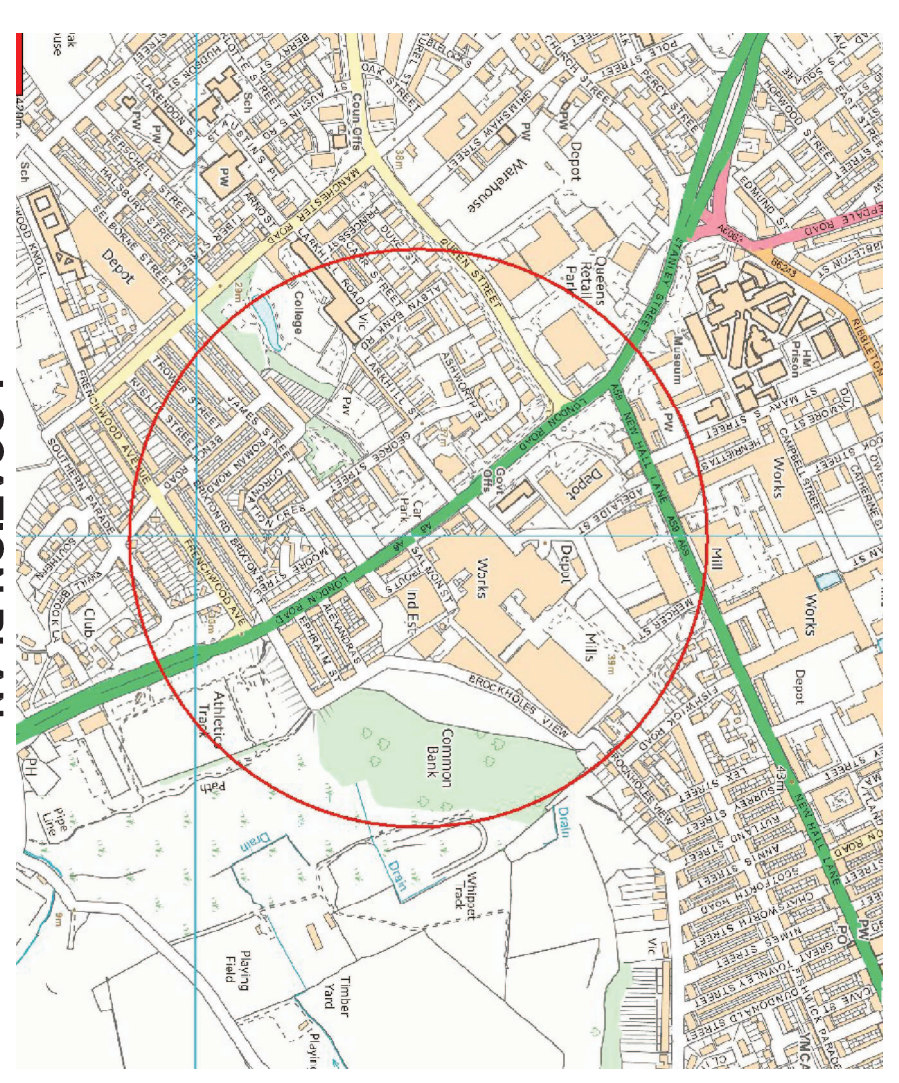
Such footways can be removed under the Highways Act provisions and this may be appropriate where a discrete footway is no longer necessary and a cycle track will provide a safe shared use area for pedestrians.

In respects of bus shelters, under the Local Government (Miscellaneous Provisions) Act 1953 the County Council may provide and maintain in any highway which is comprised in the route of public service vehicles, or on any land abutting on such a highway, shelters or other accommodation at stopping places on the route for the use of persons intending to travel on such vehicles.

## List of Background Papers

Paper	Date	Contact/Directorate/Tel
Local Transport Note 1/12	Sep 2012	Department for Transport
Reason for inclusion in Part II, if appropriate		
N/A.		

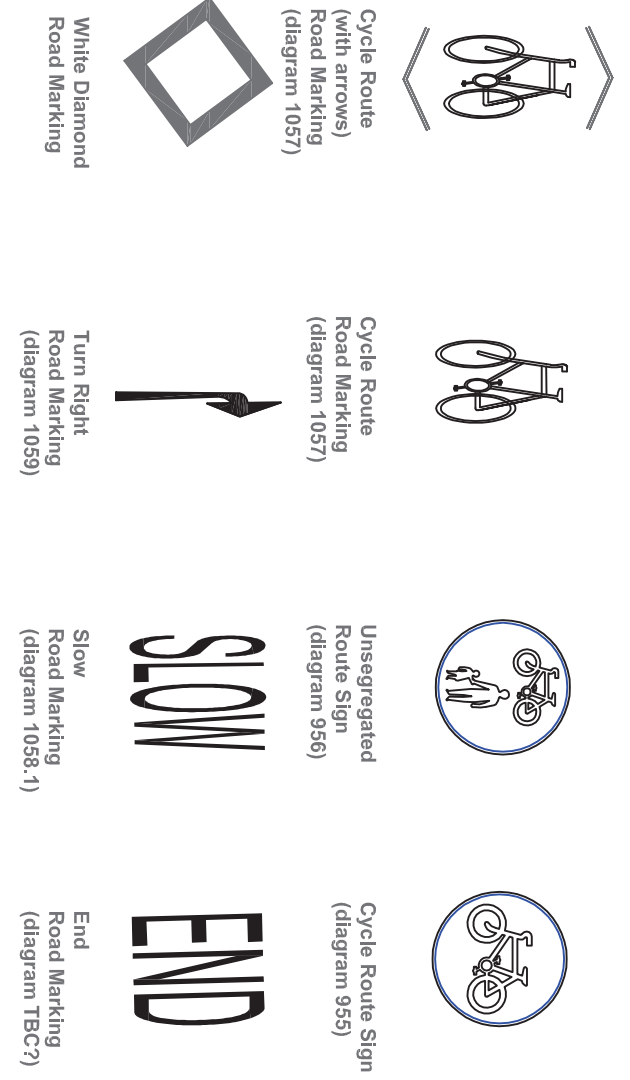




Notes

1. All dimensions in metres unless otherwise stated.
2. Ensure drop kerbs are aligned either side of crossings with at least minimum widths (2.4m controlled signal crossing / 1.2m standard crossing).
3. Certain street furniture and obstructions to pedestrians and cyclists to be made more visible using white diamond road markings as indicated.
4. Fit cycle friendly covers and frames to all drainage gullies.
5. Paint white arrows with cycleway road markings where indicated.
6. Cyclists dismount signs to be installed at all controlled pedestrian crossings.
7. Install unsegregated route signs at regular intervals, using existing street lighting columns and sign poles where possible.
8. Widen footways into verge a minimum of 3m where indicated.
9. The diagrams referred to on this drawing are taken from Chapter 3 of the Traffic Signs Manual.
10. All related documents stored in: V:\EPPS\ES\East\SDS\bridges\London Road RW

Key



**Lancashire** Environment Directorate  
 County Council

Lancashire Highway Services

NO.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY
REVISIONS				

PROJECT TITLE: SHARED USE FOOTWAY SCHEME - PHASE 1  
 LONDON ROAD, PRESTON

DRAWING TITLE: GENERAL ARRANGEMENT  
 PHASE 1 - FRENCHWOOD AVE. TO NEW HALL LANE

DRAWN BY: C.HITTELOW PROJECT No. DRAWING No.

