



HILLINGDON
LONDON



CABINET

To all Members of the Cabinet:

Date: THURSDAY, 17 FEBRUARY
2022

Time: 7.00 PM

Venue: COMMITTEE ROOM 6 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE

**Meeting
Details:** Members of the Public and
Media are welcome to attend
this meeting and observe the
public business discussed.

This meeting will also be
broadcast live on the
Council's YouTube Channel.

You can view the agenda
at www.hillingdon.gov.uk or use a smart
phone camera and scan the code below:



Ian Edwards, Leader of the Council
(Chairman)

Jonathan Bianco, Deputy Leader of the
Council & Cabinet Member for Property &
Infrastructure (Vice-Chairman)

Douglas Mills, Cabinet Member for
Corporate Services & Transformation

Martin Goddard, Cabinet Member for
Finance

Susan O'Brien, Cabinet Member for
Families, Education and Wellbeing

Jane Palmer, Cabinet Member for Health
& Social Care

Eddie Lavery, Cabinet Member for
Environment, Housing & Regeneration

John Riley, Cabinet Member for Public
Safety and Transport

Published:

Wednesday, 9 February 2022

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Putting our residents first

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW

Useful information for residents and visitors

Watching & recording this meeting

You can watch the public part of this meeting on the Council's YouTube channel, live or archived after the meeting. Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

Watch a **LIVE** broadcast of this meeting on the Council's YouTube Channel: *Hillingdon London*

Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist. When present in the room, silent mode should be enabled for all mobile devices.

Travel and parking

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services.

Please enter via main reception and visit the security desk to sign-in and collect a visitors pass. You will then be directed to the Committee Room.

Accessibility

For accessibility options regarding this agenda please contact Democratic Services. For those hard of hearing an Induction Loop System is available for use.

Emergency procedures

If there is a FIRE, you will hear a continuous alarm. Please follow the signs to the nearest FIRE EXIT and assemble on the Civic Centre forecourt.

Lifts must not be used unless instructed by a Fire Marshal or Security Officer. In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



Notice

Notice of meeting and any private business

The London Borough of Hillingdon is a modern, transparent Council and through effective Cabinet governance, it seeks to ensure the decisions it takes are done so in public as far as possible. Much of the business on the agenda for this Cabinet meeting will be open to residents, the wider public and media to attend. However, there will be some business to be considered that contains, for example, confidential, commercially sensitive or personal information. Such business is shown in Part 2 of the agenda and is considered in private. Further information on why this is the case can be sought from Democratic Services.

This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to confirm that the Cabinet meeting to be held on:

17 February 2022 at 7pm in Committee Room 6, Civic Centre, Uxbridge

will be held partly in private and that 28 clear days public notice of this meeting has been given. The reason for this is because the private (Part 2) reports listed on the agenda for the meeting will contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. An online and a hard copy notice at the Civic Centre in Uxbridge indicates a number associated with each report with the reason why a particular decision will be taken in private under the categories set out below:

- (1) information relating to any individual
- (2) information which is likely to reveal the identity of an individual
- (3) information relating to the financial or business affairs of any particular person (including the authority holding that information)
- (4) information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- (5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (6) Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
- (7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Notice of any urgent business

To ensure greater transparency in decision-making, 28 clear days public notice of the decisions to be made both in public and private has been given for these agenda items. Any exceptions to this rule are the urgent business items on the agenda marked *. For such items it was impracticable to give sufficient notice for a variety of business and service reasons. The Chairman of the Executive Scrutiny Committee has been notified in writing about such urgent business.

Notice of any representations received

No representations from the public have been received regarding this meeting.

Date notice issued and of agenda publication

9 February 2022
London Borough of Hillingdon

Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters before this meeting
- 3 To approve the minutes of the last Cabinet meeting 1 - 10
- 4 To confirm that the items of business marked Part 1 will be considered in public and that the items of business marked Part 2 in private

Cabinet Reports - Part 1 (Public)

- 5 Review by the Corporate, Finance and Property Select Committee: Performance Monitoring and Reporting by Hillingdon Council (Cllr Douglas Mills) 11 - 38
- 6 Review by the Environment, Housing and Regeneration Select Committee: Our engagement with tenants and leaseholders (Cllr Eddie Lavery) 39 - 92
- 7 Monthly Council Budget Monitoring Report: Month 9 (Cllr Martin Goddard) -
REPORT TO FOLLOW
- 8 The Council's Budget - Medium Term Financial Forecast 2022/23 - 2026/27 (Cllr Ian Edwards / Cllr Martin Goddard) -
REPORT TO FOLLOW
- 9 The Schools Budget 2022/23 (Cllr Susan O'Brien / Cllr Martin Goddard) 93 - 124
- 10 2021/22 Better Care Fund Section 75 Agreement (Cllr Jane Palmer) 125 - 230
- 11 Changes to the Admissions Criteria for Community Schools (Cllr Susan O'Brien) 231 - 242
- 12 LHC - Consideration of withdrawal from the Joint Committee (Cllr Eddie Lavery) 243 - 248

Cabinet Reports - Part 2 (Private and Not for Publication)

13	Contract for the Service, Maintenance and Repair of Fire Alarm & Fire Fighting Systems (Cllr Jonathan Bianco)	249 - 258
14	Social Care Catering Services (Cllr Jane Palmer)	259 - 264
15	Lift Refurbishment and Upgrade at Fairlie House and The Gouldings, Uxbridge (Cllr Jonathan Bianco)	265 - 274
16	Environmental Cleaning Services Contract (Cllr Eddie Lavery)	275 - 286
17	Domestic Abuse Services & Contract Extensions (Cllr Jane Palmer)	287 - 294
18	Leaseholders Buildings Insurance - Contract Extension (Cllr Eddie Lavery / Cllr Martin Goddard)	295 - 300
19	Cranford Park Project: Restoration Contract (Cllr Jonathan Bianco)	-

REPORT TO FOLLOW

The reports in Part 2 of this agenda are not for publication because they involve the disclosure of information in accordance with Section 100(A) and Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that they contain exempt information and that the public interest in withholding the information outweighs the public interest in disclosing it.

20 Any other items the Chairman agrees are relevant or urgent

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CABINET

7pm, 17 February 2022

Committee Room 6

Civic Centre, Uxbridge, UB8 1UW

Advisory about this meeting & Public Notices

About this Cabinet meeting

This is a meeting of Hillingdon Council's [Cabinet](#), the body responsible for making all the key decisions in the Borough, putting residents first. It is chaired by the Leader of the Council, Councillor Ian Edwards. Cabinet meets on a monthly basis.

Watching the Cabinet Meeting online

This meeting will be broadcast live virtually on the Council's YouTube channel: Hillingdon London:

<https://www.youtube.com/user/HillingdonLondon>

Attending the Cabinet Meeting – Committee Room 6

Residents, the Public and the media are welcome to attend for the public items on the agenda (see below). You will kindly be asked to leave when the Cabinet reaches the private items listed. If you attend Cabinet, you will not be able to directly speak, present to or lobby Councillors during the actual meeting, however, you are welcome to observe and listen to the proceedings quietly. If you are a resident and there is a particular local matter that you wish to raise with a Cabinet Member, then we recommend you to take part in our well established [Petitions Scheme](#) in which thousands of residents each year participate in. Contact Democratic Services for more information on 01895 250636 or email us at petitions@hillingdon.gov.uk

What's on the agenda?

At the start of the virtual meeting, the Chairman will undertake some initial housekeeping matters and then go through a list of agenda items (reports) to make official decisions on them as set out in the table below. The meeting will first start with public items and then move to any private items (called Part 2), where the Public live feed will be cut. This is because these items often involve, for example, commercially sensitive information like competitive tender bids from private companies. The items and reports on this agenda are:

Agenda Item	Private reason
1 Apologies for Absence	Public
2 Declarations of Interest in matters before this meeting	Public
3 To approve the public decisions and minutes of the last Cabinet meeting	Public
4 To confirm that the items of business marked Part 1 will be considered in public and that the items of business marked Part 2 in private	Public
Cabinet Reports - Part 1 (Public)	
5 Review by the Corporate, Finance and Property Select Committee:	Public

	Performance Monitoring and Reporting by Hillingdon Council	
6	Review by the Environment, Housing and Regeneration Select Committee: Our engagement with tenants and leaseholders	Public
7	Monthly Council Budget - monitoring report	Public
8	The Council's Budget - Medium Term Financial Forecast 2022/23 - 2026/27 (To recommend to full Council for approval)	Public
9	The Schools Budget 2022/23	Public
10	2021/22 Better Care Fund Section 75 Agreement	Public
11	Approval of school admissions arrangements	Public
12	LHC - consideration of withdrawal from the Joint Committee	Public
Cabinet Reports - Part 2 (private)		
8	Contract for the Service, Maintenance and Repair of Fire Alarm and Fire Fighting Systems	Private (3)
5	Social Care Catering Services	Private (3)
5	Lift Refurbishment and Upgrade at Fairlie House and The Gouldings, Uxbridge	Private (3)
5	Contract for Environmental Cleaning Services	Private (3)
9	Domestic Abuse Contracts	Private (3)
10	Contract Extension for Leaseholders Buildings Insurance	Private (3)
11	Cranford Park Project: Restoration Contract	Private (3)

**if applicable, this denotes urgent business item (see notice below)*

After the Cabinet meeting / the decisions made

The decisions of the Cabinet will be published on the Council's website the next day, usually the Friday after the meeting. This will also include decisions on those matters discussed in private, so the Council is as open as possible and the public can see every decision made. If you have any queries about a particular decision, use the contact on the Council's website for further information. You can view [Cabinet's decisions here](#) - just select the appropriate meeting.

Public Notices (5 days)

This is the formal (legal) bit of this advisory notice. The Council is required by law to give advance public notices of the decisions to be made by the Cabinet, the date the Cabinet meets and whether the decisions will be taken in public or private and the reasons why. This assists with making decision-making more transparent and accountable for local residents and taxpayers. Up to 5 months in advance (and a minimum of 28 days in advance), a notice of upcoming decisions and Cabinet meetings will be given on the [Forward Plan](#) - this is a key document available for viewing online or at the Civic Centre. A second notice is then given about 1 week before a particular Cabinet meeting when the agenda is published (a 5 day notice). Further notices may be given if urgent decisions are tabled at the meeting at short notice.

Notice of meeting and any private business

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This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to confirm that the Cabinet meeting to be held on:

17 February 2022 at 7pm in Committee Room 6 at the London Borough of Hillingdon

will be held partly in private and that 28 clear days public notice of this meeting has been given. The reason for this is because the private (Part 2) reports listed on the agenda for the meeting will contain either confidential information or exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. An online and a hard copy notice at the Civic Centre in Uxbridge indicates a number associated with each report with the reason why a particular decision will be taken in private under the categories set out below:

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- (4) information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- (5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (6) Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
- (7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Notice of any urgent business to the Chairman of the Executive Scrutiny Committee

There is no urgent business currently scheduled for this meeting.

Notice of any representations received

No representations from the public have been received regarding this meeting at this time. There are no reports currently scheduled to be considered in private.

Date notice issued and of agenda publication

9 February 2022

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Minutes

CABINET

Thursday, 6 January 2022

**Meeting held at Committee Room 6 - Civic Centre,
High Street, Uxbridge**



Decisions published on: 7 January 2022

Decisions come into effect from: 5pm, 14 January 2022

Cabinet Members Present:

Ian Edwards (Chairman)
Jonathan Bianco (Vice-Chairman)
Douglas Mills
Martin Goddard
Susan O'Brien
Jane Palmer
Eddie Lavery
John Riley

Members also Present:

Duncan Flynn (Attendee of the Cabinet meeting as Chief Whip - non-voting)

1. APOLOGIES FOR ABSENCE

All Cabinet Members were present.

2. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING

No interests were declared by Members present.

3. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING

The decisions and minutes of the Cabinet meeting held on 16 December 2021 were agreed as a correct record.

4. TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS OF BUSINESS MARKED PART 2 IN PRIVATE

This was confirmed.

5. ADDITION OF 2 NEW ENTRIES ONTO THE LOCAL LIST OF BUILDINGS OF ARCHITECTURAL AND HISTORIC IMPORTANCE

RESOLVED:

That the Cabinet:

- 1. Approves for consultation, the 2 new entries to the Local List of Buildings of Architectural or Historic Importance as attached in Appendix 1.**
- 2. Authorises officers to undertake public consultation, for 6 weeks, with all the owners/occupiers of the buildings.**

Reasons for decision

Cabinet agreed to undertake public consultation on the addition of two new entries (Nos. 305-315 and 317-327 Long Lane Shop Fronts and The Paddington Packet Boat Public House) to the Council's Local List of Buildings of Architectural or Historic Importance.

The Cabinet Member for Environment, Housing and Regeneration noted that it would be a six week consultation.

Alternative options considered and rejected

Cabinet could have decided not to consider adding these buildings to the Local List, but noted that this could make them vulnerable to insensitive development.

Relevant Select Committee	Environment, Housing & Regeneration
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Mark Butler & James Rodger
Directorate	Planning, Environment, Education & Community Services
Classification	Public <i>The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.</i>

6. ELECTRIC VEHICLE CHARGE POINTS AND INFRASTRUCTURE

RESOLVED:

That the Cabinet:

- 1. Accepts in principle the tendered bid from Liberty Charge to supply, install and maintain publicly accessible electric vehicle charge points in public car parks and establish a wider electric vehicle charge point infrastructure across the Borough on a grant funded and/or fully funded basis for a five-year period from 1 February 2022 to 31 January 2027 and at no cost to the Council and delegates final approval of the tender acceptance to the Leader of the Council and Cabinet Member for Public Safety and Transport, in consultation with the Corporate Director Infrastructure, Transport & Building Services.**
- 2. Subject to the final approval of the tender acceptance:**
 - a) Notes the provision to extend the contract for a up to ten years (5 + 5 years - fifteen years in total), delegating approval of any extension to the Leader of the Council and Cabinet Member for Public Safety and Transport, in consultation with the Corporate Director of Infrastructure, Building Services & Transport.**
 - b) That in respect of entering into lease agreements with Liberty Charge to allow them to install electric vehicle charge points on Council land for use by the general public, agree that this be determined under delegated authority by the Cabinet Member for Property & Infrastructure, in consultation with the Cabinet Member for Public Safety & Transport and the Corporate Director of Infrastructure, Building Services & Transport.**

Reasons for decision

Cabinet accepted, in principle, a tender that would enable the London Borough of Hillingdon to provide locally for the forecast increase in electric vehicle use over the coming years, particularly to meet the Government's 2030 deadline on the sale of petrol cars.

The Cabinet Member for Public Safety and Transport explained that whilst this would commence with charging points in the Borough's car parks, the proposed contract would also support the delivery of a scalable charging point infrastructure locally over the longer-term.

Cabinet welcomed the positive report and agreed revised recommendations providing for final delegated authority to agree the tender before implementation.

Alternative options considered and rejected

Cabinet could have decided not to respond to the growth and expected demand in electric vehicle usage in the Borough, but considered this would result in fewer options available for people wishing to charge their vehicle and transit the Borough.

Relevant Select Committee	Public Safety & Transport
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Alan Tilly
Directorate	Infrastructure, Transport & Building Services
Classification	Private <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

7. PROVISION OF SUPERMARKET FOOD VOUCHERS - GOVERNMENT SUPPORT SCHEMES

RESOLVED:

That the Cabinet:

1. Accept the direct award to Edenred (UK) Limited for the provision of food vouchers to the London Borough of Hillingdon for a two-year period from 1 February 2022 to 30 January 2024 and at the value of £3,960k which is funded in full from the Department of Work and Pensions (DWP) grant funding at no cost to the Council.
2. Furthermore, agrees that it includes the provision to extend the contract for two years (in one-year increments), delegating the approval of any extension to the Leader of the Council and Cabinet Member for Families, Education and Wellbeing, in consultation with the Corporate Director of Planning, Environment, Education and Community Services and at a total contract value of £7,920k over the full four years.
3. Notes that the use of this contract will be subject to DWP-led workstreams funded in full from specific ringfenced government grant schemes, with no direct financial implications on the Council.

Reasons for decision

Cabinet gave its approval for a contract for meal voucher provision under the Government support schemes relating to the pandemic, subject to the continuation of this national policy. Cabinet noted that the incumbent provider had been selected following the use of a procurement framework and that the scheme would be at no cost to the Council, funded from Government grant.

The Cabinet Member for Families, Education and Wellbeing noted that to-date over 11,116 vouchers had been issued without any issues across the Borough to families requiring support during the pandemic.

Alternative options considered and rejected

Cabinet could have decided to continue with the existing contractual arrangements under the old procurement framework which would have risked future non-compliance.

Relevant Select Committee	Families, Health & Wellbeing
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Tracie Bushell
Directorate	Corporate Services & Transformation
Classification	Private <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

8. CONTRACT FOR THE COUNCIL'S PARKING ENFORCEMENT SERVICE

RESOLVED:

That the Cabinet:

1. **Accept the tender from APCOA Parking (UK) Limited for the provision of Parking Enforcement Services to the London Borough of Hillingdon for a 5-year period from 4 April 2022 to 3 April 2027 and at the value of £11,268,467.32**
2. **Furthermore, agrees that this includes the provision to extend the contract for a 5-year period (10 years in total), delegating approval of any extension to the Leader of the Council and Cabinet Member for**

Public Safety and Transport, in consultation with the Corporate Director of Infrastructure, Transport & Building Services.

Reasons for recommendation

Following a competitive procurement process, Cabinet accepted the most economically advantageous tender for the provision of parking enforcement services across the Borough.

The Cabinet Member for Public Safety & Transport informed Cabinet of the added value enhancements resulting from the contract which would include further digitalisation and also a vehicle removal service.

Alternative options considered and rejected

None.

Relevant Select Committee	Public Safety & Transport
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Roy Clark
Directorate	Infrastructure, Transport & Building Services
Classification	Private
	<i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

9. ACQUISITION OF PROPERTY IN CHAPEL LANE, UXBRIDGE FOR SUPPORTED HOUSING

RESOLVED:

That the Cabinet:

- 1. Authorise the purchase of 74 Chapel Lane, Uxbridge UB8 3DS on a Freehold basis at the value set out in the report;**
- 2. Notes the outstanding management charges set out in the report, and that a Capital Release Report will be submitted to Cabinet Members to release funds for this acquisition, once the final management charge figure is agreed and;**

3. Instruct Legal Services to complete the appropriate legal documentation, subject to the above.

Reasons for decision

Cabinet agreed to the purchase of 74 Chapel Lane in Uxbridge which would enable the Council to continue to provide a suitable and secure home for those in receipt of social care.

The Cabinet Member for Property and Infrastructure noted the financial benefit that would also arise from the Council directly providing it's own service support at the premises to vulnerable residents.

Alternative options considered and rejected

None, as the property was due to be sold by the current provider and the Council needed to ensure continuity of service to its residents.

Relevant Select Committee	Corporate, Finance & Property
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Julie Markwell
Directorate	Infrastructure, Transport & Building Services
Classification	Private <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

10. VOLUNTARY SECTOR LEASE

RESOLVED:

That Cabinet agrees the surrender and grant of a new lease set out in the table below, which has been the subject of negotiation with the voluntary sector organisation detailed in this report and instructs legal to complete the legal documentation.

Reasons for decision

Cabinet made a decision regarding the lease of the new Scout Hut being built in Community Close, Ickenham for the 2nd Ickenham Scouts. Cabinet's decision enabled the organisation concerned to benefit from heavily discounted rent as part of

the Council's Voluntary Sector Leasing Policy and wider commitment to a vibrant local voluntary sector.

The Cabinet Member for Property and Infrastructure noted the expected additional income from the sub-letting of the premises.

Alternative options considered and rejected

None.

Relevant Select Committee	Corporate, Finance & Property
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Michele Wilcox
Directorate	Infrastructure, Transport & Building Services
Classification	Private <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

11. CONTRACT FOR THE PROVISION OF PRINT SERVICES & HILLINGDON PEOPLE

RESOLVED:

That Cabinet:

1. Accept the tender from GPEX for Lot 1 for the provision of main printing services to the London Borough of Hillingdon for a 2-year period from 1 March 2022 to 28 February 2024 at an expected value of £351,974 based upon average annual expenditure. Furthermore, agrees that this includes the provision to extend the contract for a 2-year period (1 plus 1) (4 years in total) - taking the total cost to £703,948 for a 4-year contract term, and delegates approval of any extension to the Leader of the Council, in consultation with the Corporate Director.
2. Accept the tender from Cliffe Enterprise LTD for Lot 2 for the provision of the print of Hillingdon People to the London Borough of Hillingdon for a 2-year period from 1 April 2022 to 31 March 2024 and an expected value of £172,000 (based upon average annual spend). Furthermore, agrees that this includes the provision to extend the contract for a 2-year period (1 plus 1) (4 years in total) - taking the total cost to £344,000

for a 4-year contract term, and delegates approval of any extension to the Leader of the Council, in consultation with the Corporate Director.

Reasons for decision

Cabinet gave its approval to award a contract for the Council’s main print service and a second contract for printing of the Hillingdon People magazine.

The Leader of the Council informed Cabinet that the contracts had been designed in two lots due to the type of printing requirements and to ensure value for money for the taxpayer.

Alternative options considered and rejected

Cabinet could have requested officers undertake printing on an ad hoc basis, but this would not have resulted in a cost effective approach.

Relevant Select Committee	Corporate, Finance & Property
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	5pm, Friday 14 January 2022
Officer(s) to action	Emma Gilbertson
Directorate	Corporate Services & Transformation
Classification	Private <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

12. ANY OTHER ITEMS THE CHAIRMAN AGREES ARE RELEVANT OR URGENT

No additional items were considered by the Cabinet.

The meeting closed at 7.11pm

Internal Use only

Implementation of decisions & scrutiny call-in

When can these decisions be implemented by officers?	The date and time that officers can formally implement Cabinet’s decisions is set out above under each item, and this is usually from the expiry of the scrutiny call-in period which is: 5pm, Friday 14 January 2022
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	<p>However, this is subject to the decision not being called in by Councillors on the relevant Select Committee. Upon receipt of a valid call-in request, Democratic Services will immediately advise the relevant officer(s) and the Cabinet decision must then be put on hold.</p>
<p>Councillor scrutiny call-in of these decisions</p>	<p>Councillors on the relevant Select Committee shown in these minutes for the relevant decision made may request to call-in that decision. The call-in request must be before the expiry of the scrutiny call-in period above.</p> <p>Councillors should use the Scrutiny Call-in App (link below) on their devices to initiate any call-in request. Further advice can be sought from Democratic Services if required:</p> <p>Scrutiny Call-In - Power Apps (secure)</p>
<p>Notice</p>	<p>These decisions have been taken under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.</p> <p>This Cabinet meeting was also broadcast live on the Council's YouTube channel here for wider resident engagement.</p> <p>Please note that these minutes and decisions are the definitive record of proceedings by the Council of this meeting.</p> <p>If you would like further information about the decisions of the Cabinet, please contact the Council below:</p> <p>democratic@hillington.gov.uk Democratic Services: 01895 250636 Media enquiries: 01895 250403</p>

REVIEW BY THE CORPORATE, FINANCE AND PROPERTY SELECT COMMITTEE: *PERFORMANCE MONITORING AND REPORTING IN HILLINGDON COUNCIL*

Cabinet Member(s)	Councillor Douglas Mills
Cabinet Portfolio(s)	Corporate Services and Transformation
Officer Contact(s)	Liz Penny, Democratic Services
Papers with report	Final review report

HEADLINES

Summary	To receive the final report detailing the review by the Corporate, Finance and Property Select Committee, which considered Performance Monitoring and Reporting within Hillingdon Council. The review makes recommendations for Cabinet to consider.
Putting our Residents First	This report supports the following Council objectives of: Our People.
Financial Cost	There are no direct financial costs arising from the initial recommendations with potential future investment subject to development of an appropriate business case and funding strategy.
Relevant Select Committee	Corporate, Finance and Property Select Committee
Relevant Ward(s)	All

RECOMMENDATIONS

That the Cabinet welcomes the Committee's findings further to its review of Performance Monitoring and Reporting in Hillingdon, and the recommendations outlined below, noting that their implementation will be taken forward by officers and the Cabinet Member for Corporate Services and Transformation:

SELECT COMMITTEE RECOMMENDATIONS:

1) Performance Reporting

That the Business Performance Team and Service areas take into account the varying target audiences and organisational hierarchy for their performance reporting, thereby ensuring that performance outputs and information are presented in a relevant, user-friendly visual format for:

- a. Cabinet – That service heads / directors, in conjunction with respective Cabinet Members i) be requested to review the current use of data within their areas during 2022 – either for reporting purposes or to identify performance issues; and ii) consider regular monthly or quarterly performance updates to Cabinet Members;**
- b. Select Committees – That from May 2022, subsequent to recommendation 1a. above, Select Committees also be presented with high-level quarterly performance updates regarding services within their remit / terms of reference, and that this be added to their multi-year work programmes;**
- c. Corporate Management Team (CMT) – That Cabinet Members have input into the metrics presented to CMT through the quarterly Balanced Scorecard performance reporting to ensure they are able to measure overall Council performance and drive strategic decisions. Weekly and monthly dashboards should continue for Operational Heads but should be visible and reviewed in conjunction with the Leader/relevant Cabinet Members.**

2) Performance Culture

That awareness and understanding of the importance of data quality and of the services provided by the Business Performance Team be communicated comprehensively across Council departments during 2022, including the use of manager briefings, toolkits or other online internal information.

3) Performance Innovation

That Corporate Procurement explore appropriate external software / systems during 2022, in conjunction with the Business Performance Team, that could be implemented or integrated to deliver tangible and cost-effective benefits. Particular focus should be placed on looking to assist the move away from traditional manual data manipulation to greater data automation, along with the availability of live data to decision-makers.

Reasons for the recommendations

Whilst noting the positive work by officers undertaking performance monitoring and reporting in the Council, on completion of its review the Committee recommended a number of potential improvements relating to data reporting processes, data culture and data innovation.

Alternative options considered / risk management

The Cabinet could decide to reject some, or all, of the Committee's recommendations or pursue alternative routes by which to progress the objectives of the review.

SUPPORTING INFORMATION

Overview of the committee's review

In 2021, Members of the Corporate, Finance and Property Select Committee had received a background report detailing the arrangements for tracking the Council's performance and the provision of insight and other data to shape operational delivery and the strategic development of services.

Having recognised the essential nature of data in facilitating effective decision-making, identifying and rectifying problems, along with meeting political objectives, Members unanimously elected to conduct a major review of Performance Monitoring and Reporting within Hillingdon Council.

The following Terms of Reference were agreed by the Committee for the review:

1. Where are we now? - To ensure Members receive a broad overview of existing arrangements in respect of data collection, use of data and performance reporting across all parts of the Council.
2. What do we need to do better and how? - To review the Council's current arrangements in the use of data to manage operational delivery and drive service improvements and seek to:
 - a. Compare and contrast arrangements in Hillingdon with peer authorities and other public organisations and to understand areas of good practice and further improvement and developments required; and
 - b. Investigate short-medium term improvements in data reporting and presentation to decision-makers, e.g., Corporate Management Team / Cabinet Members / Select Committees.
3. Where do we want to be? - To provide Members with an insight into the future of data collection and reporting, along with associated technology and its practical application for decision-making. To encourage officers to buy into the process and produce honest and useful data.

As part of its evidence gathering sessions, the Committee received testimony from the following witnesses:

- Naveed Mohammed, Head of Business Performance and Insight
- Alex Coman, Director – Safeguarding, Partnerships and QA
- Kate Kelly-Talbot, Director of Service Delivery - Adult Social Work
- Rod Smith, Head of Housing and Tenancy Management
- Cathy Knubley, Head of Waste

- Richard Dawson, Interim Head of Community Safety and Enforcement
- James Wigley – MD Key Intelligence (external consultant)

Through the Committee's intelligence gathering sessions, Members sought to gain a comprehensive understanding of current performance monitoring and reporting processes within the Council and how these could be improved and considering best practice. The Committee concluded that there were opportunities to further strengthen performance reporting to decision-makers, along with development of the Council's performance culture and use of technology.

The Committee was mindful of the need to find cost-effective, workable solutions, and the recommendations in this report are seen as prudent, effective actions to improve performance monitoring and reporting going forward.

At its meeting on 12 January 2022, the Committee concluded its review which incorporates three key recommendations for submission to Cabinet. The detailed review report is attached as an appendix.

Summary of the Committee's recommendation

In terms of performance reporting, it was noted that it would be helpful if performance reports and information were consistently presented in a user-friendly visual format for Cabinet, Select Committees and the Corporate Management Team. Furthermore, the Committee felt a thorough review of current data use by service heads / directors, in conjunction with respective Cabinet Members, would assist in ensuring the relevance of future reporting. Additionally, it was noted that Select Committees would welcome new high-level quarterly performance reports regarding services within their remit, which had only been occasional or ad hoc over recent years. The Committee also suggested that it would be helpful if Cabinet Members were given an opportunity to have input into the metrics presented to CMT through the quarterly Balanced Scorecard.

In respect of performance culture and innovation, Members found that across the Council, awareness of the importance of data quality and of the services provided by the Business Performance & Insight Team was somewhat inconsistent and could be further improved. Furthermore, as the review progressed, it became apparent that the Council was behind the curve in performance innovation and data tools, hence it is recommended that officers explore appropriate external software / systems during 2022.

Implementation: Officer comments on the Committee's recommendations

The three recommendations put forward by the Select Committee, if agreed by Cabinet, would each require separate strands of activity from the Business Performance and Insight Team. How each could be taken forward and be implemented is suggested below:

1) Performance Reporting

Reporting to CMT and Cabinet members is already established and will continue on a regular basis and to a quarterly cycle. Formal reporting to Select Committees is new. Discussions will need to begin with Committee Chairmen and Democratic Services to determine the best suite of indicators that will be reported, taking into account work plans and the committees' remits.

2) Performance Culture

At present, work on raising awareness of data quality and assisting service colleagues with improving data quality is scheduled for between January and March – in anticipation of the annual statutory returns cycle. This could be supplemented with work throughout the year, including data quality audits, drop-in sessions for service leads and specific workshops where Government guidance has changed. These would be promoted through service management teams, the weekly all-staff email and where appropriate, Team Hillingdon.

3) Performance Innovation

Work to review and eventually replace the Council's existing corporate performance management system is already underway. Tools such as Power BI are being used to pilot new ways of reporting service data. Subject to the outcome of these pilots, a business case will be developed with a full cost-benefit evaluation of bringing in a new system. An important part of this will be the need to initiate wider changes in culture. Therefore, in addition to the importance of data quality detailed above, there will be a need to review what is collected and reported and a need to upskill service officers on how to use the new tools (and data in general) as a key component in managing both ongoing service delivery and strategic change.

Financial Implications

There are no direct financial costs arising from the initial recommendations; however, any changes arising, such as the procurement of a new performance tool will be subject to development of a business case and appropriate funding strategy.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

Effective monitoring and reporting of performance within a local authority is essential to establish practical ways that a council can improve what it does and, more importantly, what it delivers, in terms of good quality services that meet the needs of local people.

Consultation carried out or required

The Committee sought a wide range of internal witness testimony, as set out in the report.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications set out above, noting that there are no direct financial implications associated with the recommendations within this report.

Legal

The Borough Solicitor confirms that there are no specific legal implications arising from this report.

BACKGROUND PAPERS

NIL.

Performance Monitoring and Reporting in Hillingdon Council



A review by the Corporate, Finance and Property Select Committee

Councillors on the Committee: Councillors Richard Mills (Chairman), Vanessa Hurhangee (Vice Chairman), Tony Eginton (Opposition Lead), Lindsay Bliss, Farhad Choubedar, Ray Graham, Richard Lewis

2021/2022



HILLINGDON
LONDON

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Chairman's Foreword

'A Review of Performance Monitoring and Reporting in Hillingdon Council'

On behalf of the Corporate, Finance and Property Select Committee, I am pleased to present this report to Cabinet. Having identified a need to explore possible improvements to current data monitoring and reporting processes, the Select Committee elected to conduct a comprehensive review of Performance Monitoring and Reporting within Hillingdon Council. The review aimed to consider the status quo and suggest potential areas for future improvements.



