

<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 26 July 2017
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

### Minutes

3. Minutes of the previous meeting held on 12th July, 2017 (Cab.26.7.2017/3)  
(Pages 3 - 4)

### Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.26.7.2017/4) (Pages 5 - 6)

### Petitions

5. Petitions received under Standing Order 44 (Cab.26.7.2017/5)

### Items for Decision/Recommendation to Council

#### Leader

6. Think Yorkshire (Cab.26.7.2017/6) (Pages 7 - 10)

#### Place Spokesperson

7. BMBC Housing Development - Longcar PDC (Cab.26.7.2017/7) (Pages 11 - 20)
8. Establishing a Local Integration Board (LIB) to Coordinate National, Regional and Local Work and Health Programmes Across Barnsley (Cab.26.7.2017/8) (Pages 21 - 32)

#### People (Safeguarding) Spokesperson

9. Proposed Changes to the Financial Contributions Policy for Adult Social Care Services: Stakeholder Consultation (Cab.26.7.2017/9) (Pages 33 - 66)

#### **RECOMMENDATION TO FULL COUNCIL ON 28<sup>TH</sup> SEPTEMBER, 2017**

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Cabinet Support Members:

Councillors Franklin, Frost, David Griffin, Lamb, Pourali and Saunders

Chair of Overview and Scrutiny Committee  
Chair of Audit Committee

Diana Terris, Chief Executive  
Rachel Dickinson, Executive Director People  
Matt Gladstone, Executive Director Place  
Wendy Lowder, Executive Director Communities  
Julia Burrows, Director Public Health  
Andrew Frosdick, Executive Director Core Services  
Alison Brown, Service Director Human Resources  
Neil Copley, Service Director Finance  
Katie Rogers, Communications and Marketing Business Partner  
Anna Marshall, Scrutiny Officer  
Ian Turner, Service Director, Council Governance

Corporate Communications and Marketing  
Labour Group Room – 1 copy

Please contact Ian Turner on 01226 773421 or email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

Tuesday, 18 July 2017

<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 12 July 2017
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## MINUTES

**Present** Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

**Members in Attendance:** Councillors Franklin, David Griffin, Wayne Johnson, Pourali and Saunders

### 38. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

### 39. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 28<sup>th</sup> June, 2017 had been called in.

### 40. Minutes of the previous meeting held on 28th June 2017 (Cab.12.7.2017/3)

The minutes of the meeting held on 28<sup>th</sup> June, 2017 were taken as read and signed by the Chair as a correct record.

### 41. Decisions of Cabinet Spokespersons (Cab.12.7.2017/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 30<sup>th</sup> June, 2017 were noted.

### 42. Petitions received under Standing Order 44 (Cab.12.7.2017/5)

It was reported that no petitions had been received under Standing Order 44.

### 43. Overview & Scrutiny Committee Work Programme for 2017/18 (Cab.12.7.2017/6)

Councillor W. Johnson attended the meeting to present the Overview and Scrutiny Committee Work Programme for 2017/18.

## RESOLVED:-

- (i) that the proposed Scrutiny Work Programme for 2017/18, as outlined in section 5 of the report now submitted, be approved, whilst acknowledging that this be subject to change should any urgent issues arise; and
- (ii) that the Overview and Scrutiny Chair be approved to continue to identify and invite 'Expert Participants' to scrutiny on a topic by topic basis.

## **People (Safeguarding) Spokesperson**

### **44. Review of the Council's Pledge to Children in Care and Care Leavers (Cab.12.7.2017/7)**

#### **RECOMMENDED TO FULL COUNCIL ON 27<sup>TH</sup> JULY, 2017:-**

- (i) that the progress made against the desired Outcomes within the Council's 'Pledge' to children in care and care leavers, as described in the report now submitted, be noted; and
- (ii) that the authority renew its commitment, as the Corporate Parent, to the values and principles within the 'Pledge'.

### **45. Annual Report of the Corporate Parenting Panel - 2016/17 (Cab.12.7.2017/8)**

#### **RECOMMENDED TO FULL COUNCIL ON 27<sup>TH</sup> JULY, 2017:-**

- (i) that the progress and achievements made by the Barnsley Corporate Parenting Panel in supporting children and young people in care and care leavers during 2016/17, as set out in the Appendix to the report submitted, be noted; and
- (ii) that the authority renews its 'Pledge' towards children and young people in care and care leavers.

## **People (Achieving Potential) Spokesperson**

### **46. Access to Early Help Through the Family Centres Network (Cab.12.7.2017/9)**

**RESOLVED** that the overview of how families have accessed Early Help through Family Centres since the launch of the new model on 1<sup>st</sup> April, 2016, as set out in the report submitted, be noted.

## **Communities Spokesperson**

### **47. Carers' Strategy 2017 - 2020 (Cab.12.7.2017/10)**

#### **RESOLVED:-**

- (i) that the refreshed Carers' Strategy for 2017 – 2020, as set out in the Appendix to the report, be approved; and
- (ii) that the intention to develop a business case as the basis to pursue a new support provider within the existing resources be noted.

.....  
Chair

**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**CABINET SPOKESPERSONS' DECISIONS**

**Schedule of Decisions taken for week ending 7<sup>th</sup> July, 2017**

<b><u>Cabinet Spokesperson</u></b>	<b><u>Item</u></b>	<b><u>Decisions</u></b>	<b><u>Contact Officer</u></b>
*1. Deputy Leader for Core Services	Proposed Sale Land at Cobcar Lane, Elsecar, Barnsley to NPS Barnsley Limited	(i) that the Service Director Assets be authorised to agree terms for and dispose of the land at Cobcar Lane, Elsecar to NPS Barnsley Limited in order that they develop the land for 6 residential units for sale on the open market;  (ii) that the Service Director Assets be authorised to prepare and finalise the detailed Heads of Terms for the proposed disposal to NPS Barnsley; and  (iii) that the Executive Director Core Services be authorised to complete the transaction and the disposal be based on the terms agreed.	T. Hartley Tel. 774615
2. Core Services	Grant of a 20 year Lease to Shared Access Limited for the Construction and Operation of a Telecommunication Mast at Houghton Road Recreation Ground, Thurnscoe, Barnsley	(i) that the Service Director Assets be authorised to finalise Heads of Terms for an agreement for lease and lease of 20 years to Shared Access Limited allowing them to carry out the necessary site investigations and planning approvals which will allow them to enter into a 20 year lease;  (ii) that the Executive Director Core Services be authorised to make an approach to Sport England allowing the Council to grant a 20 year lease to the applicant;  (iii) that the Executive Director Core Services be authorised to complete the agreement for lease and lease to Share Access Limited.	T. Hartley Tel. 774615

\* Not for publication – contains exempt information, Local Government Act 1972, Part I, Schedule 12A Paragraph 3 apply.

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## BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan.

### REPORT OF THE EXECUTIVE DIRECTOR CORE SERVICES TO CABINET ON 26 JULY 2017

#### **THINK YORKSHIRE**

##### **1. PURPOSE OF REPORT**

- 1.1 To inform Cabinet of the establishment of a new think tank for Yorkshire, Think Yorkshire, and to consider if the Council wishes to express its support for this new body.

##### **2. RECOMMENDATIONS**

- 2.1 That the Council become a founding supporter of Think Yorkshire and agree to pay the annual fee of £500 for membership;
- 2.2 That the Leader of the Council or their nominee be authorised to represent the Council at the Think Yorkshire General Assembly or any similar body, if established, and to cast the Council's vote for membership of the Board; and
- 2.3 That the relevant officers of the Council be authorised to contribute to the work programme of the Think Yorkshire, as appropriate.

##### **3. BACKGROUND**

- 3.1 The Council has received correspondence on proposals to establish a new think tank, known as Think Yorkshire, to focus on the economic and social needs of the region. The intention is that the think tank will undertake research, consult widely and produce reports that will provide practical policy ideas to feed into local, regional and national government. This will inform and encourage policy making and boost Yorkshire's place in the North, across the UK and worldwide. The Council has been asked to support this venture.

##### **4. AIMS AND OBJECTIVES**

- 4.1 Think Yorkshire's stated aims and objectives are:-
  - To provide an analysis of the state of Yorkshire across a wide spectrum of policy areas such as business, productivity, employment, education and skills, health, housing the rural economy and the arts;
  - To identify the challenges that policy makers need to address and assess at what level they are best addressed – locally, regionally, pan-northern or from central government;

- To provide practical evidence based ideas and solutions to these challenges using understanding of the region's academics, business, civic society, politicians, local government, third sector organisations and others;
- To establish how best Yorkshire can be part of a stronger northern voice and can integrate with a Northern Powerhouse;
- To have a role that is distinct from other organisations in the region but will complement and build upon the work of other regional organisations, the Parliamentary Group for Yorkshire and the Humber and policy development within local authorities, combined authorities, mayoral offices, pan-northern bodies and central government;
- To be strictly non-party political.

4.2 Think Yorkshire will operate by undertaking detailed research and collecting the evidence to prepare reports and briefings to support policy making in Yorkshire and at national level. It will hold events to highlight and discuss the challenges facing the region and commission-type enquiries into issues, taking evidence and producing reports. It will inform and contribute to media reporting of the region, contributing to print, broadcast and on-line media, and encourage policy makers to give serious consideration to the policies produced through briefing local MPs, peers, councillors and others. This work will be done by Think Yorkshire itself or by commissioning research, including from supporting local authorities.

4.3 Think Yorkshire has already identified initial suggested projects as follows:-

- What is the “influence deficit” Yorkshire currently has compared with devolved bodies and other major regions and how should this be addressed;
- What is the state of literacy and numeracy across Yorkshire and the employability of school leavers and what needs to be done to improve this; and
- What is the state of public health in Yorkshire and how can this be improved to prevent people needing to access the NHS, and what is the impact on employees.

4.4 The aims, objectives and concerns of Think Yorkshire are broadly consistent with what the Council is seeking to achieve, and it is therefore considered that there is merit in the Council expressing its support for Think Yorkshire at this time.

## **5. DEVELOPMENT AND STRUCTURE**

5.1 Think Yorkshire has established a Shadow Board with the aim of bringing the organisation into existence. Members of the Shadow Board include Professor Brian Cantor (Vice Chancellor of Bradford University), Natalie Sykes (Regional Director of Institute of Directors), Martin Hathaway (Managing Director of Mid-Yorkshire Chamber of Commerce), Pat Coyle (Director of Marketing and Client Relations at Rollits LLP), Councillor Ryan Stephenson (Leeds City Council), Lord Wallis of Saltaire, Lord Haskins of Skidby (Chair of Humber LEP) and Bill Adams (Regional Secretary of Yorkshire and the Humber TUC). The Shadow Board will be replaced with a Board elected by supporters, expected to be some time in the early Autumn 2017.



5.2 It is intended that Think Yorkshire will become a not for profit company with supporters, an Elected Board of Directors, and an Advisory Board to reflect sectors and geography. It is possible that this will involve some form of General Assembly. Supporters of Think Yorkshire include:-

- The region's business organisations including Chambers of Commerce and the Institute of Directors;
- Individual companies and professional firms;
- Many of the region's MPs and Members of the House of Lords of all parties;
- Local authorities;
- Universities;
- The TUC.

5.3 In the event that Cabinet agrees to support Think Yorkshire, there is merit in identifying a representative to attend meetings of any General Assembly or similar body, if one is established, and make arrangements for voting on matters such as the composition of the Board. It is recommended that this should be the Leader of the Council or their nominee. In addition, there is an expectation that Think Yorkshire will seek to establish advisory boards or officer working groups, and it is recommended that relevant officers should be authorised to attend or otherwise contribute to these where appropriate.

## **6. FINANCIAL IMPLICATIONS**

6.1 Supporters pay an annual fee to Think Yorkshire of £500. This can be contained within the provision for corporate subscriptions.

## **7. EMPLOYEE IMPLICATIONS**

7.1 It is possible that the Council will be invited to contribute to the work of Think Yorkshire, perhaps through the advisory boards or officer working groups. However, it seems unlikely that this will be a requirement of membership and the contribution made could be proportionate to the interests that the Council has in the issues under consideration.

## **8. APPENDICES**

None.

## **9. BACKGROUND PAPERS**

Letter received from Think Yorkshire dated 24<sup>th</sup> May, 2017, available for inspection in the Core Services Directorate, Telephone (01226) 773421, and on the Think Yorkshire website at [www.thinkyorkshire.org](http://www.thinkyorkshire.org).