CHECKED BY: D. GRIFFITHS DATE: NOVEMBER 2014 CHOFE4271/GA/PH1/1

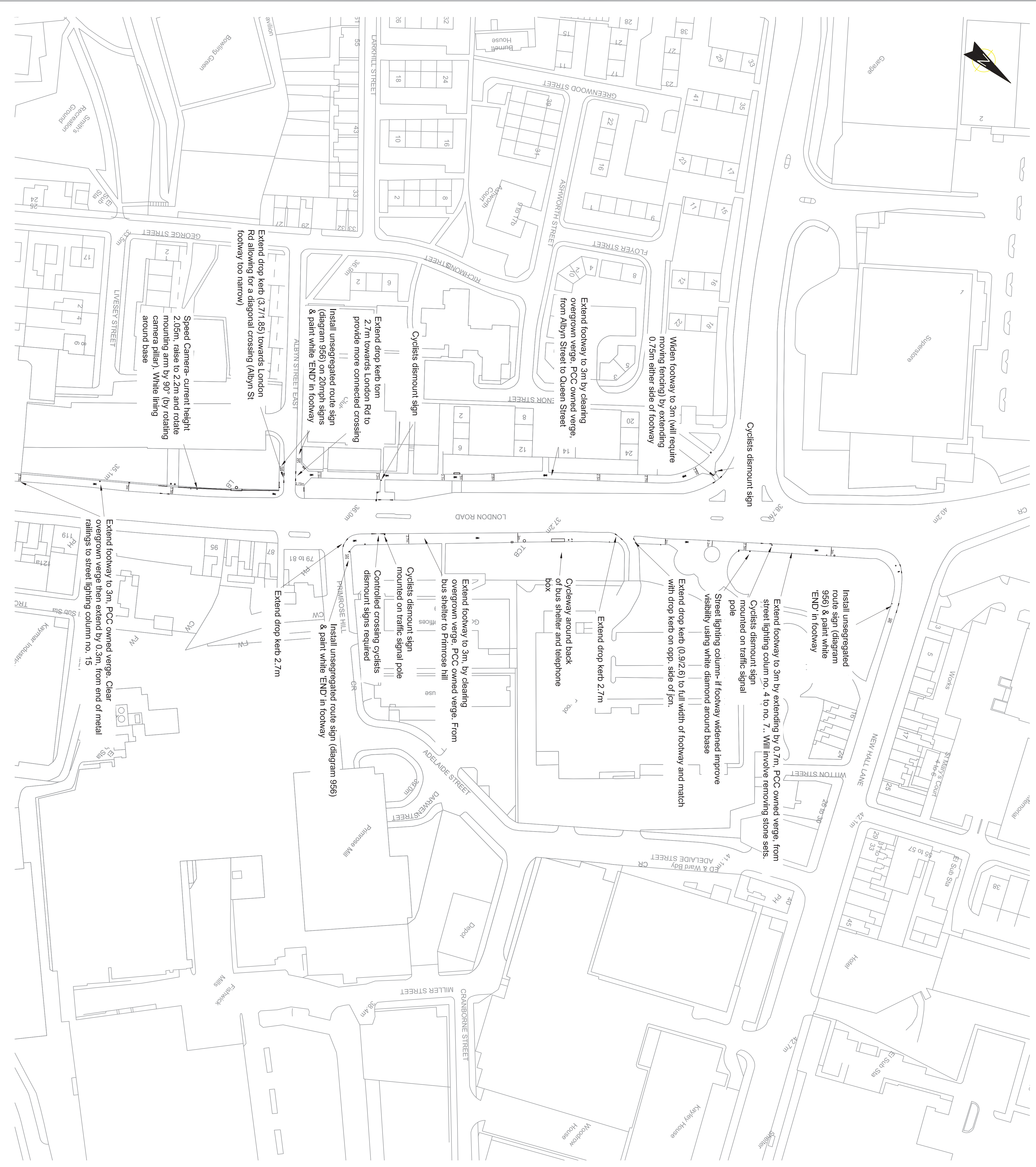
SCALE @ A1: 1:500 SHEET No. 1/2

CLIENT No. CLIENT No.

Detail 1  
 Scale 1:200







**LOCATION PLAN**

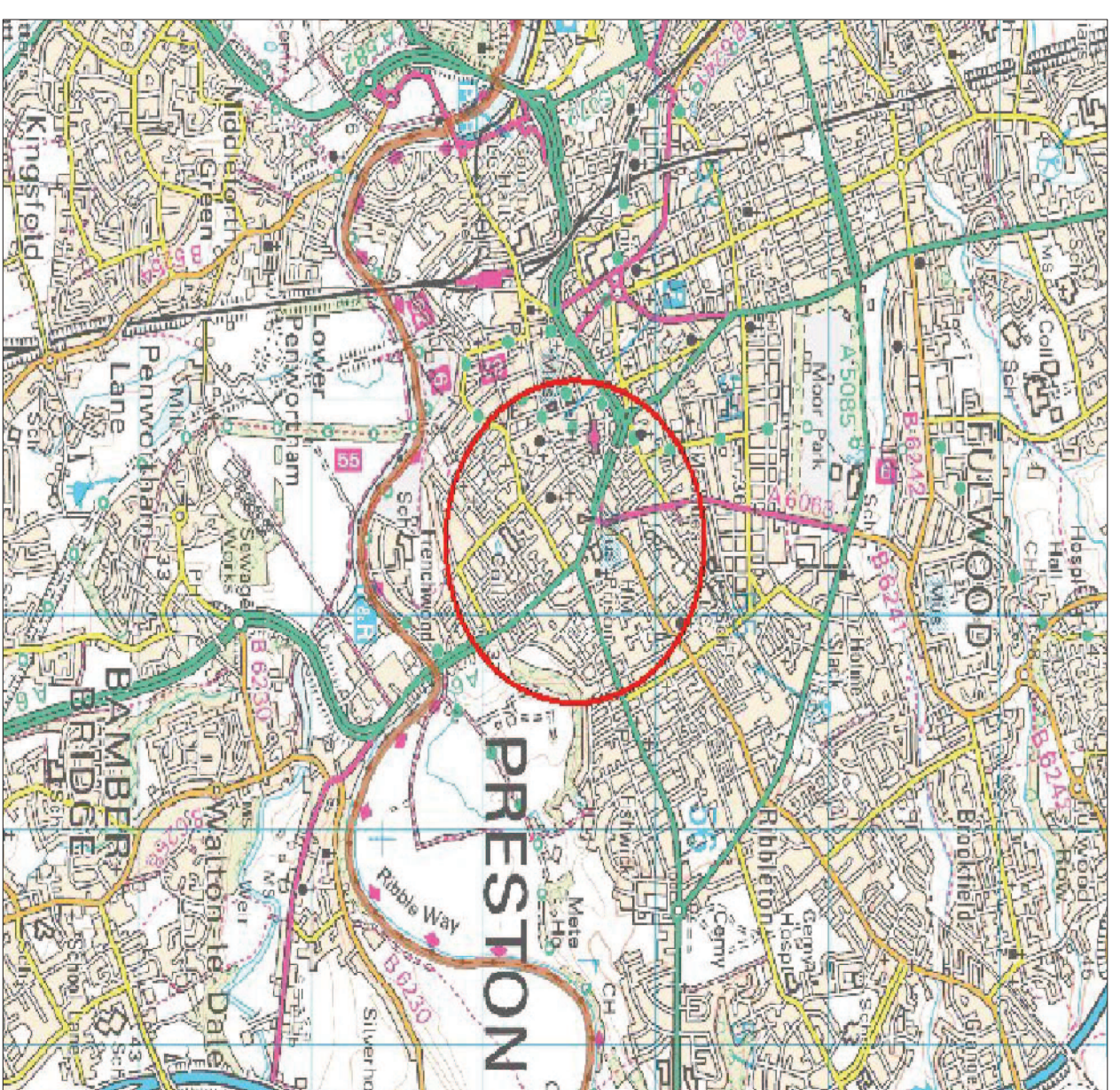
- Notes**
1. All dimensions in metres unless otherwise stated.
  2. Ensure drop kerbs are aligned either side of crossings with at least minimum widths (2.4m controlled signal crossing / 1.2m standard crossing).
  3. Certain street furniture and obstructions to pedestrians and cyclists to be made more visible using white diamond road markings as indicated.
  4. Fit cycle friendly covers and frames to all drainage gullies.
  5. Paint white arrows with cycleway road markings where indicated.
  6. Cyclists dismant signs to be installed at all controlled pedestrian crossings.
  7. Install unsegregated route signs at regular intervals, using existing street lighting columns and sign poles where possible.
  8. Widen footways into verge a minimum of 3m where indicated.
  9. The diagrams referred to on this drawing are taken from Chapter 3 of the Traffic Signs Manual.
  10. All related documents stored in: V:\EPPS\ES\AS\DS\brdges\London Road RW