Two witness sessions were held during which Committee Members had the opportunity to meet with a wide range of senior Council officers and seek external expertise. As the review progressed it was widely acknowledged that the current Business Performance Team consistently strove for excellence in data and provided a supportive service both to the Central Management Team and to senior officers. However, the Committee highlighted some potential modifications and improvements, which it was believed would be of benefit in terms of performance reporting to key decision-makers going forward.

Further to the witness sessions, and on completion of the review, the Committee has prepared a number of recommendations relating to performance reporting, culture and innovation.

It is anticipated that the implementation of these recommendations will ensure the provision of user-friendly, timely, reliable and cost-effective performance monitoring and reporting systems across the Council, which will in turn assist in measuring Council performance, driving strategic decisions and meeting the needs of local residents.

Finally, I would like to take this opportunity to thank those witnesses and officers who have given up their time to assist the Committee and commend them for their continued hard work in striving to ensure the provision of excellent performance monitoring and reporting processes in Hillingdon Council.

Councillor Richard Mills

Chairman, Corporate, Finance and Property Select Committee

Councillor for Brunel Ward

Summary of recommendations to Cabinet

Through the witnesses and evidence received during the detailed review by the Committee, Members have agreed the following recommendations to Cabinet:

1

Performance Reporting

That the Business Performance Team and Service areas take into account the varying target audiences and organisational hierarchy for their performance reporting, thereby ensuring that performance outputs and information are presented in a relevant, user-friendly visual format for:

- a. Cabinet – That service heads / directors, in conjunction with respective Cabinet Members i) be requested to review the current use of data within their areas during 2022 – either for reporting purposes or to identify performance issues; and ii) consider regular monthly or quarterly performance updates to Cabinet Members;
- b. Select Committees – That from May 2022, subsequent to recommendation 1a. above, Select Committees also be presented with high-level quarterly performance updates regarding services within their remit / terms of reference, and that this be added to their multi-year work programmes;
- c. Corporate Management Team (CMT) – That Cabinet Members have input into the metrics presented to CMT through the quarterly Balanced Scorecard performance reporting to ensure they are able to measure overall Council performance and drive strategic decisions. Weekly and monthly dashboards should continue for Operational Heads but should be visible and reviewed in conjunction with the Leader/relevant Cabinet Members.

2

Performance Culture

That awareness and understanding of the importance of data quality and of the services provided by the Business Performance Team be communicated comprehensively across Council departments during 2022, including the use of manager briefings, toolkits or other online internal information.

3

Performance Innovation

That Corporate Procurement explore appropriate external software / systems during 2022, in conjunction with the Business Performance Team, that could be implemented or integrated to deliver tangible and cost-effective benefits. Particular focus should be placed on looking to assist the move away from traditional manual data manipulation to greater data automation, along with the availability of live data to decision-makers.

Background to the Review

What is Performance Monitoring and why is it important?

According to the Local Government Association's 'Performance Management Councillor Workbook' 2012 ¹, the monitoring of performance within a local authority is essential to establish "practical ways that a council can improve what it does and, more importantly, what it delivers, in terms of good quality services that meet the needs of local people". Moreover, the LGA affirms that Performance Monitoring is indispensable since "The ability to manage the performance of a council is critical to its success. It enables members and officers to assess whether the organisation is achieving what it set out to do, delivering VFM [*value for money*] and making life better for its citizens." Additionally, effective Performance Monitoring is essential to good governance, scrutiny and monitoring of Council services by Elected Members.

Background

The Council currently delivers over 700 services to the 100,214 households that comprise the London Borough of Hillingdon and gathers a wide spectrum of data across all directorates. The primary purpose of this data collection is to ensure that services are being delivered in the most effective and efficient manner to meet resident need. Additionally, such data assists in planning for the future development of services – ensuring that, as the Borough changes, the Council's services are agile enough to respond. Finally, there is a requirement to satisfy certain statutory returns which include the annual collection of Council data by Central Government.

Given the voluminous nature of the data gathered and the different purposes for which it is used, the Council has at its disposal a variety of mechanisms to gather, process and 'make sense of the data' from the use of basic spreadsheets through to more bespoke databases and data mining software. Data is used both for 'performance' (assessing the efficacy of services and impact on outcomes) and 'insight' (what the data tells the Council about the Borough and local residents).

Data gathered by directorates and the Business Performance Team is sourced from internal systems and through public and subscription-based services. The data collected is utilised to develop Key Performance Indicator (KPI) reports and for insight analysis to commission services. Some KPIs are nationally mandated; where appropriate, national indicators are supplemented with local indicators to reflect local priorities.

The Council utilises a corporate function, through the Business Performance & Insight Team, for the production and development of data and insight with members of the team having expertise across multiple areas of the Council's business. This approach ensures improved transparency and facilitates an opportunity to 'challenge' services – something which might not be possible if

¹ Local Government Association - Performance Management Councillor Workbook, March 2012

services produced/processed their own data.

Services are responsible for inputting data into case management systems, while Business Performance extracts the data and, in conjunction with Directors, Assistant Directors and Heads of Service, develops the suite of reports (operational and strategic) necessary for the services to carry out their business.

Performance reports are built to track performance, so key to this is the inclusion of targets and an associated 'traffic-light system'. The latter rates each metric against a threshold with indicators that are off target flagged as red. Thereafter, relevant Heads of Service are given an opportunity to outline mitigating factors and plans for remedial action; the outcomes of which are reported in subsequent months.

Whilst Hillingdon is required to gather data for the purposes of statutory returns, the primary purpose of data collection is to ensure the Council is appropriately discharging its responsibilities and to aid future service development.

Strategic context

The use of data and insight in local government has received increasing focus in recent years. The Cabinet Office's National Data Strategy ² is "an ambitious, pro-growth strategy that drives the UK in building a world-leading data economy while ensuring public trust in data use." This Strategy sets out the Government's ambition to improve data use in government to boost productivity, create new areas of economic growth, improve delivery of local services and position the UK as the forerunner in public service innovation. The Greater London Authority (GLA)'s work around the City Data Analytics Programme ³ follows similar principles. Using its position as a city-wide resource, the GLA seeks to encourage cross border collaboration to address issues that transcend boundaries (e.g., climate change). Finally, the Local Government Association (LGA) runs a series of programmes including 'becoming an intelligent council' which explores how councils can better run research exercises (quantitative and qualitative) and use these to shape service delivery ⁴

² National Data Strategy [here](#) – Department for Digital, Culture, Media and Sport – published 8 July 2019

³ Greater London Authority – City Data Analytics Programme 2017 [here](#)

⁴ Local Government Association – Becoming an Intelligent Council – from July 2017 [here](#).

Evidence & Witness Testimony

Where are we now?

Prior to commencement of the review, Members of the Corporate, Finance and Property Select Committee had received a report detailing current arrangements for the tracking of performance and provision of insight data in the Council, examples of the data provided and ways in which the data was used to shape operational delivery and the strategic development of services. Further to this, having recognised the essential nature of data in facilitating decision-making, identifying and rectifying problems, meeting political objectives and striving for excellence in a performance-driven culture, Members elected to conduct a major review of Business Performance Monitoring and Reporting within Hillingdon Council.

The role of the Business Performance and Insight Team

At the onset of the review, an initial witness session was held which was attended by Naveed Mohammed, Head of Business Performance and Insight. At this witness session, the Committee received evidence detailing how the tracking of performance and provision of insight data were arranged in the Council and ways in which the data was used to shape operational delivery and the strategic development of services.

Members were informed that the Council routinely gathered a wide spectrum of data across all directorates – this data was essential to ensure services were being delivered efficiently to meet the needs of residents, to assist in planning for the future development of services and to satisfy statutory returns. It was confirmed that the Council currently provided over 700 services to local residents and had opted to bring together the performance resource into a central team. This approach was beneficial as it facilitated a better use of resources with members of the corporate team having expertise across multiple areas of the Council's business.

The Committee heard that individual service areas were responsible for the input and management of their own data while Business Performance extracted the data and developed the required reports thereafter. Decisions regarding the organisation of the data / report designs were made collaboratively by the Business Performance Team and IT. The level of support individual directorates received was dependent on 3 factors – risk, size of the area and volume of activity. It was confirmed that Children's Care, Housing and Adult Social Care were high-risk departments therefore had a dedicated resource whilst, for other departments, each analyst had responsibility for 2+ areas. This arrangement ensured sufficient coverage of analytical support whilst enabling analysts to develop understanding and expertise across multiple functions.

Members were advised that operational outputs also varied depending on the needs of the service areas. For statutory, high-risk services such as Children's Care, Housing and Adult Social Care there was a requirement for regular weekly / monthly data. In terms of reporting to the Council's Corporate Management Team (CMT), comprising the Council's most senior officers, it was

confirmed that CMT worked closely with the Business Performance Team to establish their requirements and were in receipt of quarterly reports in the form of a Balanced Scorecard. This report tracked performance and included targets and a 'traffic-light system' with indicators off target flagged as red.

In addition to performance data, it was confirmed that the Business Performance Team was responsible for the analysis of data to establish patterns and trends. Such information was crucial when planning for strategic changes or service redesign. Moreover, the service supported individual projects with ad hoc analyses as required.

Members heard that the Business Performance Team conducted an overview of their reporting every year or two to ensure the reports produced were still relevant and useful. However, it was acknowledged that some reports were automated and would therefore be regularly circulated irrespective of their usefulness to service areas.

Data culture

Members requested further information regarding the current data culture across the Council and were informed that there were some areas of very good practice whilst, in other areas, it was considered that there was room for improvement. Service areas were responsible for inputting their own data and it was beneficial to these service areas to ensure its accuracy.

Benchmarking

In response to the Committee's requests for clarification regarding current benchmarking, it was confirmed that benchmarking was routinely undertaken. Benchmarking groups were dependent on the service area at hand – so for instance, education, social care, libraries each had a different set of councils that LBH was benchmarked against. Routinely LBH performance would be assessed against the London average and our immediate neighbours. It was confirmed that the Business Performance Team had a good working relationship with the service areas and weekly meetings were held with service heads at which benchmarking issues could be raised and discussed further as necessary.

Current data tools used

In response to their queries, Select Committee Members were advised that the main tools used by the Business Performance Team at present were SAP Business Objects XI (BOXI) and Microsoft Excel. BOXI was used to interrogate the data captured by the service areas while Excel enabled officers to analyse and present the data in a clear format for end users. Other bespoke systems were also used across specific areas.

The Committee was informed that alternative options in terms of data tools to extract the data were currently being explored; one option was Power BI which was a Microsoft product – it was reported that this was a very good product and would be explored, alongside others, depending on the needs of the business.

How data is currently used in services

A second witness session was attended by a number of key officers representing departments from across the Council. Members received evidence from representatives of key users of data including Housing, Adults' and Children's Services, Waste Services and Community Safety and Enforcement.

Children's Services

Alex Coman, Director – Safeguarding, Partnerships and QA, addressed the Committee advising Members that, in Children's Services, data was used both to look at performance retrospectively and to predict future demand on services and resources. There were statutory requirements to report the data nationally, share data locally and Pan-London and benchmark Hillingdon against other boroughs. Additionally, data was used for specific projects; for example, to respond to specific pressures on the service. It was confirmed that data received by the Department was not currently in the most user-friendly format (largely static PDFs or large Excel files) and had to be manipulated manually which was a somewhat onerous and time-consuming task. In terms of future projections, Children's Services worked with the Business Performance and Insight Team to establish trends; the Performance Team then manually produced predictive models on an ad hoc basis. It was reported that it would be helpful if data could be received in a more user-friendly format whereby users could have control of the data themselves thus negating the need to request manual ad hoc reports. Members were informed that the Children's Services Team regularly received automated reports which were extremely helpful; however, weekly reports were run on a Sunday hence, as the week progressed, the data became increasingly out-of-date – it was acknowledged that access to 'live' data would be preferable.

In response to Members' queries regarding data accuracy, the Committee was informed that weekly, monthly and statutory reports were regularly spot checked by officers in Children's Services. In terms of ad hoc reporting, officers relied on their colleagues in the Performance Team to ensure the accuracy of the data. Any anomalies would be discussed and ironed out between the two departments. It was confirmed that data was extracted by Business Objects and manipulated in Excel spreadsheets due to a lack of availability of more up-to-date tools.

Adult Services

Kate Kelly-Talbot, Director of Service Delivery - Adult Social Work, addressed the Committee confirming that, in Adult Services, much of the reporting was statutory and a secure case management system was utilised to store data. The Business Performance and Insight Team extracted the data and weekly, fortnightly and monthly reports were received on statutory operations. Bespoke dashboard style reports were also prepared for Adult Services. It was felt that all the required information was available to officers but was not currently presented in a user-friendly format; the dashboard could bring the information together, but this involved a lengthy manual exercise. Access to live data was limited hence data available to officers was, at times, potentially older. The Committee was advised that ad hoc reports were also prepared in

collaboration with The Business Performance and Insight Team as required.

In terms of data use, it was confirmed that a wide range of statutory returns were completed by Adult Services. Data was also used for benchmarking, to assist managers in managing their teams and, at Head of Service level, to allocate resources. It was reported that the data was used across the team to drive practice and performance. KPIs were analysed on the basis of individual members of staff / groups and a range of management metrics were included in appraisals and performance reviews. Members heard that reporting was regularly reviewed to ensure reports prepared / received were still relevant and of use.

Housing

Rod Smith, Head of Housing and Tenancy Management, addressed the Committee confirming that the Council's landlord service managed approximately 13,300 properties with a rent roll of about £64m a year and service charges of some £1.6m. The service dealt with the end-to-end management of tenancies and was regulated by the Social Housing Regulator hence statutory returns were a necessity.

Members were informed that data was used both operationally and strategically. Operationally, weekly and monthly automated reports were produced to support the delivery of KPIs and to assist in managing the workforce. Members heard that, at the height of the pandemic, weekly data sets had been developed in collaboration with the Business Performance team to enable staff to target bandings of debt and high-risk tenants. It was reported that this data set had been vital in supporting the stabilisation of the debt and recovery work thereafter. In terms of empty property management, the Committee was advised that work had been undertaken with the Business Performance and Insight team to produce a visual representation of the end-to-end void process, thereby enabling officers to identify bottle necks and monitor performance / resource issues.

At strategic level, the Committee was informed that reporting was of a more bespoke nature and there was a reliance on the Business Performance and Insight Team to produce what was needed. It was reported that the Team was extremely knowledgeable and supportive; however, a digital self-service approach would be welcomed thereby negating the need for over-reliance on Naveed and his colleagues.

Waste Services

Cathy Knubley, Head of Waste, addressed the Committee informing Members that, in her service area, most targets were based in legislation under the Mayor of London's office or Defra (Department for Environment, Food and Rural Affairs). Much of the data came from outside the Council and was based on tonnages and waste room. Members were advised that, each month, the team input data into the Defra waste data flow analysis which compared Hillingdon to all other Councils nationally in terms of recycling percentages. The Head of Waste prepared a monthly report for the Cabinet Member which incorporated a large amount of data and statistical information. MTFE was regularly analysed to ensure the department was on track for 2021/22

savings and KPIs were submitted to the Business Performance and Insight Team every quarter.

In response to Members' enquiries, it was confirmed that, at present, data for the CMT Balanced Scorecard report was input manually into a spreadsheet on a quarterly basis. It was noted that it would be preferable if the information were automatically populated from source data, but it was recognised that this was not a straightforward process.

Community Safety and Enforcement

Richard Dawson, the former Interim Head of Community Safety and Enforcement, addressed the Committee confirming that, for his area, the main source of data related to antisocial behaviour. Members were informed that the team was in the process of moving to a new case management system as they did not currently have access to the level of data needed. It was confirmed that the team already had access to a real-time dashboard and strategic information on past performance; however, they were unable to view details of the journey of each case and this was holding the team back operationally. Members heard that the Community Safety team was relatively self-sufficient, but Business Performance was helpful in providing trend information.

In response to further questions from Members, it was confirmed that some of the concerns relating to Anti-social Behaviour and Environment (ASBET) which had been raised in a recent internal audit had been linked to problems with the case management system. The Community Safety and Enforcement Team was now using an alternative system; however, this was not a case management system and further improvements were still required to improve the richness of the data and encompass every aspect of a case from start to finish. An improved case management system would resolve these challenges and provide managers with greater oversight. It was confirmed that the new case management system would go live at the end of the year and would provide all the required information – a bridging system was in use at present.

Reporting to decision-makers

Engagement with Corporate Directors and Cabinet Members

All Heads of Service were requested to clarify their upward reporting and engagement with Corporate Directors and the relevant Cabinet Member(s). It was confirmed that, for Children's Services, reporting of performance against KPIs was produced on a monthly basis. Performance against the MPFF was also reported and reviewed regularly. Members heard that Children's Services were held to account by Cabinet Members on a quarterly basis. A bespoke report was produced which set out the journey of the child, education data, SEND information etc and a quarterly meeting was held with the relevant Cabinet Members, the Chief Executive and Corporate Directors.

In the case of Waste Services, it was confirmed that monthly meetings were held with the Director and the Cabinet Member. There was also high scrutiny in conjunction with the Financial Team to ensure MPFF targets were met.

Members were informed that the CMT report was vital in the context of upward reporting. The

Business Performance and Insight Team worked in collaboration with Directors to determine which indicators would be reported to CMT on a quarterly basis. There were some 97 indicators which were RAG (Red, Amber, Green) depending on the direction of travel. Subsequent reports would pick up changes and remedial action could be taken to address underperformance as necessary.

CMT Balanced Scorecard

In terms of the CMT Balanced Scorecard, the Head of Business Performance and Insight addressed the Committee confirming that:

1. All Members of the Corporate Management Team (Directors) attended CMT meetings chaired by the Chief Executive;
2. Prior to the meetings, Naveed Mohammed (Head of Business Performance and Insight) and Alison Coote (Senior Business Analyst) liaised closely with the Heads of Service and Directors to pull the narrative together. The Balanced Scorecard was presented by the Head of Business Performance and Insight as a collective piece and included information across all service areas. Part of the presentation focussed on exception reporting in relation to indicators that were red – this set out the context and the story behind the figures, trends, what services were doing to remedy the matter and when it was hoped that the situation would improve;
3. Data was presented to CMT within 3 or 4 weeks of quarter end;
4. Measures were determined in conjunction with Directors on the basis of what was important for individual services. These measures were reviewed annually; however, there was room for flexibility and they could be reviewed more regularly dependent on need.
5. Metrics were drawn from the full spectrum of key services – Finance, Building Services, Procurement, Recycling, Repairs etc. In terms of annual reviews of metrics to be reported on, Members heard that this was determined by means of a collaborative exercise within CMT. The Chief Executive would also be consulted on this.

Members heard that the current quarterly reporting frequency to CMT appeared to be working well. Each Balanced Scorecard was reviewed regularly and updated by individual service areas. It was noted that KPIs were additionally produced on a weekly and monthly cycle and seen by service managers and heads. Moreover, information could be requested on an ad hoc basis to support the needs of services.

Performance reporting to the overview and scrutiny function

In terms of performance reporting to the Select Committees, Members noted that this was currently somewhat limited in that performance updates were provided to Select Committees on an ad hoc basis at the request of the appropriate Committee. There was no regular reporting structure in place at present to ensure Select Committees were appraised of all updates relating to service areas within their remit / terms of reference.

Review of performance reporting and best practices

External advice

At one of the Committee's witness sessions, testimony was received from James Wigley, Managing Director – Key Intelligence UK. It was confirmed that Key Intelligence UK provided technical assistance when performance teams found that the toolkit they were using to extract data from their client management systems (CMS) to present as a story was limiting them in some way. Members heard that the providers of CMS often supplied a data warehouse to translate the heavily technical data into a slightly more digestible format. The tool Business Objects was then used by performance teams to interrogate the database and produce data set reports. Finally, the data would be presented using Excel charts, narrative reports, tables etc. It was clarified that there was a limitation in the way warehouses had been designed hence they were good at extracting the data but not adept at finessing it. In the case of Hillingdon, a short-term capacity issue had been identified around reporting following the implementation of the Stronger Families Programme. Key Intelligence UK had been called in to assist with the urgent development of new reports and to provide a wider overview of social care reporting.

In response to their enquiries, Members heard that, compared to other London boroughs, Hillingdon had a smaller sized performance team with a strong knowledge of databases and business processes. However, it was recognised that some other boroughs had access to more technical support, either provided externally or through inhouse inbuilt SQL development skills to speed up the process of getting the data. This enabled performance teams to focus more on presentation, distribution of the data and analysis. It was confirmed that this supplementary level of support could be achieved in a number of ways; either at service area level with additional data officers working on data quality or by means of higher-level technical skill within the performance team to focus on SQL type work. It was further confirmed that, given a stronger data warehouse and SQLs, Hillingdon had the skillset to tell the story effectively. Members were advised that the Business Performance Team had a thorough and nuanced understanding of the service areas and of the Borough itself therefore were well placed to spot anomalies in the data.

The future in terms of data collection, use and reporting

Members heard that the Council now appeared to be in a good position to make a step change; once officers had access to the required tools and the data had been lined up correctly, the Business Performance Team would be well placed to perform more analysis of the data and tell the detailed story with less requirement to focus on data production and checking. The Committee learnt that, at the forefront of this change was the use of technology; there was an acceptance that LBH was now behind the curve both in relation to other local government and wider public sector peers. Initiatives being considered included the adoption of better tools such as Power BI that would facilitate key improvements including the following:

- Encouraging service ownership of data;

- Improvements in data visualisation and presentation to target audiences to make it easier to understand;
- The production and development of more intuitive data products; moving away from the current practice of static PDF and Excel documents thereby improving usability;
- Providing more timely information including, in some areas, real-time data (so decisions were based on the most current available data set);
- Improving data quality;
- Improving the capacity of the Council to overlay multiple datasets to understand patterns and co-dependencies (at present analysis was very much silo-based and any attempts to 'mash' data together a manual exercise); and
- Whilst not an immediate improvement – tools such as Power BI could help the Council make its first steps towards using data for predictive analytics. The Committee was informed that alternative options in terms of data tools to extract the data were currently being explored including, for instance Power BI.

The Committee's Findings

General conclusions

Performance Reporting

Having received detailed and comprehensive testimony from a variety of witnesses representing key departments across the Council, the Committee was pleased to note that a vast quantity of data was currently being collated across a wide range of services. Members observed that some services areas had made significant progress in utilising performance data to assist them with service monitoring and delivery and this was to be welcomed. Nevertheless, the Committee concluded that it was not always entirely clear how effectively the data was being used, analysed and reported across all services at present. The evidence received clearly demonstrated that there was undoubtedly scope for improvement in some areas and an exigency to work towards a more comprehensive and established regime of performance monitoring across the Council.

In addition to the above, having reviewed the evidence received in totality, Members concluded that there was an evident need for a consistent level of data reporting to key decision-makers; namely CMT, Cabinet Members and Select Committees, noting that Select Committees did not at present routinely receive regular high-level performance updates regarding services within their remit / terms of reference. Moreover, Members felt it essential that all data be presented in a visually comprehensible and user-friendly format with due consideration given to varying target audiences.

In respect of the CMT quarterly Balanced Scorecard, Members commented that this was a valuable reporting mechanism which was regularly reviewed and updated within service areas. The frequency of the Balanced Scorecard reporting was deemed appropriate; however, it was felt that it would be beneficial if Cabinet Members were able to have input into the metrics presented to CMT through the Balanced Scorecard to ensure the metrics could measure overall Council performance and drive strategic decisions.

Performance Culture

Through the evidence received, the Committee observed that teams / departments across the Council were not consistently au fait with the services provided by the Business Performance Team. Moreover, it was noted that, in terms of data quality, there were some areas of excellent practice whilst, in other areas, there appeared to be scope for improvement. In view of this, it was felt that service ownership of data was to be encouraged.

Members opined that a business performance structure incorporating a central team was to be welcomed. However, it was noted that there was scope for further improvement in relation to the level of awareness and understanding of data within the Council as a whole and how it could be used across the organisation. It was acknowledged that upskilling within the various departments across the Council to facilitate data / management information production within service areas would be extremely beneficial and was to be welcomed.

Performance Innovation

As the review progressed, Members noted that it would be helpful if data could be received in a more user-friendly format whereby users could have control of the data themselves thereby negating the need to rely on manual ad hoc reports produced by the Business Performance Team. Additionally, the Committee observed that automated reports were helpful in assisting with decision-making but rapidly became out-of-date. The ability to provide more timely information and, where possible, access to 'live' real-time data would be far preferable to enable decisions to be made based on the most current available data set. Moreover, it was noted that, at present, data for the CMT Balanced Scorecard report was input manually into a spreadsheet on a quarterly basis; the information would ideally be automatically populated from source data.

In respect of data innovation, the Committee believed that the Council was now in a good position to make a change; once officers had access to the required tools and the data had been organised correctly, the Business Performance & Insight Team would be well placed to perform more analysis of the data and tell the detailed story rather than focusing on data production and checking. Members recognised that Hillingdon was at present a little behind the curve in terms of relevant technology. It was considered that the adoption of better tools such as Power BI would facilitate key improvements and assist the Council in taking its first steps towards using data for predictive analytics. The Committee noted the need for the production and development of more intuitive data products; moving away from the current practice of static PDF and Excel documents thereby improving usability and encouraging automation.

The Committee's recommendations to Cabinet

Having conducted a thorough review of the status quo and having considered where the Council needed to be in respect of performance monitoring and reporting, Members were minded to propose a number of recommendations in relation to the review. It had been noted that there were improvements to be made in respect of the format and presentation of current reporting thereby ensuring its relevance and user-friendliness. Moreover, it had been observed that some reports were produced routinely but it was unclear whether they were still relevant and of use. It was therefore suggested that service heads and directors, in conjunction with Cabinet Members, be requested to conduct a thorough review of the current use of data within their areas.

In addition to the above, the Committee noted that Select Committees did not currently routinely receive regular high-level quarterly updates regarding services within their remit. It was felt that this would be highly beneficial to fully fulfil their statutory monitoring role, hence Members requested that this requirement be included in the recommendations further to the review.

Finally, with regards to reporting to CMT, the Committee held the view that Cabinet Members should be encouraged to have input into the metrics presented to CMT through the Balanced Scorecard to ensure they measured overall Council performance and drove strategic decisions appropriately.

On that basis, it is recommended that:

1

Performance Reporting

That the Business Performance Team and Service areas take into account the varying target audiences and organisational hierarchy for their performance reporting, thereby ensuring that performance outputs and information are presented in a relevant, user-friendly visual format for:

- a. **Cabinet – That service heads / directors, in conjunction with respective Cabinet Members i) be requested to review the current use of data within their areas during 2022 – either for reporting purposes or to identify performance issues; and ii) consider regular monthly or quarterly performance updates to Cabinet Members;**
- b. **Select Committees – That from May 2022, subsequent to recommendation 1a. above, Select Committees also be presented with high-level quarterly performance updates regarding services within their remit / terms of reference, and that this be added to their multi-year work programmes;**
- c. **Corporate Management Team (CMT) – That Cabinet Members have input into the metrics presented to CMT through the quarterly Balanced Scorecard performance reporting to ensure they are able to measure overall Council performance and drive strategic decisions. Weekly and monthly dashboards should continue for Operational Heads but should be visible and reviewed in conjunction with the Leader/relevant Cabinet Members.**

In terms of Performance culture, the Select Committee observed that, within the Council, some service areas appeared to lack a thorough understanding of the role and remit of the Business Performance and Insight Team. Additionally, it was felt that the importance of exemplary data quality was not routinely prioritised sufficiently. With this in mind, Members recommended that the central Business Performance and Insight Team be retained as is and a series of measures be introduced aimed at raising awareness of the function of the Business Performance and Insight Team throughout the Council and highlighting the importance of data quality; such measures could include the dissemination of information via manager briefings, toolkits or other online internal information channels.

On that basis, it is recommended that:

2

Performance Culture

That awareness and understanding of the importance of data quality and of the services provided by the Business Performance Team be communicated comprehensively across Council departments during 2022, including the use of manager briefings, toolkits or other online internal information.

As the review progressed, Members heard that Business Objects was the system currently used to extract information for large users of data such as Children’s Social Care, Adult Social Care and Housing. Said information was then manipulated manually by means of Excel spreadsheets. Members agreed that this was an onerous and cumbersome system which would benefit from updating and automation. As part of the review, the Committee had also received evidence from representatives of key areas within the Council, many of whom had highlighted the need for ‘live’ real-time data to assist them with their decision-making. Members noted that there were a number of ongoing digital transformation programmes within the Council and acknowledged that the next step would be to explore the options available in terms of bringing in new tools and ways of working – it was vital that the Council invested in the right products and that the data extracted was of value.

On that basis, it is recommended that:

3

Performance Innovation

That Corporate Procurement explore appropriate external software / systems during 2022, in conjunction with the Business Performance Team, that could be implemented or integrated to deliver tangible and cost-effective benefits. Particular focus should be placed on looking to assist the move away from traditional manual data manipulation to greater data automation, along with the availability of live data to decision-makers.

About the review - witnesses and activity

The following Terms of Reference were agreed by the Committee from the outset of the review:

1. **Where are we now?** - To ensure Members receive a broad overview of existing arrangements in respect of data collection, use of data and performance reporting across all parts of the Council.
2. **What do we need to do better and how?** - To review the Council's current arrangements in the use of data to manage operational delivery and drive service improvements and seek to:
 - a. compare and contrast arrangements in Hillingdon with peer authorities and other public organisations and to understand areas of good practice and further improvement and developments required; and
 - b. Investigate short-medium term improvements in data reporting and presentation to decision-makers, e.g., Corporate Management Team / Cabinet Members / Select Committees.
3. **Where do we want to be?** - To provide Members with an insight into the future of data collection and reporting, along with associated technology and its practical application for decision-making. To encourage officers to buy into the process and produce honest and useful data.
4. To make practical, prudent recommendations to Cabinet, (and other bodies if applicable), based on the Committee's findings.

The Committee received evidence from the following sources and witnesses:

<p>Witness Session 1 – 7 September 2021</p>	<p>External witnesses:</p> <ul style="list-style-type: none"> • James Wigley – MD Key Intelligence (external consultant) <p>Council officers in attendance:</p> <ul style="list-style-type: none"> • Naveed Mohammed, Head of Business Performance and Insight
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**Witness Session 2 –
21 October 2021**

Council officers in attendance:

- Naveed Mohammed, Head of Business Performance and Insight
- Alex Coman, Director – Safeguarding, Partnerships and QA
- Kate Kelly-Talbot, Director of Service Delivery - Adult Social Work
- Rod Smith, Head of Housing and Tenancy Management
- Cathy Knubley, Head of Waste
- Richard Dawson, Interim Head of Community Safety and Enforcement

References

Local Government Association - Performance Management Councillor Workbook, March 2012

National Data Strategy [here](#) – Department for Digital, Culture, Media and Sport – published 8 July 2019; last updated 17 December 2019;

Greater London Authority – City Data Analytics Programme 2017 [here](#)

Local Government Association – Becoming an Intelligent Council – from July 2017 [here](#).

Review photo – PxHere.com - [here](#)

Examples of Reporting to Directorates which were presented to the Select Committee as evidence:

- *Weekly Report for Housing Services detailing the number of applications made on Locata, how many of those had proceeded and how many were outstanding;*
- *Charts from monthly Adults Teams dashboard which tracks activity against a range of KPIs;*
- *Children’s Services - monthly ChAT report used for operational management and to plan for inspection readiness.*
- *Quarterly London Innovation and Improvement Alliance report.*

Appendices

Extract of data currently reported to CMT – LBH Performance Metrics – April to September 2021.