**Officer Contact:** Ian Turner      **Telephone No:** 773421      **Date:** 26 June 2017

Financial Implications/Consultation

.....  
(To be signed by senior Financial Services officer  
where no financial implications)

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**BARNSELEY METROPOLITAN BOROUGH COUNCIL**

**This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.**

**Report of Executive Director  
of PLACE**

**BMBC Housing Development – Longcar PDC**

**1. Purpose of Report**

- 1.1 On 5<sup>th</sup> October 2016 Cabinet approved, 'in principle', the development of 32 family houses on the former Longcar Professional Development site at Longcar Lane Barnsley Central. This report requests approval to proceed with the project and to enter in to a build contract.

**2. Recommendations**

**It is recommended that:**

- 2.1 Cabinet approves the revised scheme costs for the Longcar PDC Housing Development totalling £4,373,000 to be financed from a combination of capital resources earmarked as part of the 2020 Capital New Starts programme, monies earmarked within the Housing Revenue Account Capital Reserve and revenue resources held within the Strategic Housing Function .
- 2.2 Cabinet approves the Council entering into a build contract with Saul Construction in the sum of £3,838,500 included within the above.
- 2.3 Cabinet approves the appropriation of the four affordable units associated with the development into the Housing Revenue Account to be managed by Berneslai Homes.
- 2.4 Cabinet notes the potential Return on Investment from the development of upto £0.7M and receives a further update on this following the sale of all the properties.

**3. Introduction**

- 3.1 A detailed report setting out the strategic and financial rationale for the direct delivery of 32 family houses was approved by Cabinet on the 5<sup>th</sup> October 2016. This report provides an updated financial assessment based on known and confirmed construction costs and projected income from sales.
- 3.2 The Council has now undertaken a tender exercise to select a build contractor for the project and has carried out further due diligence to ensure that other assumptions used in the financial model are robust.
- 3.3 Using the agreed tender price and other confirmed cost and income assumptions the financial model demonstrates that the Council will recover the land value which has been foregone as a result of the direct delivery of

this project. In addition the model shows that there is the potential to generate a development surplus that could be used to support further housing growth.

#### **4. Current Position**

- 4.1 Following Cabinet's 'in principle' support to endorse this development proposal in October 2016, officers have secured full planning approval (June 2017) for the site, procured a Sales and Marketing specialist (Haybrooks) and undertaken a robust two-stage competitive tender process to procure a design and build contractor who is able to deliver the development within set financial parameters.
- 4.2 A PQQ process undertaken in March 2017 resulted in a shortlist of five contractors who had the relevant experience, skills and abilities to deliver a new build sales scheme of this nature. The formal tender was issued in mid-April with a 4-week tender period; ending 22<sup>nd</sup> May 2017. The tender period was extended by two weeks to 5<sup>th</sup> June 2017 following requests from the majority of the contractors.
- 4.3 Following receipt of tenders, submissions by the five potential contractors were evaluated and a preferred contractor, Saul Construction, has now been selected. It is now possible using Saul's tender price and other development costs to carry out a detailed financial appraisal.
- 4.4 The Council's financial appraisal model uses assumptions in relation to sales values, development costs, and potential return on investment for the Council. A high level of certainty has now been achieved in relation to build costs as construction risk is to be mitigated by entering in to a Design and Build contract with Saul Construction. Other costs in relation to fees and charges are also now well-known and understood
- 4.5 A sensitivity analysis has been run to assess the impact of a decrease in sale values of £5k per unit and an increase in sale values of £5k per unit. The results of this exercise are summarised at paragraph 9 Financial Implications. Further detailed analysis of the financial implications is available in the background paper listed at the end of this report. This background report contains commercially confidential information, but can be provided to Cabinet Members on request.

#### **5. Proposal and Justification**

- 5.1 It is proposed that Cabinet endorse the progression of this new build project in order to achieve the benefits as set out in paragraphs 5.2-5.4 below.
- 5.2 A robust project and financial appraisal has been undertaken to ensure that the authority can obtain maximum value for the site at Longcar Lane. Direct development of the site will ensure that the authority directly contributes to accelerated housing growth activity in a strategic growth zone close to the Town Centre. The Council will have full control over delivery timescales, and the quality of design: enhancing the town centre residential offer and complementing the Town Centre regeneration.

5.3 Financially, the development will deliver a combined land and profit receipt which exceeds the land value expectations. The scheme is fully Planning Policy compliant, with the council receiving contributions to Education and Public Open Space (POS) budgets as well as providing 4 affordable homes on-site. These homes will be subject to a cost floor for Right to Buy under section 131 of the Government's Housing (Right to Buy) (Cost Floor)(England) Determination 1999 legislation. This means that a property cannot be sold for less than construction/repairs/acquisition costs for a period of 15 years post construction/acquisition.

5.3 Delivery of the development at Longcar will achieve the following objectives:

- Accelerated housing growth in a strategic growth zone (Urban Barnsley) within the Town Centre – 32 new family homes (4% of annual target).
- The generation of New Homes Bonus (NHB) and Council Tax to support the forecast sums currently included in the updated Medium Term Financial Strategy.
- Recovery of the land value foregone as a result of not selling the site on the open market.
- The regeneration of a council owned site that complements the wider Town Centre regeneration. A high quality residential offer is critical to the success of the town's early evening economy.
- Affordable Housing provision via section 106 – new council housing stock (4 units)
- Contributions via Planning Policy to Education and POS budgets.

This scheme pilots the council's strategic approach to directly contributing to housing growth activity within the borough and commitment to further investment in council stock. This approach aligns with Government proposals within the Housing White Paper Consultation Document 2016 which recognises that we will only meet national and local housing growth aspirations by providing a mix of housing tenures which meet the needs of both existing and future households and firmly includes affordable rented accommodation. The paper promotes the role that Local Authorities can take in contributing towards this growth via the direct, and accelerated, delivery of new homes.

## **6. Consultation**

6.1 Officers from BMBC's Housing and Energy team are leading on this initiative and will continue to work jointly with senior officers from BMBC's Property and Asset Management team, Financial Services, Procurement, Legal Services and Berneslai Homes.

6.2 Ward Members have expressed their support to see housing developed on the site at the earliest opportunity. A community consultation event was held in August 2015, prior to submission of the outline planning application, and the scheme was very well received. Comments received from local residents were accommodated in the final scheme design submitted for outline planning consent, wherever possible.

- 6.4 Officers within Housing and Energy have also consulted with legal advisors both internally and externally (Trowers and Hamlin and Bevan Brittan) regarding the use of general fund monies to deliver homes for sale and the preferred development management routes for the authority.

## **7.0 Consideration of Alternative Approaches**

- 7.1 A number of alternative options for the accelerated delivery of new homes on this site have been considered. The only practical option would be disposal on the open market however this option is not supported because the site was marketed in February 2015 and failed to attract a buyer. Only by direct delivery can the Council guarantee the housing growth and regeneration outcomes set out in the report approved by Cabinet on the 5<sup>th</sup> October 2017.

## **8. Implications for local people / service users**

- 8.1 Local residents will be able to access the new properties that will be sold on the open market. Local residents will be able to access any social rented properties via the Council's housing waiting list.
- 8.2 Local jobs and training opportunities will be created from the design and construction of the new homes. Every opportunity will be made to maximise the number of local jobs that are created and offered to local people.

## **9. Financial Implications**

- 9.1 Consultations on the financial implications have taken place with representatives of the Service Director- Finance (S151 Officer) .
- 9.2 In October 2016 Cabinet approved funding totalling £4.047M for the proposed development of 32 houses at Longcar PDC site. Final release of this funding was subject to completion of the necessary contract tender process and provision of an updated financial viability plan for the development.
- 9.3 The tender process was completed in June 2017 with Saul Construction being selected as preferred construction partner. A revision to the cost plan for the scheme has since taken place and the total cost now stands at £4.373M, an increase of £0.326M.
- 9.4 It is proposed to fund this cost from monies previously earmarked as part of the 2020 Capital New Start Programme (£3.997M), resources earmarked specifically for housing acquisition within the Housing Revenue Account Capital Reserves (£0.280M). The remaining £0.090M will be funded from resources set aside with the Strategic Housing.
- 9.5 With regards to the 32 properties, four will be subsequently transfer into the Council's social housing stock upon completion. The remaining 28 properties will be marketed on the open market. Discussions have been held with a town centre estate agent who has concluded that the total revenue generated from the sale of the properties could be in the region of £4.940M, therefore generating a surplus of upward of £0.567M.

- 9.6 A sensitivity analysis has been conducted on the sale values to give a range of the possible return on investment (ROI) on the development. The results of this analysis are shown in the table below:

	Current Estimated Sales Values £M	Salve Values +£5K per property £M	Sales Values -£5K per property £M
Total Capital Costs	4.312	4.312	4.312
Associated Revenue Costs	0.061	0.061	0.061
<b>Total Development Costs</b>	<b>4.373</b>	<b>4.373</b>	<b>4.373</b>
Total Sales Income (inc. Income from HRA)	4.940	5.080	4.800
<b>Potential ROI</b>	<b>0.567</b>	<b>0.707</b>	<b>0.427</b>

- 9.7 Based on the above analysis the development would give a ROI of upto 0.7M. It is important to note that the Council could be foregoing a potential land receipt of upto £0.425M if it was to progress with the development. The land has previously been marketed for sale with no success, whereas if the council opts to continue with the proposed development it is expected that, as a minimum, the open market value of the land will be recovered whilst still accelerating housing growth.
- 9.8 It is also expected that the development will generate council tax and new homes bonus to contribute the provision already included with the Council Medium Term Financial Strategy.
- 9.9 Full financial implications are shown in the attached Appendix A with the development financial appraisals presented in the background paper listed at the end of this report. This background report is contains commercially confidential information, but can be provided to Cabinet Members on request.
- 10. Employee Implications**
- 10.1 None arising directly from this report for BMBC staff.
- 11. Communication Implications**
- 11.1 This initiative will attract positive media attention. BMBC housing will work with the BMBC communications team to develop a PR/communications strategy for each stage of the housing scheme.
- 11.2 Haybrooks have been appointed to develop a robust sales and marketing strategy for the new for-sale homes..
- 12. The Corporate Plan and the Councils Performance Management Framework**

- 12.1 This initiative meets fully with the Council's Corporate Plan and its Performance Management Framework in the delivery of more and better homes. The construction of new homes also links in with the wider economic benefits to the Borough i.e. jobs and business growth, employment and skills agendas.

**13. Tackling Health Inequalities**

- 13.1 Building more and better homes will help to tackle some of the health inequalities that exist in the housing market, particularly in poor quality private sector renting. The new homes that will be delivered by the Council will be to a high standard including energy efficiency. Pricing of the properties will be affordable for local residents/tenants thus tackling health inequalities in a number of key areas.

**14. Climate Change & Sustainable Energy Act 2006**

- 14.1 The new homes will be designed to meet Code for Sustainable Homes Level 3 as a minimum and will be energy efficiency to ensure the envelope of the building is retaining as much heat as possible without the need for other green measures. Solar PV will be considered (subject to funding) for some properties depending on roof configuration, along with other green initiatives i.e. air or ground source heat pumps as appropriate.

**15. Health & Safety Issues**

- 16.1 The schemes will be developed in full compliance with all current Health and Safety legislation including the Construction (Design and Management) Regulations 2015.

**16. Compatibility with the European Convention on Human Rights**

- 17.1 In considering the European Convention of Human Rights, particularly article 8, no incompatibility was found with the options set out in this report.

**17. Promoting Equality & Diversity and Social Inclusion**

- 17.1 All open market dwellings will be available to all members of the public who are in a position to purchase property on the open market. Schemes such as 'Help to Buy' may be promoted to assist qualifying purchasers. A proportion of the new units will be made available for Affordable Housing in line with 'Core Strategy Policy 15' (CSP15) with the tenure and mix of unit type having regard to affordable housing need in the locality. These units will be managed by Berneslai Homes and made available for let in accordance with Berneslai Homes' lettings policy.

**18. Reduction of Crime & Disorder**

- 18.1 In investigating the options set out in this report, the Council's duties under Section 17 of the Crime and Disorder Act 1998 have been considered.



**19. Background Papers**

Further detailed analysis of the financial implications is available in a background paper. This report contains commercially confidential information, but can be provided to Cabinet Members on request.