NO. DATE AMENDMENT DETAILS		CHECKED BY	DRAWN BY
<b>REVISIONS</b>			

		<b>Environment Directorate</b>	
<b>Lancashire Highway Services</b>			
<b>PROJECT TITLE</b> SHARED USE FOOTWAY SCHEME - PHASE 1 LONDON ROAD, PRESTON		<b>PROJECT No.</b> PHASE 1 - FRENCHWOOD AVE. TO NEW HALL LANE	
<b>DRAWING TITLE</b> GENERAL ARRANGEMENT		<b>DRAWING No.</b> CHOCFE4271/GA/PH1/1	
<b>DRAWN BY</b> C.HITTELOW		<b>CHECKED BY</b> D. GRIFFITHS	
<b>DATE</b> NOVEMBER 2014		<b>SCALE @ A1</b> 1:750	
<b>CLIENT No.</b> CLIENT NO.		<b>SHEET No.</b> 2/2	







Location Plan  
Not to Scale

- Notes**
- All dimensions in millimetres unless otherwise stated.
  - Ensure all drop kerbs along cycle route are aligned correctly either side of crossings and extended where indicated. All drop kerb crossings along route to have at least the minimum widths required (2.4m controlled signal crossing / 1.2m standard crossing).
  - Certain street furniture and obstructions to pedestrians and cyclists to be made more visible using white diamond road markings where indicated with 100mm thick.
  - Fit cycle friendly signs and frames to all drainage gullies along cycle route.
  - All road markings to be a suitable size for the width of footway - approximately 705 high, 955 wide unless otherwise indicated.
  - Paint white directional arrows with cycleway road marking only where indicated.
  - Unsegregated route signs for use by pedestrians and cyclists to be 300 high.
  - Cyclist dismount signs to be installed at all controlled pedestrian crossings.
  - Cut back all sections of overgrown verge to regain original footway widths.
  - Construct new footway to widen existing where indicated to achieve 3m minimum width.
  - Text heights on new signing to be size 40 unless otherwise indicated.
  - The diagrams referred to on this drawing are taken from Chapters 3 and 5 of the Traffic Signs Manual.
  - All related documents stored in: \\VIEPPSE\East\DS\hotgas\London\_Road RW

**Key**

White Diamond Road Marking	Turn Right Road Marking (diagram 1059)	Slow Road Marking (diagram 1058.1)	End Road Marking (diagram 1057)

**REVISIONS**

NO.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY

**Lancashire County Council** Environment Directorate  
Lancashire Highway Services

**PROJECT TITLE**  
SHARED USE FOOTWAY SCHEME - PHASE 2  
LONDON ROAD, PRESTON

**DRAWING TITLE**  
GENERAL ARRANGEMENT

**PHASE 2 - NEW HALL LANE TO NORTH ROAD**

**DRAWN BY**  
B. J. ROBERTSHAW

**CHECKED BY**  
D. GRIFFITHS

**DATE**  
06/11/2014

**SCALE @ A1**  
AS SHOWN

**PROJECT No.**  
CHCFE4271/GA/PH2

**DRAWING No.**  
CHCFE4271/2

**SHEET No.**  
1 OF 3

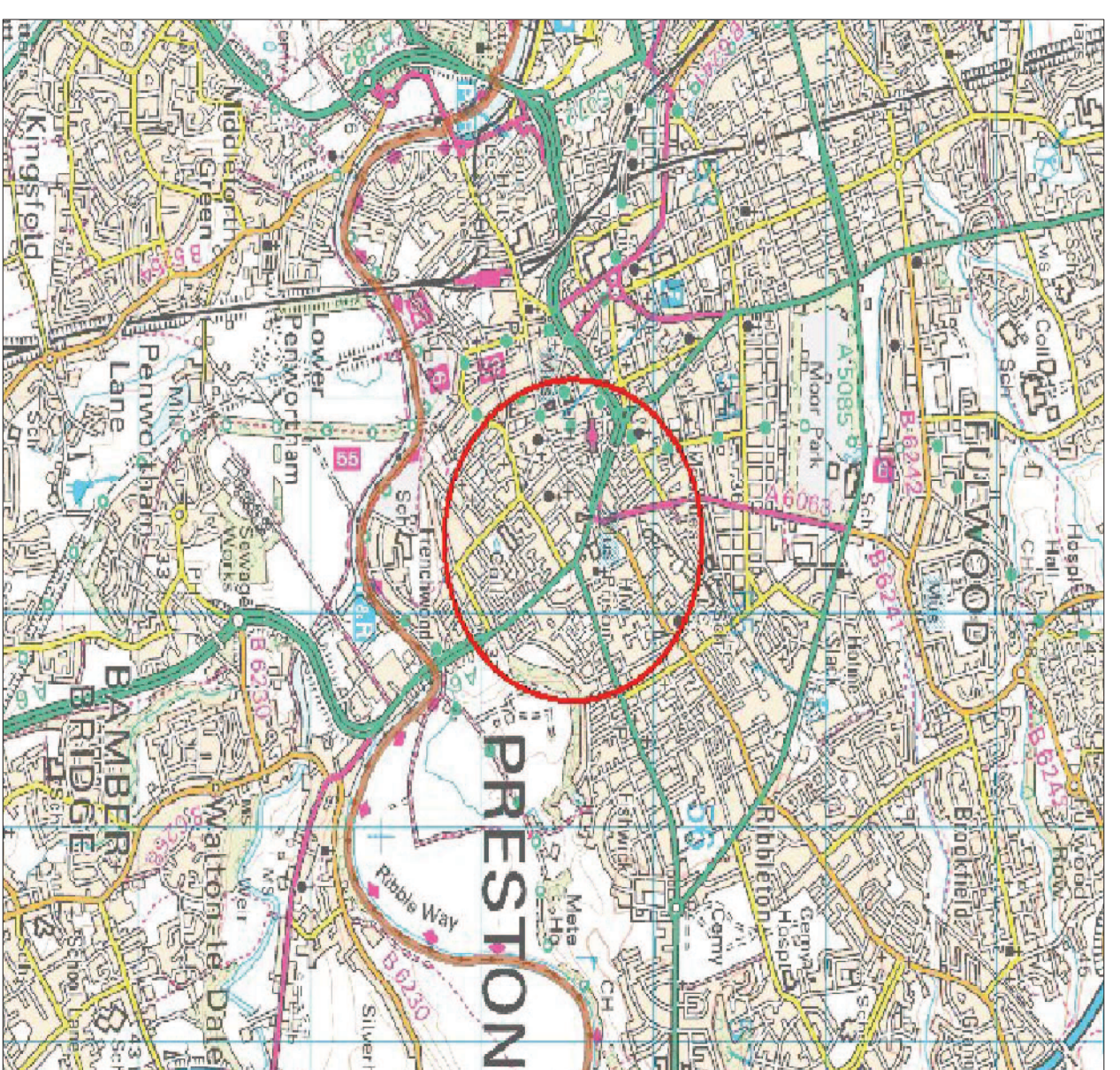
**CLIENT No.**  
CLIENT No.