LBH Performance Metrics - April to September 2021												
RAG rating to Target guide ; 100%-95% = Green, 94%-90% = Amber, <90% = Red												
2021/22												
2020/21												
2021/22												
Department	Service	Objective	Measure	Lead Officer	Q1		Q2		Q2 2020/21	Full Year 2020/21	Target	Initiatives
					Actual	Status	Actual	Status	Actual	Actual		
Planning, Environment, Education & Community Services	Planning - Development Management	To measure speed of decision making on planning applications	Quarterly performance stats for planning application determination: Major Planning Applications (within 13 weeks)	JR	100%	Green	100%	Green	87%	86%	75%	Performance target being exceeded
			Minor Planning Applications (within 8 weeks)	JR	86%	Green	85%	Green	83%	83%	75%	Performance target being exceeded
			Other Planning Applications (within 8 weeks)	JR	95%	Green	94%	Green	94%	95%	89%	Performance target being exceeded
	Housing Needs	Preventing homelessness by supporting residents to actively pursue suitable housing options	Households in Temporary Accommodation	MB	426	Green	437	Green	440	426	N/A	Hillingdon currently has the fourth lowest temporary accommodation numbers across London. Please note however that of the three boroughs with less TA numbers - City of London, Merton & Richmond upon Thames - Hillingdon takes significantly more homeless applications than these boroughs. On the last published MHCLG stats (April 2021) Hillingdon carried out 1751 homeless assessments as opposed to City of London (12) and Richmond upon Thames (295). Merton did not submit their stats for publication.
	Food Health & Safety	To ensure the safety of food businesses within Hillingdon	Number of inspections in categories A-E completed	SW	404	Green	403	Green	72	216	903	The reason for the substantial increase in inspection levels is due to the end of Coronavirus restrictions. Through 20/21, food establishments were in and out of lockdowns and therefore inspections could not take
	Education	Reduce the number of permanent exclusions	Number of permanently excluded pupils in period	LP	5	N/A	5	N/A	New Indicator	New Indicator	N/A	Exclusion figures are stable across Q1 and Q2.
Finance	Exchequer Services & Business Assurance	To support the Council in meeting its statutory responsibilities for the prevention and detection of fraud and corruption.	Progress towards meeting the Council's Loss and Prevention Recovery Target	AB	£308,299	Amber	£1,524,650	Green	£172,373	£1,004m	£1.5m	The Service has already achieved its financial target for the year. This is mainly due to new initiatives within Revenues maximisation to identify businesses that are not listed for business rates. This new approach is in its infancy and will be developed further throughout the financial year.
			Sound Financial Management	Council Tax Collection Rate	MP	29.73%	Green	55.98%	Green	56.11%	95.60%	95.5%
	Sound Financial Management	Business Rates Collection Rate	MP	22.31%	Amber	46.98%	Amber	49.20%	94.79%	94%	Awaiting announcement of MCC relief for businesses not in receipt of earlier covid support/relief	
Building Services, Infrastructure & Transport	Housing Repairs	To undertake the annual gas safety check of all LBH owned residential housing properties.	% Gas Safety Certificates in date	GP	99.24%	Green	99.13%	Green	97.33%	8533 Properties	99.96%	Contractually we are 100% compliant as all non-compliant properties have received 3 appointment letters and appointments to complete the service attempted by the contractor. Tenancy Management and Legal Services are working to ensure access into the overdue properties.
			To provide an effective customer service to our residents	Resident satisfaction call backs to residents for Repairs	GP	95%	Green	95%	Green	Annual data	94%	87%
	Highway Services	To effectively maintain the highways in the Borough	% permanent pothole repairs completed within 28 days	PP	98%	Green	99%	Green	100%	100%	95%	Work completed within the required timescale
			% of street lighting outages repaired on time	PP	98%	Green	99%	Green	99%	99%	95%	Street Lighting outages repaired on time
	Waste Services	Increase recycling waste	% of Waste Stream recycled in the quarter as detailed in Data Waste Flow which is a DEFRA document	CK	41.90%	Green	42.00%	Green	41.10%	38.90%	37%	A very similar figure than quarter 1. These percentages are planned to drop as garden waste reduces over winter

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REVIEW BY THE ENVIRONMENT, HOUSING AND REGENERATION SELECT COMMITTEE: *IMPROVING ENGAGEMENT WITH TENANTS AND LEASEHOLDERS*

Cabinet Member(s)	Councillor Eddie Lavery
Cabinet Portfolio(s)	Environment, Housing & Regeneration
Officer Contact(s)	Neil Fraser, Democratic Services
Papers with report	Final review report

HEADLINES

Summary	To receive the final report detailing the review by the Environment, Housing & Regeneration Select Committee in 2021, which looked at the engagement with tenants and leaseholders within Hillingdon. The review makes recommendations for Cabinet to consider.
Putting our Residents First	This report supports the following Council objectives of: Our People; It supports the Council's Housing Strategy and also Digital Connectivity Strategy.
Financial Cost	There are no direct financial costs arising from the initial recommendations, however, any service changes arising will need to be funded from within approved budgets, including any external funding to the service.
Relevant Select Committee	Environment, Housing & Regeneration.
Relevant Ward(s)	All.

RECOMMENDATIONS

That the Cabinet welcomes the Committee's findings from their review into improving engagement with tenants and leaseholders in Hillingdon, and the recommendations outlined below, noting that their implementation will be taken forward with officers and by the Cabinet Member for Environment, Housing & Regeneration:

SELECT COMMITTEE RECOMMENDATIONS:

That Cabinet:

- 1. Note the experiences and feedback from those tenants and leaseholders who attended the witness sessions and from those responding to surveys as set out in the report and, in light of the Draft Charter for Social Housing Residents, support the need to continuously improve the quality, timeliness, and breadth of the Council's engagement with tenants and leaseholders.**
- 2. Agree that officers develop, for approval by the Cabinet Member, an Engagement Strategy and associated 3-year Delivery Plan, that in particular sets out:**
 - a. The engagement options to promote resident feedback and involvement at a pace and level which suits residents, and that which supports service improvement and the resolution of matters which are important to residents;**
 - b. The opportunities for residents to engage via the use of digital tools as well as 'in-person' contact, understanding that engagement should be non-exclusionary, and not be limited to only digital means but should instead provide a breadth of options to give a voice to all tenants and leaseholders. In-person contact could include the reformation of regular Senate or Assembly meetings, alongside special interest groups, or 'Community Engagement Days' held at estates or public spaces, alongside partners and other Council services (such as the Community Safety Team, Green Spaces and Anti-Social Behaviour & Environment Team), to ensure a coordinated approach to engagement, resolution of neighbourhood issues, and collation of resident feedback;**
 - c. A schedule of further consultation to be carried out, to obtain feedback from a large and diverse subset of the Borough's tenants and leaseholders, with a view to adding to or revising the strategy in line with this feedback.**
- 3. Request that officers work with the Corporate Communications team to raise awareness of the engagement options available to tenants and leaseholders, including through the use of the Council's social media platforms, to maximise the opportunities for tenants and leaseholders to provide feedback.**
- 4. Agree that, in order to demonstrate a continued commitment to overview and scrutiny, the Environment, Housing & Regeneration Select Committee receive a yearly report for the duration of the service's 3-year plan for engagement, providing an update on the implementation of these recommendations, further actions, and continued direction of travel, supported by the latest data on tenant and leaseholder engagement and feedback.**

Reasons for recommendations

Following consideration of all available information including that contributed by officers, together with feedback from residents both in-person and online surveys, the Committee accepted that the Council had an opportunity to effect real improvement to both fulfil the requirements of the new Draft Charter for Social Housing Residents, as well as promoting more effective engagement and support of the Borough's residents.

Throughout, the Committee was mindful that the Council's actions to meet the expectations set out in the new Draft Charter were at an early stage, and so welcomed the timeliness of the review and its ability to help steer future actions through its recommendations to Cabinet. However, the Committee was also mindful that any recommendations should be realistic and actionable, with due consideration to budgetary requirements. Additionally, it was highlighted that any recommendations should refrain from being too prescriptive, to allow officers the flexibility to tailor any actions upon receipt of further feedback from residents as engagement, whether in-person or through further online surveys, was received.

Alternative options considered / risk management

The Cabinet could decide to reject some or all of the Committee's recommendations.

SUPPORTING INFORMATION

In November 2020, the Government published its draft Charter for Social Housing Residents White Paper, which set out the actions central Government will take to "ensure that residents in social housing are safe, are listened to, live in good quality homes, and have access to redress when things go wrong."

The Select Committee therefore approved, as its first review, the topic of how to improve feedback from residents of social housing, in order to support the work of the Council's landlord function to help shape and update its approach to tenant and leaseholder engagement under the terms of this new Charter.

Through all information gathering, the Committee was mindful of the need to find cost-effective, workable solutions, and the recommendations in this report are endorsed as prudent, effective actions to grow engagement and fulfil the terms of the Charter.

The Committee has recommended that officers should develop an Engagement Strategy and Delivery Plan, in consultation with a selection of tenants, leaseholders, service managers and stakeholders. The strategy was to consider the common barriers to resident engagement, hard to reach groups, BMEs, single parents and young people, and was to be an evolving document with elements of further feedback, monitoring and review. It was recommended that this should be delivered over three years, fulfilling regulatory requirements of social housing providers.

It was recognised that the strategy should avoid a 'one size fits all' approach but instead should tailor its strategy to resident needs, together with their willingness or availability to become involved. It was accepted that many of the residents willing to engage with the Council were

retirees, who had more free time. The Strategy should therefore carefully consider how to engage with people with more limited time, tailoring engagement actions to fit with their own availability.

Key interaction methods identified include various assemblies and group meetings, direct contact via 'Meet the Manager' sessions, increased digital engagement including enhancements to the Council's website to ensure accessibility, and collaboration on the service's annual report. It was noted that the current pandemic has inevitably steered engagement with residents towards digital / on-line approaches and this should be considered when developing the strategy and delivery options.

Alongside this new Strategy and Delivery Plan, the Committee recommended that officers engage with the Council's Corporate Communications team to review how best to further raise awareness of the options for engagement available to Hillingdon's Council tenants and leaseholders.

Regarding the Better Neighbourhood Fund, the Committee determined that the Fund was delivering positive outcomes for residents, but suggested that officers review new ways to seek resident input into how the fund is allocated to projects through better consultation as part of the 3 year plan.

On the understanding that resident feedback, though the Survey of Tenants and Residents (STAR) and other methods outlined, would continue throughout the 3 years, it was recommended that the Committee receive further update reports at regular intervals on how the strategy was being delivered and what feedback was being captured and used by services.

Terms of Reference for the review were:

1. To understand Hillingdon's current engagement approach with tenants and leaseholders and the planned work programmes and activities that the Council engages with them on, e.g. Better Neighbourhood Fund.
2. To learn from residents of their experiences and interaction with the Council and their satisfaction;
3. To review other best practice and identify any improvement to tenant and leaseholder engagement and satisfaction going forward, including from any new legislation / regulation, e.g. the Charter for Social Housing Residents, and how the Council can best adapt to meet this;
4. To identify any gaps and opportunities to draw together different strands of activities by the Council to ensure the overall service we provide is one-stop, agile and responsive to the needs of tenants and leaseholders; and
5. To make practical, prudent recommendations to Cabinet from the Committee's findings.

Information Gathering:

As part of its witness and evidence sessions, the Committee received evidence from the following witnesses:

- Rod Smith – Head of Housing Management
- Marion Finney – Regulation and Engagement Manager
- Alan Clark – Secretary of the Hillingdon Association of Council (Domestic) Leaseholders
- Ros Jorge - Tenant representative
- Natalie Lindsay - Tenant representative.
- Tenants and Leaseholders - via surveys

Service Officer Comments on Recommendations where relevant (implementation)

If agreed by Cabinet, the recommendations set out a measured approach to the Council's alignment with the expectations of the Regulator of Social Housing. A 'step-change' in the role, operation and expectations of the Regulator will have a direct impact on the work and priorities of the Council in its capacity as a landlord. In particular, the Regulator has made it known that it intends to proactively regulate social landlords across a range of revised standards including meaningful engagement with tenants.

'To have your voice heard by your landlord' is seen as a 'golden thread' running through all the Standards. The development of an engagement and involvement strategy in conjunction with key stakeholders are an important commitment and 'first-step' on the road to regulatory compliance. Linked to the recommendations made, the Council's landlord service will have a clear mandate to move forward with setting out how it intends to seek out and document best practice and the range of options to support its tenants and leaseholders to engage effectively and make a real contribution to the way the services they receive are shaped, delivered and reported.

The Council's Corporate Communications service will work with the Housing team to explore various ways to promote the engagement opportunities (digital and non-digital) available for tenants and leaseholders.

Financial Implications

There are no direct financial costs arising from the initial recommendations, however, any service changes arising will need to be funded from within approved budgets, including any external funding to the service.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities?

The creation and implementation of a new Engagement Strategy and Delivery Plan, in line with the requirements of the new Charter, will ensure social housing residents are safe in their homes, are able to assess the performance of their landlords and are able to seek redress through a formal complaint process where necessary. Additionally, the Plan will provide greater support for landlords on their own requirements of their role as landlords.

Tenants and landlords will also be consulted throughout the process, in order to help shape the Strategy and its delivery.

Consultation carried out or required

The Committee sought a wide range of internal witness testimony, as set out in the report.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications set out above, noting that there are no direct financial implications associated with the recommendations within this report.

Legal

The Borough Solicitor confirms that the legal implications are included in the report.

BACKGROUND PAPERS

NIL.

Our engagement with tenants and leaseholders

Improving participation and feedback to improve service and satisfaction



A review by the Environment, Housing & Regeneration Select Committee (2020/21)

Members of the Committee: Councillors Wayne Bridges (Chairman), Alan Chapman (Vice Chairman), Scott Farley (Opposition Lead), Allan Kauffman, Nicola Brightman, Alan Deville, and Janet Gardner

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Chairman's Foreword

On behalf of the Environment, Housing and Regeneration Select Committee, I am pleased to present this report detailing the Committee's review into the Council's engagement with its tenants and leaseholders.

In November 2020, the Government published its draft Charter for Social Housing Residents White Paper, which set out the actions central Government will take to "ensure that residents in social housing are safe, are listened to, live in good quality homes, and have access to redress when things go wrong."

The Select Committee therefore approved as its first review, the topic of how to improve feedback from residents of social housing, in order to support the work of the Council's landlord function to help shape and update its approach to tenant and leaseholder engagement under the terms of this new Charter.

Following consideration of all available information, including that contributed by officers, together with feedback from residents both in-person and via online, the Committee accepted that the Council had an opportunity to affect real improvement to both fulfil the requirements of the new Charter for Social Housing, as well as promoting more effective engagement and support of the Borough's residents.

Through all information gathering, the Committee was mindful of the need to find cost-effective, workable solutions, and the recommendations in this report are endorsed as prudent, effective actions to grow engagement and fulfil the terms of the Charter.

I would like to take this opportunity to thank those officers and volunteers who have given up their time to help the Committee in reviewing this topic, and commend them for their continued hard work to support residents.

Councillor Wayne Bridges

Chairman of the Environment, Housing and Regeneration Select Committee.



Summary of recommendations to Cabinet

Through the witness testimony and evidence received during the detailed review by the Committee, Members have agreed the following recommendations to Cabinet.

That Cabinet:

1 Note the experiences and feedback from those tenants and leaseholders who attended the witness sessions and from those responding to surveys as set out in the report and, in light of the Draft Charter for Social Housing Residents, support the need to continuously improve the quality, timeliness, and breadth of the Council's engagement with tenants and leaseholders.

2 Agree that officers develop, for approval by the Cabinet Member, an Engagement Strategy and associated 3-year Delivery Plan, that in particular sets out:

- a. The engagement options to promote resident feedback and involvement at a pace and level which suits residents, and that which supports service improvement and the resolution of matters which are important to residents;
- b. The opportunities for residents to engage via the use of digital tools as well as 'in-person' contact, understanding that engagement should be non-exclusionary, and not be limited to only digital means but should instead provide a breadth of options to give a voice to all tenants and leaseholders. In-person contact could include the reformation of regular Senate or Assembly meetings, alongside special interest groups, or 'Community Engagement Days' held at estates or public spaces, alongside partners and other Council services (such as the Community Safety Team, Green Spaces and Anti-Social Behaviour & Environment Team), to ensure a coordinated approach to engagement, resolution of neighbourhood issues, and collation of resident feedback;
- c. A schedule of further consultation to be carried out, to obtain feedback from a large and diverse subset of the Borough's tenants and leaseholders, with a view to adding to or revising the strategy in line with this feedback.

3

Request that officers work with the Corporate Communications team to raise awareness of the engagement options available to tenants and leaseholders, including through the use of the Council's social media platforms, to maximise the opportunities for tenants and leaseholders to provide feedback.

4

Agree that, in order to demonstrate a continued commitment to overview and scrutiny, the Environment, Housing & Regeneration Select Committee receive a yearly report for the duration of the service's 3 year plan for engagement, providing an update on the implementation of these recommendations, further actions, and continued direction of travel, supported by the latest data on tenant and leaseholder engagement and feedback.

Background to the review

In November 2020, the Government published its Draft Charter for Social Housing Residents White Paper, which set out the actions the government will take to “ensure that residents in social housing are safe, are listened to, live in good quality homes, and have access to redress when things go wrong.”

In the foreword, the Prime Minister stated how fundamental it was to ‘give social housing tenants a voice and ensure that it is listened to.’ The accompanying Draft **Charter for Social Housing Residents**, which aims to “raise the standard of social housing and meet the aspirations of residents throughout the country,” set out the government’s [post Grenfell Tower] Regulatory vision for social housing.

Hillingdon Council currently has 10,000 homes classified as social housing, with a further 3,200 long leaseholders for total of 13,200 properties in management. These numbers have remained steady in recent years as the Council has acquired or developed new accommodation to offset 'Right To Buy' sales. With the major regeneration projects taking place in Hayes, together with the requirements of the new Charter, this was deemed an opportune time for the Council to review how it engages with its tenants moving forward.

Therefore, at its meeting on 08 June 2021, the Select Committee approved as its first review the topic of how to improve feedback from residents of social housing, in order to support the work of the Council’s landlord function to help shape and update its approach to tenant and leaseholder engagement under the terms of the new Charter and support the regeneration work of the Council in the years to come.

As the work to support the aim of regulatory compliance, including a ‘step change’ in approach to resident engagement was, and remains, at an early stage, the Committee was in the unique position to help steer the future direction of the Council’s approach to tenant and leaseholder engagement, inclusive of direct feedback from residents along with best practice and innovation identified from other local authorities.

Throughout the review, the Committee sought to understand:

- How could the current approach to engagement with residents be improved?
- What role, if any, could the Better Neighbourhood Fund play in the wider engagement strategy as part of improving the quality and appearance of estate environments?
- How could a future engagement strategy ‘reach out’ to all sections of the tenant and leaseholder population, including ‘harder to reach groups’.
- What was the role of new technology and the Council’s digital offer to support efficiency of approach and maximise feedback?

Evidence & Witness Testimony

At the first witness session, held on 14 September 2021, Rod Smith – Head of Housing Management, and Marion Finney – Regulation and Engagement Manager, addressed the Committee to provide information to aid the review.

At the second, and final, witness session, held 13 October 2021, Rod Smith and Marion Finney – were joined by the following external witnesses: Mr Alan Clark – Secretary of the Hillingdon Association of Council (Domestic) Leaseholders. Mrs Ros Jorge - Tenant representative, and Ms Natalie Lindsay - Tenant representative.

The Committee was supported through both in-person witness sessions with additional written information. The Committee first sought to understand the legislative and national context for the review, before learning about the Landlord service and its current resources and working practices. Information gathering then progressed to feedback from residents, before consideration of the options for actions to address the requirements of the Draft Charter for Social Housing Residents.

Legislative / national context

The Committee was advised that under section 105 of the Housing Act 1985, the Council has a legal obligation to consult with its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of homes let by them, or changes in the provision of amenities. Under section 20 of the Landlord & Tenant Act 1985 as amended, the Council also has a legal obligation to consult with leaseholders regarding certain qualifying works and services where the Council intends to pass on the cost of works and services to leaseholders under the terms of their leases. These legal obligations should be seen as a statutory minimum. Moving forward the government has clear expectations regarding a ‘step change in approach’ which will see engagement and involvement as a ‘golden thread’ running through services delivered by social housing providers.

The policy paper ‘The Charter for Social Housing Residents: Social Housing White Paper’, published 17 November 2020, sets out the actions the government will take to ensure that residents in social housing are safe, are listened to, live in good quality homes, and have access to redress when things go wrong. The full document is linked within the ‘background papers’ section below.

Appendix A contains a summary of the White Paper prepared by the Housing Quality Network. An excerpt detailing the aims of the proposed charter is provided:

The stated aim of the new Charter for Social Housing Residents is to “raise the standard of social housing and meet the aspirations of residents throughout the country.”

The Government says it will strengthen the Regulator of Social Housing to create new consumer standards for landlords to be measured against. These appear to be in line with how the regulator

measures governance and financial standards (G and V ratings). This will be monitored by a new 'arm' of the regulator which will "proactively regulate on consumer standards including quality of homes, repairs, meaningful engagement with tenants and complaints handling." Inside Housing has highlighted that this was a role previously delivered by the Tenants Service Authority until it was scrapped in 2010.

The Housing Ombudsman will also get more powers on tackling complaints while the Decent Homes Standard will be reviewed.

The Charter covers seven key areas that social housing tenants should expect:

- 1. To be safe in your home. We will work with industry and landlords to ensure every home is safe and secure;*
- 2. To know how your landlord is performing, including on repairs, complaints and safety, and how it spends its money, so you can hold it to account;*
- 3. To have your complaints dealt with promptly and fairly, with access to a strong Ombudsman who will give you swift and fair redress when needed;*
- 4. To be treated with respect, backed by a strong consumer regulator and improved consumer standards for tenants;*
- 5. To have your voice heard by your landlord, for example through regular meetings, scrutiny panels or being on its Board. The Government will provide help, if you want it, to give you the tools to ensure your landlord listens;*
- 6. To have a good quality home and neighbourhood to live in, with your landlord keeping your home in good repair;*
- 7. To be supported to take your first step to ownership, so it is a ladder to other opportunities, should your circumstances allow.*

Staffing

Regarding current staffing resource, the Committee was informed that the Council's Customer Engagement Team is made up of 1 x FTE Regulations and Engagement Manager and 2 x FTE Senior Customer Engagement Officers. The current approach to resident involvement and feedback comprised talking to residents and using their views to improve services and included:

- Telling people about services;
- Asking people for their views;
- Discussing issues and identifying priorities;
- Working together to improve and design services;
- Maintaining working relationship based on a partnership approach.

The Customer Engagement Team is responsible for planning and coordinating consultation and engagement activity across the Council, including:

- Conferences, assemblies and forums;
- Focus and service user groups;
- Surveys;
- Impact assessments;
- Statutory and non–statutory consultation.

Current practices to promote resident engagement

The Committee recognised that the service was required to find the most effective way of engaging with customers locally to deliver responsive services, meet the needs of the business, and evidence regulatory compliance. While it was accepted that this could vary depending on the target audience and other key factors (i.e. cultural, religious beliefs, age, ethnic background or level of digital/online knowledge), the aim for officers was to work with residents to provide a bespoke service through co-production and co-regulation.

The Service had identified community engagement as a key activity to improve services and increase customer satisfaction by:

- Providing support and advice to teams to help plan and deliver engagement activity with their customers;
- Providing training and support for teams around specialist engagement, such as:
 - Holding in-depth interviews, face to face discussions and virtual meetings;
 - Designing and facilitating focus groups and forums;
 - Designing qualitative and quantitative surveys;
 - Analysing results of consultation.
- Coordinating engagement activity across the Council to avoid duplication of work and survey fatigue and ensure quality and consistency of engagement;
- Working with partners to share and promote best practice.

Using the Community Engagement Team to assist with engagement activity could provide the following business benefits:

- Improved value for money from customer engagement practice via:
- Improved identification of performance issues from the customer perspective;
- Improved identification and recording of service improvements as a result of customer engagement;
- Better quality decisions made by service teams;
- Efficiencies from reduced use of consultancy time due to improved staff skills on engagement-
- Consistent customer engagement practice across the organisation.
- Improved perception of departmental services.
- Demonstration of the Council's vision to put residents first.

An example of a best practice approach was evidenced through the recent engagement activities carried

out by the team in securing a 'Yes' vote for the Hayes Regeneration project. The outcome of the ballot highlighted how effective the approach has been.

It was also confirmed that the Customer Engagement Team was a member of the West London Resident Engagement Group (WLREG). The group brings together resident involvement/engagement practitioners based within the West London area to share good practice and identify opportunities for joint working.

Work across Tenancy Services was confirmed as already underway regarding the wider context of engagement and involvement, as set out in the extract from the Service Plan for 2021/22 attached as **Appendix B**.

Better Neighbourhood funding

As part of the review, the Committee considered whether the Hillingdon's Better Neighbourhood Fund could also form part of any improvement to engagement. To that end, officers confirmed that each year, the Council allocated £156,000 from the Housing Revenue Account 'Works to Stock' budget to facilitate Council tenants and leaseholders, Ward Councillors, and Council employees to suggest improvements to their housing estate, managed by the Community Engagement & Town Centre Improvements (CETCI) Team. Criteria for submissions and further information is set out for residents on the Council website at [Better Neighbourhood funding - Hillingdon Council](#), with proposals supporting local priorities such as:-

- Protecting and enhancing the environment
- Promoting strong and active communities
- Making Hillingdon safer

Applications received are then considered by the Cabinet Member for Environment, Housing and Regeneration.

Examples of recent uses of the Fund are attached as **Appendix E**.

Future consultative engagement and the avoidance of a 'one size fits all' approach

In response to the Government's new Draft Charter for Social Housing Residents, the Committee considered officers' initial thoughts on how best to ensure that residents in social housing had a 'voice' and were listened to.

It was understood that the government, through the Regulator of Social Housing, had clear expectations regarding a 'step change in approach' which would see engagement and involvement as a 'golden thread' running through services delivered by social housing providers. To align itself with these expectations it was suggested that the Council could develop a 'Tenant & Leaseholder Engagement and Involvement Strategy', including

- The methods of obtaining views and feedback
- The ease of accessing engagement opportunities

- The way in which involvement and engagement was undertaken against the backdrop of covid-19 and social distancing rules
- Resident perceptions regarding the value the Council places on resident feedback and whether the Council ‘listens to’ and acts upon the views of residents

The Committee recognised that approaches to engagement and involvement should not be a ‘one size fits all’ and as such accessible opportunities should be available to residents at a pace and level which they find meaningful and useful. Some of the barriers preventing residents from becoming more involved in housing and other community activities within their local areas included a lack of time, disability or health, and a lack of awareness of how to become more involved. Overall, officers considered that the number of respondents who were willing to engage with the Council was positive.

Figure 1, below, was provided the Committee and set out a simple hierarchy of involvement across five distinct layers, and it was suggested that such a hierarchy should form the basis of the service’s approach to engagement moving forward.

Figure 1 – Hierarchy of involvement



Explaining each ‘level’ in turn:

Inform: good quality and timely information. This may be enough to meet the needs of a wide group of residents, but it is important to note that the provision of this information is essentially ‘one-way’. Examples of ‘informing’ included the currently produced Tenants and Leaseholders Annual Report that advised residents of how the Council was performing as a landlord, including messages on rent statements, direct mailing, and the use of social media platforms including the website.

Consult: provision of information and feedback. At its most basic level, under section 105 of the Housing Act 1985, the Council has a legal obligation to consult with its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of homes let by them, or changes in the provision of amenities. Under section 20 of the

Landlord & Tenant Act 1985 as amended, the Council also has a legal obligation to consult with leaseholders regarding certain qualifying works and services where the Council intends to pass on the cost of works and services to leaseholders under the terms of their leases. These legal obligations are a statutory minimum. It was accepted that consultation at this level could be extended and applied more widely.

The Council, through such obligation, carries out a number of statutory consultations including the Council's Annual Budget Consultation, Housing Strategy Consultation and Sheltered Housing Service Consultation. Other options for obtaining feedback were through the STAR (Survey of Tenants and Residents) survey, undertaken by tenants and leaseholders. This year's STAR survey was confirmed to run from October to December, with the aim of getting as many tenants and leaseholders involved as possible. The Council also consulted with its Housing Forum members (Senate) mainly through scheduled meetings (twice a year, though currently on hold due to the pandemic), where they can interact and discuss with various service managers and senior management with the view to influencing decisions on various service areas.

Involve: as referred to earlier in this report, the Council had previously run a successful consultation seeking resident views on a proposal to regenerate two estates in the Hayes area. The outcome was very positive and resulted in the Council committing to redevelop both estates for the residents living in the area. The hierarchy of involvement approach was used, with residents informed and consulted throughout, and the Council is continuing to work in collaboration with stakeholders and residents to finalise the design of properties to be built. Feedback had been positive so far.

Collaborate: a collaborative approach to engagement and involvement implies partnership working on key aspects of service which matter to residents, and which builds trust and capacity.

Empower and Control: greater levels of empowerment and even 'control', underpinned by strong partnership working.

Potential offers under the 'hierarchy of involvement'

The Committee was advised that in recent years, the service had generally operated towards the lower end of the involvement hierarchy, with the focus on informing and engaging with tenants and leaseholds at a more basic level, including 'statutory consultation, which has limited scope to inform or shape services. The 'step-change' in approach envisaged by the Regulator of Social Housing and identified by the Landlord Service as part of its own 'self-assessment' against the emerging regulatory standards, will necessitate the landlord offer moving up the hierarchy of involvement in a managed way.

Online Feedback from tenant and leaseholder respondents to the Sample Survey

The Committee was provided with the results of a sample online survey of 100 tenants and leaseholders. Of those surveyed, 77% were tenants, with 23% leaseholders; and had covered a wide variety of age, location and length of engagement with the Council.

The questions asked in the sample survey mirrored those to be included in the more comprehensive STAR survey, which would survey circa 50% of the entire 13k customer base. This STAR survey was

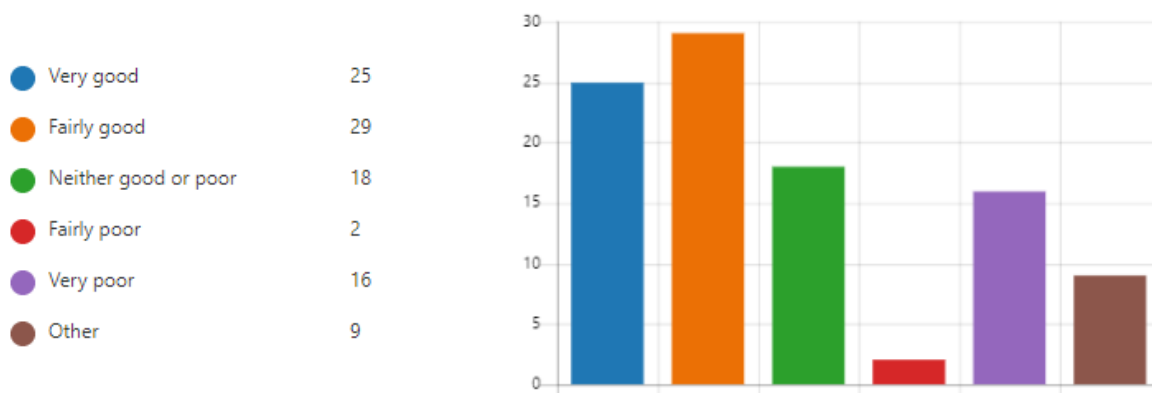
expected to result in a sample return of 10%, and owing to its larger audience, would provide a greater level of detail from which further analysis could be undertaken, with a view to informing future strategy.

Officers elaborated on the STAR survey, explaining that STAR stood for ‘Survey of Tenants and Residents’ and was originally developed by HouseMark in 2011 as a consistent framework for social landlords to collect and report on resident satisfaction. The main aim of the STAR framework was to provide landlords with consistent best practice in the collection of resident feedback, and to enable them to compare and share results with tenants and stakeholders in a meaningful way. STAR outcomes provided a consistent framework for measuring customer satisfaction that allowed like-for-like comparisons, focussing on what matters to residents, and enabled landlords to make use of the data to drive improvements.

Feedback from the sample survey highlighted that the majority of respondents were broadly satisfied with the way in which Hillingdon was communicating with them. However, the data suggested there was room for improvement in all areas. An example of the typical results is set out below, with the full results of the sample survey set out in **Appendix C**.

3. How good or poor do you feel Hillingdon Council is at keeping you informed about their services and decisions?

[More Details](#)



The Committee suggested that the service should prioritise ‘consulting’ with residents, rather than simply ‘informing’ them, especially regarding how the service was liaising with residents prior to decisions being made.