<b>Office Contact: Richard Burnham Tel No: 776513 29 June 2017</b>
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## Report of the Executive Director Place

## FINANCIAL IMPLICATIONS

## Longcar PDC Housing Development

i) <b>Capital Expenditure</b>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>TOTAL</u>
		£	£	
Construction Costs	2,793,470	1,396,730		4,190,200
S106 Costs		122,300		122,300
	<b>2,793,470</b>	<b>1,519,030</b>	<b>0</b>	<b>4,312,500</b>
<b>To be financed from:</b>				
Funding set aside as part of the 2017-2020 Capital Program	3,998,000			3,998,000
2016/17 HRA surplus	280,000			280,000
Strategic Housing Resouce Envelope	34,500			34,500
	<b>4,312,500</b>			<b>4,312,500</b>
ii) <b>Revenue Effects</b>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>TOTAL</u>
	£	£	£	
<u>Expenditure</u>				
Sales and Marketing Costs	60,600			60,600
Total Expenditure	60,600	0	0	60,600
<b>To be financed from:</b>				
Strategic Housing Resouce Envelope	60,600			60,600
	<b>60,600</b>			<b>60,600</b>

<b>Impact on Medium Term Financial Strategy</b>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>
	£	£	£
MTFS	0.000	0.344	-0.703
Effect of this report	0	0	0
<b>Revised Medium Term Financial Strategy</b>	<b>0.000</b>	<b>0.344</b>	<b>-0.703</b>

Agreed by: .  .....06/07/2017.....On behalf of the Service Director and Section 151 Officer - Finance

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## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

This matter is not a Key Decision within the Council's definition and has therefore not been included in the relevant Forward Plan.

### **Report of the Executive Director of PLACE**

#### **Establishing a Local Integration Board (LIB) to Coordinate National, Regional and Local Work and Health Programmes Across Barnsley**

#### **1. Purpose of Report**

- 1.1 To provide an update on national, regional and local work and health programmes across Barnsley.
- 1.2 To note the current status on the development of a Local Integration Board (LIB) in Barnsley.
- 1.3 To agree governance and reporting structures in relation to national, regional and local work and health programmes in Barnsley.
- 1.4 To gain support from Cabinet to progress the recommendations.

#### **2. Recommendations**

Cabinet Members are asked to:-

- 2.1 Pledge support to progress the implementation of a Local Integration Board to coordinate national, regional and local work and health programmes. Pledge support to the Sheffield City Region (SCR) work and health programmes and identify the appropriate governance and reporting arrangements to ensure the Local Integration Board is integrated into existing structures.
- 2.2 Identify and nominate key people from the authority to ensure the Local Implementation Board is effective and the programme delivers the desired local impact. This includes the nomination of:
  - The Cabinet Lead Members for PLACE and COMMUNITIES share the lead member role to champion and support this work across the Council and its strategic partners;
  - The Executive Director for COMMUNITIES to be the strategic responsible Officer;
  - Operational Officers, working alongside the Combined Authority Executive to mobilise the Board and programme.

#### **3. Introduction**

- 3.1 The City Region is involved in four major work and health programmes all primarily focused on reducing unemployment for people with health problems or disabilities and other substantial barriers to labour market participation.

- 3.2 “Being in good employment is protective of health. Conversely, unemployment contributes to poor health.”<sup>1</sup> As well as economic gain, it has positive impacts on the wider aspects of a person’s life such as wellbeing, health, community connections and resilience to adverse life events. A high proportion of economic inactivity in the borough relates to health problems, disabilities or other substantial barriers.
- 3.3 Health and work has been identified as a priority within the Barnsley Plan and the Health and Wellbeing Strategy. There is a focus on supporting people with mental health conditions to gain or stay in employment and implementing the Workplace Health Charter across the public sector and other local businesses.
- 3.4 People with mental health conditions, learning disabilities or long term health conditions are less likely to work, have below average physical and mental health, live in more deprived communities and have a lower life expectancy (Work Foundation 2016). Supporting people with mental health conditions, learning disabilities or long term health conditions to gain and sustain employment will have a positive effect on their physical and mental health, increasing economic status, confidence, resilience and social networks (to name but a few).
- 3.5 Although ill health, especially poor mental health is a barrier for a high proportion of unemployed and economically inactive people in Barnsley, there is a range of other multiple and complex barriers which hold people back. Many risk factors can be identified at an early stage, before they lead to long-term unemployment.
- 3.6 There are four health and employment support programmes either currently operating or under development. These programmes share a principle of holistic and personalised approach which draws in specialist support around the individual; but each addressing a particular cohort and range of issues. A robust governance structure is needed to enable these work and health programmes to flourish and improve employment prospects of people with mental health conditions, learning disabilities, long term health conditions and other complex and multiple barriers. Details of these programmes are outlined later in section 4.

#### **4. National, Regional and Local Sheffield City Region (SCR) Work and Health Programmes**

There are a number of current and forthcoming programmes taking place across the SCR to support vulnerable people into employment. These include:

- 4.1 **Work and Health Programme:** National programme replacing the existing Work Programme and Work Choice which focuses on claimants with health conditions, disabilities and those who have been unemployed for 2 years or more. This is being co-commissioned with SCR with 6,000 referrals planned

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<sup>1</sup> Marmot Review “Fair Society Health Lives” 2010

for the North East England region. It aims to start in November 2017 finishing 2021. There is a pressing need for additional and complementary interventions as the new programme will have greatly reduced capacity to support claimants than its predecessor.

- 4.2 **Sheffield City Region Employment Support Pilot (Devolution Deal):** The pilot supports claimants at risk of long term unemployment with complex barriers and multiple needs, including: mental health conditions, learning disabilities, 19 - 21 year old care leavers, homelessness and unstable accommodation, substance abuse, domestic violence and ASB and ex-offenders. The pilot will focus on early identification, intervention and system integration supporting some of Barnsley's most chaotic and vulnerable people.
- 4.3 It features a keyworker model, offering holistic support continually motivating and progressing claimants and supporting employer relationships and labour market relationships.
- 4.4 Referral numbers are 4,500 across the SCR between from January 2018 over 3 years. The Safer Neighbourhoods Service has been identified as a robust model for referrals which could be opened up to include other agencies.
- 4.5 **Health Led Employment Led Trial (HLET):** The HLET is a Work and Health Unit (WHU) innovation fund trial focusing on supporting people with MSK and/or mild to moderate mental health conditions to stay in employment or gain employment. It uses an Individual Placement Support approach, 'IPS lite', which is an intensive place then train model, supporting people with job searches and offering in work support. The trial focuses of streamlining the referral process using existing referral pathways, notably social prescribing and the Increasing Access to Psychological Therapies (IAPT) primary care mental health service.
- 4.6 The trial is a randomised control trial (RCT), where half of participants will receive the intervention and the other half will receive 'business as usual'; either support from the social prescribing project or support from the IAPT service. Comparisons between the two groups can then be made and the evaluation can be used to inform future service delivery.
- 4.7 Due to start late 2017 for approximately 18 months. Indicative trial numbers are 7,500 across the SCR (this includes trial participants and control group with attrition); with 1,422 participants from the Barnsley region.
- 4.9 Work on both the Employment Support Pilot and the Health Led Employment Trial will be overseen locally by a Local Integration Board (recommended in this paper) due to start November 2017. The Board will have responsibility for local co-ordination and alignment and resolving barriers for participants.
- 4.10 **Building Better Opportunities (BBO):** BBO is a SCR integrated, person-centred employment project targeting people who are inactive in the labour market, including people with physical and mental health conditions, learning

disabilities and complex needs. It is based on Individual Placement Support, a “place then train” approach that is shown to be twice as effective as traditional approaches but currently under-utilised in our region (Bond, Drake and Becker 2012, Sheffield Health and Wellbeing Board 2015). The project is being hosted by the Recovery College and went live March 2017.

- 4.11 BBO has funding for two years ending in December 2018 with 800 referrals planned for the SCR.

## **5. Proposal and Justification**

### **5.1 Local Implementation Boards**

- 5.1.1 The establishment of Local Integration Boards (LIB's) across the SCR are at the heart of the successful delivery of the health and employment programme activity. There was a clear local directive from Chief Executives in April 2016 that Boards were essential to this success and should add, to rather than replace existing structures.

- 5.1.2 The LIB will bring together all of the key organisations who are providing support to Barnsley residents with complex barriers, for example; debt advice, housing support, health and transport etc. There will be a multi-agency approach to resolving complex cases and supporting vulnerable people to stay in or to move into work.

### **5.2 Governance and Programme Management**

- 5.2.1 It is proposed that the LIB Reports to the Stronger Communities Partnership (SCP) governance structure with alignment to the Early Help (Adults) Delivery Group (see figure 1 below). The All Age Early Help Strategy (2017-2020) recently launched by the SCP acknowledges that achieving sustainable employment is a key foundation stone to ensuring our communities achieve the best possible outcomes for themselves and their families. In addition SMT have recently approved proposals to support improved Think Family delivery to move toward a position of sustainability by 2020. Therefore, there are clear synergies with the objectives of the LIB.

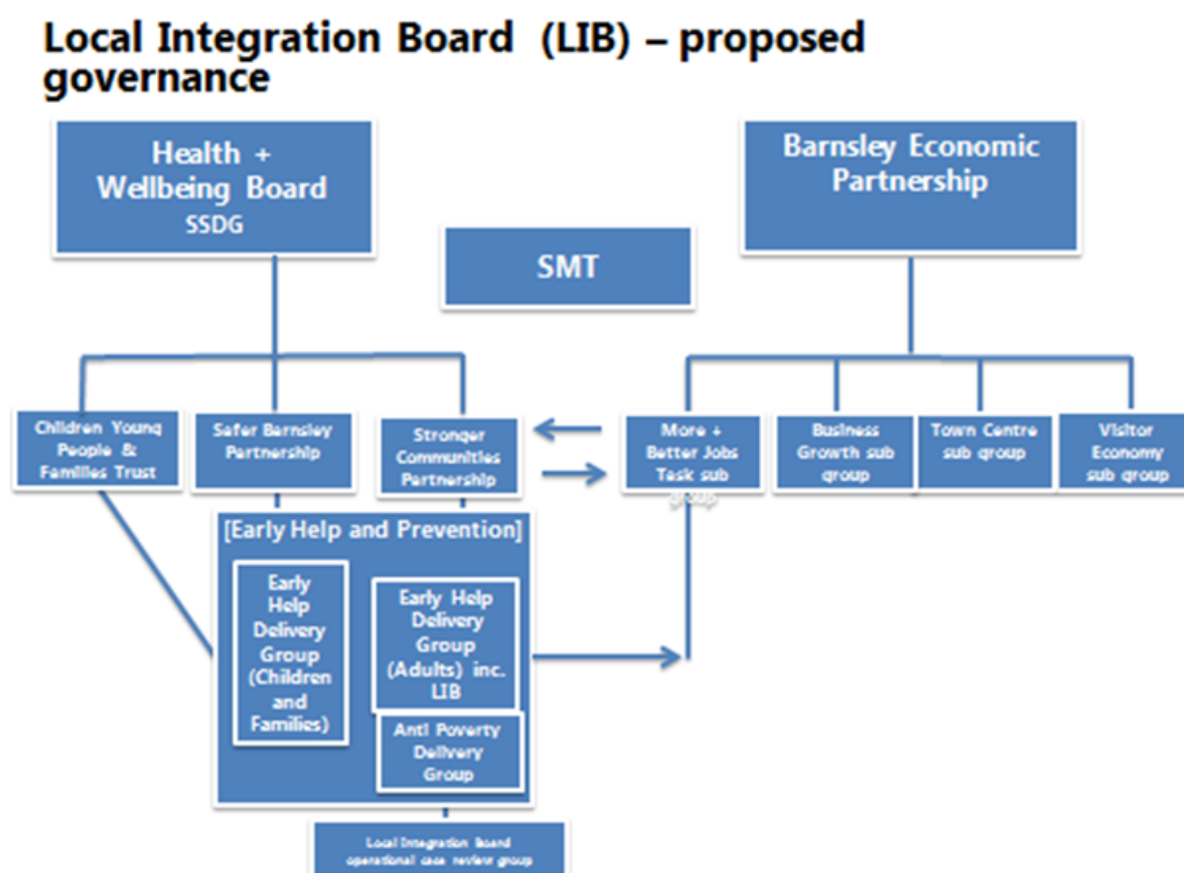
- 5.2.2 The Stronger Communities Partnership is currently entering a period of review to realign governance structures to ensure they are positioned to achieve the SCP 2020 vision, outcomes and priorities. The role of the LIB will be considered as part of this review and the requirements set out by SCR will be taken into account in terms of the format and frequency of meetings.

- 5.2.3 The window to mobilise LIBs is short, with the new health and employment projects due to start from Autumn 2017 and the SCR Employment Support Pilot due to start January 2018. The development of the LIB, building on existing local governance structures, may require some stretching of existing local resources as those structures broaden to cover wrap around activities required for effective employment support, where they are not currently in place.



5.2.4 The proposed governance structure is shown in figure 1.

**Figure 1 - Barnsley LIB Governance**



### 5.3 Measures of Success

5.3.1 The measure of success would be that more people with health barriers, those with complex and multiple barriers would gain and sustain employment, employment opportunities for our most vulnerable working age residents would improve and a reduction in the number of people who are economically inactive due to health conditions. Indirect benefits should also include a reduction in the “churn” between employment and unemployment as people are better supported to sustain and progress in work, improved customer journey and streamlining of services to support those who are most vulnerable.