General Arrangement  
Scale 1:500









Location Plan  
Not to Scale

- Notes**
- All dimensions in millimetres unless otherwise stated.
  - Ensure all drop kerbs along cycle route are aligned correctly either side of crossings and extended where indicated. All drop kerb crossings along route to have at least the minimum widths required (2.4m kerb crossings signal crossing / 1.2m standard crossing). Certain street furniture and obstructions to pedestrians and cyclists to be made more visible using white diamond road markings where indicated with 100mm thick thermoplastic lining.
  - Fit cycle friendly covers and frames to all drainage gullies along cycle route.
  - Paint markings to be a suitable size for the width of footway - approximately 705 high, 995 wide.
  - Paint white directional arrows with cycleway road marking only where indicated.
  - Unsegregated route signs for use by pedestrians and cyclists to be 300 high.
  - Cyclist demount signs to be installed at all controlled pedestrian crossings.
  - Cut back all sections of overgrown verge to regain original footway widths.
  - Construct new footway to widen existing where indicated to achieve 3m minimum width.
  - Text heights on new signing to be size 40 unless otherwise indicated.
  - The diagrams referred to on this drawing are taken from Chapters 3 and 5 of the Traffic Signs Manual.
  - All related documents stored in: \\EPPS\EST\East\DS\bridges\London Road RW

**Key**


NO. DATE AMENDMENT DETAILS		CHECKED BY	DRAWN BY
REVISIONS			
PROJECT TITLE SHARED USE FOOTWAY SCHEME - PHASE 2 LONDON ROAD, PRESTON			
DRAWING TITLE GENERAL ARRANGEMENT		PROJECT No. CHCFE4271/GA/PH2	
DRAWN BY B. J. ROBERTSHAW		DRAWING No. CHCFE4271/2	
CHECKED BY D.GRIFFITHS		DATE 06/11/2014	
SCALE @ A1 AS SHOWN		SHEET No. 2 OF 3	
CLIENT No.		CLIENT No.	



Environment Directorate  
Lancashire Highway Services

General Arrangement  
Scale 1:500

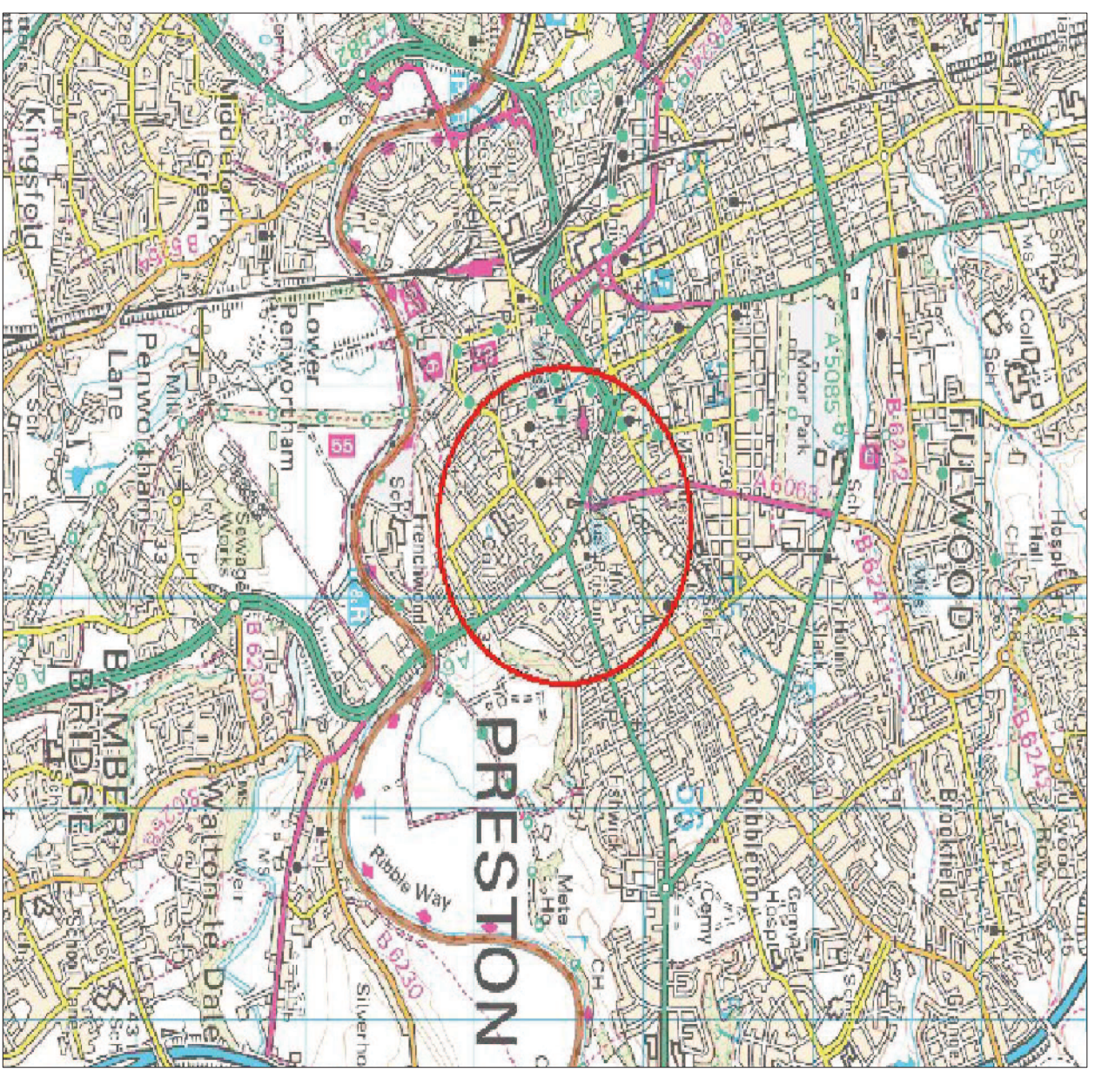








General Arrangement  
Scale 1:500



Location Plan  
Not to Scale

- Notes**
- All dimensions in millimetres unless otherwise stated.
  - Ensure all drop kerbs along cycle route are aligned correctly either side of crossings and extended where indicated. All drop kerbs crossings along route to have at least the minimum widths required (2.4m controlled signal crossing / 1.2m standard crossing).
  - Certain street furniture and obstructions to pedestrians and cyclists to be made more visible using white diamond road markings where indicated with 100mm thick thermoplastic lining.
  - All cycle handrails covers and frames to all drainage gullies along cycle route.
  - Paint white diamond road markings for the width of footway - approximately 705 high.
  - Paint white directional arrows with cycleway road marking only where indicated.
  - Unsegregated route signs for use by pedestrians and cyclists to be 300 high.
  - Cyclists dismount signs to be installed at all controlled pedestrian crossings.
  - Cut back all sections of overgrown verge to regain original footway widths.
  - Construct new footway to widen existing where indicated to achieve 3m minimum width.
  - Text heights on new signing to be size 40 unless otherwise indicated.
  - The diagrams referred to on this drawing are taken from Chapters 3 and 5 of the Traffic Signs Manual.
  - All related documents stored in: \\V:\PPS\ES\ES\1\DS\bridges\London Road RW