In-person feedback from residents tenants:

The information gathering sessions were supported through attendance from:

- Mrs Jorge, a resident of Sutcliffe House, had been active in the community and with the Council through such bodies as the Better Neighbourhood team, Townfield Community Committee, among others, and who had undertaken a street/estate champion role;
- Mr Clark, Chairman of the Hillingdon Association of Council (Domestic) Leaseholders, was actively engaging with the Council on behalf of the Association’s 3,000 members; and

- Mrs Lindsay, a resident of Avondale Drive, had previously engaged with the Council through training initiatives to improve job prospects, as well as acting as secretary for her estate committee.

The witnesses in attendance advised the Committee that their estates often presented to a standard which they felt was below an acceptable level. This could include issues of disrepair or internal and external shared areas suffering from a lack of maintenance. In addition, anti-social behaviour, including drug abuse, harassment and rough sleeping was common. It was felt that there was a lack of community sports and leisure activities provided, particularly for women and young people, which if in place, could foster stronger community ties, and promote mental and physical health.

In such instances, the witnesses advised that they would endeavour to contact the Council to report the issues on behalf of their community. However, where previously it had been easier to reach a specific officer directly, who would listen and understand the problem before acting to resolve it, contacting the Council now was often through the call centre, which then routed the resident to a relevant service team. Responses from those service teams was often insufficient or delayed with a lack of subsequent progress updates. In some instances, issues were not resolved at all. (Mr Clark did highlight that, through his role as Chairman, he maintained a list of Council officer contacts that he could reach directly, without having to go through the call centre.)

It was suggested that one way to address these presenting issues and provide a voice to residents was to rejuvenate meetings such as Local Housing Forums/Senate where representatives could engage directly with relevant managers.

Further feedback received was that residents felt undervalued by the Council, and not listened to, and that more should be done to engage and empower residents through two-way communication and community involvement. Additionally, the Council needed to be seen to demonstrate firm, timely action where necessary, for example when addressing antisocial behaviour, as resident perception was that not enough was being done to resolve such issues.

The Committee suggested that the feedback received should be used to inform the proposed new engagement strategy. Officers suggested that the recommendations to Cabinet resulting from this review could include recognition of the value of good quality engagement, together with the instruction to create and maintain of a range of engagement options which promoted and valued resident involvement and feedback through actions residents were comfortable with. In addition, it was recognised that Council resources should be aligned to the resolution of matters that were of importance to tenants and leaseholders. Creating a menu of options for residents to be involved in various ways, at their own pace and frequency, would increase participation. The Committee was provided with examples of potential engagement, included as **Appendix D**.

To receive greater feedback, officers advised that the service was considering setting up 'Estate Marshalls' to act as points of contact for the Council to collaborate with. This could include greater collaboration via 'Street Searches', attendance at street parties or fetes, youth councils, or through pairing up with partners such as the Police, with the aim of being 'seen' within the various communities. In addition, it was suggested that increased use of social media and messaging services, such as WhatsApp, could be considered.

London Scrutiny Network meeting - 19 November 2021

To aid the Committee, the clerk and Marion Finney attended a virtual meeting of the London Scrutiny Network on 19 November 2021, as resident engagement was included as a topic of discussion on the meeting agenda. While no additional best practice or innovation was suggested by attendees, it was gratifying that the actions being considered by the Committee were well received by the representatives of the attending authorities.

The Committee's Findings

General conclusions

Following consideration of all available information including that contributed by officers, together with feedback from residents both in-person and via online, the Committee accepted that the Council had an opportunity to affect real improvement to both fulfil the requirements of the new Draft Charter for Social Housing Residents, as well as promoting more effective engagement and support of the Borough's residents.

Throughout, the Committee was mindful that the Council's actions to meet the expectations set out in the new Draft Charter were at a significantly early stage, and so welcomed the timeliness of the review and its ability to help steer future actions through its recommendations to Cabinet. However, the Committee was also mindful that any recommendations should be realistic and actionable, with due consideration to budgetary requirements. Additionally, it was highlighted that any recommendations should refrain from being too proscriptive, to allow officers the flexibility to tailor any actions upon receipt of further feedback from residents as engagement, whether in-person or through further online surveys, was received.

Regarding resident feedback, the Committee was interested to note that respondents to the online sample survey were broadly positive towards the Council's previous engagement actions. Conversely, the feedback directly received from the residents attending the information gathering sessions was somewhat negative. While this positive and negative feedback was seen as extremely valuable to informing any recommendations, it was noted that all feedback received from residents so far was from a very small subset of the overall customer base of circa 10,000 tenants and 3,000 leaseholders.

Therefore, the Committee has recommended that officers should develop an Engagement Strategy and Delivery Plan, in consultation with a selection of tenants, leaseholders, service managers and stakeholders. The strategy was to consider the common barriers to resident engagement, hard to reach groups, BMEs, single parents and young people, and was to be an evolving document with elements of further feedback, monitoring and review. It was recommended that this should be delivered over three years, fulfilling regulatory requirements of social housing providers.

It was recognised that the strategy should avoid a 'one size fits all' approach but instead should tailor its strategy to resident needs, together with their willingness or availability to become involved. It was accepted that many of the residents willing to engage with the Council were retirees, who had more free time. The Strategy should therefore carefully consider how to engage with people with more limited time, tailoring engagement actions to fit with their own availability.

Key interaction methods identified include various assemblies and group meetings, direct contact via 'Meet the Manager' sessions, increased digital engagement including enhancements to the Council's website to ensure accessibility, and collaboration on the service's annual report. It was noted that the current pandemic has inevitably steered engagement with residents towards digital / on-line approaches and this should be considered when developing the strategy and delivery options.

Alongside this new Strategy and Delivery Plan, the Committee recommended that officers engage with the Council's Corporate Communications team to review how best to further raise awareness of the options for engagement available to Hillingdon's Council tenants and leaseholders.

Regarding the Better Neighbourhood Fund, the Committee determined that the Fund was delivering positive outcomes for residents, but suggested that officers review new ways to seek resident input into how the fund is allocated to projects through better consultation as part of the 3 year plan.

On the understanding that resident feedback, though the STAR survey and other methods outlined, would continue throughout the 3 years, it was recommended that the Committee receive further update reports at regular intervals on how the strategy was being delivered and what feedback was being captured and used by services.

The Committee's recommendations to Cabinet

That Cabinet:

1

Note the experiences and feedback from those tenants and leaseholders who attended the witness sessions, together with those responding to surveys, and in light of the new Draft Charter for Social Housing Residents, support the need to continuously improve the quality, timeliness, and breadth of the Council's engagement with tenants and leaseholders.

2

Agree that officers develop, for approval by the Cabinet Member, an Engagement Strategy and associated 3-year Delivery Plan, that in particular sets out:

- a. The engagement options to promote resident feedback and involvement at a pace and level which suits residents, and that which supports service improvement and the resolution of matters which are important to residents;
- b. The opportunities for residents to engage via the use of digital tools as well as 'in-person' contact, understanding that engagement should be non-exclusionary, and not be limited to only digital means but should instead provide a breadth of options to give a voice to all tenants and leaseholders. In-person contact could include the reformation of regular Senate or Assembly meetings, alongside special interest groups, or 'Community Engagement Days' held at estates or public spaces, alongside partners and other Council services (such as the Community Safety Team, Green Spaces and Anti-Social Behaviour & Environment Team), to ensure a coordinated approach to engagement, resolution of neighbourhood issues, and collation of resident feedback;

- c. A schedule of further consultation to be carried out, to obtain feedback from a large and diverse subset of the Borough's tenants and leaseholders, with a view to adding to or revising the strategy in line with this feedback.

3

Request that officers work with the Corporate Communications team to raise awareness of the engagement options available to tenants and leaseholders, including through the use of the Council's social media platforms, to maximise the opportunities for tenants and leaseholders to provide feedback.

4

Agree that, in order to demonstrate a continued commitment to overview and scrutiny, the Environment, Housing & Regeneration Select Committee receive a yearly report for the duration of the service's 3 year delivery plan for engagement, which provide an update on the implementation of these recommendations, further actions, and continued direction of travel, supported by the latest data on tenant and leaseholder engagement and feedback.

About the review – witnesses and activity

The following Terms of Reference were agreed by the Committee from the outset of the review:

Terms of Reference

1. To understand Hillingdon's current engagement approach with tenants and leaseholders and the planned work programmes and activities that the Council engages with them on, e.g. Better Neighbourhood Fund.
2. To learn from residents of their experiences and interaction with the Council and their satisfaction;
3. To review other best practice and identify any improvement to tenant and leaseholder engagement and satisfaction going forward, including from any new legislation / regulation, e.g. the Charter for Social Housing Residents, and how the Council can best adapt to meet this;
4. To identify any gaps and opportunities to draw together different strands of activities by the Council to ensure the overall service we provide is one-stop, agile and responsive to the needs of tenants and leaseholders; and
5. To make practical, prudent recommendations to Cabinet from the Committee's findings.

The Committee received evidence from the following sources and witnesses:

<p>Witness Session 1 – 14 September 2021</p>	<p>Rod Smith – Head of Housing Management Marion Finney – Regulation and Engagement Manager</p>
<p>Witness Session 2 – 13 October 2021</p>	<p>Rod Smith – Head of Housing Management Marion Finney – Regulation and Engagement Manager Alan Clark – Secretary of the Hillingdon Association of Council (Domestic) Leaseholders Ros Jorge - Tenant representative Natalie Lindsay - Tenant representative.</p>

References

[The charter for social housing residents: social housing white paper - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442222/2016-17-social-housing-charter.pdf)

[Better Neighbourhood funding - Hillingdon Council](#)

Appendices

Appendix A - HQN Social Housing White Paper Summary Note

Appendix B - Extract from Tenancy Services – Service Plan 2021/22

Appendix C - Sample Survey results

Appendix D - Options for Engagement

Appendix E – Examples of use of the Better Neighbourhood Fund

Summary note: Social Housing White Paper – The Charter for Social Housing Residents

The stated aim of the new **Charter for Social Housing Residents** is to “raise the standard of social housing and meet the aspirations of residents throughout the country.”

The Government says it will **strengthen the Regulator of Social Housing** to create **new consumer standards** for landlords to be measured against. These appear to be in line with how the regulator measures governance and financial standards (G and V ratings). This will be monitored by a new ‘arm’ of the regulator which will “proactively regulate on consumer standards including quality of homes, repairs, meaningful engagement with tenants and complaints handling.”

Inside Housing has highlighted that this was a role previously delivered by the Tenants Service Authority until it was scrapped in 2010.

There will be a big focus on transparency with a new **‘access to information scheme’** effectively operating in the same way as the Freedom of Information Act.

The Housing Ombudsman will also get more powers on tackling complaints while the Decent Homes Standard will be reviewed

The Charter covers seven key areas that social housing tenants should expect:

1. **To be safe in your home.** We will work with industry and landlords to ensure every home is safe and secure.
2. **To know how your landlord is performing,** including on repairs, complaints and safety, and how it spends its money, so you can hold it to account.
3. **To have your complaints dealt with promptly and fairly,** with access to a strong Ombudsman who will give you swift and fair redress when needed.
4. **To be treated with respect,** backed by a strong consumer regulator and improved consumer standards for tenants.
5. **To have your voice heard by your landlord,** for example through regular meetings, scrutiny panels or being on its Board. The Government will provide help, if you want it, to give you the tools to ensure your landlord listens.
6. **To have a good quality home and neighbourhood to live in,** with your landlord keeping your home in good repair.
7. **To be supported to take your first step to ownership,** so it is a ladder to other opportunities, should your circumstances allow.

Below we have provided a summary on each of these areas.

To be safe in your home

The government wants to put tenants “back at the heart of building safety” following the Grenfell tragedy.



The Government has already:

- Made £400m available to social landlords to fund the removal of unsafe cladding and announced a further £1bn of grant funding to cover the costs of remediating unsafe blocks
- Published a Building Safety Bill
- Published a Fire Safety Consultation on Government proposals to implement the recommendations in the Grenfell Tower Inquiry's Phase 1 report
- Supported a Social Sector (Building Safety) Engagement Best Practice Group
- Published a Fire Safety Bill.

Now it will:

- Legislate so that safety is part of the Regulator of Social Housing's new consumer regulation role
- Legislate to require social landlords to identify a nominated person responsible for complying with their health and safety requirements
- Expect the Regulator of Social Housing to prepare a Memorandum of Understanding with the Health and Safety Executive to ensure effective sharing of information with the Building Safety Regulator
- Launch a consultation on mandating smoke and carbon monoxide alarms in social housing
- Consult on measures to ensure that social housing residents are protected from harm caused by poor electrical safety
- Build on the work of the Social Sector (Building Safety) Engagement Best Practice Group, supporting the development of statutory and **good practice guidance on engaging residents in all tenures on safety issues.**

To know how your landlord is performing

The White Paper says that the connection between landlords and communities has become stained – with the White Paper sighting large executive salaries. The government wants to redress the balance by creating a strong connection between landlords and tenants to ensure transparency and accountability.

Government will:

- Expect the Regulator of Social Housing to – as part of its expanded role – to bring in a **new set of tenant satisfaction measures for all landlords** on things that matter to tenants.

A draft set of measurements has been prepared as part of the White Paper and will be developed further in consultation with the sector – see Appendix one. **Landlords will also have to publish CEO and executive salaries** (relative to the size of the landlord) and management costs.

- Introduce a new **access to information scheme** – which will be in line with the **Freedom of Information Act** – for social housing tenants so that information relating to landlords is easily accessible
- Ensure landlords provide a clear breakdown of how their income is being spent, including levels of executive salaries, to be published alongside tenant satisfaction measures
- Require landlords to identify a senior person in their organisation who is responsible for ensuring they comply with the consumer standards set by the Regulator of Social Housing
- Expect landlords to report to every tenant on such matters at least once a year, **if not continuously, using technology (the use of apps is referenced in the paper).**

To have your complaints dealt with promptly and fairly

Tenants have reported to government that making a complaint can be difficult and takes too long.

The Government has already:

- Set out in the Building Safety Bill how it will speed up access to the Housing Ombudsman by removing the need for tenants to go to a ‘designated person’ or wait eight weeks before approaching them – removing the ‘democratic filter’
- Expanded the Housing Ombudsman service which is aiming to halve its decision times by March 2022
- Increased the Housing Ombudsman’s powers to take action against landlords where needed. The Housing Ombudsman has published a new Complaint Handling Code and guidance on new orders that will be implemented from 1 January 2021.

Now it will:

- Support improved complaint handling by landlords and hold them to account through **stronger action by the Housing Ombudsman.**

Landlords will be required to comply with the Housing Ombudsman’s Complaint Handling Code, ensuring that they have good processes in place to respond swiftly and effectively to complaints. Landlords have been asked to self-assess against the Code by 31 December 2020 and publish the results.

- From March 2021, **reports on the complaints** the Housing Ombudsman has handled for individual landlords, as well as the determinations on individual cases, **will be published on the Housing Ombudsman’s website**
- Keep the Housing Ombudsman’s powers, and compliance with them, under review and consider ways to strengthen them, including the option of legislation to put the Complaint Handling Code on a statutory footing
- **Run an awareness campaign so social housing residents know their rights**, are confident in navigating their routes to complain, and are aware of how to escalate to get redress where needed
- Ensure lessons are learned and maintain residents’ confidence in the Housing Ombudsman Service through the appointment by the Ombudsman of an independent reviewer by March 2021 to examine any complaints made about the service that the Housing Ombudsman provides
- Formalise and strengthen the relationship between the Regulator of Social Housing and the Housing Ombudsman by introducing a statutory requirement for both bodies to co-operate with each other in undertaking their responsibilities in holding landlords to account
- Make the Housing Ombudsman a statutory consultee for any proposal concerning changes to the Regulator of Social Housing’s economic and consumer standards and make the Regulator of Social Housing a statutory consultee for any changes to the Housing Ombudsman Scheme.

To be treated with respect

While the government feels that the economic regulation of social landlords has been a success, it believes that consumer regulation does not go far enough to ensure that landlords will deliver on the Charter it is setting out.

The new consumer regulation function within the Regulator of Social Housing will change that.

The Government will:

- Transform the Regulator of Social Housing so it proactively monitors consumer standards
- Remove the ‘serious detriment test’ and introduce routine inspections for the largest landlords (with over 1,000 homes) every four years
- Change the Regulator of Social Housing’s objectives to explicitly cover safety and transparency, and work with it to review its consumer standards to ensure they are up to date

- Give the Regulator of Social Housing the power to publish a Code of Practice on the consumer standards to be clearer on what landlords are required to deliver
- Strengthen the Regulator of Social Housing's enforcement powers to tackle failing landlords and to respond to new challenges facing the sector, by removing the cap on the level of fines it can issue, introducing Performance Improvement Plans for landlords failing to comply, reducing the notice period for surveys on the condition of properties, and introducing a new power to arrange emergency repairs if needed where a survey uncovers evidence of systemic landlord failures
- Make it explicit that provisions in contracts between local authorities and Arms Length Management Organisations or Tenant Management Organisations would be deemed void if they hindered the Regulator of Social Housing in its exercise of its powers
- Review the statutory Right to Manage guidance
- Set out an expectation for all landlords to self-refer breaches with the regulatory standards
- Strengthen the Regulator of Social Housing's powers to provide robust economic regulation of private registered providers
- Require the Regulator of Social Housing to set up an Advisory Committee to provide independent and unbiased advice on discharging its functions.

A list of all the changes to the regulatory regime – along with a plan of how the Regulator will need to change its onset – is set out in Appendix two (lifted from Annex A of the White Paper). Many of these changes will require legislation.

To have your voice heard

There is good work being done across the sector (TPAS is referenced), but Government feels performance is inconsistent – with examples of tenants feeling patronised, ignored or treated with disrespect.

The Government will:

- Expect the Regulator of Social Housing to require landlords to seek out best practice and consider how they can continually improve the way they engage with social housing tenants.

There is a focus in the White Paper on tackling loneliness and ensuring that tenant-led engagement activities linked to Covid-19 can continue.

- Deliver a new opportunities and empowerment programme for social housing residents, to support more effective engagement between landlords and residents, and to give residents tools to influence their landlords and hold them to account

- Review professional training and development to ensure residents receive a high standard of customer service.

To have a good quality home and neighbourhood to live in

While generally social housing is seen to deliver well designed, decent homes and good neighbourhoods some tenants have reported that their communities have been let down by poor neighbourhood management, upkeep of buildings and quality of shared spaces.

During lockdown some social housing tenants have struggled to find green spaces to exercise and others have had to deal with loneliness, isolation and ASB.

The Government has already:

- Announced the Green Homes Grant for 2020/21 which will fund up to two thirds of the cost of hiring tradespeople to upgrade the energy performance of homes
- Announced a £50m demonstrator project to support the decarbonisation of social housing over 2020/21
- Published a 25 year Environment Plan committing to connect people with the environment to improve health and wellbeing
- Encouraged developments that promote health and wellbeing through the National Planning Policy Framework and National Design Guide
- Announced a consultation through the Planning for the Future White Paper on proposals to enable more and better green space in development. Committed to expanding access to mental health services through the NHS Long Term Plan
- Acted to tackle segregation and stigmatisation through the planning system.

Now it will:

- Review the Decent Homes Standard to consider if it should be updated, including how it can better support the decarbonisation and energy efficiency of social homes, and improve communal and green spaces
- Continue to engage with the latest evidence on the impact of housing conditions on health, including Covid-19 transmission, and actively consider options to mitigate these impacts
- Review professionalisation to consider how well housing staff are equipped to work with people with mental health needs and encourage best practice for landlords working with those with mental health needs

- Clarify the roles of agencies involved in tackling anti-social behaviour and signpost tenants to those agencies who can give them the most appropriate support and assistance when faced with antisocial behaviour
- The Government will expect the Regulator of Social Housing to review and amend its regulatory standards to make it clear that landlords should have a policy setting out how they should tackle issues surrounding domestic abuse
- Consider the results of the allocations evidence collection exercise findings to **ensure that housing is allocated in the fairest way possible** and achieves the best outcomes for local places and communities.

To be supported to take your first step to ownership

The Government is determined to increase the supply of new and 'beautiful' social homes – and to ensure that as many social tenants as possible have the opportunity to buy a home of their own. This section of the report highlights policies and funding currently in place to deliver on that ambition.

To increase the supply:

- Built over 486,600 new affordable homes since 2010, including 142,400 for social rent
- Announced our new £11.5bn Affordable Homes Programme that will deliver up to 180,000 new homes
- Announced a new £3bn Affordable Homes Guarantee Scheme
- Removed the cap on local authority borrowing to fund housebuilding
- Consulted on whether greater flexibilities can be offered around how local authorities can use receipts from Right to Buy sales
- Supported community-led housebuilding through the community housing fund
- Announced Government will consult on further guidance to provide clarity on rural exception sites policy, to ensure they are used to their full potential.

To ensure that more social tenants have the opportunity to buy a home:

- Introduced a new shared ownership model
- Announced that around half of the homes delivered by the new Affordable Homes Programme will be for affordable home ownership
- Announced a new Right to Shared Ownership, meaning that most new grant-funded housing association homes for rent will give residents the opportunity to purchase a 10% (or more) stake in their home and to purchase further shares in future
- Launched a pilot of Voluntary Right to Buy in the Midlands

- Amended the National Planning Policy Framework and published a new national design guide to emphasise the importance of beauty and good design
- Emphasised through our new National Design Guide the importance of building beautiful and well-designed social homes.

Appendix one: Draft tenancy satisfaction measures

Box A: Draft Tenant Satisfaction Measures	
Theme	Draft tenant satisfaction measures
Keeping properties in good repair	Decent Homes Standard compliance
	Responsive repairs completed right first time
	Tenant satisfaction with landlord's repairs and maintenance service
Maintaining building safety	Compliance with health and safety obligations: <ul style="list-style-type: none"> • Gas safety • Electrical safety • Fire safety • Asbestos • Water safety • Lift safety
	Tenant satisfaction with the health and safety of their home
Effective handling of complaints	Number of complaints relative to the size of the landlord
	% of complaints resolved within agreed timescale
	Tenant satisfaction with landlord's complaints handling
Respectful and helpful engagement	Number of complaints relating to fairness and/or respect, relative to the size of the landlord
	Tenant satisfaction that their landlord listens to their views and takes notice of them
	Tenant satisfaction with landlord's engagement with tenants
Responsible neighbourhood management	% of communal areas meeting the required standard
	Number of complaints relating to communal areas, relative to the size of the landlord
	Tenant satisfaction with landlord actions to keep communal areas clean and safe
	Tenant satisfaction with landlord contribution to the neighbourhood associated with their home
	Number of complaints relating to anti-social behaviour, relative to the size of the landlord
	Tenant satisfaction with landlord's handling of anti-social behaviour
Overall	Tenant overall satisfaction with the service their landlord provides

Appendix two: Key measures for changing the regulatory regime for social housing

Government will:

- Work with the regulator to establish a proactive consumer regulation regime with active oversight of landlord performance, whilst maintaining the principle of co-regulation
- This will include:
 - Introducing routine inspections for the largest landlords (with over 1,000 homes) with the aim of doing so every four years, to obtain assurance from landlords that they are complying with the consumer standards
 - Specific, reactive inspections and/or investigations where systemic issues of concern are brought to the regulator by tenants or their representatives, the Housing Ombudsman or others
 - Published findings from these investigations and inspections where a landlord is found non-compliant with the regulator's standards
- Legislate to remove the 'serious detriment test' as soon as Parliamentary time allows, to eliminate barriers to the regulator adopting a proactive approach to monitoring and oversight of landlord performance on consumer issues
- Change the regulator's objectives to explicitly cover safety and transparency, and expect the regulator to review its consumer standards to ensure they are up to date and deliver its revised objectives
- Legislate to give the regulator a power to publish a code of practice on the consumer standards to be clearer on what landlords are required to deliver
- Expect the regulator to bring in a set of tenant satisfaction measures for all landlords on the things that matter to tenants, and expect landlords to report to every tenant on such matters at least once a year, if not continuously using technology
- Legislate to place an obligation on landlords to identify and publicise a senior named person in their organisation who is responsible for ensuring compliance with their health and safety obligations
- Expect the regulator to require landlords to identify a 'responsible person' for consumer standards compliance, as part of a wider requirement to provide greater clarity on the roles and responsibilities of senior staff
- Introduce a new access to information scheme for social housing tenants of housing associations and other private registered providers of social housing so that information relating to landlords is easily accessible to tenants
- Expect the regulator to require landlords to evidence how they have sought out and considered ways to improve engagement with tenants

- Legislate to strengthen the regulator’s enforcement powers to tackle failing landlords and to respond to new challenges, including:
 - Giving the regulator the power to require a Performance Improvement Plan
 - Reducing the notice period to survey homes
 - Giving the regulator the power to arrange emergency repair work and recoup costs from the landlord where, following a survey, there is evidence of systemic landlord failure and other regulatory measures have not worked
 - Removing the requirement to ask the Secretary of State’s approval to use its own staff to carry out inspections; and
 - Removing the cap on the level of fines the regulator may charge.
- Ensure that local authorities are held to account for the performance of service provided by an Arms Length Management Organisation or Tenant Management Organisation, by:
 - Asking stockholding local authorities that contract out management services to Arms Length Management Organisations to review their contracts to ensure they do not prevent the regulator from taking action in the event of non-compliance with its standards
 - Making it explicit that provisions in contracts between ALMOs or TMOs would be deemed void if they hindered the regulation in its exercise of its powers; and
 - Working with the regulator to set out an expectation for local authorities to self-refer to ensure that issues of concern to tenants are dealt with as quickly as possible
- Expect the regulator to review and amend its regulatory standards to make it clear that landlords should have a policy setting out how they should tackle issues surrounding domestic abuse, working with other agencies as appropriate
- Legislate to strengthen the relationship between the Housing Ombudsman and the regulator, building on the current Memorandum of Understanding to ensure that they can exchange information quickly and effectively to provide better protection for tenants
- Maintain the robust economic regulation regime that is already working well and make sure the whole system is cohesive and balanced. This will include ensuring that changes to consumer regulation do not undermine economic regulation
- Refine the regulator’s powers to ensure it has the right tools to deliver its economic regulation function effectively with an evolving sector. This includes:
 - Requiring landlords to notify the regulator of any change in control and refining the definition of ‘non-profit’ providers; and
 - Introducing a ‘look-through’ power so the regulator can follow money paid outside of the regulated sector to ensure probity

- Delivering these changes is essential to ensuring that the needs of tenants are embedded in the culture of all landlords, and will require significant change to the structure and expertise of the regulator, from senior leadership level downwards. To ensure that the regulator is equipped to deliver a proactive regulatory regime effectively, we will:
 - Enable the regulator to set up an entirely new function, and make sure it is resourced and able to recruit the right new staff, including at senior leadership level, that have the right expertise in consumer regulation, customer service and tenant engagement to effectively deliver the new consumer regulation regime
 - Expect the regulator to develop a strategy for appropriate and ongoing publicity to make tenants aware of what it does and how to get in touch – both so they can understand and help shape consumer regulation
 - Broaden the skills mix and diversity of Board Members and increase the number of Members with consumer regulation experience
 - Work with the regulator to make sure that the regulator is resourced and able to recruit the right new staff with diverse background and skills, including at senior levels
 - Require the regulator to set up a statutory Advisory Committee to provide independent and unbiased advice on discharging its functions. This will not be a decision-making body.

Appendix B - Extract from Tenancy Services – Service Plan 2021/22

Work across Tenancy Services is already underway, as reflected in the Service Plan for 2021/22, in the wider context of engagement and involvement.

Objective	Task	Target
To be safe in your home	Develop and implement a [statutory] engagement strategy for residents in 'higher risk buildings'	Q4
To know how your landlord is performing	Produce and publish a 2020/21 Tenant & Leaseholder Annual Report	Q2
	Collate and submit 2020/21 HouseMark data	Q1
	Prepare for the implementation of [Draft] Tenant Satisfaction Measures to support compliance with the Charter for Social Housing Residents and set a baseline.	Q4
To have your complaints dealt with promptly and fairly	Introduce a documented approach to compliance with the Housing Ombudsman's Complaint Handling Code following the December '20 self-assessment.	Q2
	Ensure processes are in place to capture [draft] tenant satisfaction measures associated with complaints handling: and set a baseline.	Q4
To be treated with respect [backed by strong consumer regulation]	Self-assess services against the [new] Consumer Standards and accompanying Code of Practice	Q4
To have your voice heard by your landlord	Develop a tenant and leaseholder engagement strategy.	Q4

	Implement processes to Improve levels of customer insight across the managed housing stock which can be readily extracted and can contribute to service development and discussions on 'disproportionality'.	Q4
	Develop a framework for consulting residents on health & safety.	Q4
	Introduce mechanisms so residents in 'higher risk buildings' can quickly, easily and effectively feedback any safety concerns.	Q4
	Implement a rolling programme of STAR surveys to inform changes to services and improvement.	Q4
	Test the 'new tenant experience' and bring forward rolling outcomes which improve the effectiveness of service delivery, positively impact on the concept of 'no surprises', support long term tenancy sustainment and capture 'satisfaction with the Allocations & Lettings process' [HouseMark]	Q4
	Formally capture and review customer insight on their experience of DA casework.	Q4
To have a good quality home and neighbourhood to live in	Identify a pilot estate and work with residents to scope the definition of a 'decent estate' and scope the extent of management and maintenance responses to achieve 'decent estate' compliance.	Q4

	Establish clear standards for the communal areas of estates and bring forward options and measures to demonstrate compliance with a 'decent estates' standard.	Q4
	Bring forward options and structures for tenants and leaseholders to influence investment decisions.	Q4
	Develop a pictorial based output standard for Caretaking Services and Green Spaces on housing estates.	Q4
	Explore the potential use of HouseMark photo book as an affordable solution to real-time, instant inspection reporting.	Q4

Appendix C - Residents Satisfaction Sample Survey September 2021 (Summary of responses)

1. Are you

[More Details](#)

● Tenant	77
● Leaseholder	23



2. How long have you been a council tenant/leaseholder?

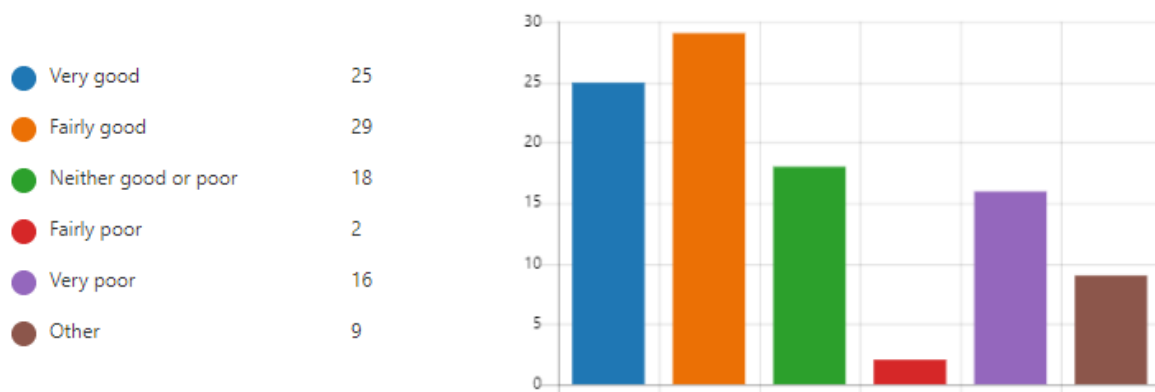
[More Details](#)

● Under a year	0
● 1-5 years	19
● 5-10years	14
● 10years +	67



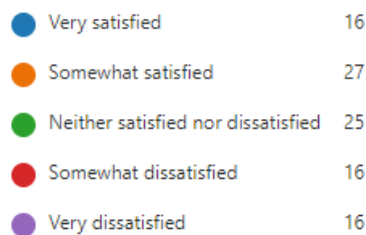
3. How good or poor do you feel Hillingdon Council is at keeping you informed about their services and decisions?