5.3.2 The establishment of the local integration board will also support the “More and Better Jobs Plan”, not only by delivering improved routes to employment and onward progression, but by providing an opportunity to better support employers who sign up to the Employer Pledge by providing a means by which to co-ordinate inclusive recruitment opportunities to develop work readiness competencies in a working environment.

## 6. Strategic Alignment

- 6.1. The development of a LIB contributes to the achievement of the Corporate Plan's KPI's and the Public Health Outcome Framework Indicators, as well as supporting the delivery of Barnsley's Health and Wellbeing Strategy, the Barnsley Plan, More and Better Jobs outcomes and the Think Family Sustainability Plan.

Corporate Plan: KPIs		
Indicators		Impact
<b>KPI EC15:</b> Improving employment opportunities for those who are most vulnerable – adults with learning disabilities.		Vulnerable people will receive the most appropriate employment support to suit their needs, enabling vulnerable adults to find meaningful and sustainable employment.  The employment rate of vulnerable people will increase and there will be a reduction in employment benefit claimants.
<b>KPI EC38:</b> Improving employment opportunities for those who are most vulnerable - care leavers aged 19, 20 and 21.		
Public Health Outcome Framework Indicators		
Indicators		Impact
<b>1.08i:</b> Gap in employment rate between those with a long term health condition and overall employment rate.		More people with learning disabilities, mental health conditions and long term health conditions will be in appropriate and sustainable employment.  The gap in the employment rate of vulnerable people will be reduced.
<b>1.08ii:</b> Gap in employment rate between those with a learning disability and the overall employment rate.		
<b>1.08iii:</b> Gap in the employment rate for those in contact with secondary mental health services +overall employment rate.		
More and Better Jobs Strategy		
Outcome and Indicators	Baseline Measure (2015)	2020 Test of Success (Impact)
The proportion of people claiming out of work benefits is cut by a third and the gap to national average is reduced.	13.2% of the working age population claiming out of work benefits as at May 2015 compared to 9.1% in England.	Reduced to 9% or less, with gap to national average less than 4 percentage points (national data).
Employment rate.	Employment rate (working age population) 73.4% as at March 2015.	Increase in long term unemployed who gain employment.  Employment rate of 75% and at a level that at least matches national and SCR averages.

<b>Think Family Sustainability Plan Indicators</b> <i>Adults out of work or at risk of financial exclusion</i>	
<b>Indicators</b>	<b>Impact</b>
Adult has made significant progress towards work (PTW).	Adult has made significant progress towards work e.g. cumulative steps over a sustained period of time (13 weeks) so that a progress to work 'journey' is developed and maintained leaving the client in a better position to continue that journey at the end of intervention.
Adult is in employment and off benefit corroborated by Troubled Family Employment Advisor (TFEA).	More adults in appropriate and sustainable employment.
Reduction in household debt - can include Council Tax and Rent arrears, hire purchase and credit card debt.	Appropriate debt management plan in place - individual / family are better off financially.
Reduction in unclaimed benefit - parents and family are not accessing appropriate benefits.	Appropriate benefits being accessed - individual / family better off financially.

- 6.2 **Barnsley's Health and Wellbeing Strategy 2016 – 2020** acknowledges there is a strong association between unemployment and poor mental health and have a priority to increase employment opportunities, particularly for the hardest to reach groups (those with learning disabilities, mental health and care leavers).
- 6.3 **The Barnsley Plan:** acknowledges often programmes, projects and initiatives have been planned and delivered in silos. In order to realise the full benefit and see real improvements in population health and wellbeing outcomes as well as services that give our public the best value for money they spend on health and social care, we must align our priorities and work together. A priority area in the Barnsley Plan is Improving Mental Health and Wellbeing, by offering "*enhanced support for people with mental illness to stay in and get work*" (p23).
- 6.4 **More and Better Jobs Strategy and Plan 2016 – 2020:** is the framework for employment support for people with mental health conditions, learning disabilities or long term health conditions in Barnsley. It focuses on the following 3 areas; 1. *Getting ready for work:* enhancing employability skills and creating opportunities for work experience and better advice and guidance, 2. *Getting into work:* better routes into employment and reducing the barriers to work such as long term health conditions and 3. *Getting on in work:* sustaining and progressing.
- 6.5 **Think Family Sustainability Plan:** SMT have recently approved proposals to support improved Think Family delivery to move toward a position of sustainability by 2020. In relation to the Government Programme, DCLG have set a five year target of 2210 families to make significant and sustained

improvement against the issues as defined in the six headline criteria detailed in the Barnsley Think Family Outcomes Plan. Although the annual targets for attachments and claims have yet to be confirmed addressing worklessness and securing sustainable employment outcomes will be a key feature of the plan moving forward.

- 6.6 As set out in section 4 the work and health programmes represent a significant investment in employment support across the Sheffield City Region. It is important that robust governance procedures are in place through the implementation of the Local Implementation Board to enable Barnsley to maximise the impact of this funding.
- 6.7 At this stage commissioning and procurement arrangements have not been confirmed by SCR. A further Report will follow to include financial implications in due course.

## **7. Consideration of Alternative Approaches**

- 7.1 **Do Nothing.** Doing nothing would also create confusion for both providers and customers and would reduce the quality and level of support for individuals, consequently reducing the effectiveness of all programmes. Progressing and implementing the LIB will require the use of Council resources in terms of member and employee time and will provide some challenges in terms of co-ordinating the systems of support. However this activity supports the Council objective of being One Council and of putting the customer at the heart of what we do.
- 7.2 **Set up the LIB as a separate Board.** This could provide greater clarity for members of the Board, but it would lack the direct relation to the Health and Wellbeing Board and without being embedding within the Early Help Delivery Group (Adults), could struggled to secure the level of customer support. A separate Board would also increase and complicate the bureaucratic structures and divert focus from the customers. The proposed governance structure ensures communication, co-ordination and alignment with the BEP through the link with the More and Better Jobs Task Force.

## **8. Implications for Local People/Service Users**

- 8.1 Despite record high levels of employment, Barnsley still has high levels of unemployment, often hidden as economic inactivity, which relates to a range of health barriers or complex and multiple needs, which need sensitive and holistic support to enable people both to gain and successfully sustain employment.
- 8.2 Since the end of ESF programmes in 2015, there has been very little additional employment support available for workless individuals with a higher level of need. In Barnsley the proportion of people with higher needs is above the regional and national averages.

- 8.3 Barnsley has higher levels of depression and anxiety than the national average, it is the 37th most deprived Borough in England and Barnsley has higher levels of unemployment than its South Yorkshire neighbours.
- 8.4 Many people with mental health problems are unable to find and / or sustain employment and end up becoming economically inactive. In Barnsley 36.4% of those with a mental health disorder are in employment, compared to 37.7% in England and 35% in Yorkshire and Humber. 20.3% (30,120) of the working age population are receiving out of work benefits with 41% claiming due to mental health and behavioural disorders.
- 8.5 In Barnsley only 2.2% of supported adults with a learning disability are in paid employment (2014/15) compared to 5.9% in England and 6.6% in Yorkshire & Humber. This is low in comparison to our comparator Local Authorities and out of 15 comparator LAs we are next to bottom.
- 8.6 Aligning employment support activity creates clear referral pathways for providers to guide people who are economically inactive or unemployed to the most appropriate support and to achieve the best employment outcomes for them. It also enables a coordinated approach with local employers to enable them to employ inclusive recruitment practices and reach out to a more diverse labour market pool, helping people to Get Ready for Work, Get into Work and Get on in Work.

## **9. Financial Implications**

- 9.1 As set out in section 4 the work and health programmes represent a significant investment in employment support across the Sheffield City Region. It is important that robust governance procedures are in place through the implementation of the Local Implementation Board to enable Barnsley to maximise the impact of this funding.
- 9.2 At this stage commissioning and procurement arrangements have not been confirmed by SCR. A further Report will follow to include financial implications in due course.

## **10. Employee Implications**

- 10.1 There are no immediate implications arising directly from this Report.

## **11. Communications Implications**

- 11.1 There are no immediate implications arising directly from this Report.

## **12. Consultations**

- 12.1 A number of stakeholders have been consulted during the development of the work and health programmes and the Local Implementation Board. These include: SMT members, SCR, CCG commissioners (mental health and MSK), CCG engagement lead, CCG Lead Commissioning and Transformation Manager, Social Prescribing project (SYHA), Recovery College, Northern College, Job Centre Plus, IAPT service, Voluntary Action Barnsley, Health Watch, Council partners, BMBC Partnership Boards and Public Health.

## **13. The Corporate Plan and the Council's Performance Management Framework**

- 13.1 The proposals in this Report are consistent with Council's Corporate Plan as it directly contributes towards the Future Council ambitions of people achieving their potential, stronger more resilient communities and a thriving and vibrant economy by raising aspirations, increasing skills and supporting people to access employment.

## **14.0 Tackling Health Inequalities**

- 14.1 Ill health is identified in the Barnsley Health and Wellbeing Plan, The Barnsley Plan and More and Better Jobs Plan as a major cause of economic inactivity, entrenched worklessness and a barrier to full engagement in the labour market. Recognition of this factor and actions to support people tackle their health barriers and progress into and in employment will help to address some of the long-term causes of structural health inequality.

## **15. Risk Management Issues**

- 15.1 There are no immediate implications arising directly from this Report. A further Report will follow.

## **16. Health, Safety and Emergency Resilience Issues**

- 16.1 There are no immediate implications arising directly from this Report.

## **17. Compatibility with the European Convention on Human Rights**

- 17.1 The proposal is fully compliant with the European Convention on Human Rights.

## **18. Promoting Equality, Diversity and Social Inclusion**

- 18.1 Everyone should have access to the benefits employment brings and under the 2010 Equalities Act public sector organisation have a duty to "*reduce the inequalities of outcome which result from socio-economic disadvantage*" The proposal will support the authority in carrying out this duty.



**19. Reduction of Crime and Disorder**

19.1 There are no immediate implications arising directly from this Report.

**20. List of Appendices**

N/A

**21. Background Papers**

- 21.1 Barnsley's Health and Wellbeing Strategy 2016 – 2020.
- 21.2 The Barnsley Plan.
- 21.3 More and Better Jobs Strategy and Plan 2016 – 2020.
- 21.4 The All Age Early Help Strategy 2017-2020.
- 21.5 Think Family Sustainability Plan - Think Family Programme Outcomes Plan 2016/17.
- 21.6 Fair Society Healthy Lives – Marmot.

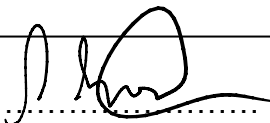
Officer Contact: Sarah Clarke – Employment + Skills Senior Health Improvement Officer

Telephone No: Ext. 3830

Date: 13 July 2017

Financial Implications /  
Consultation

.....  
*(To be signed by senior Financial Services officer where no  
financial implications)*





## BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Report of the Executive Director (People)  
to Cabinet

(26<sup>th</sup> July 2017)

### **Review Of The Financial Contributions Policy For Adult Social Care Services**

#### **1.0 Purpose of the Report**

- 1.1 To inform the Cabinet of the findings of a recent public/stakeholder consultation about proposed changes to the Council's policy concerning financial contributions for Adult Social Care Services.

#### **2.0 Recommendations**

##### **2.1 Cabinet is recommended to:**

- **Approve the changes outlined in the proposed policy (please see Appendix 1) for adoption by Full Council.**
- **Agree that the proposed changes are implemented with effect from Monday, 2<sup>nd</sup> October 2017.**

#### **3.0 Introduction**

- 3.1 The Council's medium term financial strategy includes a requirement for £400K additional income from changes to the Financial Contributions Policy.
- 3.2 The Fairer Contributions Policy for Adult Social Care Services has been written to comply with the Department of Health (DH) Care Act 2014 statutory guidance. The Policy explains the Council's approach to determining how much each service user should contribute towards the cost of their adult social care services. It outlines the Council's aims and principles on how we ensure a fair approach to setting the level on contributions to be made by eligible service users in receipt of social care and support.
- 3.3 The overriding principle behind the proposed changes is that charges will be based on the full cost of the provision (which aligns with the Council's Fees and Charges Policy) and that service users will pay the amount that they can reasonably afford to pay towards the full cost of their care. Individual financial assessments would be undertaken, which will ensure that contributions are based on a person's ability to pay calculated using national guidelines and the Council's financial assessment framework.

#### **4.0 Proposal and Justification**

4.1 The proposed changes in the revised policy are:

- Removal of the current £150 weekly cap on contributions towards care and support in the community.
- The introduction of a one off charge for people who are not eligible for financial support but still wish the Council to make their care arrangements for them, to cover the cost of making those arrangements.
- A change to the policy in relation to Disability Related Expenditure (DRE) to make clear any financial disregard would only apply to the **additional** costs incurred as a result of the disability, not all of the costs.
- To address the current disparate in charging between residential and community based services.