**Key**

	Cycle Route (with arrows) (diagram 1057)		Cycle Route Road Marking (diagram 1057)		Unsegregated Route Sign (diagram 956)		Cycle Route Sign (diagram 956)
	White Diamond Road Marking		Turn Right Road Marking (diagram 1058)		Slow Road Marking (diagram 1058.1)		End Road Marking (diagram 1057)

**REVISIONS**

NO.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY

**Lancashire County Council**

**Environment Directorate**

**Lancashire Highway Services**

**PROJECT TITLE**  
SHARED USE FOOTWAY SCHEME - PHASE 2  
LONDON ROAD, PRESTON

**DRAWING TITLE**  
GENERAL ARRANGEMENT  
PHASE 2 - NEW HALL LANE TO NORTH ROAD

**DRAWN BY**  
B. J. ROBERTSHAW

**CHECKED BY**  
D. GRIFFITHS

**DATE**  
06/11/2014

**SCALE @ A1**  
AS SHOWN

**PROJECT No.**  
CHCFA271/GA/PH2

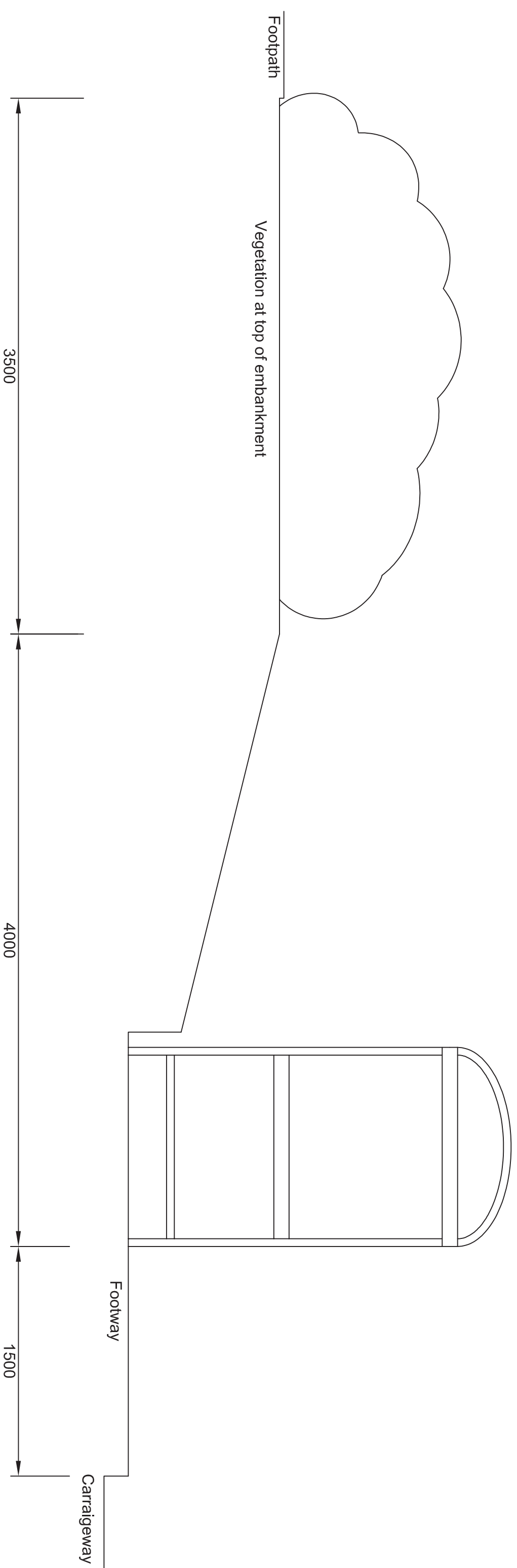
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CHCFA271/2

**SHEET No.**  
3 OF 3

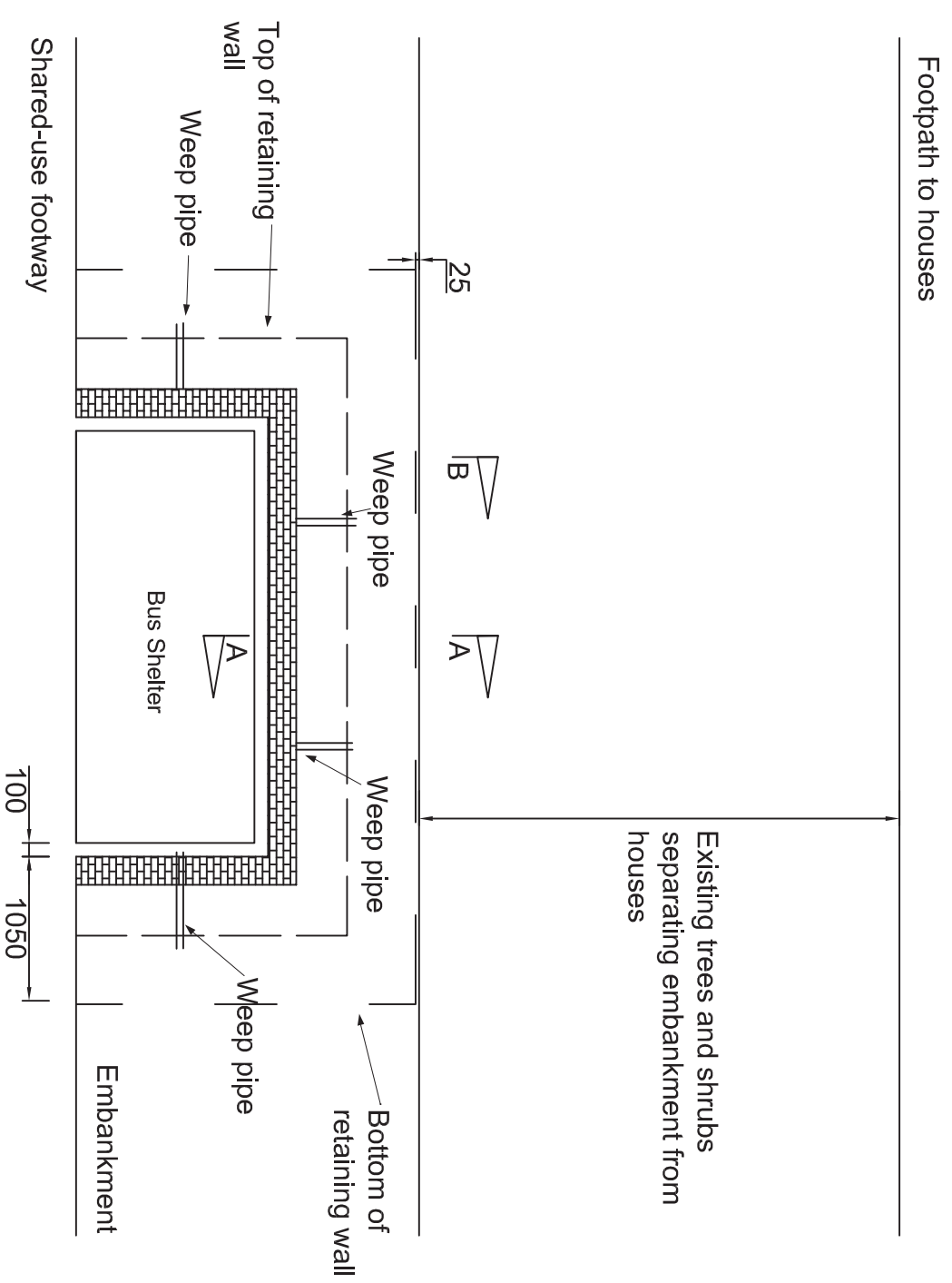
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CLIENT No.