[More Details](#)



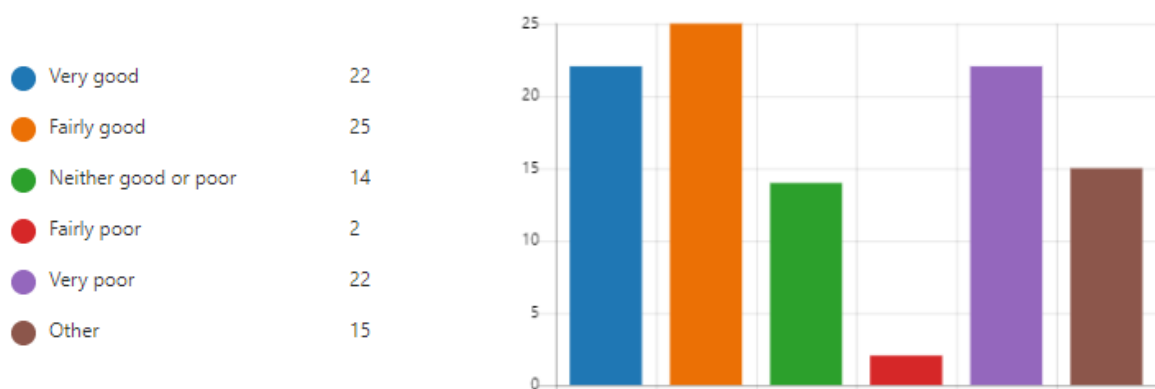
4. How satisfied or dissatisfied are you that Hillingdon Council gives you a say in how services are managed?

[More Details](#)



5. How good or poor do you feel Hillingdon Council is at keeping you informed about things that might affect you as a resident?

[More Details](#)



6. How satisfied or dissatisfied are you with opportunities given to you to participate in Hillingdon Council's decision making processes?

[More Details](#)

 Insights

● Very satisfied	15
● Somewhat satisfied	24
● Neither satisfied nor dissatisfied	29
● Somewhat dissatisfied	16
● Very dissatisfied	16



7. To what extent do you agree or disagree that Hillingdon Council has given you information on building safety and what your responsibilities are?

[More Details](#)

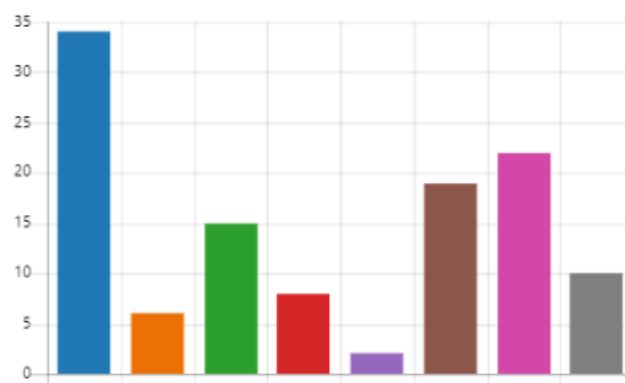
● Strongly agree	15
● Agree	29
● Neither agree nor disagree	23
● Disagree	17
● Strongly disagree	16



8. What if anything, stops you from being more involved in housing and other community activities within your estate/area?

[More Details](#)

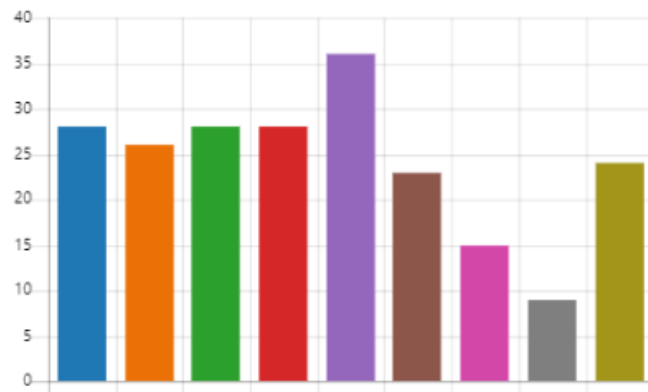
● Time commitment	34
● I can't find anything I am inter...	6
● I don't know how to be more i...	15
● Caring responsibilities	8
● Language barrier	2
● Disability or health	19
● Nothing	22
● I am already involved	10



9. How interested are you in being involved in the following areas?

[More Details](#)

● Community initiatives	28
● Residents groups	26
● Focus groups and Consultatio...	28
● Specialist groups such as disa...	28
● Repairs Service	36
● Caretaking Service/Estate insp...	23
● Publishing of quarterly newsle...	15
● Improving online services to d...	9
● Other	24



12. Age range

[More Details](#)

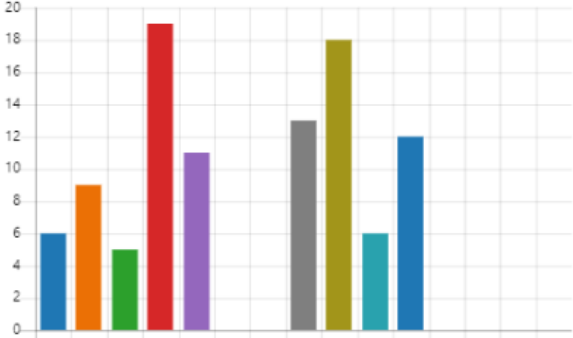
● 18-24 years	1
● 25-45 years	20
● 46 - 64 years	49
● 65+	30



13. What is your postcode?

[More Details](#)

● HA4	6
● HA5	9
● HA6	5
● UB3	19
● UB4	11
● UB5	0
● UB6	0
● UB7	13
● UB8	18
● UB9	6
● UB10	12
● TW6	0
● TW19	0
● WD3	0
● Other	0



Appendix D: Options for engagement against the Hierarchy of Involvement

INFORM: Ensure residents are kept up to date and have access to the right information.	Engagement Mechanism	Purpose	Time commitment	Frequency
	LBH's Social media and website	Share info and key messages re: Housing services including the use of self-service forms and headline performance information	Up to 30 mins	Daily/Weekly
	Tenants and Leaseholders Annual Report	Highlighting how the council as a landlord is performing and delivering value for money. The aim is to move this mechanism from informing to collaborating.	Up to 2hrs	Yearly
	Letters, contact with staff, telephone calls.	For most part low level involvement	Up to 30 mins	As required
	Meetings and visits	Include info re: regulatory compliance	Up to 2 hours	As required
CONSULT: Providing information for feedback	Engagement Mechanism	Purpose	Time commitment	Frequency
	STAR (Survey of Tenants and Residents)	Nationally recognised industry standard survey of tenant and leaseholder satisfaction. It is carried out by around 350 social housing providers. Councils, Housing Associations, and Arm's Length Management Organisations (ALMOs)	Up to 1 hour	Yearly
	Meetings, including virtual when applicable.	To consult on specific issues or area of service, including special interest groups	Up to 2 hours	As required

	Surveys (reactive/proactive/transactional)	Carried out to receive feedback on satisfaction levels from services offered. Armchair exercise.	Up to 30 mins	As required
	Statutory Satisfaction Surveys	Carried out to received feedback especially when changes to services are being considered that would impact tenants/leaseholders. Eg Housing Strategy Consultation, Annual Budget Consultation	Up to 2 hours	As required
INVOLVE	Engagement Mechanism	Purpose	Time commitment	Frequency
	Assemblies	Older People's Assembly Disability Assembly Carers Forum	Up to 2 hours	Quarterly
	Meet the Manager	As part of being open, accessible and accountable, residents will have the opportunity to be invited to meet the manager and ask questions about specific areas of service. The manager will also seek the views of attendees on various issues. This could be part of a bigger meeting or meeting held solely with a service manager.	Up to 1 hour	Quarterly
	Community Clubs	To provide a friendly opportunity in a social/informal setting for residents to interact to meet up with other local people and get involved in the local area. Ideal for new tenants.		Flexible

	Engagement Mechanism	Purpose	Time commitment	Frequency
COLLABORATE	IT Focus group	To assist with the continual development of innovative self-service technology, including LBH website and social media platforms	Up to 1 hour	As required
	Estate Marshalls	Independent feedback on standards of our estates and communal areas		Flexible
	Annual report	To work in partnership to produce the report. This will include influencing content, style and layout.		Flexible
	Various engagement activities to meet the 7 themes of the Social Housing White Paper	To ensure LBH as a landlord is compliant with the regulators request. This will include establishing service standards. Please see Appendix C	Vary depending on activity.	Flexible
	Senate	Please refer to Appendix 1, in addition to representatives who will attend Housing Board meetings.		Bi-annual
EMPOWER	Tenant Management Organisation (TMO)	Please refer to Appendix 1	TBC	TBC
	Health and Safety focus group – High rise blocks	Keeping in line with the regulator’s statutory requirements. This group will work in LBH to make sure high-rise blocks are compliant.	Up to 1.30mins	Quarterly
	Resident Engagement Panels: Will be made up of engaged residents.	To scrutinise various services and provide recommendations for improvements where necessary. This can be done as a group via workshops, through individual feedback engagement activities etc	May vary depending on the task.	Flexible

APPENDIX E – Examples of use of the Better Neighbourhood Fund

Albion Road - Before



Albion Road - After



Skipton Drive service road leading to Bourne Farm Playing Field – Before



Skipton Drive service road leading to Bourne Farm Playing Field – After



Whitehall Road safety rail installation - Before



Whitehall Road safety rail installation – After



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COUNCIL BUDGET - 2021/22 REVENUE AND CAPITAL MONTH 9 BUDGET MONITORING

Cabinet Member	Councillor Martin Goddard
Cabinet Portfolio	Cabinet Member for Finance
Officer Contact	Paul Whaymand, Corporate Director of Finance
Papers with report	Appendices A & B

HEADLINES

Summary	<p>This report provides the Council's forecast financial position and performance against the 2021/22 revenue budget and Capital Programme.</p> <p>A net in-year underspend of £478k is reported against General Fund revenue budget normal activities as of December 2021 (Month 9). Unallocated reserves are projected to total £26,579k at 31 March 2022. This headline position is largely consistent with that reported to Cabinet for October 2021 (Month 7), with a net improvement of £59k.</p> <p>COVID-19 pressures for the 2021/22 financial year are projected to total £19,008k at Month 9, £298k higher than previously projected. COVID-19 pressures have been funded through Government grants with capacity remaining to fund an element of further pressures.</p> <p>The latest positions on other funds and the Capital Programme are detailed within the body of this report.</p>
Putting our Residents First	<p>This report supports the following Council objective of: <i>Strong financial management.</i></p> <p>Achieving Value for Money is an important element of the Council's Medium Term Financial Plan.</p>
Financial Cost	N/A
Relevant Select Committee	Corporate, Finance & Property
Relevant Ward(s)	All

RECOMMENDATIONS

That the Cabinet:

1. Note the budget monitoring position and treasury management update as at December 2021 (Month 9) as outlined in Part A of this report.
2. Approve the financial recommendations set out in Part B of this report

Reasons for recommendation

1. The reason for **Recommendation 1** is to ensure that the Council achieves its budgetary objectives, providing Cabinet with the update on performance at Month 9 against budgets approved by Council on 25 February 2021 contained within **Part A** of this report. An update on the Council's Treasury Management activities is included within this section of the report.
2. **Recommendation 2** seeks approval for the range of financial recommendations set out within **Part B** of this report, which may include approval of above establishment agency appointments, acceptance of grant funding, revisions to fees & charges and ratification of decisions taken under special urgency provisions.

Alternative options considered / risk management

3. There are no other options proposed for consideration.

Select Committee comments

4. None at this stage.

PART A: MONTHLY BUDGET MONITORING

SUMMARY

GENERAL FUND REVENUE

5. General Fund pressures totalling £19,008k are projected in relation to the impacts of the COVID-19 pandemic and the Council's response in 2021/22. With total forecast pressures of £52,383k since the pandemic began in early March 2020, including the forecast pressure for the current financial year alongside £1,883k in 2019/20 and £31,492k in 2020/21. There has been a £298k increase in projected COVID-19 pressures from the position reported at Month 7.
6. Prior year COVID-19 pressures were fully funded from external funding, with a further £20,327k of such grants confirmed for the 2021/22 financial year available to supplement £10,126k of the Council's own reserves set aside for management of the pandemic. This gives scope to fund reported pressures of £19,008k for the 2021/22 financial year, while leaving headroom of £11,313k to meet emerging or ongoing pressures.
7. Beyond the ongoing impact of the pandemic, an underspend of £478k is projected across General Fund budgets at Month 9, with this position being driven by underspends against Capital Financing of £291k and Development and Risk Contingency of £767k, primarily related to a reduced call on the waste and homelessness contingencies, offset by a pressure reported against Service Operating Budgets of £580k.
8. The main areas impacting on the pressure within Service Operating Budgets are reported pressures on Property & Estates from a backdated Business Rates assessment, additional demands in respect of school place planning for both mainstream and special provision impacting on the Education service, additional costs as a result of levels of demand for Education, Health and Care Plans affecting the Children's & Young People's Service and vehicle hire costs and fuel inflation within Fleet management.
9. While movements are reported against individual portfolios and contingency items from the position at Month 7, these have not materially affected the headline monitoring position. Taking account of the budgeted £2,421k drawdown from General Balances, this will result in unallocated General Balances totalling £26,579k at 31 March 2022.
10. Within this position, £8,406k of the £10,416k savings planned for 2021/22 are banked or on track for delivery in full by 31 March 2022, with £1,024k tracked as being at an earlier stage of implementation and £986k at risk as a result of the COVID-19 pandemic. Since Month 7, £250k of savings have been promoted from the early stages of implementation. The at risk savings relate to leisure management fee income and reflects the acute impact of the pandemic on this sector, although it is expected that in the long run this level of income will be achievable. Where slippage in savings delivery is expected this has been factored into the reported monitoring position, and where appropriate financed from COVID-19 funding.

11. Within the Collection Fund, a pressure of £533k is reported at Month 9 as a result of slower than budgeted growth in Council Tax, compounded by an adverse position reported against Council Tax Support as demand falls at a slower rate than originally forecast based on the rate of recovery across the economy from the pandemic. This represents an adverse movement of £406k from the position previously reported following the regular review of taxbase growth and Council Tax Support demand. Variances against the Collection Fund do not directly impact upon the 2021/22 monitoring position, but instead will be factored into the Council's budget proposals for the forthcoming year.

GENERAL FUND CAPITAL

12. An underspend of £8,360k is reported on the Council's £299,841k 2021/22 to 2025/26 General Fund Capital Programme, with £5,582k of this underspend driven by the budget established for the St Andrew's Park museum and £2,474k reflecting reduced expenditure in light of significant reductions in Transport for London funding, alongside a number of smaller variances detailed within this report. Uncommitted contingency budgets of £5,473k have been included in this latest forecast, providing a mechanism to support further investment should this be required.
13. Taking account of the grant funded element of the Capital Programme underspend and the latest projections in respect of capital receipts and developer contributions, prudential borrowing for the 2021/22 to 2025/26 period is projected to be £4,189k lower than budgeted and total £131,018k. This reduced borrowing requirement will translate into savings against the future costs of debt servicing and repayment and factored in to the revised MTFF position being presented to Cabinet alongside this report.

SCHOOLS BUDGET

14. As at Month 9, an in-year pressure of £5,329k is reported on the Schools Budget which combined with the £7,328k shortfall in funding for the year represents a £12,657k deficit for the year, with no change forecast from the Month 7 position. When the £25,386k deficit brought forward from prior years is accounted for, the cumulative deficit being carried forward into 2022/23 is £38,043k. This deficit continues to be driven by ongoing pressures in relation to High Needs placements.
15. As previously reported, the Council is involved in 'Safety valve' discussions with the DfE which are aimed at resolving issues in relation to the ongoing pressures on the Schools Budget. Significant work associated with these meetings is taking place and the outputs from this will be fed into future monitoring forecasts and the MTFF process.

HOUSING REVENUE ACCOUNT

16. An underspend of £133k is reported on the Housing Revenue Account at Month 9, representing a £42k improvement on the previously reported position, with balances projected to total £15,334k at 31 March 2022 in line with business plan assumptions. An underspend of £2,424k is projected against the £232,207k capital programme for the period 2021/22 to 2025/26.

FURTHER INFORMATION

General Fund Revenue Budget

17. As noted above and presented in the table below, a £478k underspend is projected across the General Fund at Month 9, with the following section of this report providing further information on an exception basis. General Fund Balances are expected to total £26,579k at 31 March 2022 as a result of the forecast position detailed above, which remains broadly consistent with the forecast reported at Month 7. The Balances and Reserves Policy approved by Cabinet and Council in February 2021 outlined a recommended range of £15,000k to £35,000k for uncommitted General Balances.

Table 1: General Fund Overview

Service	Month 9		Variance (As at Month 9) £'000	Variance (As at Month 7) £'000	Movement from Month 7 £'000
	Approved Budget	Forecast Outturn			
	£'000	£'000			
Service Operating Budgets	224,308	224,888	580	619	(39)
Corporate Operating Budgets	7,914	7,623	(291)	(275)	(16)
Development & Risk Contingency	4,145	3,378	(767)	(763)	(4)
Unallocated Budget Items	1,878	1,878	0	0	0
Sub-total Expenditure	238,245	237,767	(478)	(419)	(59)
Corporate Funding	(235,824)	(235,824)	0	0	0
Total Normal Activities	2,421	1,943	(478)	(419)	(59)
<u>Exceptional Items</u>					
COVID-19 Pressures	0	19,008	19,008	18,710	(298)
COVID-19 Funding	0	(19,008)	(19,008)	(18,710)	298
Total Net Expenditure	2,421	1,943	(478)	(419)	(59)
Balances b/fwd	(28,522)	(28,522)			
Balances c/fwd 31 March 2022	(26,101)	(26,579)			

Service Operating Budgets

18. Service Operating Budgets represent the majority of the Council's investment in day-to-day services for residents, with more volatile or demand-led areas of activity tracked separately through the Development and Risk Contingency. The impacts of COVID-19 are being reported discretely under Exceptional Items as detailed in Table 1, the position presented in Table 2 therefore represents the position reported against normal activities for the Service Operating Budgets. The salient risks and variances within this position summarised in the following paragraphs.

Table 2: Service Operating Budgets

Cabinet Member Portfolio		Approved Budget	Forecast Outturn	Variance (As at Month 9)	Variance (As at Month 7)	Movement from Month 7
		£'000	£'000	£'000	£'000	£'000
Property & Infrastructure	Expenditure	11,774	11,981	207	584	(377)
	Income	(5,296)	(5,139)	157	(270)	427
	Sub-Total	6,478	6,842	364	314	50
Finance	Expenditure	20,114	20,508	394	419	(25)
	Income	(3,369)	(3,533)	(164)	(189)	25
	Sub-Total	16,745	16,975	230	230	0
Public Safety and Transport	Expenditure	18,168	18,510	342	379	(37)
	Income	(16,241)	(16,682)	(441)	(425)	(16)
	Sub-Total	1,927	1,828	(99)	(46)	(53)
Corporate Services and Transformation	Expenditure	26,909	26,979	70	54	16
	Income	(1,604)	(1,681)	(77)	(58)	(19)
	Sub-Total	25,305	25,298	(7)	(4)	(3)
Environment, Housing & Regeneration	Expenditure	51,652	52,185	533	323	210
	Income	(21,304)	(21,735)	(431)	(351)	(80)
	Sub-Total	30,348	30,450	102	(28)	130
Families, Education and Wellbeing	Expenditure	26,039	26,025	(14)	154	(168)
	Income	(11,598)	(11,812)	(214)	(150)	(64)
	Sub-Total	14,441	14,213	(228)	4	(232)
Health and Social Care	Expenditure	165,760	166,144	384	242	142
	Income	(36,696)	(36,862)	(166)	(93)	(73)
	Sub-Total	129,064	129,282	218	149	69
Total Service Operating Budgets		224,308	224,888	580	619	(39)

19. Within the Council budget there is a Managed Vacancy Factor across the board of 4%, or £3,950k to reflect natural levels of turnover and resulting structural underspend in the workforce budgets. Current projections indicate that this will be delivered in full during 2021/22, with post-level establishment controls providing a key mechanism for managing workforce costs at the organisational level, although unanticipated turnover is expected to further improve this position over the coming months.
20. As noted in the previous monitoring report, and contrary to the Government policy of freezing the majority of public sector pay in 2021/22, an inflationary pay award of 1.5% was presented to unions for consideration and the Council earmarked £1,300k to meet this potential cost. This was rejected and subsequently increased to 1.75% by the employers' association, which if accepted would increase the cost by £700k. The in-year impact of the expected pay award will be funded through the Earmarked Reserve created during outturn 2020/21,

alongside an over achievement of the Council's budgeted Managed Vacancy Factor, with the full cost being factored the 2022/23 budget.

21. As can be seen from the table above, the net £580k pressure across Service Operating Budgets represents the cumulative effect of a number of variances which are briefly outlined below by Cabinet Portfolio:
- a. **Property & Infrastructure** – A net overspend of £364k, representing a £50k adverse movement on Month 7, driven by clarification of the backdated Business Rates liability raised in Month 7 due to an update applied by the Valuation Office Agency. The remaining variances within the portfolio are coming from a £240k overachievement of income within the Repairs & Engineering Service, with a largely offsetting expenditure variance due to the activity undertaken to generate the income for this service.
 - b. **Finance** – A net pressure of £230k, with no movement from on the Month 7 position, with the variance being affected by delayed delivery of new vehicles necessitating higher leasing and maintenance costs in the current year. In line with previous months, the favourable outlook for income across this area relates to increased activity in support of non-General Fund functions, such as the HRA regeneration projects.
 - c. **Public Safety and Transport** – a net underspend of £99k and a £53k favourable movement from Month 7 are reported, with the headline £441k overachievement of income and corresponding increase in expenditure reflecting grant and Brexit-related activities.
 - d. **Corporate Services and Transformation** – a net underspend of £7k, representing a £3k improvement from Month 7, with the underlying position reflecting increased recharge income within the ICT service and corresponding uplifts in expenditure.
 - e. **Environment, Housing and Regeneration** – an overspend of £102k, representing an adverse movement of £130k, the rationale for the overspend and the movement is largely driven by activities within Green Spaces where forecast increases in equipment hire and tree maintenance are driving the adverse movement. This is offset by a favourable movement within Housing, predominantly driven by increased grant funding for homelessness and rough sleeping.
 - f. **Families, Education and Wellbeing** – an underspend of £228k and a favourable movement of £232k is reported for this portfolio. The favourable movement is driven by staffing underspends as recruitment assumptions are reviewed as part of a wider review of services within the remit of this portfolio. This position is compounded by improved income within the Music Service as a result of a combination of fee income and grants received. These underspends are being netted down by a pressure as a result of additional demands on the service in respect of school place planning for both mainstream and special provision, alongside additional costs falling on the General Fund as a result of levels of demand for Education, Health and Care Plans.

- g. **Health and Social Care** – A net pressure of £218k is reported, with an adverse movement of £69k from the position at Month 7. The headline variance relates to increased demand on social care, predominantly within Children’s & Young Peoples services, with the adverse movement stemming from increased spend on preventative services within Youth Offending services alongside previously reported pressures on Section 17 preventative services within Children’s Services, with the adverse movement in this area being linked to these services.

Transformation

22. The Council is permitted to finance the costs associated with service transformation from Capital Receipts, with both one-off implementation costs and the support for service transformation, including the BID team, being funded from this resource. Current projections include an estimate of £3,499k for such costs and represents an increase of £435k from the Month 7 position, which will remain under review throughout the year and have been excluded from the reported monitoring positions. It is anticipated that these costs will be financed from a combination of Capital Receipts and Earmarked Reserves. This position will be reviewed if capacity becomes available within the revenue position to fund such costs.

Progress on Savings

23. The savings requirement for 2021/22 is £8,054k. In addition, there are savings of £2,362k brought forward from 2020/21, which gives an overall total of £10,416k reported below. The savings being reported as undelivered in 2020/21 (£2,362k) were directly attributable to the COVID-19 pandemic as the Council needed to redirect resources to manage the pandemic. The savings were linked to Leisure, Licencing, Digital Strategy and Fees and Charges. This value has been added to the budgeted savings agreed as part of the 2021/22 budget.

Table 3: Savings Tracker

Cabinet Member Portfolio	Blue Banked £'000	Green Delivery in progress £'000	Amber I Early stages of delivery £'000	Amber II Potential problems in delivery £'000	Red Serious problems in delivery £'000	Total £'000
Property & Infrastructure	(160)	0	(150)	0	0	(310)
Finance	(560)	(300)	0	0	0	(860)
Public Safety and Transport	(385)	(1,656)	(100)	0	0	(2,141)
Corporate Services and Transformation	(887)	(513)	0	0	0	(1,400)
Environment, Housing & Regeneration	(1,266)	(820)	(260)	0	0	(2,346)
Families, Education and Wellbeing	(250)	(109)	(364)	(986)	0	(1,709)
Health and Social Care	(250)	(1,250)	(150)	0	0	(1,650)
Total 2021/22 Savings Programme	(3,758) 36%	(4,648) 45%	(1,024) 10%	(986) 9%	0 0%	(10,416) 100%
Month on Month Movement	(135) 1%	(115) 1%	250 -2%	0 0%	0 0%	0

24. As of Month 9, there are £3,758k savings already banked, with a further £5,672k either delivery in progress or in the early stages of delivery which are expected to progress throughout the year and ultimately be delivered in full. The savings in the early stages of delivery (Amber I) include the Licencing and Digital Strategy from the prior year, as well as current year savings including the Green Spaces Review and Review of Children's Services, alongside other lower value savings. Since Month 7, £250k have been promoted from the early stages of delivery as implementation progresses.
25. Currently there are £986k (9%) of savings which are reporting potential problems in delivery (Amber II), which relates exclusively to the leisure management fee and reflects the particular impact of the COVID-19 pandemic on this sector, although in the medium term use of these services and associated income is expected to return to pre-pandemic levels and deliver this saving.
26. Where savings are at risk of not being delivered in full during 2021/22, the associated pressures have been factored into the monitoring position discussed above and offset through compensatory underspends or where appropriate use of COVID-19 grant funding. At this time, it is expected that all £10,416k will ultimately be delivered in full and therefore not impact upon future iterations of the Council's MTF.

Corporate Operating Budgets

27. Corporate Operating budgets are reporting a £291k underspend on capital financing and funding, representing a favourable movement of £16k from Month 7. The underspend is driven by reduced capital financing costs arising from the favourable capital outturn position for 2020/21 and a minor improvement from a review of the Council's corporate subscriptions. The improvement in this area relates to a delay in the Council's borrowing requirement leading to a lower forecast spend on interest to year end. No variance is reported on Corporate Funding, with the majority of funding being in line with the approved budget in February 2021, with an increase in the Public Health Grant being redirected to fund an increase in Public Health spend.

Development & Risk Contingency

28. For 2021/22 £17,436k was set aside to manage uncertain elements of budgets within the Development & Risk Contingency, which included £16,613k in relation to specific risk items and £823k as General Contingency to manage unforeseen issues. Following Cabinet on 2 September, £13,291k of this funding was released into the Council's Service Operating Budgets on the basis that these values were no longer contingent, leaving £4,145k being held for specific risk items including the £823k of General Contingency. Exceptional COVID-19 related pressures are being funded through specific grant funding and commented on later in this report.
29. At Month 9, a net underspend of £767k is reported on Development and Risk Contingency, representing a reduction of £4k on the previously reported position. A £770k underspend on waste disposal costs, representing £180k of the improvement from Month 7, as provision for market volatility is unwound over the course of the year, is further increased by a favourable variance within Homelessness Support of £222k, with Social Care forecasting a net pressure

of £225k, predominantly driven by a pressure within Asylum, offset by a favourable position within Children with Disabilities and a minor pressure from additional support for Adults. There are currently no calls on the £823k General Contingency, £600k is forecast to be carried forward through Earmarked Reserves, retaining £223k to manage any emerging risks in the final quarter of 2021/22.

Exceptional Items – COVID-19 Pressures

Table 4: COVID-19 Pressure Breakdown

Service	Month 9		Variance (As at Month 9) £'000	Variance (As at Month 7) £'000	Movement from Month 7 £'000
	Approved Budget	Forecast Outturn			
	£'000	£'000			
Social Care	0	10,809	10,809	10,256	552
Other Expenditure	0	4,293	4,293	4,518	(225)
Income	0	3,906	3,906	3,935	(29)
Total Exceptional Items	0	19,008	19,008	18,710	298

30. There has been a minor movement in the headline COVID-19 pressure at Month 9, with total costs of £19,008k for the 2021/22 financial year representing a £298k adverse movement from the position at Month 7. Social Care continues to represent the largest single area of cost pressures at £10,809k, with income losses and other expenditure pressures accounting for the remainder of this sum.
- Within Health and Social Care, the Council is forecasting a pressure of £10.8m, driven by £9.9m of pressures associated with direct care provision, with £5.7m of this value falling on Adult Social Care and £4.2m falling in Children's Social Care, with the movement reported at Month 9 relating to demand for Children's Social Care. In addition, home to school transport pressures total £0.6m, alongside workforce pressures associated with the additional demand across all services and the Council's COVID-19 response, account for the remaining pressure in this area.
 - Public Safety and Transport is a forecast decline in Fees and Charges income of £1.9m, all of which relates to parking charges.
 - Within Environment, Housing and Regeneration pressures totalling £1.8m have been identified. £1.1m relating to lost income, with the single largest area affected being Planning & Development. With a further £0.3m being required to support the impact on the Council's Waste Service.
 - Pressures across the Families, Education and Welfare portfolio total £1.8m and primarily relate to the financial impact of lower usage of the Council's leisure facilities.
 - Residual pressures of £2.7m are reported across the remaining portfolio areas.
31. Included within this position is a forecast assumption that the overall pressure caused by COVID-19 will be funded through a combination of grant funding and locally set aside reserves. The Council has confirmed external funding of £23,327k, with an additional

£10,216k of the Council's own balances having been earmarked to supplement these funds. Taking account of the £19,008k pressures outlined above, and the £3,876k of planned releases from this funding to manage COVID-19 driven Collection Fund deficits, the Council has £11,313k uncommitted funds available to meet emerging or continuing COVID-19 pressures beyond this financial year. An update on the ongoing impact of COVID-19 going into 2022/23 and beyond is included in the budget report on this agenda.

Collection Fund

32. A deficit of £533k is reported within the Collection Fund relating to an adverse position reported within Council Tax of £1,413k, offset by a favourable position within Business Rates of £880k. The pressure in Council Tax is predominantly driven by a reduction in the forecast growth of the taxbase, compounded by an adverse position within Council Tax Support as the economy recovers from the pandemic at a slower rate than originally budgeted for in February 2021. This represents an adverse movement of £406k from the position previously reported 7 following the regular review of taxbase growth and Council Tax Support, with these two elements having an in-year impact but expected to recover over the medium term.
33. Any deficits within the Collection Fund impact on the Council's future year budgets, this position would therefore add £533k to the Council's gross saving requirement above the level set in the Council's budget strategy agreed at February 2021 Cabinet and is included in the Council's Medium Term Financial Forecast report presented on the same agenda.

General Fund Capital Programme

34. As at Month 9 an underspend of £21,150k is reported on the 2021/22 General Fund Capital Programme of £76,294k, due mainly to re-phasing of project expenditure into future years. The forecast outturn variance over the life of the 2021/22 to 2025/26 programme is an underspend of £8,360k. General Fund Capital Receipts of £29k are forecast for 2021/22, and are £1,730k below the budgeted income target of £57,977k over five years to 2025/26. Overall, Prudential Borrowing required to support the 2021/22 to 2025/26 capital programmes is forecast to be below budget by £4,189k. A full breakdown of the Capital Programme is included in Part A, Appendix A1 and A2.

Capital Programme Overview

35. Table 5 below sets out the latest forecast outturn on General Fund capital projects. Forecasts for future years include capital projects and programmes of work approved by Cabinet and Council in February 2021.