4.2 The justification for these proposals can be summarised as follows:

- To ensure compliance with Care and Support Statutory Guidance (2014) concerning fairer charging for adult social care.
- To bring the policy in line with the Council's charging principles
- Supporting the Council to continue delivering adult social care support to an increasing number of people.

4.3 In addition, the majority of other local authorities have already removed any cap on financial contributions and therefore, these proposed changes would bring us in line with this. Within the Region, Wakefield and Kirklees Councils have no cap whilst Sheffield, Rotherham and Doncaster Councils have caps which have been set in line with the cost of residential care.

#### **5.0 Consideration of Alternative Approaches**

5.1 The changes are necessary to ensure that our Financial Contributions Policy complies with the requirements of the above named statutory guidance which was published in pursuance of the Care Act (2014) together with the Council's charging principles and maximises income to enable the Council to support as many residents in need of care, as possible. The changes also support the Council's Medium Term Financial Strategy.

5.2 An alternative approach would be to not implement these changes and continue with the current Policy. However this would not bring us into line with how the majority of other local authorities have reviewed and changed their Financial Contribution Policies to ensure they are adhering to the Care Act and to help them respond to the increasing demand for social care by targeting resources to those most in need.

## **6.0 Implications for Local People and Service Users**

### **6.1 Removal Of The £150 Weekly Cap**

6.2 The £150 weekly cap only applies to those receiving support in the community, not those in residential or nursing care homes. At present, people residing in care homes can be required to pay the full cost of their care and support.

6.3 All service users would be offered the opportunity to have a full financial assessment to calculate their contribution. This will consider a person's income and any savings they may have as a basis for deciding how much, if anything, they can afford to pay as a fair contribution towards the cost of their services. Any charges would be calculated against the full cost of the care/support a person receives.

### **6.4 Introduction Of Support Planning Charge For Self-Funders**

6.5 For people who are not eligible for financial support but still wish the Council to make their care arrangements for them, we are proposing to introduce a one-off fee to cover the costs of making these arrangements. This would only apply to new service users and therefore existing service users would be unaffected.

### **6.6 Disregard Of Disability Related Expenditure**

6.7 The final proposed change to the policy is in relation to Disability Related Expenditure (DRE). The policy allows for expenditure incurred in relation to a person's disability to be disregarded from their financial assessment. We are proposing that the policy is amended to make clear that, in future, this only applies to any **additional** expenditure incurred in relation to a person's disability and not all expenditure. Currently, 688 service users have DRE disregarded from their financial assessments but not all would be affected by the change as most will already only be claiming additional expenditure.

### **6.8 Mitigating Actions To Support Those Who Will Be Affected By The Proposals**

6.9 The following mitigating actions would hopefully support those who will be affected by the proposed changes:

- All service users will be offered the opportunity to have a full financial assessment to calculate their contribution. This will consider a person's income and any savings they may have as a basis for deciding how much, if anything, they can afford to pay as a fair contribution towards the cost of their services
- All service users will be offered the opportunity to have a full review of their social care support. This will be an asset and strength based review and will consider a range of different ways in which support for eligible needs can be delivered that may help to reduce costs.
- Many care providers charge higher rates for self funding clients. In order to mitigate for this, if as a result of the proposed policy changes, a service user

becomes self funding and their current provider would be charging them a higher hourly rate, providing they request for BMBC to continue to oversee their care arrangements BMBC could agree to continue to contract on their behalf, thereby ensuring the service user continues to benefit from our rates.

- 6.10 It is anticipated that the proposed changes could affect up to 6% of service users, currently receiving community based care and support (approximately 97 people) Of the remaining 94% of service users, 22% do not make a financial contribution at all and 72% are currently paying their maximum assessed contribution.

## **7.0 Financial Implications**

- 7.1 It is expected the proposals will generate in excess of £400K additional income for the Council.

## **8.0 Employee Implications**

- 8.1 There are no implications for council employees associated with this report. There will not be a need to engage additional staff to process financial contribution assessments arising from changes to this policy.

## **9.0 Communications Implications**

- 9.1 Subject to approving the recommendations in this report, service users who will be affected by the changes will receive further correspondence, detailing their revised social care charge and offering a new financial assessment to clarify their accessible income. Those who currently choose not to disclose their financial information will be encouraged to do so, ensuring they are not paying more than they can reasonably afford to pay.
- 9.2 If approved and adopted, the changes within the revised Fairer Contributions Policy will be the subject of a communications and marketing plan, in preparation for the implementation date.

## **10.0 Consultations**

- 10.1 The proposed changes to the policy were the subject of a recent public/stakeholder consultation. The consultation consisted of the following activities which are detailed in a communication and engagement plan:
- Briefing note for staff and stakeholders
  - The policy and an accompanying survey was available via the council's consultation page, <http://consult.barnsley.gov.uk/portal> from Monday, 3 April 2017 to Friday, 26 May 2017 so that people were able to make themselves familiar with the changes and give their views
  - Media release , all local media, BMBC website
  - Posts on internal Facebook channels
  - In excess of 1300 letters and FAQ leaflets posted out to existing service users
  - Appearance in the council's 'Open Mail' weekly e-bulletin
  - Member briefing

- Cabinet Spokespersons briefing
- DMT and SMT briefings
- Message to employees via Straight Talk
- Agenda item on all staff team meetings
- Meeting with Barnsley Service User and Carers Forum

## 10.2 Outcome Of The Public/Stakeholder Consultation

- 10.3 By 5<sup>th</sup> June, a total of 8 written responses had been received to the consultation. Of these, almost all concerned requests for clarification over whether or not the subject would be required to pay more towards his or her care package and on which clarity was, subsequently provided.
- 10.4 On the 11<sup>th</sup> April, a meeting of the Adult Social Care Service Users and Carers Board took place to discuss the proposed changes. Fifteen people attended this meeting and the discussion was well received and understood. There were no concerns or objections raised at the meeting, on the proposed changes in the revised policy.
- 10.5 Two respondents completed the online survey, one of whom was in receipt of an adult social care package provided in the community. This respondent declared that they already made a financial contribution to their care package but that the current £150 weekly cap should not be removed nor should a one-off arrangement fee be introduced for people wanting the Council to make the necessary arrangements. The respondent added that this should be in recognition of older people having paid taxes all their working lives.
- 10.6 The second response, made on behalf of a service user, suggested that they would consider paying an amount over the current £150 weekly cap but did not agree with having to pay a one –off fee to the Council for arranging care.
- 10.7 In addition, the ‘My Barnsley Too’ Disability Forum wrote to request a meeting to further consider the impact of the proposed changes upon disabled service users, many of whom were already only claiming for additional disability related expenditure.
- 10.8 No responses have been received, to date, from local MPs or elected members on behalf of constituents and no comments were recorded in social media on the proposals in the revised, draft policy.
- 10.9 In the absence of any evidence or data, it is difficult to pinpoint why there has been such a low response to this consultation except to speculate that a combination of, firstly, other major Council consultations which did more to occupy local people’s thoughts and, secondly, the announcement of a snap General Election and, in particular, the media coverage given to the future funding of social care, following the launch of the Conservative Party’s manifesto, may have been significant factors.
- 10.10 Based upon the existing response to the public consultation and the findings of the initial equality impact assessment, Cabinet is recommended to approve the proposed

changes to the revised, draft Financial Charging Policy for Adult Social Care, in order to ensure the Authority is compliant with statutory guidance concerning fairer charging and is able to provide support to a greater range of services whilst targeting greater support to those most in need, based on a financial assessment.

#### **11.0 The Corporate Plan and the Council's Performance Management Framework**

- 11.1 The revised proposals, as outlined in Paragraph 4.1, will continue to ensure older, vulnerable people in need of care and support, remain safe from harm and are able to lead enriching lives through affording greater personalisation, independence and choice.

#### **12.0 Promoting Equality, Diversity and Inclusion**

- 12.1 The proposals have been subject to an initial Equality Impact Assessment, details of which are in Appendix 2.
- 12.2 A review of the impact of the proposals will be carried out in 12 months time and any implications will be noted as part of the future development of the policy and reported as part of the quarterly monitoring of the Council's equality priorities.

#### **13.0 Tackling the Impact of Poverty**

- 13.1 The objective of the proposals is to ensure that only those who can afford to pay a greater contribution towards their adult social care package will be asked to do so, based upon a financial assessment. In terms of disability related expenditure and the disregard element, many service users are already claiming for any additional expenditure incurred.
- 13.2 However, in considering the above, Cabinet will be mindful that, at the time of drafting this report, a proposed Adult Social Care Green Paper, announced in the Spring Budget (2017) will have the purpose of outlining options for the future funding of adult social care and which, in terms of the final outcome, may or may not have implications for tackling poverty, during the next Parliament.

#### **14.0 Tackling Health Inequalities**

- 14.1 The proposals are not expected to affect the closing of any gaps in health equality as all service users will continue to receive a care package, based upon an assessment of their needs, including complex needs and only those service users who can afford to make a greater contribution towards their care package will be required to do so under these proposals.

#### **15.0 Reduction of Crime and Disorder**

- 15.1 There are no implications for tackling crime, disorder and antisocial behaviour arising directly from this report.

## **16.0 Risk Management Issues**

- 16.1 No unfunded or unanticipated risks are envisaged as a result of implementing the proposed changes. No service user will be left without a care package, thereby ensuring that no older, vulnerable adult is exposed to any risk of harm, including neglect.

## **17.0 Health, Safety and Emergency Resilience Issues**

- 17.1 There are no implications arising directly from this report.

## **18.0 Compatibility with the European Convention on Human Rights**

- 18.1 The proposed changes in the draft policy do not contravene any of the Articles or Protocols in the Convention.

## **19.0 Conservation of Biodiversity**

- 19.1 There are no implications for the local environment or the conservation of biodiversity emerging through this report.

## **20.0 Glossary of Terms and Abbreviations**

- 20.1 Not applicable.

## **21.0 List of Appendices**

- 21.1 Appendix 'A': Financial implications of the report  
Appendix 1- Revised, draft Financial Contributions Policy for Adult Social Care  
Appendix 2 – Consultation Questionnaire  
Appendix 3 – Equality Impact Assessment

## **22.0 Details of Background Papers**

- 22.1 Background papers used in the compilation of this report are available to view by contacting Julie Moore, tel. 01226 772396 or email [juliemoore@barnsley.gov.uk](mailto:juliemoore@barnsley.gov.uk)

Officer Contact: Lennie Sahota (Interim Service Director: Adult Social Care and Health)

Tel. No. 01226 775650 or e-mail  
[lenniesahota@barnsley.gov.uk](mailto:lenniesahota@barnsley.gov.uk)

Date: 01.06.17

Financial Implications/
Consultation ..... (to be signed by senior Financial Services Officer where no financial implications

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**APPENDIX A**  
**Prepared on Behalf of the Director of Finance**

**FINANCIAL IMPLICATIONS**

**Review of the Financial Contributions Policy for Adult Social Care Services**

**i) Capital Expenditure**

	<u>2017/18</u> £	<u>2018/19</u> £	<u>2019/20</u> £	<u>Total</u>
<b>To be financed from:</b>	0	0	0	0
	0	0	0	0

**ii) Revenue Effects**

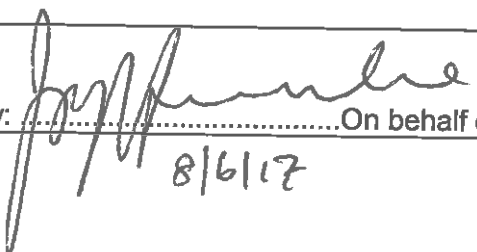
	<u>2017/18</u> £'000	<u>2018/19</u> £'000	<u>2019/20</u> £'000	<u>Later Years</u> £'000
Current Client Contribution	2,372	2,372	2,372	2,372
Proposed Client Contribution	2,372	2,772	2,772	2,772
Variance	0	400	400	400

**To be Financed from:**

The above savings KLOE have been built into the resource envelope for 18/19 and allowed for in the Council's MTFS Plan 2017-2020

**iii) Impact on Medium Term Financial Strategy**

**This report has no impact on the Authority's Medium Term Financial Strategy.**

Agreed by:  On behalf of the Director of Finance  
 8/6/17

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## **FINANCIAL CONTRIBUTIONS POLICY FOR ADULT SOCIAL CARE SERVICES**

Author	Julie Moore, Keith Dodd, Helen Perrin
Owner	Lennie Sahota
Date Written / Updated	February 2017
Impact Assessment Date	May 2017
Impact Assessor	Julie Moore, Jules Horsler, Shafeek Khan
Date Issued	
DWPG Approved Date	
Next Review Date	
Document No.	3
No of pages	10

# **Financial Contributions Policy for Adult Social Care Services**

## **1.0 PURPOSE**

- 1.1 This policy explains the Council's approach to determining how much (if anything) each service user should contribute financially towards the cost of their adult social care services.
- 1.2 The scope of the policy covers both residential and non-residential services for older people, adults with learning disabilities, adults with physical disabilities and adults with mental health problems who are assessed as having 'eligible needs' within the meaning of the Care Act 2014.
- 1.3 Revenue received from service users financial contributions towards the cost of the services will be reinvested to enable the Council to provide care and support for more people within the borough.
- 1.4 For the purpose of this policy an adult is a service user aged 18 and above

## **2.0 LEGISLATIVE AND NATIONAL POLICY REFERENCES**

- 2.1 The Care Act 2014 provides a single framework for charging for care and support services. Section 14 provides local authorities with the power to charge service users in receipt of care and support and Section 17 permits local authorities to undertake an assessment of the service user's financial resources in order to determine how much, if anything, they are able to pay towards the cost of those services.
- 2.2 The Care and Support (Charging and Assessment of Resources) Regulations 2014, and Care and Support Statutory Guidance (and annexes) issued by the Department of Health under the Care Act 2014 set out further detail regarding charging for care. The relevant parts of the guidance are Chapter 8: Charging and financial assessment, Annex A: Choice of accommodation and additional payments, Annex B: Treatment of capital, Annex C: Treatment of Income, Annex D: Recovery of debts, Annex E: Deprivation of assets and Annex F: Temporary and short-term residents in care homes.
- 2.3 Barnsley Council's Policy for seeking financial contribution towards the cost of care and support services will adhere to the requirements and principles set out in the Care Act 2014 and the associated national guidance.