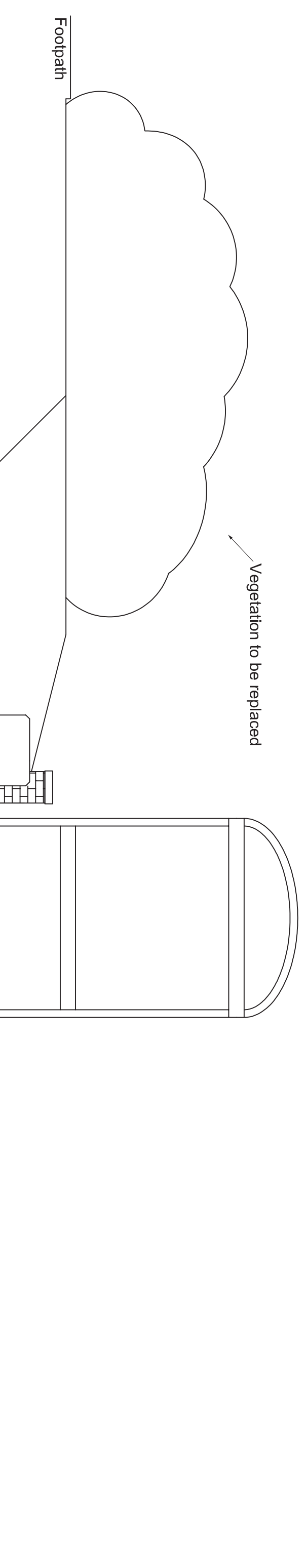




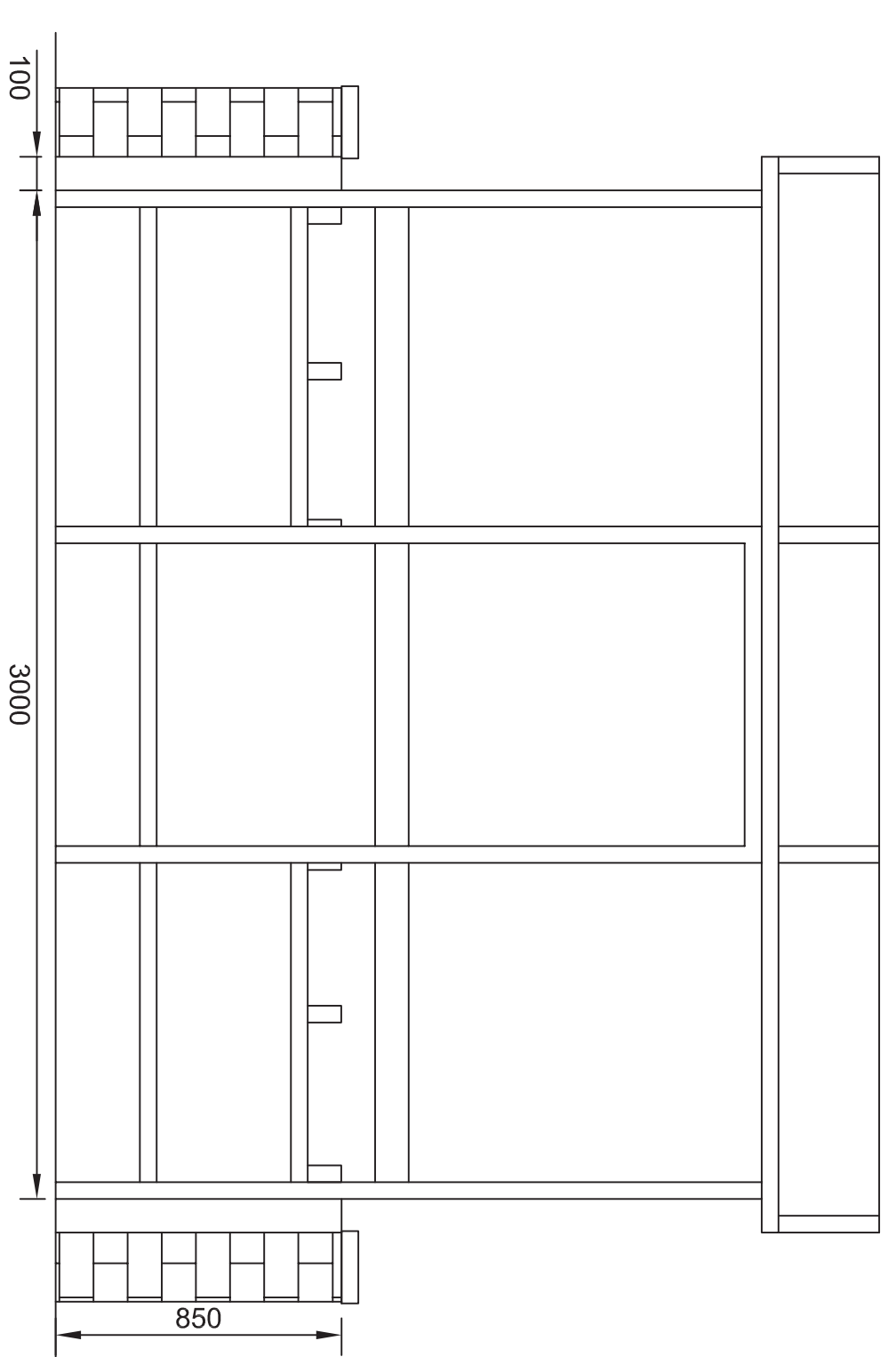
EXISTING SECTION B-B  
Scale 1:25



PLAN  
Scale 1:50



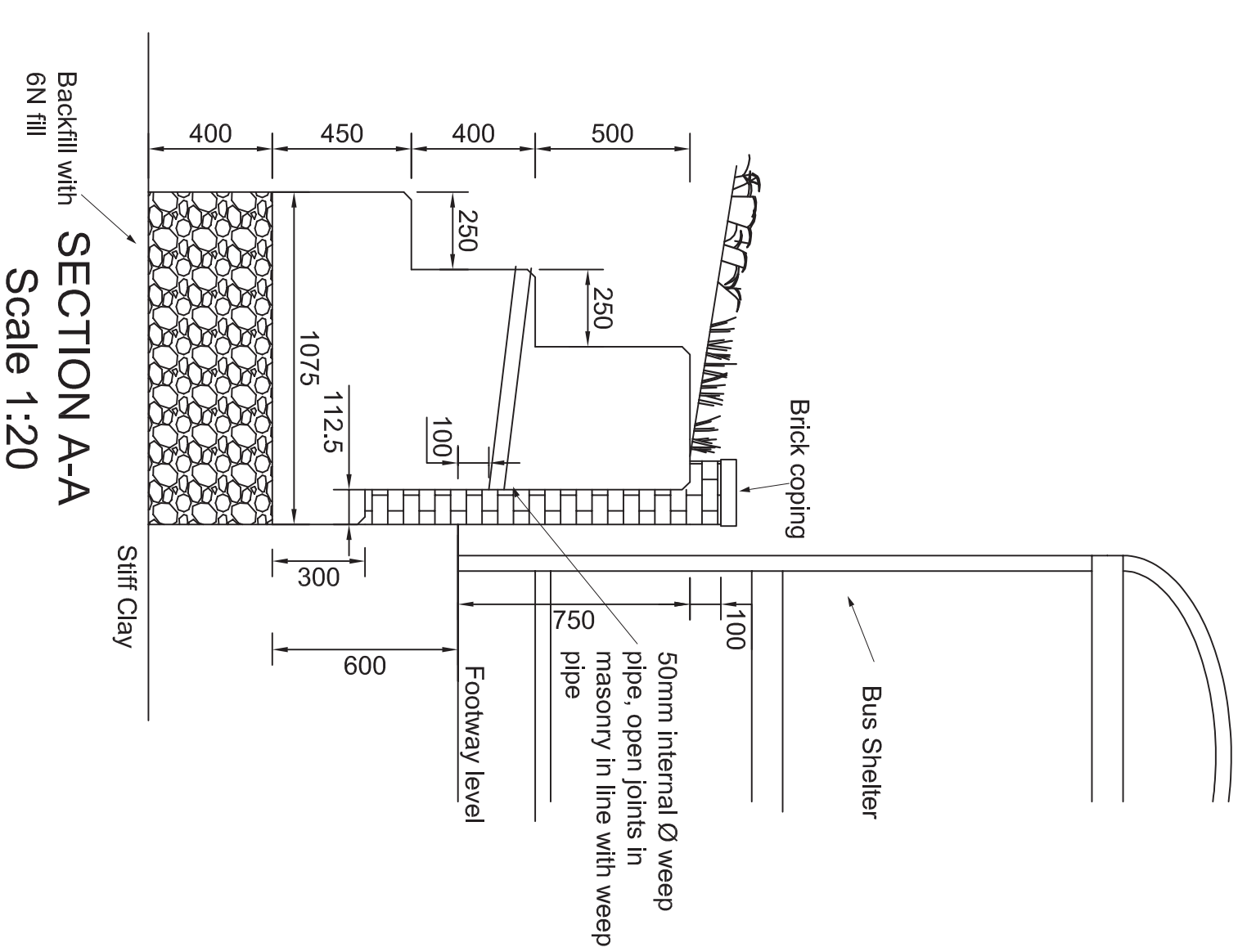
PROPOSED SECTION B-B  
Scale 1:25



ELEVATION  
Scale 1:20

Notes

1. All dimensions are in millimetres unless otherwise stated.
2. All cast in-situ concrete to be Class C40/50 4/20 XD3 S3.
3. Concrete shall not be dropped from a height of more than 0.5m.
4. Concrete shall be transported and placed so that contamination, segregation and loss of constituent materials does not occur.
5. Clay brick masonry finish, and mortar Class 2 in accordance with clause 2404 of specifications.
6. Stainless steel masonry wall ties installed vertically in staggered position in accordance with clause 2411 of specifications.
7. Install 4 no 50 diameter weep pipes.
8. Chamfers used on all exposed articles 25x25 unless otherwise shown.
9. Original bus shelter 3m x 1.3m to be reused.



SECTION A-A  
Scale 1:20

No.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY

**Lancashire**  
County Council  
**Environment Directorate**

Lancashire Highway Services

PROJECT TITLE  
SHARED-USE FOOTWAY SCHEME  
LONDON RD, PRESTON

DRAWING TITLE  
GENERAL ARRANGEMENT  
MOORE STREET BUS SHELTER RETAINING WALL

DRAWN BY  
C. TETLOW  
PROJECT No.  
CHCFE4271

CHECKED BY  
D. GRIFFITHS  
DRAWING No.  
CHCFE4271/GAR/W/1

DATE  
NOVEMBER 2014  
SCALE @ A1  
AS SHOWN  
CLIENT No.  
CLIENT No.



**Report to the Cabinet Member for Children, Young People and Schools, and  
Cabinet Member for Adult and Community Services**

**Report submitted by: Interim Executive Director for Children and Young  
People**

**Date: 12 January and 15 January 2015**

**Part I**

Electoral Divisions affected:  
All in Burnley, Lancaster,  
and Preston

## **Early Response Service**

Contact for further information:

Mel Ormesher, (01772) 580386, Directorate for Children and Young People,  
[mel.ormesher@lancashire.gov.uk](mailto:mel.ormesher@lancashire.gov.uk)

### **Executive Summary**

The Early Response proposal has developed out of collaboration between Lancashire County Council (LCC) and Lancashire Constabulary. Both organisations share a strategic desire to manage and reduce demand on statutory services through prevention and timely, appropriate intervention.

This approach will provide enhanced out-of-hours support to prevent the need for statutory assessment or intervention. Through joint teams of the County Council and police officers, it will deliver rapid support that reduces immediate risk, along with follow-up to ensure de-escalation into core prevention and early help services. This initiative offers the opportunity to pilot a new way of working to provide prevention and early help out-of-hours which will assist members of the community to access appropriate levels of care, improving outcomes while preventing and reducing demand on statutory and crisis services.

As a pilot project, the service will investigate the potential for more effective and efficient service delivery through a different model of working. The areas of innovation to be tested include:

- The impact of out-of-hours support provided at below statutory level