Table 5: General Fund Capital Programme Summary

	Approved Budget 2021/22	Forecast 2021/22	Cost Variance 2021/22	Project Re-phasing 2021/22	Total Project Budget 2021-2026	Total Project Forecast 2021-2026	Total Project Variance 2021-2026	Move-ment
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Cabinet Member Portfolio								
Finance	3,821	3,852	-	31	7,238	7,238	-	-
Public Safety and Transport	16,871	12,904	(2,474)	(1,493)	56,432	53,958	(2,474)	(596)
Corporate Services & Transformation	1,584	1,300	-	(284)	5,384	5,384	-	-
Environment, Housing & Regeneration	4,196	3,401	(46)	(749)	10,664	10,618	(46)	(7)
Families, Education and Wellbeing	11,142	10,291	-	(851)	21,008	21,008	-	-
Health and Social Care	2,359	2,198	(161)	-	11,795	11,634	(161)	(45)
Property and Infrastructure	34,904	19,781	(1,372)	(13,751)	181,847	176,168	(5,679)	790
General Contingency	1,417	1,417	-	-	5,473	5,473	-	-
Total Capital Programme	76,294	55,144	(4,053)	(17,097)	299,841	291,481	(8,360)	142
Major Projects	31,396	23,284	(744)	(7,368)	161,461	156,410	(5,051)	41
Programme of Works	43,481	30,443	(3,309)	(9,729)	132,907	129,598	(3,309)	101
General Contingency	1,417	1,417	-	-	5,473	5,473	-	-
Total Capital Programme	76,294	55,144	(4,053)	(17,097)	299,841	291,481	(8,360)	142
Movement	(27,182)	(10,026)	142	17,014	242	384	142	

36. **Finance:** Forecast expenditure of £3,852k in 2021/22 relates to the replacement of fleet vehicles for which a number of orders have been placed and are expected to be received prior to the end of the financial year.
37. **Public Safety and Transport:** An under recovery of £2,474k is forecast on Transport for London (TFL) grant funding, as the 2021/22 LIP funding award for the year is significantly lower than bid for and original budget assumptions. This is a movement of £596k as there will no further funding for the period from December-March 2022. TFL funding remains significantly affected by reduced travel due to the pandemic with increased home working.

38. **Environment, Housing and Regeneration:** An under spend of £27k is forecast on private sector renewal grants based on expected demand for the year. An under spend of £19k is also reported on green spaces Section 106 projects.
39. **Families, Education and Wellbeing:** Forecast expenditure for the year includes the budgeted £6m payment to the Department for Education as contribution to the rebuild and expansion of Harlington School which has been paid. The installation of modular classrooms at Hedgewood school to increase special provision were completed in November 2021.
40. **Health and Social Care:** An under spend of £161k is forecast on the capitalisation of social care equipment budget of £2,359k, a movement of £45k. This budget is financed by disabled facilities grant.
41. **Property and Infrastructure:** A forecast over spend of £490k is reported on the works to extend the Uxbridge mortuary, as additional cost items have been uncovered on site including deeper works required on the foundations.
42. There is a forecast over spend of £41k on the Yiewsley/West Drayton community centre project based on the draft final account which remains under negotiation with the contractor.
43. Disabled Facilities Grants are forecast to under spend by £414k based on expected demand, a movement of £823k reflecting the recent release of funding for further identified works.
44. As Cabinet have previously agreed to no longer proceed with the land transfer of the former cinema building site at St Andrew's Park, the 2021-26 New Museum construction budget of £5,582k is reported as under spend.
45. Under spends on completed schemes amounting to £125k are forecast within the corporate buildings programmes (Property Works and Civic Centre Works), an adverse net movement of £26k due partly to additional work requirements for the Mezzanine project.
46. The Schools pollution screening programme is forecast to be under spent by £89k with future commitments able to be funded from future year budget allocations.

Capital Financing - General Fund

Table 6: Capital Financing

	Approved Budget 2021/22 £'000	Forecast 2021/22 £'000	Cost Variance £'000	Phasing Variance £'000	Total Financing Budget 2021-2026 £'000	Total Financing Forecast 2021-2026 £'000	Total Variance £'000	Move-ment
Source of Finance								
Capital Receipts	7,400	29	(2,182)	(5,189)	57,977	56,247	(1,730)	(1,700)
CIL	3,500	6,500		3,000	17,500	17,500	-	-
Prudential Borrowing	40,935	31,291	1,370	(11,014)	131,018	126,829	(4,189)	517
Total Council Resources	51,835	37,820	(812)	(13,203)	206,495	200,576	(5,919)	(1,183)
Grants & Contributions	24,459	17,324	(3,241)	(3,894)	93,346	90,905	(2,441)	1,325
Capital Programme	76,294	55,144	(4,053)	(17,097)	299,841	291,481	(8,360)	142
Movement	(27,182)	(10,026)	142	17,014	242	384	142	

47. Capital receipts before transformation financing in 2021/22 include £1,359k in sales already achieved with two more sites planned to be sold via auction by the end of the financial year. The reduction of £1,730k over the life of the programme is driven accounting for an element of expected income through Section 106 contributions, rather than receipts and is reflected in the increase in grants of contributions of £1,325k. Transformation financing costs have increased by £435k.
48. As at the end of December 2021, a total of £5,943k Community Infrastructure Levy receipts have been achieved. Forecast receipts for this financial year are a favourable variance of £3,000k as developer activity is increasing as the pandemic recedes, and several sizable developments have commenced in 2021/22. The longer-term forecast for this income stream will remain under review as the economy recovers from the pandemic.
49. Forecast grants and contributions are £2,441k lower than the revised budget, due partly to the forecast under recovery of the 2021/22 TFL LIP grant compared to the original budget, which was based on pre-pandemic funding levels, and the under spend on private sector disabled facilities grants.
50. Prudential Borrowing is forecasting to be within budget by £4,189k over the life of the five-year programme due mainly to net cost under spends including the New Museum project.

Schools Budget

51. The Dedicated Schools Grant (DSG) monitoring position is an in-year overspend of £12,657k at month 9, this is an increase of £5,329k on the budgeted deficit of £7,328k. This overspend is due to ongoing pressures in the cost of High Needs placements, where due to a lack of capacity in borough, the number of independent placements has increased since the budget was set. In addition, the local authority is increasingly seeing an uplift in the funding allocated to SEN placements due to a change in the level of need. The budget for High Needs was increased for 2021/22 to take account of projected growth, but it is projected that the budget will be significantly exceeded. When the £25,386k deficit brought forward from 2020/21 is taken into account, the cumulative deficit carry forward to 2022/23 is £38,043k.

Table 9: DSG Income and Expenditure 2021/22

Funding Block	Month 9		Variance		
	Revised Budget	Forecast Outturn	Variance (As at Month 9)	Variance (As at Month 7)	Change from Month 7
	£'000	£'000	£'000	£'000	£'000
Dedicated Schools Grant Income	(317,131)	(317,131)	0	0	0
Schools Block	247,506	247,659	153	153	0
Early Years Block	25,997	25,997	0	0	0
Central Schools Services Block	3,296	3,296	0	0	0
High Needs Block	47,660	52,836	5,176	5,176	0
Total Funding Blocks	7,328	12,657	5,329	5,329	0
Balance Brought Forward 1 April 2021	25,386	25,386			
Balance Carried Forward 31 March 2022	32,714	38,043			

Dedicated Schools Grant Income (nil variance, no change)

52. The Early Years block will be adjusted further to reflect actual numbers that were accessing the free entitlement in the Spring term and the local authority is still awaiting confirmation of this adjustment to funding. If attendance rises after the January census, the DfE has confirmed that funding will be increased, up to 85% of the January 2020 census level, where a local authority can provide evidence of increased attendance during the Spring term. Adjustments will be calculated by using an average of the January 2021 census and the May 2021 count. That is, January 2021 count will be used to represent attendance for the first half of Spring term, and the May 2021 count to represent the latter half and recognise any increase in attendance to determine the final spring term top up.
53. There has been an adjustment to the Schools Block to reflect the amount recouped by the Education Skills Funding Agency (ESFA) to fund academy schools directly. This follows the academy conversion of two schools in Hillingdon on 1 September 2021.

Schools Block (£153k overspend, no change)

54. The Schools Block includes all funding paid directly to mainstream schools as part of their delegated budget share, including the funding recouped by the ESFA and paid to mainstream academies.
55. There is also a growth contingency fund which is funded from the Schools Block. Schools that are expanding, in agreement with the local authority, to meet basic need pupil population growth, receive additional funding to provide financial recompense throughout the relevant financial year to cover the cost of this agreed and planned growth.
56. Schools Forum took the decision to withhold growth contingency allocations for two schools due to insufficient projected pupil growth in September 2022 and therefore there will be an underspend relating to this allocation. Additionally, Schools Forum have agreed to backdate growth contingency to 2018/19 for one secondary school which it has been retrospectively decided met the criteria for funding. This has resulted in the overspend on the Schools block in 2021/22 which, because the Schools Block is ring-fenced, will need to be carried forward to the following financial year and included in the Growth Fund determination for 2022/23.
57. The growth contingency policy was amended prior to 2020/21 in order address the growth in secondary pupils. Schools will be funded for any Year 7 pupils which are above the Published Admission Number (PAN). £525k was set aside for this purpose, with the actual funding requirement considerably lower, which has off-set the overall overspend on the Schools block.
58. The growth contingency also funds diseconomies of scale funding for new basic need academy schools and a calculation method has now been determined for this for the two remaining years that the final basic need school is still growing. An amendment to the Growth Contingency Policy has been drafted to reflect this change.

Early Years Block (no variance, no change)

59. Two-year-old funding will be adjusted to reflect the number of children accessing the entitlement based on each termly census.
60. The 3 and 4-year-old funding for both the universal and the additional free entitlement will also be adjusted following verification of the actual numbers recorded in each termly census. The local authority is awaiting confirmation of these adjustments to Early Years funding for the Spring, Summer and Autumn terms and these adjustments are likely to result in a reduction in the overall Early Years block funding allocation as the number of children accessing the additional free entitlement has decreased significantly over the past year. The projections will be revised once the full impact of the funding adjustments is known.

Central School Services Block (no variance, no change)

61. The published DSG budget allocations confirmed a 20% decrease in the Central School Services Block provided for historic commitments. This resulted in a £265k reduction in funding, though this was partly offset by £51k of additional funding for pupil growth. This reduction in funding resulted in a budget shortfall for the services funded by the Central

School Services block adding to the pressure which has led to an overall deficit DSG being agreed for 2021/22.

High Needs Block (£5,176k overspend, no change)

62. There continues to be significant pressure in the High Needs Block in 2021/22, with an overspend of £5,176k being projected at month 9. The growth in the requirement to place pupils with an EHCP in independent placements due to a continuing lack of capacity in-borough and across other local authority provision continues. There is an expectation that this will become the only route that the Council will be able to take until more provision is created locally. Much of the overspend being projected is a result of additional placements already made for September 2021, along with an anticipated further increase in the number of placements throughout the remainder of the year. Whilst an element of growth in placements has been built into the projection, there may be further pressure dependent on where future placements are made.
63. There is further pressure being added to the High Needs block because of an uplift in the funding allocated to SEN placements due to a change in the level of need. The local authority is regularly seeing an increase in the complexity of need at the point of annual review which is resulting in agreement to increase the top-up funding allocation to ensure needs are being adequately met. This is contributing to the overspend being projected and there may be additional pressure in relation to this as and when further annual reviews are completed.
64. There are in-borough special schools which are currently over their commissioned place number with a requirement on the local authority to allocate more funding for these additional places. The commissioned numbers were updated at the start of the financial year, however due to changes not taking place until the start of the next academic year for academy schools, along with schools agreeing to take further additional pupils there will be a requirement to fund places over commissioned numbers.
65. The Council is currently in discussions with the DfE as part of the next round of the 'Safety Valve' intervention programme. The local authority has been tasked with demonstrating to the DfE that the DSG can be brought to an in-year balanced position within the next five years, with the current financial year being year one of this. If the DfE are satisfied that the recovery plans are reasonable, it is expected that the DfE will contribute additional revenue funding to clear the cumulative DSG deficit.

Housing Revenue Account

66. The Housing Revenue Account (HRA) is currently forecasting a favourable variance of £133k compared to the budget and a favourable movement of £42k on Month 7. This excludes the potential cost pressures of COVID-19, which are estimated at £100k. The 2021/22 closing HRA General Balance is forecast to be £15,334k. The use of reserves is funding investment in new housing stock. The table below presents key variances by service area.

Table 8: Housing Revenue Account

Service	Month 9		Variance (+ adv / - fav)		
	Revised Budget	Forecast Outturn	Variance (As at Month 9)	Variance (As at Month 7)	Movement from Month 7
	£'000	£'000	£'000	£'000	£'000
Rent Income	(58,944)	(58,730)	214	259	(45)
Other Income	(5,528)	(5,424)	104	61	43
Net Income	(64,472)	(64,154)	318	320	(2)
Housing Management	15,185	15,636	451	206	245
Tenant Services	3,953	3,839	(114)	(90)	(24)
Repairs	5,654	6,559	905	528	377
Planned Maintenance	4,014	2,739	(1,275)	(1,055)	(220)
Capital Programme Funding	19,021	18,421	(600)	0	(600)
Interest & Investment Income	15,385	15,385	0	0	0
Development & Risk	1,260	1,442	182	0	182
Contingency					
Operating Costs	64,472	64,021	(451)	(411)	(40)
(Surplus) / Deficit	0	(133)	(133)	(91)	(42)
General Balance 01/04/2021	(15,201)	(15,201)	0	0	0
General Balance 31/03/2022	(15,201)	(15,334)	(133)	(91)	(42)

67. As at Month 9, the rental income is forecast to under-recover by £214k which is a favourable movement of £45k on Month 7. The other income is forecast to under-recover by £104k which is an adverse movement of £43k on Month 7. Both forecasts have been updated based on stock movements and actuals for the first three quarters of the year.

68. The number of RTB applications received in the first nine months of 2021/22 was 125 compared to 128 for the same period in 2020/21. There has been 34 RTB completions in the first nine months of 2021/22 compared to 21 for the same period in 2020/21. The RTB applications, offers made to tenants, cases with legal and sales are being kept under review, and as at Month 9, the 2021/22 RTB sales forecast is 50, which is the same as the budget.

69. The housing management service is forecast to overspend by £451k as at Month 9, which is a net adverse movement of £245k on Month 7. This includes a provision of £136k for the staffing pay award for 2021/22 which is yet to be agreed. Other adverse movements on Month 7 include Council Tax on Void properties £126k, legal £31k and running costs of

£24k. Furthermore, there is a net favourable movement on staffing of £72k due to delays in recruitment.

70. Tenant services is forecast to underspend by £114k, a favourable movement of £24k on Month 7 relating to staffing.
71. The repairs and planned maintenance budget totals £9,668k and as at Month 9 it is forecast to underspend by £370k, a net adverse movement of £157k on Month 7. There is an adverse movement of £232k on void repairs and £137k on day-to-day repairs including materials. Also, there are favourable movements in planned maintenance contracts and associated remedials of £40k, painting programme of £115k, asbestos surveys of £52k and staffing £5k.
72. The repairs and planned maintenance budgets continue to be monitored especially due to the pressures on demand, volume of repairs, inflation in the marketplace, disrepair and contractor labour shortages.
73. As at Month 9 the capital programme funding is forecasting a favourable variance and movement on Month 7 of £600k which relates to the underspends and re-phasing forecast in the HRA capital programme.
74. The interest and investment income is forecast to break even.
75. The development and risk contingency budgets are forecast to overspend by a net £182k. The forecast takes into account underspends on the housing regeneration revenue costs of £573k after costs have been capitalised. The forecast also includes one-off expenditure totalling £755k for the revenue costs associated with the Packet Boat House development.

COVID-19 cost pressures on the HRA

76. The table below summarises the HRA COVID-19 cost pressures identified to date and will be kept under review during the year. These pressures have not been included in the Month 9 forecast position for HRA revenue and total £100k. The pressures relate to £100k for bad debt provision, the provision is a year-end calculation, however the tenants' and leaseholders' arrears position and consequently the bad debt provision, are kept under review during the year.

HRA Capital Expenditure

77. The HRA capital programme is set out in the table below. The 2021/22 revised budget is £71,853k and forecast expenditure is £47,427k with a net variance of £24,426k of which £22,002k is due to re-phasing and £2,424k due to cost underspends. A summary position is included in Table 9 below. A full breakdown of the HRA Capital Programme is included in Appendix A3.

Table 9: HRA Capital Expenditure

	Approved Budget 2021/22	Forecast 2021/22	Cost Variance 2021/22	Project Re-Phasing 2021/22	Total Project Budget 2021-26	Total Project Forecast 2021-26	Total Project Variance 2021-26	Movement 2021-26
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Cabinet Member Portfolio								
Property and Infrastructure	71,853	47,427	(2,424)	(22,002)	234,631	232,207	(2,424)	104
Total HRA Capital Programme	71,853	47,427	(2,424)	(22,002)	234,631	232,207	(2,424)	104

78. The 2021/22 revised budget has reduced by £22,596k due to the re-phasing of expenditure budgets for major projects continuing into future years, approved by Cabinet in December.
79. There is an adverse movement of £104k in cost variances reported within HRA Major Projects mainly due to cost increases of £100k at the Nelson Road development. A replacement contractor is on site, with works expected to be completed in second half of 2022.
80. An overspend of £137k is forecast on the 5x3 bedroom shared ownership development at Moorfield Road, Cowley due to additional work requirements arising including utilities and the diversion of a sewer pipe. This is an adverse movement of £37k following the result of land contamination surveys that have been undertaken.
81. Overall Major Projects remain £751k under spent with favourable variances reported on final accounts for completed schemes at Acol Crescent, Willow Tree and Parkview developments.
82. A pilot scheme for extending existing housing stock from 3 to 4 bed properties for six properties will commence shortly following recent approval of contractors. The 2021/22 Loft Extensions forecast has been reduced by £225k as the pilot will not be completed this financial year.
83. The Rough Sleepers Accommodation Programme aims to acquire properties to provide move on accommodation for rough sleepers and several properties have been identified for acquisition. An amount of £2,850k is forecast as re-phasing to complete this programme next financial year.
84. A planning application for the Hayes Regeneration development was submitted in December 2021, and a decision is expected at the end of January 2022, with the appointment of a developer partner planned in March following tender evaluation.
85. Negotiations are taking place with registered providers for the bulk purchase of properties under the Hayes Estate regeneration programme. The 2021/22 forecast has reduced by £2,700k as the buyback programme will continue into next financial year.

86. The forecast for general buy backs of ex-Right to Buy properties and flats at Packet Boat House has also been reduced in total by £3,500k in 2021/22 as a number of identified acquisitions are likely to fall into next year.
87. The Works to Stock programme 2021/22 is in various stages of progress with electrical fire safety works accelerated into this year. Works are ongoing across the housing estate under numerous workstreams.
88. Reoccupation has commenced at Packet Boat House following remedial works. The final account has been received from the contractor and is yet to be agreed, although there is some risk that costs will be higher than the budgeted contract sum. Legal proceedings with the original vendor of Packet Boat House will be pursued to recover costs.
89. Phase 1 of the Green Homes Grant Local Authority Delivery scheme to provide energy efficiency upgrades to low-income homes is complete. A wide number of measures have been implemented across numerous homes within tight timescales, and the remaining unspent grant of £1,673k was returned to the Department for Business, Energy and Industrial Strategy in October 2021.

Treasury Management Update as at 31 December 2021

Table 10: Outstanding Deposits

Period	Actual (£m)	Actual (%)	Benchmark (%)
Call Accounts and MMF's*	55.6	67.07	70.00
Up to 1 Month Fixed-Term Deposits	12.3	14.84	
Total	67.9	81.91	70.00
Strategic Pooled Funds	15.0	18.09	30.00
Total	82.9	100.00	100.00

*Money Market Funds

90. Deposits are held with UK institutions, all of which hold a minimum A- Fitch (or lowest equivalent) long-term credit rating and AAA rated Money Market funds. UK deposits are currently held in NatWest Bank plc, Santander UK plc, Handelsbanken plc and the DMADF. There is also an allocation to Strategic Pooled Funds.
91. The average rate of return on day-to-day operational treasury balances is 0.02%. As part of the Council's investment strategy for 21/22, the Council continues to hold a total of £15m in three long-dated strategic pooled funds (£5m in each). The strategic pooled funds have a 3-5 year investment horizon with dividends being distributed periodically. When including projected dividend income on these strategic pooled funds, based on averages received during 21/22, the overall rate of return increases to 0.52%
92. The Council aims to minimise its exposure to bail-in risk by utilising bail-in exempt instruments and institutions whenever possible. However, due to the significant amount held in instant access facilities, which is needed to manage daily cashflow, it is not possible to fully protect Council funds from bail-in risk. At the end of December, 82% of the Council's day-to-day operational treasury investments had exposure to bail-in risk compared to a September benchmark average of 69% in the Local Authority sector (latest benchmark provided quarterly by the Council's treasury advisors Arlingclose). The Council's exposure reduces to 0% once instant access facilities are excluded from the total bail-in percentage.
93. Liquidity was maintained throughout December by placing surplus funds in instant access accounts. Cash-flow was managed by ensuring deposit maturities with the DMADF were matched to outflows and where required, funds were withdrawn from instant access facilities.

Table 11: Outstanding Debt - Average Interest Rate on Debt: 3.12%
Average Interest Rate on Temporary Borrowing: 0.42%

	Actual (£m)	Actual (%)
General Fund		
PWLB	62.77	18.79
Long-Term Market	15.00	4.49
Temporary	90.00	26.94
HRA		
PWLB	133.32	39.90
Long-Term Market	33.00	9.88
Total	334.09	100.00

94. There was a scheduled EIP debt repayment during December of £0.33m. In addition, a further £10m of new PWLB EIP borrowing was taken as funds will be required at the beginning of 2022, and it was taken as a way of hedging before the base rate rise in December's Monetary Policy Committee meeting. Also, £25m of forward dated temporary borrowing reached settlement and funds were received by the Council, this included a £5m rollover of existing debt.
95. Gilt yields were fairly stable during the first half of the month, but shortly after the base rate hike they began to rise. With the Council's long-term borrowing need and with restrictive premiums, early repayment of debt remains unfeasible.
96. There were no breaches of the Prudential Indicators or non-compliance with the Treasury Management Policy and Practices.
97. To maintain liquidity for day-to-day business operations, borrowing will continue to be secured as required from PWLB and other local authorities, and cash balances will be placed in instant access accounts and short-term deposits.

**PART A: APPENDIX A1
CAPITAL - MAJOR PROJECTS BY CABINET MEMBER PORTFOLIO**

Prior Year Cost	Project	2021/22 Revised Budget	2021/22 Forecast	2021/22 Cost Variance	2021/22 Forecast Re-phasing	Total Project Budget 2021-2026	Total Project Forecast 2021-2026	Total Project Variance 2021-2026	Project Forecast Financed by:		
									Council Resources	Government Grants	Other Cont'ns
£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
	Environment, Housing and Regeneration										
97	Shopping Parades Initiative	547	387	0	(160)	2,815	2,815	0	2,097	433	285
8,469	Hayes Town Centre Improvements	1,155	1,155	0	0	1,155	1,155	0	299	0	856
2,028	Uxbridge Change of Heart	60	60	0	0	60	60	0	6	0	54
	Families, Education and Wellbeing										
20,279	Secondary Schools Expansions	6,852	6,831	0	(21)	6,852	6,852	0	6,055	797	0
0	Additional Temporary Classrooms	1,000	1,000	0	0	3,800	3,800	0	3,800	0	0
1,879	Schools SRP	1,365	1,365	0	0	5,943	5,943	0	0	5,943	0
16,388	New Primary Schools Expansions	12	12	0	0	12	12	0	0	12	0
0	Meadow School	240	240	0	0	240	240	0	240	0	0
	Property and Infrastructure										
1,374	New Yiewsley Leisure Centre	2,500	865	0	(1,635)	35,700	35,700	0	34,200	0	1,500
789	Hillingdon Watersports Facility	6,000	6,000	0	0	25,712	25,712	0	0	0	25,712
101	Cranford Park Heritage Lottery Project	450	100	0	(350)	2,649	2,649	0	315	1,716	618
0	New Museum	1,275	0	(1,275)	0	5,582	0	(5,582)	0	0	0
1,255	Yiewsley / West Drayton Community Centre	721	750	41	(12)	745	786	41	786	0	0
242	Uxbridge Mortuary Extension	480	700	490	(270)	1,666	2,156	490	2,156	0	0
276	Battle of Britain Underground Bunker	250	60	0	(190)	1,279	1,279	0	1,279	0	0
81	RAGC Expansion	0	0	0	0	1,332	1,332	0	1,332	0	0
16	1 & 2 Merrimans Housing Project	0	0	0	0	806	806	0	806	0	0
31	Uxbridge Cemetery Gatehouse	0	0	0	0	543	543	0	543	0	0
0	Uniter Building Refurbishment	0	0	0	0	370	370	0	370	0	0
0	Botwell Leisure Centre Football Pitch	0	0	0	0	200	200	0	200	0	0
10,142	Housing Company Financing	8,000	3,400	0	(4,600)	39,858	39,858	0	39,858	0	0
255	Yiewsley Site Development	230	230	0	0	15,966	15,966	0	15,966	0	0
0	Purchase of Uxbridge police station	0	0	0	0	5,000	5,000	0	5,000	0	0
0	Woodside Development	0	0	0	0	2,491	2,491	0	2,491	0	0
8	Refurbishment of Asha Day Centre	44	44	0	0	220	220	0	220	0	0
161	Battle of Britain Visitor Centre Enhancements	100	30	0	(70)	100	100	0	100	0	0
0	Battle of Britain Visitor Centre Car Park	0	0	0	0	150	150	0	150	0	0
2,556	Cedars & Grainges Car Park Works	115	55	0	(60)	115	115	0	115	0	0
0	Appropriation of Townfield to General Fund	0	0	0	0	100	100	0	100	0	0
66,427	Total Major Projects	31,396	23,284	(744)	(7,368)	161,461	156,410	(5,051)	118,484	8,901	29,025

PART A: APPENDIX A2
CAPITAL - PROGRAMMES OF WORKS BY CABINET MEMBER PORTFOLIO

Prior Year Cost	Project	2021/22 Revised Budget	2021/22 Forecast	2021/22 Cost Variance	2021/22 Forecast Re-phasing	Total Project Budget 2021-2026	Total Project Forecast 2021-2026	Total Project Variance 2021-2026	Project Forecast Financed by:		
									Council Resources	Government Grants	Other Cont'ns
£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
N/A	Finance										
N/A	Purchase of Vehicles	3,821	3,852	0	31	7,238	7,238	0	6,751	487	0
N/A	Equipment Capitalisation - General	0	0	0	0	0	0	0	0	0	0
	Public Safety and Transport										
N/A	Highways Structural Works	10,471	10,271	0	(200)	34,471	34,471	0	34,360	0	111
N/A	Street Lighting Replacement	720	720	0	0	1,604	1,604	0	1,604	0	0
N/A	Road Safety	228	153	0	(75)	708	708	0	708	0	0
N/A	Car Park Pay & Display Machines	35	35	0	0	35	35	0	35	0	0
N/A	CCTV Programme	568	568	0	0	1,068	1,068	0	1,068	0	0
N/A	HS2 Road Safety Fund	611	100	0	(511)	611	611	0	0	0	611
N/A	Transport for London	4,056	931	(2,474)	(651)	17,753	15,279	(2,474)	0	15,279	0
N/A	Emergency Active Travel	43	43	0	0	43	43	0	0	43	0
N/A	Highways Section 106 Projects	139	83	0	(56)	139	139	0	0	0	139
	Corporate Services and Transformation										
N/A	Corporate Technology and Innovation	1,384	1,243	0	(141)	4,384	4,384	0	4,258	110	16
N/A	Older People's Initiatives	200	57	0	(143)	1,000	1,000	0	1,000	0	0
	Environment, Housing & Regeneration										
N/A	Chrysalis Programme	1,613	1,475	0	(138)	5,613	5,613	0	5,613	0	0
N/A	Environmental/Recreational Initiatives	465	220	0	(245)	465	465	0	279	156	30
N/A	Green Spaces Section 106 Projects	88	69	(19)	0	88	69	(19)	0	0	69
N/A	PSRG / LPRG	62	35	(27)	0	262	235	(27)	235	0	0
N/A	Homeless Provision	40	0	0	(40)	40	40	0	0	40	0
N/A	Playground Replacement Programme	166	0	0	(166)	166	166	0	166	0	0
	Families, Education and Wellbeing										
N/A	Youth Provision	900	70	0	(830)	2,500	2,500	0	2,500	0	0
N/A	Devolved Capital to Schools	773	773	0	0	1,661	1,661	0	0	888	773
	Health and Social Care										
N/A	Equipment Capitalisation - Social Care	2,359	2,198	(161)	0	11,795	11,634	(161)	0	11,634	0

PART A: APPENDIX A2 Continued

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Prior Year Cost	Project	2021/22 Revised Budget	2021/22 Forecast	2021/22 Cost Variance	2021/22 Forecast Re-phasing	Total Project Budget 2021-2026	Total Project Forecast 2021-2026	Total Project Variance 2021-2026	Project Forecast Financed by:		
									Council Resources	Government Grants	Other Cont'ns
£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
	Property and Infrastructure										
N/A	Libraries Refurbishment Programme	468	461	0	(7)	468	468	0	468	0	0
N/A	Bowls Clubs Programme	125	74	0	(51)	125	125	0	125	0	0
N/A	Sports Clubs Rebuild / Refurbishments	600	0	0	(600)	3,000	3,000	0	3,000	0	0
N/A	Property Works Programme	2,634	1,505	(182)	(947)	7,242	7,060	(182)	6,942	25	93
N/A	Civic Centre Works Programme	1,928	1,275	57	(710)	4,344	4,401	57	4,401	0	0
N/A	Leisure Centre Refurbishment	2,404	1,300	0	(1,104)	3,059	3,059	0	3,059	0	0
N/A	School Building Condition Works	3,322	1,557	0	(1,765)	10,183	10,183	0	742	8,345	1,096
N/A	Harlington Road Depot Improvements	555	235	0	(320)	555	555	0	555	0	0
N/A	Disabled Facilities Grant	2,146	909	(414)	(823)	10,730	10,316	(414)	0	10,316	0
N/A	Schools Pollution Screening (ERI)	557	231	(89)	(237)	1,557	1,468	(89)	0	0	1,468
	Total Programme of Works	43,481	30,443	(3,309)	(9,729)	132,907	129,598	(3,309)	77,869	47,323	4,406

PART A: APPENDIX A3**HRA Capital Expenditure – Major Projects breakdown by scheme**

Prior Years £'000	Scheme	Units	2021/22 Total Revised Budget £'000	2021/22 Forecast £'000	2021/22 Cost Variance £'000	Proposed Re-phasing £'000	Total Project Budget 2021-2026 £'000	Total Project Forecast 2021-2026 £'000	Total Project Variance 2021-2026 £'000
6,895	Acol Crescent	33	374	145	(229)	0	374	145	(229)
321	Maple and Poplar	34	1,046	31	0	(1,015)	7,167	7,167	0
2,341	Willow Tree	10	490	135	(390)	35	602	212	(390)
73	34-44 Sullivan Crescent	6	38	38	0	0	943	943	0
864	Nelson Road	6	1,076	751	100	(425)	1,971	2,071	100
48	Petworth Gardens	9	50	50	0	0	3,095	3,095	0
45	113-127 Moorfield Road	5	865	813	137	(189)	1,140	1,277	137
422	Woodside Day Centre	20	359	359	0	0	4,896	4,896	0
14,641	Parkview	60	747	317	(430)	0	747	317	(430)
2,507	Extensions/Conversions	n/a	0	22	22	0	0	22	22
4,757	Acquisition of Freehold Land at TCM House	28	3,882	3,934	52	0	4,314	4,366	52
556	Acquisition of 2 Units At 191 Harefield Road	2	28	15	(13)	0	28	15	(13)
3,550	Acquisition of New Build Flats Park Road	9	186	186	0	0	186	186	0
0	Hayes Estate Regeneration		3,743	3,180	0	(563)	3,743	3,743	0
0	Hayes Estate Leaseholder Buybacks		11,400	8,700	0	(2,700)	16,783	16,783	0
0	Packet Boat House Buybacks		2,300	1,500	0	(800)	2,300	2,300	0
0	Loft Extensions		600	375	0	(225)	2,000	2,000	0
0	Rough Sleepers Accommodation Programme		5,350	2,500	0	(2,850)	5,350	5,350	0
n/a	Acquisitions and Internal Developments		8,000	6,000	0	(2,000)	98,860	98,860	0
37,020		222	40,534	29,051	(751)	(10,732)	154,499	153,748	(751)

PART B: FINANCIAL RECOMMENDATIONS

That the Cabinet:

- a. Ratify an Emergency Decision by the Leader of the Council taken on 4 January 2022 to grant a 6-month extension of the temporary licence to the NHS North West London Clinical Commissioning Group to use the Winston Churchill Hall in Ruislip as a COVID-19 Vaccination Centre.
- b. Approve acceptance of gift funding in relation to a Planning Performance Agreement in accordance with the provisions of Section 93 of the Local Government Act 2003 for;
 - a. St Andrew's TCE - £60,000
 - b. Southall Gasworks - £26,000
 - c. 14-18 Pield Heath Road - £17,500
- c. Approve acceptance of £20k grant funding from the Department for Levelling Up, Housing and Communities for set-up costs associated with the implementation of temporary pavement license provisions and the subsequent running costs not covered by fees.
- d. Approves virements of £190k and £268k from the general capital contingency budget to the Corporate Technology and Innovation and Environmental and Recreational Initiatives capital budgets respectively, for the replacement of public PCs for libraries and adult education centres (£190k) and flood mitigation measures at Elephant and Court Park (£268k).
- e. Accept a grant award of £52k from the England and Wales Cricket Board for the installation of cricket facilities at Grassy Meadow and Cowley recreation ground.
- f. Approve the increase of grant allocation to Shop Mobility from the Voluntary Sector Grants budget by £10k from £5k approved at Cabinet (Dec 2021 Item 7) to £15k for 2022/23.
- g. Approve the receipt of additional New Burdens Grant funding of £127,300 from the Department for Business, Energy & Industrial Strategy to the Revenues Service in respect of work completed on Restart and Additional Restrictions Grants.