## **3.0 OBJECTIVES OF THE POLICY**

- 3.1 The objectives of the Financial Contributions Policy are as follows:
  - ensure that people are not charged more than it is reasonably practicable for them to pay;
  - be comprehensive, to reduce variation in the way people are assessed and charged;
  - be clear and transparent, so people know what they will be charged;
  - promote wellbeing, social inclusion, and support the vision of personalisation, independence, choice and control;
  - support carers to look after their own health and wellbeing and to care effectively and safely;

- be person-focused, reflecting the variety of care and caring journeys and the variety of options available to meet their needs;
- apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings;
- encourage and enable those who wish to stay in or take up employment, education or training or plan for the future costs of meeting their needs to do so; and
- be sustainable for local authorities in the long-term

#### **4.0 POLICY EXCLUSIONS**

4.1 This policy covers all care and support services provided or arranged to meet eligible needs within the meaning of the Care Act 2014 with the exception of the following which cannot be charged for by law:

- Intermediate care, including reablement, which must be provided free of charge for up to six weeks
- Social Work Support
- Occupational Therapy.
- Information and Advice.
- Assessment and Care Management Services (including financial assessment)
- After Care Services provided under Section 117 of the Mental Health Act 1983
- Community equipment (aids and minor adaptations) and minor property adaptations costing £1,000 or less
- Care and support for people suffering from Creutzfeldt Jacob Disease
- Services that are the responsibility of the National Health Service, e.g. continuing health care
- Any administration fee relating to arranging that care and support. The only exception is in the case of a person with eligible needs and assets above the upper capital limit who has asked the local authority to arrange their care and support on their behalf. In such cases, the local authority may apply an administration fee to cover its costs
- Adaptations to property - any financial contribution is determined by separate national rules

#### **5.0 CONTRIBUTIONS TO THE COST OF RESIDENTIAL CARE SERVICES**

5.1 Section 14 of the Care Act 2014 gives local authorities a discretionary power to charge for care and support provided within a care power. Barnsley MBC has taken the decision to exercise this power.

5.2 Where someone's on-going care and support needs are to be met within a care home, and they are seeking financial support from the Council, a financial assessment will be carried out to determine the amount they will be required to contribute towards the cost of their care.

5.3 The value and treatment of capital and assets will be based on the definitions within Care Act 2014, Care and Support Statutory Guidance Annex B and C.

##### **Capital**

Where an individual's capital (excluding the value of their main home) exceeds the upper capital limit specified within the Care Act 2014 Care and Support Statutory Guidance

Annex B, they will be required to pay the maximum contribution towards the service. These are:

- If your capital is **below £14,250** it will be disregarded for financial assessment purposes.
- If you have capital **between £14,250 and £23,250** we will need to take this into account. You will be required to pay £1 per week for every £250 of capital between £14,250 and £23,250.
- Anyone with assets above the upper capital limit (including the value of their previous residence, unless a spouse or partner is living there) will not qualify for financial assistance. At the time of this policy being published the upper capital limit was £23,250

5.4 The Council will normally make up the difference between what the service user can afford to pay (as determined by the financial assessment) and the cost of the care home place, up to the Council's 'usual rate'. This is the amount that the Council agrees to pay local care homes, on an annual basis, for various types of need. Should a service user wish to take up a place in a care home where the weekly rate exceeds the Council's usual rate, then they will need to make arrangements for a third party, i.e. family member or friend, to make up the difference (known as a 'top-up'). In these circumstances the Council will need to assure itself that these arrangements (including any future price increases) are sustainable and should they breakdown at any point the Council reserves the right to seek an alternative placement at the 'usual rate'

5.5 Where a service user has legitimate reasons for seeking a care home place in a different authority, i.e. to be nearer to family, Barnsley Council will apply the 'usual rate' for that locality, i.e. the rate at which that the receiving Council normally pays for care in a care home for a particular level of need.

5.6 In all cases the service user will always retain the statutory weekly Personal Expense Allowance after they have contributed to the weekly cost of their care. This amount is reviewed annually by the government.

5.7 Where someone enters a care home and has sufficient funds to pay for themselves via ownership of a property they may be eligible to defer some or all of their care costs against the value of that property. This is known as a Deferred Payment Agreement. More details about Barnsley MBC's Deferred Payment Scheme can be found on the Council's website or in leaflet format on request. The Council charges set up costs, an annual monitoring and administration fee, termination costs, and interest on all deferred payment loans agreed from April 2015.

## **6.0 CONTRIBUTIONS TO THE COST OF CARE FOR PEOPLE LIVING IN THE COMMUNITY**

6.1 Barnsley Council will seek a financial contribution towards the cost of care and support delivered in a service user's home and other community settings, for example, day services, wherever this is deemed to be affordable.

6.2 In the vast majority of cases, the full cost of care and support services will be the value of the Personal Budget that the service user deploys to purchase those

services, less the value of any excluded services listed at 4.1 above. A financial assessment will be carried out to determine how much the service user can afford to contribute towards the cost of their services.

### 6.3 Income

The value and treatment of income will be based on the definitions within the Care Act 2014 Care and Support Statutory Guidance Annex C.

All individuals will be offered the opportunity to have a full financial assessment to calculate their contribution. It is the individual's responsibility to provide information to complete this and failure to satisfy the Council will result in the maximum contribution being applied.

If a service user declines or refuses a financial assessment they will be required to pay for the full cost of their services.

The financial assessment will consider the person's income and any savings they may have as a basis for deciding how much, if anything, they can afford to contribute towards the cost of their services. It will:

- Ensure that no one is left with less than the basic level of income support plus a further 25% after they have paid their assessed contribution. Services will be provided free to anyone whose income is at or below this amount.
- Take into account any expenditure that the person may incur as a direct result of their disability (Disability Related Expenditure) and discount this from the amount they have available to pay their assessed contribution.
- Provide contact details for any further welfare benefits advice that the person may benefit from .

The basic principle of the financial assessment calculation is:

$$\begin{array}{l} \text{Individual} \\ \text{Income} \end{array} \quad \text{LESS} \quad \left[ \begin{array}{l} \text{Income Support or Pension Credit +25\%} \\ \text{allowance Housing Costs \& Expenses} \\ \text{Disability Related Expenditure} \end{array} \right] = \begin{array}{l} \text{Net Available} \\ \text{Income for} \\ \text{Contribution} \end{array}$$

In relation to Disability Related Expenditure (DRE) the disregard element will only apply to any **additional** expenditure incurred which is **directly** due to a person's disability, thus ensuring that service users are making a fair contribution towards the cost of their care.

People who are in receipt of either high rate Disability Allowance (DLA) or high rate Attendance Allowance (AA) will need to be financially reassessed. This is because high rate DLA and AA includes benefit for overnight care which is currently excluded from a financial assessment.

6.4 Anyone with capital assets above the upper capital limit (excluding the value of their main residence) will not be entitled to financial support from the Council. At the time of this policy being published the upper capital limit was £23,250.

6.5 Anyone with savings less than the lower capital limit will be ignored when working out how much someone should pay towards the cost of their care. At the time of this policy being published the lower capital limit was £14,250.

6.6 Where a service user has sufficient means to fund their own care, e.g. they have savings above the upper capital limit or if their income is at a level where their financially assessed contribution matches or exceeds the value of their personal budget, they are still entitled to request that the Council arrange their services.

6.7 The Council will introduce a one-off arrangement fee (administration) for brokering and arranging non-residential services for self-funding residents as per para 8.58 of the Care Act. The fee is set at a level where it does not exceed the costs which the Council incurs. The fee for a standard brokerage service is £122.00 and £260.00 for a more complex service (see appendix A) The fees are a flat rate to ensure clarity about the cost of the Local Authority arranging a person's care. The charges will apply to both self funders with assessed eligible needs and those who approach the Brokerage Team privately and do not have any assessed eligible needs.

The brokerage cost will not apply to any existing service users who become self funding due to this policy change

6.8 Barnsley MBC currently operates a 'maximum weekly contribution', i.e. a maximum amount that anyone is asked to contribute towards their care and support, regardless of the size of their personal budget (NB this does not apply to permanent care in a care home). At the time of this policy being published the maximum weekly contribution was £150. **From Monday xxxxxxxxxx 2017 the 'maximum weekly contribution' cap limit on contribution of £150 will be removed.**

6.9 Many care providers charge higher rates for self funding clients. If, as a result of this policy change a service user has become self funding and their current provider would be charging them a higher hourly rate, providing they request for BMBC to continue to oversee their care arrangements BMBC could agree to continue to contract on their behalf, thereby ensuring the service user continues to benefit from our rates. This does not apply to any new service users or at the point of a review.

6.10 In a minority of cases the service user may not be using a personal budget, for example, where services are arranged for a temporary period only. In these cases the value of the services will be the actual cost of commissioning those services and the financial assessment will determine how much the service user can contribute towards that cost.

6.11 Where the care and support plan includes periods of respite care (either planned at a certain time or to be taken 'as and when required') this will be 'annualised' within the personal budget, i.e. the annual cost will be worked out as a weekly value. The assessed financial contribution will then take account of the weekly value of all services including provision for respite.

6.12 Most non-residential service provided to give carers a break are provided to the person being looked after and it is the service user (not the carer) who is liable to pay. Where this is the case, the amount of service provided will be included in the overall care package and the associated cost will form part of the total assessed contribution. If respite is the



only service being received, the annual cost is calculated as a weekly value for the purposes of calculating the service users financial contribution (if any)The service user's ability to pay the total contribution will be determined via the financial assessment as set out above. Any one-off services **provide directly to the carer** for their specific needs will **not** be subject to a financial contribution.

## **7.0 BENEFIT MAXIMISATION**

- 7.1 The council must encourage service users to maximise all Government benefits to which they are entitled. This includes making them aware of benefits, where they can access information and signposting to organisations that can support them with the appropriate application process
- 7.2 Service users (or their representatives) **MUST** inform the council when applications to receive further benefits are successful as this will affect their level of assessed income and further support a rise in the level of contributions that the council receives from service users
- 7.3 If a service user fails to inform the council of the above any increase in their assessed contribution due to receipt of the benefit will be backdated to the date the benefit was agreed from.

## **8.0 REVIEW AND APPEAL**

- 8.1 As a minimum, a service user's assessed contribution will be reviewed on an annual basis. Changes to circumstances may also lead to a new financial assessment being undertaken. If requested, a service user's contribution can be reviewed at their request..
- 8.2 Service users have a duty to notify the Council if there is a change to their financial or personal circumstances. If the change in circumstance results in an underpayment of charges this will be applied from the date of change. If the change in circumstances results in an overpayment of charges this will be applied from the date of change if the Council is notified within 28 days of the date of the change otherwise a re-assessment will take place from the date notified.
- 8.3 Where a service user considers that an incorrect contribution has been calculated, e.g. because information given has been misinterpreted, some information has not been taken into account, a mistake has been made, etc., they may, at any time, request an informal review. Such a request should be made to the Financial Assessment Team, Financial Services.by whatever means is most appropriate for the service user (this does not have to be in writing). The Assistant Manager (Payments) Commercial Services, Financial Services will have delegated authority to deal with the matter at this stage. If appropriate the review will be carried out by a different person to whoever conducted the first assessment. It may be agreed at this stage with the service user that a home visit is needed but in some circumstances issues may be resolved over the telephone. The target for completing an informal review will be 2 working days from the receipt of the request.
- 8.4 A formal review may be requested by a service user in the following circumstances:
  - An informal review has been conducted but the charge-payer remains dissatisfied.
  - The service user is satisfied that the Charging Policy has been correctly applied but

considers that the charge would result in financial hardship because of special circumstances.