- The impact of a rapid response to calls for service utilising a broad skills set
- The impact of short-term follow on support on the take up of prevention and early help services

The original funding allocation agreed for this project was a maximum of £3m for delivery over a period of three years. However, as part of the process of transforming the County Council's structure to ensure that it can deliver effective services for communities through a significantly reduced budget, the Early Response proposal has been revised accordingly. In reviewing the proposal, it has been possible to identify mainstream resource that can be used to support Early Response and this is detailed below.

This report sets out four options for the future funding of Early Response during 2015/16 and 2016/17, ranging from no investment up to a maximum investment of £1.3m. As such, a minimum of £1.7m saving has been identified that can be utilised to support the County Council's transformation process.

This is deemed to be a Key Decision and the provisions of Standing Order No 25 have been complied with.

### **Recommendation**

The Cabinet Member for Adult and Community Services and the Cabinet Member for Children, Young People and Schools are recommended to:

- (i) Consider the report setting out the options for a revised financial allocation to the Early Response Service;
- (ii) Give consideration as to which of the options set out in the report should be approved.

## **1 Background and Advice**

Early Response will be an integrated service where police officers and County Council staff work together to provide enhanced, out-of-hours support to calls for service. At the initial inception of the service it was proposed that the County Council resource should be comprised entirely of social workers. In exploring the evidence base for this proposal and examining police logs and activity in detail, it has become evident that the resource required is in fact Support Workers operating across children, families and adults, able to access sufficient statutory assessment capacity should that be required.

The principle function of this resource is to deliver an out of hours, rapid response to calls for service to the police and the County Council's Emergency Duty Team (EDT). The focus will be calls that are deemed to be below the statutory threshold for intervention but that would benefit from a rapid intervention either to prevent escalation into statutory services or to aid resolution of the immediate situation and facilitate de-escalation into universal and early help services. Three main areas of work will be included in provision: rapid response and follow-up, planned out-of-hours activity and step-down to core service.

The County Council resource committed to this service will be managed through the EDT which will provide statutory supervision and call taking functions, and receive

referrals from the Police Customer Access. Early Response officers will be collocated with dedicated police resource in each of the pilot areas of Burnley, Preston and Lancaster. As this is a pilot project, the resource could then be adapted and deployed across the wider county as the approach is developed.