Reasons for recommendation

98. **Recommendation 2a** on 7 December 2020, the Leader's Emergency Power was invoked to grant a one-year licence for the NHS North West London Clinical Commissioning Group to use the Winston Churchill Hall in Ruislip as a COVID-19 Vaccination Centre. The licence fee included running costs.
99. On 4 January 2022, the Leader's Emergency Power was similarly invoked to extend this arrangement for a further 6-month period to assist the NHS in continuing to deliver the COVID-19 vaccination rollout. As per the Council's Constitution, such Emergency Decisions are required to be reported to Cabinet for ratification.
100. **Recommendation 2b** Gift funding has been offered by developers which if accepted by Cabinet will be utilised to fund dedicated staff to support this pre-application and application work. **Recommendation 2b** seeks authority from Cabinet to approve the acceptance of £103,500k in relation to four major developments.

- a. St Andrew's TCE - £60,000
- b. Southall Gasworks - £26,000
- c. 14-18 Pield Heath Road - £17,500

101. **Recommendation 2c** Grant funding has been offered by the Department for Levelling Up, Housing and Communities which, if accepted by Cabinet, will be utilised to fund the costs incurred by the Council in implementing and operating the temporary pavement licences regime (which was introduced in July 2020 to support the hospitality sector during the COVID-19 pandemic). This new burdens payment will address both one-off set-up costs and spend associated with running the regime, including processing, monitoring and enforcement not covered by the fees chargeable. It is expected that a second instalment will be offered in 2022/23.
102. **Recommendation 2d** The Libraries and Adult Education services need to replace public PC equipment at a cost of £190k to ensure these services can be maintained for residents, due to the age of existing equipment and in order to update Windows operating systems. Drainage improvements works are required at Elephant and Court Parks to reduce risk of flooding that has previously been experienced by residents. The cost of works are £384k in total of which £116k will be funded from Environment Agency grant towards this scheme, with £268k required from general contingency.
103. **Recommendation 2e** The England and Wales Cricket Board have awarded a grant of £52k towards the provision of practice facilities comprising new non-turf nets and pitches at Cowley Hall recreation ground and Grassy Meadow. The total project cost is £77k including £25k Council match funding from Section 106 balances (£20k) and revenue contributions (£5k).
104. **Recommendation 2f** is to increase the grant allocation to Shop Mobility from the Voluntary Sector Grants budget from £5k approved at Cabinet (Dec 2021 Item 7) to £15k for 2022/23. The proposed award of £15k (£5k less than the £20k grant sought initially by Shop Mobility) will increase the previously approved total grant allocation which includes core grants totalling £2,077k, grants for the provision of transport £18k, and the London Borough Grant Scheme £229k from £2,324 to £2,334k. The £10k increase on the core grant allocation will be met from the 2022/23 Voluntary Sector Grant budget.
105. **Recommendation 2g** is proposed to approve the receipt of New Burdens funding totalling £127,300 from the Department for Business, Energy & Industrial Strategy by the Revenues Service to support the additional workstreams to deliver the Restart and Additional Restriction Grants schemes aimed at supporting local businesses.

Alternative options considered / risk management

106. There are no other options proposed for consideration.

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THE SCHOOLS BUDGET 2022/23

Cabinet Member(s)	Councillor Susan O'Brien Councillor Martin Goddard
Cabinet Portfolio(s)	Families, Education and Wellbeing Finance
Officer Contact(s)	Graham Young, Finance
Papers with report	Schools Funding 2022/23 Consultation Papers

HEADLINES

Summary	The purpose of this report is to seek Cabinet's approval for the size and distribution of the schools budget for 2022/23, following consultation with school Headteachers, Governors and Early Years providers having regard to the advice of the Schools Forum.
Putting our Residents First	This report supports the following Council objectives of: <i>Our People; Our Built Environment; Financial Management</i> Schools are a key frontline service in the Borough and are the largest service providing investment in residents' children's and young people's future life chances. The distribution of funding to schools supports these strategic aims.
Financial Cost	Funding for schools and school related expenditure is provided through the Dedicated Schools Grant (DSG) and the Pupil Premium and as such has no impact on the Council's budget requirement. However, having considered the DSG Budget for 2022/23, and the views of all relevant stakeholders, a deficit DSG Budget has been submitted for approval, totalling £4,887k.
Relevant Select Committee	Families, Education & Wellbeing
Ward(s) affected	All

RECOMMENDATIONS

That Cabinet:

1. **Agrees that the total Schools Budget for 2022/23 be set with an overall deficit of £4,887k when compared to the total of the Dedicated Schools Grant provided to the Council (as set out in paragraphs 80 to 81)**
2. **Approve the Primary and Secondary schools funding formula as agreed by schools and the Schools Forum, as set out in paragraphs 30 to 37.**
3. **Approve the Early Years Single Funding Formula, as set out in paragraphs 38 to 51.**
4. **Approve the base rate of funding for the Two-Year Old Free Entitlement Offer, as set out in paragraph 52.**
5. **Approve the Early Years Centrally Retained budget as agreed by the Schools Forum, as set out in paragraphs 53 to 56.**
6. **Approve the Central School Services budget as agreed by the Schools Forum, as set out in paragraphs 57 to 65.**
7. **Approve the High Needs budget as agreed by the Schools Forum, as set out in paragraphs 66 to 79.**
8. **Note that the Dedicated Schools Grant Budget will be reviewed in light of any outcome from the Safety Valve discussions with the Department for Education.**

Reasons for recommendation

1. Cabinet is the decision-making body for school funding issues and decisions are required on the arrangements to allow for final funding allocations to be provided to schools by no later than 28 February 2022.
2. The School and Early Years Finance (England) Regulations 2021 requires the Council to consult the Schools Forum on a range of financial matters prior to making decisions on them. Each year the Council consults with schools on the following years funding and school funding formulas. For 2022/23 budgets, the consultations ended on 30 November 2021 and the responses to this consultation were considered at the Schools Forum meeting on 8 December 2021. Additionally, Schools Forum are required to set and agree the DSG budget for 2022/23, considering any accumulated surplus/deficit balances, this was agreed at the Schools Forum meeting on 18 January 2022. The results of these decisions are reflected in the recommendations of this report.
3. The DfE issued an updated DSG Conditions of Grant document for 2021/22 including updated conditions relating to DSG deficits and how these can be funded. This outlines that there is a temporary ring-fence on the DSG and until the end of the 2022/23 financial year such deficits should not be financed from General Reserves. Therefore, any DSG deficit must be carried forward to be dealt with from future DSG income.
4. The conditions of grant document also outline that any local authority with an overall deficit on its DSG account, or whose DSG surplus has substantially reduced during the year, must be able to present a recovery plan to the Department for Education (DfE) for managing their future DSG spend.

5. The Council is currently in discussions with the DfE on a safety valve agreement with the objective of securing conditional funding that would allow the DSG deficit to be eliminated over a five-year period. Significant work has been ongoing to create a realistic recovery plan with the aim of eliminating the DSG in-year deficit completely by 2024/25 and no later than 2025/26.
6. If a safety valve agreement is reached then the authority will be required to implement reforms to an agreed timetable, whilst maintaining an agreed savings profile within a prescribed and robust monitoring regime. Identified savings have been included in the DSG budget for 2022/23 and are referenced throughout this paper.

Alternative options considered / risk management

7. Cabinet could decide to recommend that the Schools Forum reconsider the proposed Primary and Secondary schools funding formula, the Early Years Single Funding Formula, and the High Needs Funding Formula.
8. The recommended Schools Budget 2022/23 contains a contingency for in year growth for expanding schools. There is also some contingency for future growth in the placement of children with Special Educational Needs.
9. The recommended Schools Budget no longer contains a general reserve to cover unforeseen costs and does not provide surplus resources to offset the cumulative deficit accruing on the Dedicated Schools Grant Budget in 2021/22.

Select Committee comments

10. None at this stage.

SUPPORTING INFORMATION

11. The Government have confirmed the 'hard' implementation of the Schools National Funding Formula will be further delayed until at least 2023/24. Therefore, in 2022/23 the 'soft' implementation of the formula will continue with local authorities and Schools Forum still having the ability to set a local funding formula.
12. The schools block will continue to be ring-fenced in 2022/23 but local authorities will be able to transfer up to 0.5% of their schools block funding, with the agreement of Schools Forum. If a local authority wishes to transfer more than 0.5% to address funding pressures in other blocks, then approval must be sought from the Secretary of State.
13. The Government have confirmed that the Early Years National Funding Formula (EYNFF) will continue in 2022/23. 2022/23 will also see the continuation of the additional 15-hour free entitlement for 3&4-year-olds of eligible working parents which was introduced from September 2017.

14. The number of schools converting to Academy status, following the introduction of the Academies Act 2010, has slowed down. The current picture in Hillingdon is that 48 schools are now academies (22 primary, 19 secondary, 1 all-age, 5 special and the Pupil Referral Unit). The Council is not currently aware of any schools with a plan to convert during 2022/23.
15. The following sets out the arrangements that the DfE are making to the schools funding system for 2022/23:

Schools Block

- a) Funding through the schools NFF is increasing by 3.2% overall in 2022/23, and by 2.8% per pupil. The funding floor will ensure that every school is allocated at least 2% more pupil-led funding per pupil compared to its 2021/22 NFF allocation.
- b) The structure of the formula remains unchanged.
- c) Core factors will increase by 3%.
- d) FSM Ever6 eligibility will be measured using the October census (previously this was January).
- e) The minimum per pupil funding levels will increase by 2%, compared to 2021/22. This will mean that every primary school will receive at least £4,265 per pupil, and every secondary school at least £5,525.
- f) Low Prior Attainment factor will use 2019 data following the cancellation of the assessments in 2020.
- g) For any pupils joining between January and May 2020, the Mobility factor will use actual entry date as there was no census in May 2020.
- h) No change to flexibility of local authorities/Schools Forum to set local formula in 2022/23.
- i) Minimum Funding Guarantee (MFG) will continue to be set between +0.5% and +2%.
- j) Local authorities will be able to transfer up to 0.5% of total schools block allocation to other blocks in 2022/23.
- k) Business Rates payment system will be centralised, decreasing administrative burden for schools.

High Needs

- a) The total high needs funding is increasing by £780m (9.6%), in 2022/23.
- b) The high needs NFF will ensure that every local authority receives at least an 8% increase per head of population.
- c) Historic Spend factor updated to use 50% of 2017/18 actual data.

Central School Services Block

- a) Local authorities will continue to be protected so that the maximum per-pupil year-on-year reduction in funding for ongoing responsibilities is 2.5%, while the year-on-year gains cap will be set at a rate of 5.6%.
- b) Funding for historic commitments will continue to decrease with a further 20% reduction in 2022/23.

Early Years (3 and 4-Year-Old Provision)

16. Early Years Funding provides funds for schools, Private, Voluntary and Independent Nursery providers and Childminders for 3 and 4-year-old placements.
17. From April 2017 the Early Years National Funding Formula (EYNFF) was implemented with a new requirement on the amount of funding that local authorities must pass to providers. In 2022/23 local authorities must plan to spend at least 95% of the Early Years funding they receive directly on providers, with at least 90% of this being paid through a universal base rate. It is proposed that for 2022/23 no significant changes are made to the Early Years funding formula in Hillingdon. The formula is made up of the following factors:
 - A base rate per hour for all pupils set at 91% of the funds available to providers,
 - Deprivation funding, based on the Income Deprivation Affecting Children Index (IDACI), set at 7% of the funds available to providers,
 - The remaining 2% paid through an additional needs supplement, payable to those providers with an above average IDACI ranking,
 - Maintained Nursery School supplementary funding (only applies to McMillan Nursery).

Early Years (Two-Year-Old Free Entitlement Provision)

18. This new provision came into force on 1 September 2013 and was extended further on 1 September 2014, to cover the 40% most disadvantaged families across the country.
19. The DfE strongly recommended that all councils put in place a simple funding formula for the two-year-old free entitlement offer, which Hillingdon followed, having only a base rate of funding, which has been set at £6.00 per hour per pupil.

Primary and Secondary Schools

20. The Schools Block provides funding for Primary and Secondary schools (including academies and free schools) and a limited range of retained budgets. The DfE's paper; Schools Revenue Funding for 2022 to 2023, sets out how local authorities and schools forums should plan for the local implementation of the funding system for the 2022/23 financial year. The final DSG has been determined based on the October 2021 census data.
21. All primary and secondary schools will be funded based on the approved and agreed funding model, this includes maintained, all academies, free schools, studio colleges and

university technical colleges. For 2022/23, the funding will still be provided as is currently the case (i.e. maintained schools will receive funding from the local authority through the DSG and all other schools will receive funding directly from the Education and Skills Funding Agency (ESFA)).

22. The DfE have announced that implementation of the 'hard' National Funding Formula will be further delayed and therefore the local authority and Schools Forum will still be involved in the determination of the funding allocations to schools in 2022/23.
23. The Schools Block will be ring-fenced, however, local authorities will be able to transfer up to 0.5% of their schools block funding out, with agreement of Schools Forum, to offset ongoing funding pressures in the High Needs and Early Years blocks. In Hillingdon 0.5% equates to approximately £1.3m.
24. Following consultation with stakeholders in November 2021, and a review of the draft DSG Deficit Recovery Plan, Schools Forum, after careful consideration, agreed to transfer 0.5% from the Schools Funding Block.

Dedicated Schools Grant Funding 2022/23

25. The Education and Skills Funding Agency (ESFA) published the draft authority level DSG allocations for the schools, central school services, early years, and high needs blocks on 16 December 2021.
26. The main driver for the determination of DSG funding is pupil numbers which in Hillingdon have reduced overall in October 2021 compared with the previous year as detailed in Table 1 below.

Table 1

	Oct-20	Oct-21	Diff	%
Primary	27,511	26,943	-568	-2.1%
Secondary	17,440	17,647	+207	+1.2%
Total	44,951	44,590	-360	-0.8%

27. Table 2 sets out the published baseline DSG budget for 2022/23, compared to the 2021/22 DSG allocation updated in November 2021

Table 2

Funding Block	DSG Budget 2021/22 £000	DSG Budget 2022/23 £000	Change in Budget £000	Increase %
Schools	247,505	251,897	+4,392	1.8
High Needs	50,329	56,379	+6,050	12.0
Central Services	2,626	2,540	-86	-3.3
Early Years	26,144	23,118	-3,026	-11.5
Total DSG Budget	326,604	333,934	+7,330	2.2

28. In addition to the DSG, mainstream schools will receive supplementary grant funding in 2022/23, in respect of both the Health and Social Care Levy and other cost pressures. This will result in an additional £7,240k to be allocated to mainstream schools in Hillingdon in 2022/23. This funding is outside of the DSG and therefore will be distributed separately to the funding formula.
29. In determining the final distribution of the DSG funds available, it is usually a requirement that predicted year end balances are built into the final determination. For 2021/22, there is an in-year deficit on the DSG, which for month 9 is estimated to be £12.7m. When added to the DSG opening deficit balance of £25.4m, which was carried forward from 2020/21, it is projected that there will be a cumulative deficit of £38.0m carried forward to 2022/23.
30. Given the on-going pressures in High Needs and funding reductions in the historic element of the Central Schools Services Block it has not been possible to set an in-year balanced DSG budget for 2022/23.

Proposals for Use of DSG in 2022/23

Schools Block

Transfer of Schools Block funds

31. The Schools Block will continue to be ring-fenced in 2022/23, however, local authorities will be able to transfer up to 0.5% of their schools block funding to address funding pressures in other areas with agreement of Schools Forum. In November 2021 schools were consulted on proposals to transfer funds and at the December meeting of the Schools Forum members indicated that the majority were in support of the 0.5% schools block transfer. This has therefore been reflected in the total schools block funding to distribute through the funding formula.

Schools Funding Formula Factors

32. At the Schools Forum meeting on 8 December 2021, Schools Forum members voted to retain the factor rates at the same levels as in the previous year. The Age Weighted Pupil Unit (AWPU) will be used as a balancing factor to distribute any surplus schools block funds to all schools. In 2022/23 AWPU rates have increased by 2.3% compared with the previous years.
33. As in previous years the apportionment of deprivation funding remains 75% free school meals (FSM Ever 6) and 25% Income Deprivation affecting Children Index (IDACI). Consistent with previous years approximately 7% of the total schools block funding is distributed through this factor.

Minimum Funding Guarantee (MFG)

34. For 2022/23 there continues to be a requirement that the MFG will need to be set at between +0.5% and +2%. The proposal is that Hillingdon will again set this at +0.5%, which will ensure that every school will receive a minimum of 0.5% increase in per pupil funding in 2022/23.
35. The total MFG in 2022/23 is £335k, a £70k reduction on 2021/22. A total of 7 schools will receive MFG protection in 2022/23, a breakdown of this is set out in Table 3

Table 3

School	MFG Adjustment (£)
Deanesfield Primary School	18,159
Grange Park Infant and Nursery School	23,163
Hillside Infant School	16,645
Parkside Studio College	24,459
De Salis Studio College	2,512
Northwood School	79,838
Rosedale College	169,818
Total	334,594

Growth Fund Contingency

36. A review of the Growth Fund Contingency requirement, which provides funding for expanding schools, diseconomies funding for new Basic Need Academies and funding for significant in-year growth, estimates that the budget in 2022/23 should be £1,450k, a decrease of £204k from the previous year. The 2022/23 allocation includes an additional £153k to off-set the 2021/22 overspend which was a direct consequence of the Schools Forum decision to backdate payment of growth contingency funding to Swakeleys school.
37. The growth funding allocated through the funding formula for 2022/23 is £834k which is insufficient to cover the growth requirement due to an overall reduction in pupil numbers in Hillingdon. Schools Forum members approved the growth allocations at the meeting on 18 January 2022.

Early Years Block

38. Early Years funding rates were published on 16 December 2021 with increases in the funding rates for 2 years-olds and 3 & 4-year-olds for most local authorities. The following funding rates will be used to generate the Hillingdon Early Years Block funding in 2022/23.

Table 4

	2021/22 £ (per hr)	2022/23 £ (per hr)	Increase £ (per hr)	Increase %
2-Year-olds	6.08	6.29	+0.21	3.5%
3- & 4-Year-olds	5.97	6.14	+0.17	2.8%

39. There was a change to the Early Years block funding calculation in 2021/22 due to COVID, with allocations being adjusted following each termly census. The current assumption is, that the Early Years Single Funding Formula for the provision of the 15 hours free entitlement for 3 & 4-year-olds in 2022/23 will return to being calculated based on 5/12ths of the January 2022 census numbers and 7/12ths of the January 2023 census numbers. The 2022/23 allocation is therefore draft as there will be further adjustments in July 2022 and July 2023. It is worth noting that approximately two thirds of this funding are delegated directly to schools for three and four-year-old provision.
40. There are several requirements on how local authorities can allocate Early Years funding to providers. These requirements are intended to ensure that funding provided is fairly distributed to providers. Schools Forum has not proposed to make any changes to the calculation of the Early Years funding formula.

Universal Free Entitlement - Base Rate

41. Local authorities are required to pass 95% of early years funding directly to providers. There is a requirement to set a universal base rate for all providers, and additionally the guidance states that the level of supplements should be capped at 10% of the total funding given to providers, with the remaining 90% distributed through the base rate. Given the limits on supplements, the Hillingdon base rate is set at 91% of available funding as used in 2021/22.
42. Following the increase in hourly funding rates used to determine the Early years block, the base rate is being reviewed to see how much of this increase can be passed on to providers. This will be confirmed before the Early Years funding formula is finalised in March.

Universal Free Entitlement - Funding Supplements

43. The government allow supplements up to a maximum of 10% of the total funding passed to providers. Local authorities will continue to be required to have a mandatory deprivation supplement but will have discretion over the metric used. The following sets out the breakdown of the Hillingdon early years funding formula.

Deprivation Supplement

44. In 2021/22 the deprivation factor within the Hillingdon early years formula was 7% with IDACI as the distribution driver, as this appears to be the best indicator of deprivation for 3 & 4-year-olds. The proposal is that for 2022/23 this is retained at the same percentage.

Flexibility Supplement

45. In previous years the remaining 2% of the funding has been used to target those providers with higher numbers of children with additional needs by allocating funding to settings with a higher-than-average IDACI rank. This recognised that there are links between deprivation and additional need and reflected that this was the most robust data set held to distribute additional needs funding.

46. Now that the SEND Advisory Service is embedded, the local authority can access data that better reflects the level of additional need in early years settings. Officers are establishing a dataset that will use the proportion of children on the SEND register to distribute funding through the formula whilst still meeting the supplement requirements within the guidance. It is considered that the Flexibility supplement is probably the way to incorporate this into the formula and this funding supplement will be confirmed before the Early Years funding formula is finalised in March.

Maintained Nursery School Supplementary Funding

47. The government recognises that maintained nursery schools have additional costs and has confirmed that it will continue to provide supplementary funding to local authorities for maintained nursery schools. The allocation for 2022/23 is £275k and this will be passed in full to McMillan Nursery school. Unlike in 2021/22, this funding is confirmed for the full year.

Additional 15 hours Free Entitlement

48. Hillingdon has received an indicative £4,845k to fund the additional 15 hours free entitlement for eligible children in 2022/23. This funding will be adjusted to reflect actual numbers accessing the entitlement and therefore this funding will be earmarked in full for the delivery of the additional 15 hours free entitlement.

Disability Access Funding

49. The government introduced a new targeted early years Disability Access Fund in 2017/18, with the purpose of aiding access to places for those 3 & 4-year-olds with a disability. Funding will be passed to providers with eligible children and the setting is then responsible for the use of the funding. This funding has been increased in 2022/23 from £615 to £800 per pupil and the Hillingdon allocation of this funding in 2022/23 is £125k.

Early Years Pupil Premium

50. The early years pupil premium will increase by 7 pence to 60 pence per hour, equivalent to up to £342 per eligible child per year, to support better outcomes for disadvantaged 3 & 4-year-olds. The indicative early years pupil premium allocation for 2022/23 is £166k.

SEN Inclusion Fund

51. All local authorities were required to establish SEN inclusion funds for 3 & 4-year-olds in their local funding systems from April 2017. The SEND Advisory service work with early years providers to determine how best this funding is distributed with the focus on children with lower level or emerging SEN. It is proposed that the £200k allocated to the SEN inclusion fund is retained and that this is taken from the early years block. The SEN inclusion funding will be included in the 95% pass through to providers and therefore does not count in the 5% that local authorities can centrally retain in 2022/23.

Two-Year Old Provision

52. The funding rate to local authorities for disadvantaged two-year olds has increased to £6.29. Given the increase, the hourly rate of £6.00 paid to Hillingdon providers is being reviewed to see if some of this additional funding can be passed on to providers. This will be confirmed before the Early Years funding formula is finalised in March.

Early Years Centrally Retained

Provision for Vulnerable Children Placements

53. The £139k budget for the placement of vulnerable early years children is again projected to underspend in 2021/22, due to a lower-than-expected number of referrals being made for additional funding. However, it is recognised that there are still children and families that have a need for this funding and therefore there it is not proposed to reduce this budget in 2022/23.

Family Information Service

54. The Family Information Service (FIS) team helps parents to access the free early years provision that they are entitled to for their children. This relates to the universal entitlement to free early education for all 3 & 4-year-olds and covers the entitlement to free childcare for the most disadvantaged two-year olds. The FIS consists of the FIS Manager, 4.0 (FTE) FIS Officers and a Parental Childcare Advisor and the proposed budget for 2022/23 is £268k.

Early Years Advisory Service

55. The Early Years Advisory service provides targeted support, advice, and guidance to all early years settings (including schools and Private Voluntary and Independent Nursery providers). The service consists of 3.0 (FTE) Early Years Advisory Teachers with a proposed budget of £245k for 2022/23.

Early Support Team

56. The Early Support team consists of 3.5 (FTE) Home Portage Visitors who support parents and carers helping to build resilience within families with children and young people with additional needs or disabilities. The proposed budget for this team in 2022/23 is £159k.

Central School Services Block

Education Services

57. The School Placement and Admissions team consists of 1.9 (FTE) Senior Admissions Officers and 3.9 (FTE) Admissions Officer at a total budgeted cost of £248k. Given the increase in workload and the growth in elective home education, the team structure will need to be reviewed further in the coming months.

58. The Hillingdon Virtual School is part-funded from the DSG along with a contribution from the Pupil Premium Plus grant. The team consists of a Virtual School Headteacher and 11 FTE practitioners. The DSG funding for this team is £535k with £231k charged to the Pupil Premium Plus grant.
59. The DSG also part funds four posts in the structure following last year's Education review which delivered a net saving to the DSG. These are as follows, Deputy Director Education, Head of Access to Education, Vulnerable Learners Support Manager and Post-16 Partnership Co-ordinator with the total DSG requirement for these posts being £282k.

Education Safeguarding

60. The DSG has historically funded the LADO post along with the School Domestic Violence and Child Protection officer posts. The budget requirement for these three posts is £184k.

Non-statemented LAC placements

61. There is a continuing pressure linked to the number of looked after children who have been placed Out of Borough in residential provision. The DSG only funds the education element of these placements, and there is an on-going budget requirement of £300k for these placements.

Support Service Costs

62. A proportion of the total support services costs for central services at the Local Authority are charged to the DSG under a nationally agreed model, which has historically been capped. As part of the review of the DSG carried out in 2021/22 alongside the DSG Deficit Recovery plan process and Council-wide annual update of the share of these costs, the charge for 2022/23 will reduce by £153k.

ESG retained services

63. In the 2015 Spending Review, the DfE announced that ESG funding would cease in 2017/18 and that for those services defined as retained duties previously funded through the ESG, the funding and responsibility would be transferred into the DSG. The Schools Revenue Funding Operational Guide provides the definition of those services deemed to be retained duties. The DSG baseline includes a sum of £753k for retained duties, and it is proposed that this figure is retained in 2022/23 to fund these services.

Copyright Licences

64. The ESFA procures copyright licences centrally for all schools and the cost is then charged to the DSG. The ESFA have informed that the cost for 2022/23 will be £237k, which is a £3k increase to the 2021/22 budget.

CSSB Savings

65. As part of the DSG Deficit Recovery plan work, there are additional savings that have been badged against the Central School Service block in 2022/23. Further detail is being worked up on these savings.

High Needs Block

Planned Place Numbers

66. There have been several changes to planned place numbers in Special schools and SRPs to reflect current demand as specified in Table 5 below.

Table 5

Special School	Change in Place Number	Month Change Effective	Change in Funding 2022/23 £
Grangewood	+1	Sep 2022	5,833
Hedgewood	+20	Apr 2022	200,000
Moorcroft	+14	Sep 2022	81,667
Young People's Academy	+18	Sep 2022	105,000
Total Special Schools	+53		+392,500
SRP	Change in Place Number	Month Change Effective	Change in Funding 2022/23 £
St Martin's	3	Sep 2022	+17,500
SRP Total	3		+17,500
Grand Total	56		+410,000

67. Academies receive planned place funding directly from the ESFA. This funding is included in the amount recouped from the High Needs block.

SEN Top-up Funding

68. There is no proposal to make any changes to the banded funding model for the distribution of top-up funding in 2022/23. However, the DSG Deficit Recovery plan contains several workstreams which should impact on the ongoing expenditure on top-up funding. The 2022/23 budgets for top-up funding have been updated to reflect current demand, projected growth and savings as detailed in the recovery plan. This results in a total budget of £26,576k for 2022/23.

Early Support Funding (ESF)

69. ESF was introduced in 2020 to support children and young people who require SEND provision beyond the 'Ordinarily Available' national threshold, but whose needs can be best met within mainstream provision. Importantly, ESF draws from the same budget as

an EHCP and is designed as a strategic reallocation of EHCP budget for those for whom mainstream is better-suited.

70. One of the main workstreams of the DSG deficit recovery plan is focusing on growth in ESF take-up with the aim of increasing early intervention for those whose SEND needs can be met within mainstream and ultimately, reducing future volumes of EHCPs. The savings modelled in the recovery plan have been included in the updated ESF budget for 2022/23.

Independent & Non-Maintained Special Needs

71. The Council has seen a further increase in the number and total spend on SEN placements in Independent and Non-maintained schools in the last year, predominantly because of a lack of capacity within in-borough provision. For 2022/23 the budget has been increased by £4,721k to reflect the current spend and projected growth. This includes a £175k reduction as included in the DSG Recovery plan in relation to the planned approach to bring pupils back from Independent placements.

Post-16 Special Educational Needs Placements

72. In recent years there has been continued growth in the number of post-16 pupils with special educational needs requiring college placements. The budget has been increased significantly in previous years with the budget split between FE Colleges and Independent Specialist Providers.
73. The local authority has been in consultation with FE providers and will be implementing a banded funding model for FE Colleges from September 2022. It is projected that this will generate a small cost reduction in 2022/23 and this has been reflected in a £81k reduction to the budget.

Alternative Provision

74. The local authority currently commissions 73 places at the in-borough alternative provision setting. A reconciliation of the actual number of young people accessing the provision is carried out each term and the funding adjusted to reflect over and under numbers (with a 5% tolerance).
75. In addition, the authority commissions 20 Pupil Support places for children that are unable to access education due to ill health. Funding for these places will be on the same basis as the alternative provision places with £10k planned place funding and top-up of £10,476. There are also 20 places commissioned for an interim provision with these 20 places funded at the KS4 AWPU funding rate.

SEN Advisory Service

76. Following a full transformation of the SEND teams in 2019/20, the SEND Advisory Service was created to provide advice and guidance to educational settings to ensure they can meet the needs of most children and young people within their own resources. This service represents a cost to the DSG of £1,342k, which is a £44k increase on the

previous year due to pay inflation. The expectation is that over time this expenditure will be offset by a reduction in the number of EHCPs issued, through early intervention and support and this is captured in the DSG Deficit Recovery plan.

3% Threshold

77. The 3% threshold recognises those schools that have a disproportionate number of pupils with SEN and distributes an additional £6k funding for each pupil over the 3%. The threshold was set several years ago and when the mechanism was introduced the number of pupils with a Statement of SEN in mainstream schools was on average 2% of the total school population.

78. A workstream of the DSG deficit recovery plan has been to review the threshold with the decision taken to increase in 2022/23 to 3.5%. Therefore, the budget has been reduced by £223k to £204k to reflect this change to the threshold.

SEN Tuition

79. Over the last few years there has been a significant increase in the number of pupils with SEN accessing specialist out of school tuition. A workstream of the DSG Deficit Recovery plan has been reviewing the use of SEN tuition and has identified that a projected saving of £138k could be achieved in 2022/23 and this has been built into the budget.