- 8.5 A request for a formal review should be made to the Council's Feedback and Improvement Team who will coordinate a response from the appropriate Service Director who will have delegated authority for the decision making at this stage. The outcome of the formal review and the reasons for the decision will be notified to the service user in writing by the relevant Executive Director within 25 working days of the request for a formal review being received.
- 8.6 In cases where the service user has concerns about the quality or nature of the service provided the Social Services complaints procedure should be used. Details can be obtained from the Council's website or by contacting the Feedback and Improvement Team

## **9.0 REFUSAL TO PAY**

- 9.1 Where a service user refuses to pay their assessed contribution, for whatever reason, the service will not be withdrawn. The Council will continue to provide the services as long as they are required to meet an assessed need and will review the service users' financial circumstances and ability to pay. If payment is unreasonably withheld the council may pursue the debt owed by the service user, which may include use of court proceedings.
- 9.2 If a service user deploys their personal budget by having a direct payment or supported managed account, the payments made to the service user into this account will be net of any assessed contribution.
- 9.3 The service user must ensure that their weekly contribution is paid into this account in order for the cost of their support to be paid for. If the service user does not put their correct contribution into this account and as a result invoices/personal assistant wages for their support provision cannot be paid, providing the council has paid all of BMBCs agreed weekly funding into the account **any debts to providers or personal assistants will be liable to be paid by the service user or their representative as the contract for the support is between them and the provider/personal assistant.**

## **10.0 NOTIFICATION AND BILLING**

- 10.1 Contributions will normally be sought from **the date the service commences**. Service users will be informed of their assessed contribution before receiving their first invoice which will normally be monthly in arrears, i.e. for services provided in the previous month.

## **11.0 VARIATION TO PLANNED SERVICE**

- 11.1 The service users support plan will determine the components of the service and the number of hours they should receive. Contributions will be calculated on the basis of planned service provision and applied on a weekly basis.

Variations to planned service will occur from time to time for a variety of reasons, for example, where a service user is unwell and decides not to attend a day service on a particular day, or is away visiting relatives and does not require a home care service. This does not automatically mean that the weekly contribution will be reduced. The assessed weekly contribution will continue to be levied in all circumstances where the actual cost of providing any remaining services during a particular week is equal to or exceeds the assessed contribution, regardless of any variations to planned provision.

11.2 A reduction of the assessed weekly contribution will only be considered if:

- The service user has given reasonable notice ( 1 week minimum) of absence e.g. due to holidays, planned hospital stay, etc.

**Or**

- The service user has been admitted to hospital or short term care in an emergency.

**And**

- The actual cost of remaining services received during a particular week is less than the assessed financial contribution.

11.3 Where a planned service is not delivered, e.g. a domiciliary care provider does not arrive or arrives late/leaves early, the service user should notify their Social Care Practitioner (via the Customer Access Team) as this may affect the Council's contractual relationship with a service provider and may result in variations in payment for the period in question. A marginal variation in time may be acceptable providing that the desired outcome is completed in line with the client's needs.

## Brokerage Costs

<b>Banding Level</b>	<b>A</b>	<b>B</b>
<b>Banding Definition</b>	<b>Standard Brokerage and Information Centred Work</b>	<b>Complex Brokerage and Task Centred Work</b>
<b>Key Activities in relation to the Banding Level</b>	<ul style="list-style-type: none"> <li>defining outcomes to be achieved and costing of services</li> <li>Information seeking in relation to local services, availability, access etc.</li> <li>Exploring informal support services</li> <li>Providing Personalisation Support Service re employing PAs</li> <li>Working through carer support</li> <li>Budget planning</li> <li>Liaising with Care Manager/Coordinator</li> <li>Liaising with key operational teams</li> <li>End of life brokerage</li> </ul> <p>***if terminally ill – this process to be completed within a maximum of 2 days</p>	<p>All of activity in Column A +</p> <ul style="list-style-type: none"> <li>Organising live in carers</li> <li>Brokering to address challenging behaviour or long term conditions</li> <li>Children in transition, school and college leavers</li> <li>Where an advocate is involved or is required</li> <li>multiple funding streams</li> <li>multiple needs e.g. mental health and learning disability</li> </ul>
<b>No. of Brokerage hours</b>	Up to 6 hours	Up to 13 hours
<b>Duration</b>	5 days	10 days
<b>Costs of Brokerage</b>	<b>£122</b>	<b>£260</b>

## **PROPOSED CHANGES TO THE FINANCIAL CONTRIBUTIONS POLICY FOR ADULT SOCIAL CARE SERVICES: STAKEHOLDER CONSULTATION (2017)**

### **Introduction**

Barnsley MBC remains committed to ensuring older, disabled and vulnerable adults and their carers receive the care and support they need to promote and safeguard wellbeing and maximise independence, choice and control.

The Care Act (2014) clarifies the services which councils have to provide free of charge and the services for which they can make a charge, subject to a financial assessment confirming the person's ability to pay.

Barnsley MBC's approach to charges is outlined within its Financial Contributions Policy.

### **Proposed Changes To The Financial Contributions Policy**

Barnsley MBC, like most councils, faces considerable challenges in providing adult social care services. There is increasing demand for such services and rising costs but, at the same time, councils are facing cuts to their funding as a result of the national austerity measures.

In order to be able to continue meeting the needs of as many people as possible, it is increasingly necessary to ensure that services are as efficient as possible and targeted at those in greatest need.

This requirement for greater efficiency, combined with the Council's corporate objective of empowering individuals to become more directly responsible for their health and wellbeing, has led to the following 3 proposals upon which we would welcome your comments:

1. To remove the ceiling on the maximum amount a person is required to contribute towards his or her adult social care package within the community.
2. To introduce a 'one-off' arrangement fee for charging people receiving an adult social care package if they have capital savings above an upper limit.
3. To limit the amount disregarded by the Council concerning spending incurred by service users due to a disability, to only additional expenditure.

For care and support provided to you in your own home, Barnsley MBC currently sets a maximum weekly contribution of £150, regardless of the size of the care package. However, this does not apply to permanent care in a care home where people can be required to pay the full cost of their care and support. We estimate that this change could affect around 97 people or 6% of service users who are, currently, receiving community based care and support.

In addition, 688 service users have Disability Related Expenditure (DRE) disregarded from their financial assessments but not all would be affected by the change as most will, already, only be claiming additional expenditure.

Greater detail on the proposals and how they could affect you, is set out in the draft, revised policy which can be found [here](#). A fact sheet on the proposed changes can be found [here](#).

We are very interested in obtaining your response to the following questions by the deadline date of Friday, 26<sup>th</sup> May at 4.00pm:

#### Tell Us About You

Question 1: Please indicate why you are interested in completing this consultation, by ticking one of the boxes below:

- A service user
- A carer
- A relative
- On behalf of someone likely to be affected by the proposals
- On behalf of an organisation with an interest in the proposals

Question 3: Please tell us if you are male or female

- Male
- Female

Question 3: Please indicate which age range you belong to by clicking one of the boxes below:

- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75-84
- 85 and over

Question 4: Please tell us your ethnic origin by ticking one of the following boxes:

- White (British, English, Scottish, Welsh or Northern Irish)
- Irish
- Gypsy or Irish traveller
- Any other White background
- Mixed/multiple Asian groups
- Asian or Asian British
- Black or Black British
- Arab

Question 5: Please state if you have a disability or impairment, by ticking one of the following boxes:

- Yes
- No

Question 6: Please give your post code in the box below

Question 7: Are you currently receiving an adult social care package?

- Yes
- No

Question 8: Do you receive care and support at home?

- Yes
- No

Question 9: If you have answered yes to the previous question, please state if your care and support is provided at home or in residential or nursing care

- At Home
- Residential/nursing care
- Any other type of provision (please state below)

### Proposals

Question 10: Do you currently make a financial contribution to your care package?

- Yes
- No

Question 11: In order to continue supporting as many people as possible, we are proposing to remove the £150 weekly cap. The cap only applies to service users who receive care and support in the community and not those in residential or nursing care. Please indicate in the box below if you agree that all people in Barnsley who receive care and support and who can afford to pay more, should do so?

Question 12: If people have the means to pay for their own care and support but want the Council to make the care arrangements for them, do you agree they should pay a 'one-off' fee to cover the cost of making the arrangement?

- Yes
- No

Question 13: If you have answered 'No' to the previous question, please state why you disagree by using the box below.

Question 14: Appropriate disability related expenditure is able to be disregarded from a person's financial assessment. It is proposed that the Financial Contributions Policy is amended to make clear that this should in future only apply to any additional expenditure incurred in relation to a person's disability and not all if the expenditure. Do you agree (please state below)

#### Impact Of The Proposals

Question 15: Please describe how the proposed changes could affect you, by writing in the box below

Question 16: Any Other Comments (Please use the box below)

Thank you for completing this questionnaire. Your comments will be treated in strict confidence and will help inform whether or not Barnsley MBC decides to implement the proposed changes to the financial charging policy. This decision will be taken by a meeting of the Council's Cabinet, later this year.



All budget efficiencies must complete the Initial Community Impact Assessment.

The Initial CIA is used to identify those budget efficiency proposals that may have a significant impact on diverse groups.

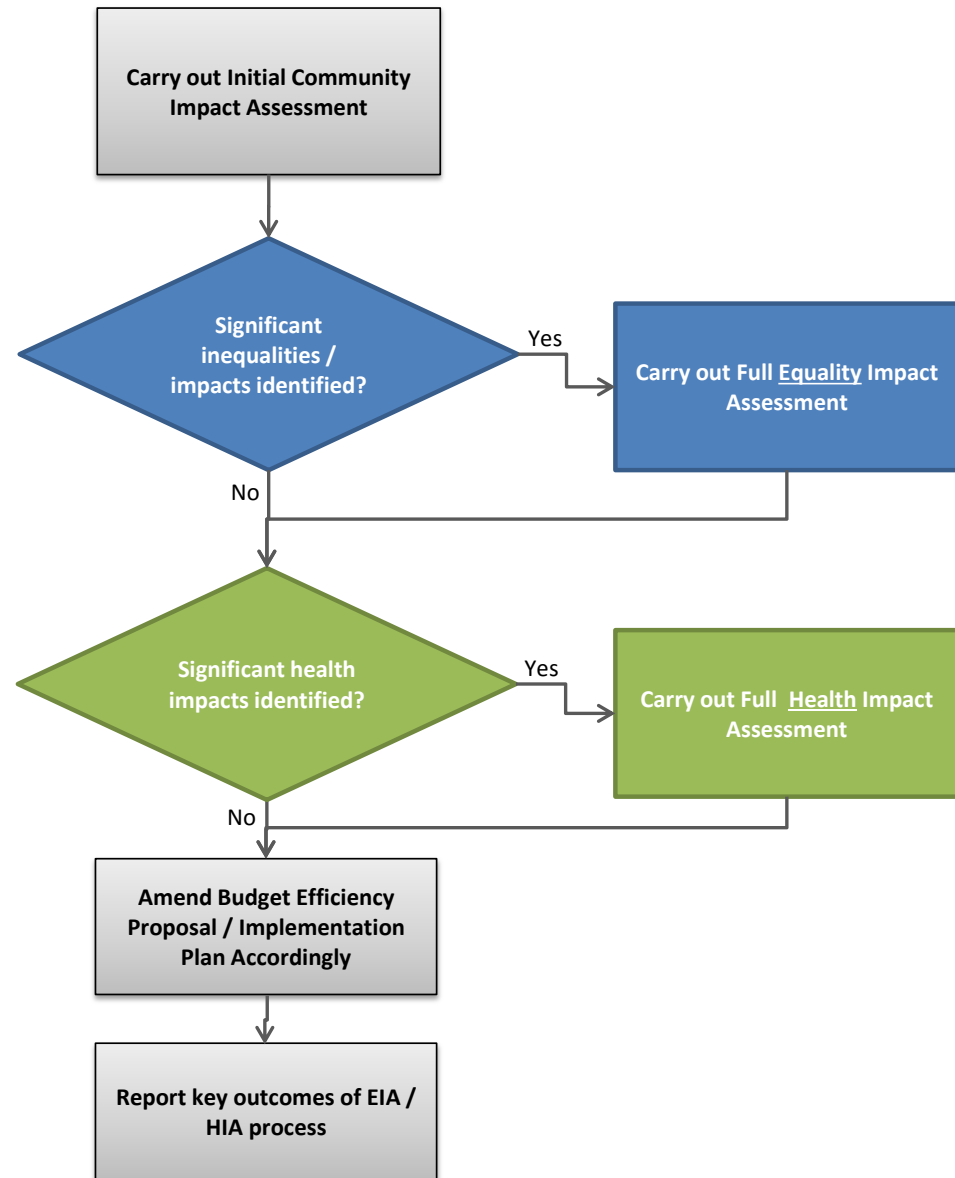
Those proposals that are likely to have significant impact on diverse groups must then complete a Full Equality Impact Assessment (Full EIA).