In light of budget pressures, the service offer has been reviewed in order to identify any elements that could be provided through mainstream services, and to focus on those elements that could not be provided without use of the strategic investment reserve. As such, a range of options for delivery up to a total funding envelope of £1.3m have been identified below.

During the process of developing the Early Response proposal and the associated Social Care Front Door Review, there emerged an identified gap in 24 hour telephony provision which would significantly impact on statutory delivery by the EDT and so the ability to provide Early Response. It is proposed to address this gap through the Early Response project by funding up to five Customer Service Advisors (CSA) in order to provide an effective mechanism for receipt of out-of-hours calls for service and so free up duty social workers in EDT to focus on safeguarding duties.

Early Response could also provide a maximum 15 Support Workers (SuW) who would be able to address calls for service to the EDT that do not meet statutory thresholds but which could benefit from early help and support and so prevent any escalation of harm.

## **2 Revised Service Offer**

The proposed options set out in the finance section of the report below range from nil investment to provision of between 9 and 15 Support Workers that could initially be deployed across the three target areas of Burnley, Preston and Lancaster. The Social Care Front Door Review has freed up capacity within the EDT (subject to provision of telephony referred above) to be able to provide assessment and decision making capability to the Early Response Service. As such, it will not be necessary to fund qualified social workers and approved mental health workers within Early Response. The SuWs would receive supervision and direction from the EDT whilst working jointly with Police Early Action teams in each division.

Alongside the development of the Early Response service there has been a review and restructure of the social care 'front door'. This has aligned several access points where calls for service are received by the County Council including the Contact and Referral Team (CART), Emergency Duty Team, Adult Intake and Assessment Service and the police Contact Management Unit. Combination of these access points will provide a key opportunity to hasten both service responses and to improve the multi-agency information available to responding officers in a timely manner resulting in synergies and potential cost savings which have yet to be fully quantified.

It is proposed that the Early Response project will support alignment within Prevention and Early Help services and closer working in other areas. A detailed outcome and performance framework is currently being developed against which financial performance will be measured and against which savings or demand control will be identified. There will be ongoing review to take advantage of

opportunities to mainstream activities. In order to ensure that this project contributes to the overall strategic re-alignment of the County Council the need for funds will be kept under review.

### **3 Interdependencies with other County Council Services:**

The development of the Early Response service has taken place alongside the organisational transformation of the County Council. Learning has been shared across other service areas, and it has become clear that some elements of the original proposal can now be delivered through service areas identified in the new structure. These service areas include:

**Wellbeing, Prevention and Early Help** - will improve the access and quality of universal services provided to support healthy living and wellbeing services in Lancashire for children, young people, families and older people. Development and provision of targeted early help and support to vulnerable children, families and older people to improve resilience and prevent problems developing into a crisis. This service will provide clear pathways to support from the Early Response service. Consideration will also be given to how the service can extend beyond current working hours to incorporate the Early Response approach.

**Safeguarding, Inspection and Audit (MASH/CART/EDT)** – will manage, assess and coordinate referrals and enquiries via the Multi Agency Safeguarding Hub (MASH) to Children's Social Care or Prevention and Early Help including emergency response out of hours. This service will be able to provide management, statutory supervision and direction to the Early Response service.

**Customer Access** – is integral to the council's service offer and will be developed and operated in conjunction with operational services to provide an efficient and effective means by way our citizens will gain access to those services. By investing in additional customer access resource, this will free capacity within the EDT to manage and deploy the Early Response service.

**Public Service Integration** – will provide dedicated capacity to promote, facilitate and deliver the integration of public services to the citizens of Lancashire. This service will be able to support integration of Early Response into mainstream provision.

#### **Consultations**

Police partners are keen to progress this joint approach using the project as an opportunity to test both an integrated model of service delivery and the impact of providing early help and prevention services outside of daytime hours. They have secured £0.214 from the Police Innovation Fund in support of this project and will match any agreed County Council resource. They have been consulted on the proposal to review the funding allocation for Early Response.

#### **Implications and Risk Management**

This item has the following implications, as indicated:



## Personnel

Development of the Early Response service will require the appointment of up to 15 Support Workers attached to the Emergency Duty Team. All posts will be recruited to in accordance with the authority's vacancy management policy. Existing job descriptions will be used for the Customer Service Advisor posts and the grade of the support worker will be determined in accordance with the authority's job evaluation process.

## Crime and Disorder

This proposal supports delivery against the key priorities of Lancashire Community Safety Strategy Group set out in the strategy assessment. This includes reducing the impact and harm caused by: crime and anti-social behaviour (domestic abuse; violent crime and child sexual exploitation), through protecting and supporting vulnerable people and reducing reoffending.

## Financial

The original proposal sought to draw down a maximum of £3.0m over the next three financial years from the Strategic Investment Reserve (£1.0m per year). The development of this proposal has been kept under close scrutiny to ensure that it aligns to the County Council's re-shaping and contributes to the delivery of the overall financial strategy. This is reflected within the revised funding options presented in the following options which also include the option for no investment:

Resource	Fte	Grade	Cost p.a. £	Time Frame	No. of years funding	Total Cost £
<b>Option 1</b>						
<b>No Investment for Option 1</b>						<b>0</b>
<b>Option 2</b>						
Customer Service Advisors	5.24	5	149,716	2015/16 & 16/17	2	299,432
Support Workers	9	6	298,602	2015/16 & 16/17	2	597,203
<b>Total Cost for Option 2</b>						<b>896,635</b>
<b>Option 3</b>						
Customer Service Advisors	5.24	5	149,716	2015/16 & 16/17	2	299,432
Support Workers	12	6	398,135	2015/16 & 16/17	2	796,271
<b>Total Cost for Option 3</b>						<b>1,095,703</b>
<b>Option 4</b>						
Customer Service Advisors	5.24	5	149,716	2015/16 & 16/17	2	299,432
Support Workers	15	6	497,669	2015/16 & 16/17	2	995,339
<b>Total Cost for Option 4</b>						<b>1,294,771</b>

This project can be considered a capacity building and transformation project as it will provide capacity within the County Council to address issues such as:

- Reducing demand on children and adult social care services; and,
- Improving outcomes for service users so that issues are addressed earlier in their development and at the "point of crisis" so contributing to demand control within more expensive care solutions.

Lancashire Constabulary is committed to providing a matched resource (non-cash) to develop the joint Early Response approach and so provide more effective and timely risk assessment of incidents supporting both the police decision making model and the County Council's commitment to providing early help where possible. The Constabulary has also successfully secured funding to support this approach through an application to the Police Innovation Fund. This will provide capital funding valued at £0.214m. This is a national funding pot aimed at supporting innovative approaches to enhanced collaboration and delivery of efficiencies.

### List of Background Papers

Paper	Date	Contact/Directorate/Tel
Report to Cabinet - 'Early Action Response'	9 January 2014	Dave Gorman, Office of the Chief Executive, (01772) 534261
Report to Cabinet - 'Progress with Implementing Investment Proposals Contained in Budget'	10 October 2013	Dave Gorman, Office of the Chief Executive, (01772) 534261

Reason for inclusion in Part II, if appropriate

N/A

# Agenda Item 9

(NOT FOR PUBLICATION: 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)

Document is Restricted



(NOT FOR PUBLICATION: 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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(NOT FOR PUBLICATION: 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)

Document is Restricted





# Agenda Item 10

(NOT FOR PUBLICATION: 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)

Document is Restricted



(NOT FOR PUBLICATION: 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)

Document is Restricted



# Agenda Item 11

(NOT FOR PUBLICATION: 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)

Document is Restricted



# Agenda Item 12

(NOT FOR PUBLICATION: 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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