For advice and support to complete the Initial CIA or the Full EIA please contact your directorate's Equality and Inclusion Business Adviser.

Those proposals that are likely to have a significant impact on one or more of the health and well being factors should then complete a Full Health Impact Assessment (Full HIA).

For advice and support to complete the Full HIA please contact your directorate's Public Health lead officer.

Include the EIA / HIA as appendix to any Cabinet / Delegate report and include summary of key findings in the report itself.



## Initial Community Impact Assessment (Budget Efficiencies)

### Details

<b>Service</b>	<b>Lead Officer</b>	<b>Date</b>
People	Julie Moore	21st April 2017
<b>Business Unit</b>	<b>Email</b>	<b>Telephone</b>
Business Unit 2	<a href="mailto:juliamoore@barnsley.gov.uk">juliamoore@barnsley.gov.uk</a>	01226 772396

### Summary

<b>Outline of savings proposal</b>	
The council's medium term financial strategy includes a requirement to £400K additional income from changes to the Fairer Contributions Policy	
<b>Summary of savings objectives</b>	<b>Reference</b>
Removal of the £150 weekly cap on contributions towards care and support in the community - introduction of a one off charge for people who are not eligible for financial support but	

## Initial Equality Impact Assessment

### Current inequalities

### Which groups may experience a differential impact in this service area before the budget reductions?

Protected characteristic	Details of group	Degree of differential impact / outcomes	+ve or -ve inequality
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group currently experience a differential impact and why. Eg "BME people, especially new arrivals to the borough, are under-represented amongst current service users".	Please select the level of inequality experienced by the group ( <i>high, medium, low or none</i> ).	Is the inequality positive or negative for the group?
Disabled people	People within this group are only adversely affected due to their levels of financial income. There is also currently a weekly contributions cap of £150 towards care and support in the community.	Medium	Positive and negative elements

Future  
inequalities**Which groups may experience a differential impact in this service area after the budget reduction?**

<i>Protected characteristic</i>	<i>Details of group</i>	<i>Degree of differential impact / outcomes</i>	<i>Improve ?</i>
<i>Please select group from the drop-down list.</i>	<i>Describe in more detail which people in this protected characteristic group will be affected and why. Eg "Disabled people with communication disabilities such as people with sensory impairments and people with learning difficulties because they may find using online services more difficult."</i>	<i>Please select the level of inequality likely to be experienced by the group after the investment ( high, medium, low or none ).</i>	<i>Is the situation for this group likely to improve or become more unequal as a result of this budget reduction?</i>
Disabled people	People within this group are only adversely affected due to their levels of financial income. However the number affected will increase due to the removal of the cap , but this will only affect 6 % of people. People are not being penalised as a result of a disability as the impact of the proposals does not relate to disability but a persons ability to contribute financially	Medium	No change

## Next steps

**Full Equality Impact Assessment**

<b>Full EIA not usually required:</b>	<i>If there are either no or only minor equality impacts identified for this budget reduction then a Full EIA is not usually required.</i>		
<b>Full EIA usually required:</b>	<i>Where there is likely be either a high / medium negative inequality identified that is likely to get worse or to continue as a result of the budget reduction.</i>		
<b>Is a full EIA required?</b>	<i>Details of Full EIA process - Who, how and when will this take place?</i>	<i>E+I team consulted?</i>	
Yes	This will be carried out by Julie Moore with the support of Jules Horsler and will take place during April/May 2017	Yes	
		<i>Date last consulted</i>	
		01/03/17	

Please email your completed Initial EIA to: [equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)

**Initial Health Impact Assessment**

## Health impacts

**Initial Health Impact Assessment**

<i>Area of impact</i>	<i>Details of health impact</i>	<i>Details of group(s) affected</i>	<i>Degree of impact</i>
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Please select type of impact from the drop-down list.	Describe in more detail what the impact on the health of local people might be (positive and negative impacts). Eg "The budget reduction will reduce access to the countryside so discouraging healthy lifestyles" or "The budget reduction might result in more people being unable to access the service which will be on-line only in the future - this can affect people's health and well-being".	Please describe which groups may be most affected by the health impacts (eg people on low incomes, people with existing medical conditions, older people, children etc).	Is the situation for this group likely to improve or become more unequal as a result of this budget reduction?
Other	Any changes arising to financial contributions made will be subject to an assessment in which a number of considerations including health will be taken into account	Only those who can afford to pay more will do so. This equates to only 6 % of Service Users being affected. These are the most financially affluent group of Service Users ,some of whom do not want	Positive and negative elements

#### Full Health Impact Assessment

**Full HIA not usually required:** If there are either no or only minor equality impacts identified for this budget reduction then a Full HIA is not usually required.

**Full HIA usually required:** Where there is likely be either a high / medium health impact then a Full HIA will usually be required.

Is a full HIA required? Details of Full HIA process - Who, how and when will this take place?

Public Health Lead consulted?

No

Date last consulted

Please email your completed Initial CIA to:

[equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)

# Full Equality Impact Assessment (Budget Efficiencies)

Please check that the summary details of the project, outlined in the Initial EIA are still correct and up to date.

Details

<b>Service</b>	<b>Lead Officer</b>	<b>Date</b>
People	Julie Moore	21st April 2017
<b>Business Unit</b>	<b>Email</b>	<b>Telephone</b>
Business Unit 2	juliemore@barnsley.gov.uk	01226 772396

Summary

<b>Outline of policy/strategy</b>
The council's medium term financial strategy includes a requirement to £400K additional income from changes to the Fairer Contributions Policy
<b>Summary of policy/strategy objectives</b>
Removal of the £150 weekly cap on contributions towards care and support in the community - introduction of a one off charge for people who are not eligible for financial support but still wish the council to make their care arrangements for them, to cover the cost of making those arrangements - changes in relation to Disability Related Expenditure (DRE) to make clear the disregard would only apply to the additional costs incurred as a result of the disability, not all the costs.
<b>Reference</b>
0

Page 61

## What are the key equality and diversity questions you would like to ask?

eg Which diverse groups are likely to be most effected by the changes? How and why will they be most effected?

Do some diverse groups experience greater need for services which the budget efficiency may reduce?

Are some diverse groups less able to cope with any negative impacts that may result from the budget efficiency? Which groups are they and why are they less able to cope?

How can the budget efficiency be revised / implemented differently so as to help minimise negative impacts or improve outcomes for diverse groups?

How can the budget efficiency help to promote equal access to or take-up of services for all sections of the community?

Are we confident that only 6% of Service Users will be affected?

How will the proposed changes ensure equality in relation to paying a contribution towards the cost of social care support?

How can we ensure that those effected are supported to order to minimise negative impact?

Step 2

## How and when will you find out the answers to these questions?

eg Ask staff and other stakeholders what they know.

Discuss the issue with service users.

Meet with a relevant community group or forum.

Analyse service performance data and compare it with local demographic data.

	Who	When
Analyse financial data and records on CONTROCC	Julie Moore	Apr-17
Meet with Barnsley Service User and Carers Group	Julie Moore	Apr-17
Encourage those who are negatively affected to complete the online Fairer Contributions Assessment or request for an FCA carrying out and for a review of their current support package. . This will be an asset and strength based review and will consider a range of different ways support for eligible needs can be delivered which may help to reduce costs.	Julie Moore	Aug-17

### Step 3

#### Customer Acces - How accessible is the service and how will this be affected by the budget efficiency?

Has the service been assessed for the Minimum Access Standard?

Yes

Do you have an plan to improve customer access?

Yes

How will the budget efficiency affect this plan?

NA

#### How accessible is your service for the following groups?

Deaf (BSL Users)

Physical Impairment

Visual Impairment

Hearing Impairment

Learning Difficulty

Community Language

very - online information

very - online information or

acceptable - telephone

very - online information

acceptable as telephone

acceptable - can access an

### Step 4

#### What have you learnt about how this budget efficiency could impact on diverse groups?

Impact is to a minimal group of people 6%

Some Care Providers might charge a higher hourly rate for people funding their own care and support

There will be a fairer system for the disregard of Disability Related Expenditure

People who will be self funding must have access to a range of information to help them make an informed decision about the support they decide to purchase.

### Step 5

#### How has (or will) the budget efficiency proposal / implementation plan been altered to minimise any inequalities / differential impacts for diverse groups?

Who	When
-----	------

All service users will be offered the opportunity to have a full financial assessment to calculate their contribution. This is a basis for deciding how much, if anything, they can afford to pay	ASC and Financial Services August/Sept 2017	
Some Care Providers charge a higher rate for self funding clients. In order to mitigate for this, if as a result of the proposed changes a service user becomes self funding and their current provider would be charging them a higher hourly rate, providing they request for BMBC to continue to oversee their care arrangements BMBC could agree to continue to contract on their behalf, thereby ensuring the service user continues to benefit from our rates	ASC August/Sept 2017	
All service users will be offered the opportunity to have a full review of their social care support. This will be an assess and strength based review and consider a range of different ways support for eligible needs can be delivered which may help to reduce costs	ASC 2017/18	
The information on Live Well Barnsley website will be kept current and up to date, with new provider details being promptly added ensuring that service users have access to a range of information about services and organisations to access for support		

#### Step 6

#### When and how will you assess the actual impact on diverse groups (ie after implementation)?

eg When and how will you review the actual impact?

Was the actual impact better or worse than predicted?

Did the mitigating action you put in place have the desired effect?

What will you do differently if the actual impacts are different than those predicted?

	Who	When
Initially as part of the consultation process there will be analysis of the consultation which will be taken into consideration when the policy goes to cabinet for approval	Julie Moore	Jun-17
Analysis of financial data	Julie Moore	Mar-17
Respond to and analyse any complaint	Julie Moore and	Sep-17
Post Implementation review and report. This will inform the future development of the policy	Julie Moore	Jan-18

#### Step 7

#### How will you make sure the decision makers are able to fully consider the outcomes of this EIA?

eg Completed EIA to be presented to Cabinet - attached to the cabinet report

Issues log and risk register etc updated to reflect findings of EIA.

Performance management framework incorporates equality objectives and measures.

	Who	When
Completed EIA to be presented at Cabinet	Cabinet Spoke	Jun-17

Service risk and Issues log maintained and updated

Julie Moore

April to Nov  
2017

Step 8a

### MONITORING - Which groups may experience a differential impact in this service area before the budget efficiency?

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	+ve or -ve inequality
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group currently experience a differential impact and why. Eg "BME people, especially new arrivals to the borough, are under-represented amongst current service users".	Please select the level of inequality experienced by the group ( <i>high, medium, low or none</i> ).	Is the inequality positive or negative for the group?
Disabled people	People within this group are only adversely affected due to their levels of financial income. There is also currently a weekly contributions cap of £150 towards care and support in the community.	Medium	Positive and negative elements

Step 8b

### Which groups may experience a differential impact in this service area after the budget efficiency?

Review and update below the potential inequalities you identified when undertaking the initial EIA - are these the same or has your assessment now changed?

Protected characteristic	Details of group	Degree of inequality	Predicted improvement ?
Please select group from the drop-down list.	Describe in more detail which people in this protected characteristic group will be affected and why. Eg "Disabled people with communication disabilities such as people with sensory impairments and people with learning difficulties because they may find using online services more difficult."	Please select the level of inequality likely to be experienced by the group after the project ( <i>high, medium, low or none</i> ).	Is the situation for this group likely to improve or become more unequal as a result of this project?
Disabled people	People within this group are only adversely affected due to their levels of financial income. However the number affected will increase due to the removal of the cap , but this will only affect 6 % of people	Medium	Don't know




Step 7b

Consultation, Advice and Support

E+I Team Consulted	E+I Business Partner (Name / email)	Date of most recent contact
Yes	Jules Horsler	Apr-17

Step 8

Please email your completed EIA to: [equalityanddiversity@barnsley.gov.uk](mailto:equalityanddiversity@barnsley.gov.uk)

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