Proposed DSG Budget for 2022/23

80. Table 6 summarises the final DSG Budget for 2022/23

Table 6

Funding Block		£
Schools Block	Income	(250,638)
	Expenditure	250,638
	Net Total	0
Early Years Block	Income	(23,118)
	Expenditure	23,118
	Net Total	0
High Needs Block	Income	(57,639)
	HN Recoupment	9,966
	Expenditure	52,560
	Net Total	4,887
Central School Services Block	Income	(2,540)
	Expenditure	2,540
	Net Total	0
Overall DSG Position		4,887

81. Table 7 details the final DSG Budget for 2022/23: **Table 7**

Funding Block	Cost Centre description	Proposed Budget £'000
Schools	Schools Block Funding	-251,897
Schools	0.5% Transfer	1,260
Schools	Individual Schools Budget	249,187
Schools	Growth Fund Contingency	1,450
Schools Block Total		0
Early Years	Early Years Block Funding	-23,118
Early Years	Early Years Single Funding Formula	14,603
Early Years	Early Years Single Funding Formula (additional 15 hrs)	4,846
Early Years	Maintained Nursery School Supplementary Funding	275
Early Years	Disability Access Fund	125
Early Years	SEN Inclusion Fund	200
Early Years	Core Childcare & Early Years (FIS)	267
Early Years	Early Years Advisory Teachers	245
Early Years	Early Support Team	159
Early Years	Provision for Vulnerable Children Placements	139
Early Years	Early Years Overheads	293
Early Years	Early Years Pupil Premium	166
Early Years	2YO Funding	1,800
Early Years Block Total		0
High Needs	High Needs Block Funding	-56,380
High Needs	0.5% Transfer from Schools Block	-1,260
High Needs	High Needs Block Academy Recoupment	9,966
High Needs	Maintained ISB	4,898
High Needs	Top-up funding	26,576
High Needs	Early Support Funding	912
High Needs	Independent placement provision (pre-16)	13,200
High Needs	Independent placement provision (post-16)	1,502
High Needs	Contributions from Health & Social Care	-1,383
High Needs	FE college top up funding	2,889
High Needs	Alternative Provision	1,276
High Needs	SEN Therapies	542
High Needs	3.5% Threshold Mechanism	204
High Needs	SEN Exceptional funding	100
High Needs	Tuition - SEN out of school	437
High Needs	SEN Support Services	1,342
High Needs	High Needs Overheads	216
High Needs	High Needs Block Savings	-150
High Needs Block Total		4,887
Central Schools	Central Schools Block Funding	-2,540
Central Schools	DSG Funded Business Support	35
Central Schools	School Placements & Admissions	248
Central Schools	Education posts	282
Central Schools	Hillingdon Virtual School	535
Central Schools	Non-statemented LAC placements	300
Central Schools	Education Safeguarding	184
Central Schools	Copyright Licences	237
Central Schools	ESG Funded Services	753
Central Schools	Central Schools Block Overheads	216
Central Schools	Central Schools Block Savings	-250
Central Schools Block Total		0
Grand Total		4,887

Financial Implications

This is a financial report dealing with funding issues affecting schools. The financial impact on Schools Delegated Funding, is that schools will see an increase in per pupil funding when compared with 2021/22 following an increase in the Schools Block funding. It should be noted that school budgets are protected by the Minimum Funding Guarantee level of +0.5% of per pupil funding.

The DSG has competing demands across the four funding blocks (Early Years, Schools, High Needs and Central School Services), with pressures in High Needs, where any increase in funding has not been sufficient to meet the cost of High Needs growth relating to the actual growth in pupil numbers along with complexity of need experienced over the period. The implementation of the ring-fenced arrangement between the relevant funding blocks has resulted in a shortfall of funding in the High Needs block. The proposals in this report do not provide any additional resources that can be used to offset the cumulative deficit accruing on the DSG, which at Month 9 stands at a deficit of £38,043k.

The Council is currently in discussions with the DfE on a safety valve agreement with the objective of securing conditional funding that would allow the DSG deficit to be eliminated over a five-year period. Significant work has been ongoing to create a realistic recovery plan with the aim of eliminating the DSG in-year deficit completely by 2024/25 and no later than 2025/26. The outcomes from this work including a 0.5% transfer from the Schools Block have been incorporated into the 2022/23 deficit budget of £4,887k.

The proposals contained within this report do not affect the General Fund proposals that are considered elsewhere on this agenda, as the School Budget is funded from the ring-fenced Dedicated Schools Grant.

RESIDENT BENEFIT & CONSULTATION

What will be the effect of the recommendation?

The approval of the recommendations as set out in this report will enable the distribution and confirmation of the funding arrangements for schools for 2020/21, including the final individual school budget shares, which must be distributed to schools on or before 29 February 2020.

Consultation Carried Out or Required

The Council is required to consult with the Schools Forum on any changes to the school funding formula and the Early Years Single Funding Formula as prescribed in the Schools Forums (England) Regulations 2012, which are covered in this consultation paper. The Schools Forum has a limited range of decision-making powers with regards to school funding. In most aspects the Schools Forum role is to advise the Council on decisions that rest with Cabinet, such as the school budget.

The main role of the Schools Forum is to consult with schools on proposed changes to funding arrangements, including any changes to the school funding formula. For 2022/23, the consultation with schools revolved around the transfer of funds out of the Schools Block and proposed minor changes to the school funding formula. The formal consultation ended on 30 November 2021.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and confirms that budget proposals for the 2022/23 schools budget are consistent with the Council's wider budget plans also being presented to Cabinet on this agenda. As the statutory override remains in place during the 2022/23 financial year, there are no direct implications for the Council's General Fund from the cumulative deficit beyond servicing the deficit, the costs of which are factored into projections for borrowing costs detailed in the main budget report. The indications are that this override will be extended beyond 2022/23 as the Department for Education continue to work with local authorities across the country to eliminate deficits.

The Council is in discussions with the Department for Education on a Safety Valve agreement to tackle the structural deficit within the Schools Budget and manage the cumulative deficit, with the outcome not expected until after budgets for the 2022/23 financial year are approved. As part of this activity, the Council and Schools Forum have committed to a number of actions including the transfer of funds from the Schools Block, which have been fully reflected in the budget proposals recommended for approval.

Legal

The Borough Solicitor confirms that this budget has been set in accordance with the Schools and Early Years Finance (England) Regulations 2021.

BACKGROUND PAPERS

NIL



HILLINGDON
LONDON

Consultation Paper – November 2021

Schools Funding Formula 2022/23

Target audience: Headteachers
 Governing Bodies
 Finance Officers
 Schools Forum
 Senior Managers

Deadline for response: 30th November 2021

Queries on this consultation paper should be directed to:

Graham Young

Lead Finance Business Partner (Schools/DSG)

Tel: 01895 277687

e-mail: gyoung@hillington.gov.uk

Formal responses should be made by accessing the Google form via the following link;

[Response form](#)

1. Introduction

- 1.1 The schools funding settlement for 2022/23 will be announced by the Secretary of State for Education in December 2021 and will be updated by using the October 2021 census pupil data. In the run up to this, the Department for Education (DfE) made several announcements in July 2021.
- 1.2 The key points in relation to the schools funding formula are as follows:
 - a) Funding through the schools NFF is increasing by 3.2% overall in 2022/23, and by 2.8% per pupil. The funding floor will ensure that every school is allocated at least 2% more pupil-led funding per pupil compared to its 2021/22 NFF allocation.
 - b) The structure of the formula remains unchanged.
 - c) Core factors will increase by 3%.
 - d) FSM Ever6 eligibility will be measured using the October census (previously this was January).
 - e) The minimum per pupil funding levels will increase by 2%, compared to 2021/22. This will mean that every primary school will receive at least £4,265 per pupil, and every secondary school at least £5,525.
 - f) Low Prior Attainment factor will use 2019 data following the cancellation of the assessments in 2020.
 - g) For any pupils joining between January and May 2020, the Mobility factor will use actual entry date as there was no census in May 2020.
 - h) No change to flexibility of local authorities/Schools Forum to set local formula in 2022/23.
 - i) Minimum Funding Guarantee (MFG) will continue to be set between +0.5% and +2%.
 - j) Local authorities will be able to transfer up to 0.5% of total schools block allocation to other blocks in 2022/23.
- 1.3 The local authority is required to consult with the Schools Forum annually on any proposed amendments to the School Funding Formula
- 1.4 This paper is being circulated widely to encourage engagement with schools and other stakeholders, to assist Schools Forum in making a final decision on the schools funding formula, prior to submitting the required details to the DfE in January 2021, who will advise on the suitability of the proposed funding formula.
- 1.5 The release of this paper allows just a short period of time for consultation with stakeholders as responses will be required to be returned by midnight on 30 November 2021. Schools Forum will then review the responses when they meet on 8 December 2021 before finalising the school funding formula at the January Schools Forum meeting.

2. School Funding Formula

- 2.1 2021/22 is the fifth year of the National Funding Formula (NFF) for schools. Whilst the DfE has confirmed that it is their intention to implement a 'hard' NFF (a consultation on the transition was released in the summer), local authorities will continue to determine final funding allocations for schools through a local formula in 2022/23.
- 2.2 In July 2021, the DfE published illustrative schools block funding figures for 2022/23. The indicative DSG Budget for 2022/23 confirms that the Schools Funding Block for Hillingdon will increase by approximately £6.4m, not including any change for pupil growth/shrinkage.
- 2.3 One of the areas that the local authority and Schools Forum are required to consult on each year is any proposed changes to the local funding formula. For 2022/23, Schools Forum has decided to consult on the following proposals.
- (i) **To increase core factors in the school funding formula by 3%, or**
 - (ii) **To move factors in the school funding formula 10% closer to the National Funding Formula. or**
 - (iii) **To leave factors in the school funding formula at the same rates as they were in the 2021/22 formula and continue to use AWPU as a balancing figure for the distribution of all additional Schools Block funds.**

3. Funding Principles

- 3.1 Schools Forum developed and agreed some funding principles as part of the funding formula review process that was undertaken to set the 2014/15 model. The benchmarking data at the time compared favourably with these principles which are set out below:
- To minimise the movement in funds between the Primary and Secondary sectors
 - To ensure that the funding split per pupil between the Primary and Secondary sector is generally in line with the national average of 1 to 1.29
 - To reduce the per pupil funding range in both the Primary and Secondary sector
 - To ensure that the least funded (per pupil) school does not receive reduced funding
 - To maintain the rate of funding per pupil allocated through the deprivation factor to approximately the national average
 - To set the rate of funding for EAL at the national average
 - To keep the loss of any group (e.g. small schools, infant schools etc) to a minimum

4. Increase Core Factors by 3%

- 4.1 As stated in section 1.2, the NFF for 2022/23 includes a 3% increase to the core factors. In 2021/22 School Forum elected to match the similar increase in factor rates to mirror the increases in the NFF and therefore applying an increase in 2022/23 would be a consistent approach.
- 4.2 When taking a final decision, Schools Forum will need to consider that by increasing the core factors by 3%, this will take the rates further away from the NFF rates which the DfE has indicated we should be moving towards.
- 4.3 The financial impact of applying a 3% increase to the core factors has been modelled and is detailed in the '3% uplift to LBH rates' tab in the attached Appendix D. It should be noted that AWPU would continue to be used as balancing factor, so the AWPU rates may in fact be slightly higher than indicated in the spreadsheet.

5. Move Factors Closer to the NFF rates

- 5.1 The DfE published a consultation in July 2021 on the next steps towards the NFF. Within this consultation, the DfE set out the long-term goal to transition towards a 'hard' funding formula. The DfE are not proposing, at this point, to set a fixed target date by which the hard NFF will be fully in place, but instead, will take a measured approach to the transition moving authorities progressively closer towards the NFF. Initial modelling indicates that generally a move to the NFF will impact more on primary schools in Hillingdon with a movement of funds to secondary as we move towards a hard formula. It is important to note that all schools are protected against per pupil funding losses through the MFG protection.
- 5.2 The initial proposal is that in 2023/24, authorities would be required to bring each of its local formula factors at least 10% closer to the NFF factor value, compared to how far the factor was from the NFF value in 2022/23. Schools Forum need to decide whether, to ease the transition, to move the LBH formula rates closer to the NFF rates in 2022/23. The '10% movement to NFF rates' tab in the attached Appendix D details the impact on the LBH rates if they were moved 10% closer to NFF. AWPU would continue to be used as balancing factor, so the AWPU rates may in fact be slightly higher than indicated in the spreadsheet.

6. Leave factors at the 2021/22 rates

- 6.1 The final proposal is to leave factors at the same rates as used in 2021/22. This will ensure that the rates do not move further away from the NFF and therefore should result in more stability for schools when the 'hard' NFF is fully implemented.
- 6.2 This proposal will result in the AWPU factor being used as a balancing figure and therefore any additional Schools Block funds will be distributed to **all** schools through this factor.

7. Appendices

Appendix A - National funding formula for schools and high needs: 2022 to 2023

Appendix B - Schools revenue funding 2022 to 2023

Appendix C – 2022/23 NFF summary table

Appendix D - Formula Factor Rates Modelling

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HILLINGDON

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Consultation Paper – September 2021

Schools Block Funding Transfer 2022/23

Target audience: Headteachers
Governing Bodies
Finance Officers
Schools Forum

Deadline for responses: 8 October 2021

Queries on this consultation paper should be directed to:

Graham Young

Lead Finance Business Partner (Schools/DSG)

Tel: 01895 277687

e-mail: gyoung@hillington.gov.uk

Formal responses should be made by accessing the form via the following link.

[Response form](#)

1. Introduction

- 1.1 2022/23 is the fifth year of the National Funding Formula (NFF) for schools. Whilst it remains the government's intention that a school's budget share should be set based on a single national formula, local authorities will continue to determine final funding allocations for schools through a local formula in 2022/23. The expectation remains that a 'hard' NFF will be implemented at some point in the future.
- 1.2 Schools Forum are consulting with schools on.
 - a) **The proposal to transfer 0.5% of funds from the Schools Block to the High Needs Block to address continued pressures in the cost of High Needs.**
- 1.3 Stakeholders are welcome to comment individually on the proposal or may wish to contribute to a sector specific response co-ordinated by Primary Forum, Hillingdon Association of Secondary Heads, or other representation group.
- 1.4 The release of this paper allows for a four-week period of consultation with stakeholders with responses required to be returned by midnight on 8 October 2021. Schools Forum will then review the responses when they meet on 20 October 2021.

2. Schools Block Funding

- 2.1 In the Summer of 2019, the Education Skills and Funding Agency set out its three-year funding commitment for total schools' funding between April 2020 and March 2023, equivalent to an approximate 5% increase per year. In July the DfE published indicative funding DSG allocations for 2022/23 which indicated that the total schools block will increase by 2.6% when compared with 2021/22 baseline.
- 2.2 The estimated impact of this for the Schools Block in Hillingdon, is a funding increase in 2022/23 of £6,365k. This does not take account of any change in Schools Block funding as a consequence of pupil growth/shrinkage.
- 2.3 The Schools Block will again be ring-fenced in 2022/23, but there will remain some flexibility to transfer funding. Local authorities may transfer up to 0.5% of schools block funding into another block, with the approval of their schools forum. Any requests to transfer above 0.5% require approval from the Secretary of State, regardless of any previously agreed transfer amounts. Based on the estimated increase in Schools Block funding outlined above, 0.5% would equate to approximately £1,262k
- 2.4 Where local authorities need to make any transfer for 2022/23, there must be new discussions with schools forum and consultation with schools. This includes cases where schools forums have agreed recovery plans, submitted to the department, assuming future year transfers. It is important that any consultation sets out the full amount of the proposed transfer, not just further transfers in addition to 0.5% or previous years' transfers.

3. DSG Deficit Recovery Plan

- 3.1 The DSG budget for 2021/22 has been set with an in-year deficit of £7,328k predominantly due to the pressures in High Needs. This budgeted overspend results in a projected cumulative deficit on the DSG of £32,686k at the end of March 2022. Indications are that due to further growth in the number of placements in Independent specialist provision, this deficit will increase further during the year.
- 3.2 Hillingdon is one of the local authorities that has been required to submit a deficit recovery plan demonstrating how the in-year deficit will be managed and a balanced in-year budget set. This plan has been created in partnership with Schools Forum and the hope is that if the plan can be agreed with the DfE and Education Skills Funding Agency, Hillingdon may be considered for a safety valve agreement where the cumulative DSG deficit is written off by the Department for Education.
- 3.3 The deficit recovery plan is looking at all areas of the DSG and one of the options modelled within the plan is a transfer of the allowable 0.5% of Schools Block funding to address pressure in other areas of the DSG. A Schools Block transfer needs to be consulted on with schools before it can be agreed by Schools Forum and therefore this consultation seeks views from schools and stakeholders on a planned transfer of funding from the Schools Funding Block.
- 3.4 These funds are required to assist with supporting the significant on-going growth being experienced in Hillingdon in the number of Education, Health and Care Plans (EHCP) that have been issued and also to recognise the increase in the complexity of need that these children and pupils have.
- 3.5 The following proposals in relation to a Schools Block transfer are being consulted on.
 - a) **No Schools Block transfer.**
 - b) **The transfer of the allowable 0.5% (approx. £1,262k).**

4. Modelling of the Financial Impact

- 4.1 Modelling has been completed to determine the potential financial impact of each of the above proposals. The impact by school of each of the proposals are summarised in the attached spreadsheet.
- 4.2 There are a few things to note when considering the results of this modelling.
 - a) The funding distribution is based on October 2020 pupil numbers,
 - b) The Minimum Funding Guarantee (MFG) has been set at +0.5% (so each school will see a minimum 0.5% per pupil funding increase),
 - c) The modelling does not take into account any adjustment in Schools block funding due to pupil growth/shrinkage (as it uses October 2020 pupil numbers),

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HILLINGDON

LONDON

Consultation Paper – September 2021

3% Threshold Mechanism Consultation 2022/23

Target audience: Headteachers
 Governing Bodies
 Finance Officers
 Schools Forum

Deadline for responses: 8 October 2021

Queries on this consultation paper should be directed to:

Graham Young
Lead Finance Business Partner (Schools/DSG)
Tel: 01895 277687
e-mail: gyoung@hillington.gov.uk

Formal responses should be made by accessing the form via the following link;

[Response form](#)

1. Introduction

- 1.1 Schools Forum are consulting with schools on the proposal to make changes to the 3% threshold mechanism which allocates additional funding to those schools with a disproportionate number of pupils with an EHCP.
- 1.2 Stakeholders are welcome to comment individually on any aspect of the proposal or may wish to contribute to a sector specific response co-ordinated by Primary Forum, Hillingdon Association of Secondary Heads or other representation group.
- 1.3 The release of this paper allows for period of consultation with stakeholders with responses required to be returned by midnight on 8 October 2021. Schools Forum will then review the responses when they meet on 20 October 2021.

2. 3% Threshold Mechanism Funding

- 2.1 Local authorities are able to provide additional funding outside the main funding formula for mainstream schools on a consistent and fair basis where the number of pupils with SEND and/or high needs cannot be reflected adequately in the funding they receive through the local funding formula. In Hillingdon, the 3% threshold mechanism recognises those mainstream schools that have a disproportionate number of pupils with SEN. The mechanism distributes additional funding to schools where the number of pupils with an EHCP is more than 3% of the total pupil population. The additional funding, which is funded from the High Needs Block, allocates £6k for each pupil over the 3%.
- 2.2 The threshold was set in 2013/14 and when the mechanism was introduced the number of pupils with a Statement of SEN in a mainstream school was on average 2% of the total school population. Given that SEN data was indicating that the average percentage of pupils with an EHCP had increased and, according to 2019 data, was closer to 3%, Schools Forum agreed that the threshold be increased to 2.5% in 2020/21 with a further increase to 3% for 2021/22.
- 2.3 The Hillingdon Dedicated Schools Grant (DSG) is under significant funding pressure, with the cumulative deficit at the end of 2021/22 projected to be in excess of £32m. Additionally, Hillingdon is one of the local authorities that has been required to submit a deficit recovery plan demonstrating how the in-year deficit will be managed and a balanced in-year budget set. This plan has been created in partnership with Schools Forum and the hope is that if the plan can be agreed with the Education Skills Funding Agency, Hillingdon may be considered for a safety valve agreement where the cumulative DSG deficit is written off by the Department for Education. One of the options considered within the plan is a full review of the 3% threshold mechanism and therefore, consultation is needed with stakeholders on the future of this funding.
- 2.4 Benchmarking against other London local authorities indicates that Hillingdon is in the minority in having this type of funding mechanism in place. Some other local authorities did historically have a similar mechanism in place but have removed it as a consequence of high needs pressures.
- 2.5 Hillingdon has seen significant growth in the number of pupils in mainstream school with an EHCPs and each year the budget requirement for the mechanism has increased. In 2020/21 a budget of £524k was allocated for the threshold. The financial impact of the proposed changes to the threshold have been modelled and are summarised in Table 1 below;

Table 1

Financial Year	%	Primary	Secondary	Total
		£000	£000	£000
2020/21	2.5%	358	166	524
2021/22	3.0%	162	114	276
2022/23	3.5%	72	54	126
2022/23	4.0%	18	6	24

2.6 The number of schools that would attract the threshold for each of the models is detailed in table 2 below. This is compared with the 2013/14 baseline which is the year that the mechanism was first introduced.

Table 2

Financial Year	%	Primary	% of Total Primary	Secondary	% of Total Secondary	Total	% of Total
2013/14	3%	13	19%	6	27%	19	21%
2021/22	3%	10	15%	4	18%	14	15%
2022/23	3.5%	6	9%	4	18%	10	11%
2022/23	4%	4	6%	1	5%	5	6%

2.7 The following proposals in relation to the 3% Threshold mechanism funding are being consulted on:

- i) To increase the Threshold to 3.5% from April 2022 for Primary and Secondary and review again for 2023/24**
- ii) To increase the Threshold to 4% from April 2022 for Primary and Secondary and review again for 2023/24**
- iii) To remove the Threshold completely from April 2022**

BETTER CARE FUND 2021/22 SECTION 75 AGREEMENT

Cabinet Member(s)	Cllr Jane Palmer
Cabinet Portfolio(s)	Health and Social Care
Officer Contact(s)	Gary Collier – Social Care and Health
Papers with report	Appendix 1 – Better Care Fund Section 75 Agreement Appendix 2 – Detailed Financial Breakdown

HEADLINES

Summary	<p>The Better Care Fund (BCF) is a mandatory process through which Council and North West London Clinical Commissioning Group (CCG) budgets are pooled and then reallocated based on an approved plan intended to achieve closer integration of health and social care activities. This is intended to lead to improved outcomes for residents. The BCF is also a route through which the Government targets funding to support the local health and care system.</p> <p>The focus of Hillingdon's 2021/22 Better Care Fund plan is improving care outcomes for older people, people with learning disabilities and/or autism and children and young people. The Council and the CCG are required to enter into an agreement under section 75 of the National Health Service Act, 2006 to give legal effect to the financial and partnership arrangements within the plan.</p>
Putting our Residents First	This report supports the following Council objectives of: <i>Our People</i> . The recommendation will contribute to the delivery of the Joint Health and Wellbeing Strategy.
Financial Cost	The recommended total amount for the BCF for 2021/22 is £106,454k made up of Council contribution of £57,327k and a CCG contribution of £49,127k.
Relevant Select Committee	Families, Health and Wellbeing
Current Electoral Ward(s)	All

RECOMMENDATION

That the Cabinet agrees to London Borough of Hillingdon entering into an agreement with North West London Clinical Commissioning Group under section 75 of the National Health Service Act, 2006 for the delivery of the Better Care Fund plan as described in the report for the period 1st April 2021 to 31st March 2022 at a value of £106,454,363.

Reasons for recommendation

1. Entering *Section 75 agreement* - Using powers under the 2006 National Health Service Act, NHSE makes the release of the £20,485k element of Hillingdon's Better Care Fund that is under its control conditional on a pooled budget being established between the Council and North West London Clinical Commissioning Group (CCG) through an agreement established under section 75 (s75) of the National Health Service Act, 2002 (NHS Act). Local authorities and CCGs can enter into s75 agreements once notification has been received from NHS England (NHSE) that plans have 'assured' status. Hillingdon received this notification on the 17th January 2022.
2. The content of the proposed s75 agreement has been considered and approved by the CCG in consultation with local NHS partners.

Alternative options considered / risk management

3. *Not entering into the s75 agreement* – Cabinet could decide not to enter the agreement with the CCG for 2021/22 but this is not recommended as it would impact on the availability of £20,485k NHS funding to support the local health and care system, including £7,470k to protect adult social care. It could also impact on the £5,511k Disabled Facilities Grant that is paid directly to the Council by the Department of Levelling Up, Housing and Communities (DLUHC) and also the £7,248k Improved Better Care Fund Grant (iBCF) that is also paid directly to the Council by the DLUHC. In each case grant conditions require that the Council has an agreed BCF plan in place that meets national conditions. Having an agreed s.75 is also one of the national conditions.

Select Committee comments

4. None at this stage.

SUPPORTING INFORMATION

Background

5. The Better Care Fund (BCF) is a national initiative intended to deliver integration between health and social care to improve outcomes for residents. It is the mechanism that is being used by the government to implement the integration duty under the 2014 Care Act and the 2021/22 plan is the seventh year and builds on the achievements of previous plans. The requirements for 2021/22 are contained within the *Better Care Fund Planning Requirements, 2021/22* published by the Department of Health and Social Care (DHSC) on the 30th September 2021.

6. Cabinet is being asked to consider the s75 agreement at such a late point in 2021/22 because of the late publication by the Department for Health and Social Care of the planning requirements

and the related national submission and assurance processes. For 2022/23, officers understand from discussions with NHSE officers that there is an intention to publish the policy framework and planning requirements in March 2022. However, it is also understood that this is linked to the publication of the Health and Social Care Integration White Paper and therefore may be subject to slippage. As a result, although Cabinet should be asked to consider the 2022/23 s75 soon, officers are unable to provide assurances as to when exactly this will be.

7. The minimum amount required to be included within the BCF pooled budget for 2021/22 is £32,844k. The 2021/22 value approved by the Health and Wellbeing Board at its November 2021 meeting is £106,454k, which would be £73,610k above the minimum required to reflect local ambition. This is £2,997k more than the 2020/21 BCF, which represents an incremental step towards the BCF providing the legal framework that gives visibility and transparency about investment in meeting the health and wellbeing needs of Hillingdon's population.

8. For ease of reference the scheme headings are shown in table 1 below.

Table 1: 2021/22 BCF Schemes
Scheme 1: Neighbourhood development.
Scheme 2: Supporting carers.
Scheme 3: Better care at end of life.
Scheme 4: Urgent and emergency care.
Scheme 5: Improved market management and development.
Scheme 6: Living well with dementia.
Scheme 7: Integrated care and support for children and young people.
Scheme 8: Integrated support for people with learning disabilities and/or autistic people.

Section 75 Agreement Variation: Key Features

9. The draft 2021/22 s75 agreement is attached as **Appendix 1**. The agreement is largely a roll forward from 2020/21; however, the main features can be summarised as follows:

- **Agreement duration**: The term of the 2021/22 agreement is 1st April 2021 to 31st March 2022.
- **Hosting**: The practice since the inception of the BCF has been for LBH to host the pooled budget, which is the equivalent of a joint bank account. In 2020/21 the CCG hosted the required separate Covid Hospital Discharge Scheme. For 2021/22 there is no requirement to have a separate pooled budget and discharge arrangements have been brought back into a single pool.
- **Hospital discharge scheme**: This reflects changes in the hospital discharge guidance that have taken place in 2021/22. Some of the winter demand funding allocated to the Council has been included as this decision pre-dated the distribution of additional DHSC funding. A separate memorandum of understanding addresses the use of all winter demand funding provided to the Council by the NHS.
- **Delegations**: Since 1st September 2021 the Council has been brokering nursing care home placements on behalf of the CCG and delegation provisions within the s75 have been amended accordingly.
- **Risk share**: The Council and CCG agreed that for previous iterations of BCF plans both organisations would manage their own risks and it is proposed that this be extended to 2021/22. Cabinet may wish to note the addition of a new Schedule 4A: *Operation of Section 117 Risk Share Arrangements*. This regularises existing funding arrangements that are not currently supported by a formal agreement for audit purposes.
- **Dispute resolution**: The dispute provisions of the agreement have been updated to reflect the current CCG structure as well as changes to the terms of reference of the Health and Wellbeing Board. This means that disputes would be considered by the CCG Clinical Lead for Hillingdon and the co-chairmen of the Health and Wellbeing Board.
- **Governance**: The delivery of the successive iterations of Hillingdon's plans has been overseen by the Core Officer Group comprising of the CCG's Joint Borough Directors; the Council's Corporate Director for Social Care and Health; the Managing Director of Hillingdon Health and Care Partners (HHCP)* who is co-chairman of the HWB, the Council's Head of Health Integration and Voluntary Sector Partnerships and the BCF Programme Manager. The governance schedule within the s75 agreement demonstrates the interrelationship between the Core Officer Group, HHCP's Delivery Board and the HWB.

**HHCP comprises of The (GP) Confederation, CNWL, The Hillingdon Hospitals NHS Foundation Trust (THH) and the third sector consortium called H4All. The latter includes Age UK Hillingdon, Carers Trust Hillingdon, the Disablement Association Hillingdon (DASH), Harlington Hospice and Hillingdon Mind.*

Financial Implications

10. The sources and allocation of funding are set out in table 2 below:

Table 2: BCF FUNDING SUMMARY 2020/22			
Funding Breakdown	2020/21 (£,000)	2021/22 (£,000)	% Difference
MINIMUM CCG CONTRIBUTION	19,401	20,485	5.6
Required Spend			
• Protecting Social Care	7,075	7,470	5.6
• Out of Hospital	5,513	5,821	5.6
• Other minimum spend	6,813	7,194	5.6
MINIMUM LBH CONTRIBUTION	12,359	12,359	0
Required Spend			
• Disabled Facilities Grant (DFG)	5,111	5,111	0
• Improved Better Care Fund (iBCF)	7,248	7,248	0
MINIMUM BCF VALUE	31,760	32,844	3.4
• Additional CCG Contribution	28,608	28,642	<1
• Additional LBH Contribution	43,089	44,968	4.4
TOTAL BCF VALUE	103,457	106,454	2.9

11. Table 3 below provides the breakdown of Council and CCG contributions in 2021/22 compared with 2020/21.

Table 3: Financial Contributions by Organisation 2020/21 and 2021/22 Compared		
Organisation	2020/21 (£,000s)	2021/22 (£,000s)
CCG	48,009	49,127
LBH	55,448	57,327
TOTAL	103,457	106,454

12. Table 4 provides a summary breakdown of investment by the Council and the CCG in each scheme in 2020/21 compared to 2019/20. A more detailed financial breakdown can be found in **Appendix 2**, which reflects information included within the template that Hillingdon was required to send to NHSE as part of the plan submission process.

Table 4: HCCG and LBH Financial Contribution by Scheme Summary							
Scheme		2020/21			2021/22		
		LBH (£,000)	CCG (£,000)	TOTAL	LBH (£,000)	CCG (£,000)	TOTAL (£,000)
1.	Neighbourhood development	3,759	2,661	6,420	4,015	3,053	7,068
2.	Supporting carers	899	94	993	864	101	965
3.	Better care at end of life	0	819	819	0	1,983	1,983
	Covid Hospital discharge	2,411	845	3,256	0	0	0
4.	Urgent and emergency care	2,142	16,808	18,950	4,120	17,772	21,892
5.	Improving care market management and development.	7,598	17,011	24,609	7,598	13,875	21,473
6.	Living well with dementia	30	349	379	0	2,836	2,836
7.	Integrated care and support for children and young people.	501	2,306	2,807	2,567	2,384	4,951
8.	Integrated care and support for people with learning disabilities and/or autistic people.	38,108	7,029	45,137	38,163	7,034	45,197
	Programme Management	0	87	87	0	89	89
	TOTAL	55,448	48,009	103,457	57,327	49,127	106,454

Covid-19 and Hospital Discharge

13. As a result of the guidance *Hospital Discharge and Community Support: Finance Support and Funding Flows* (DHSC May 2021) and *Hospital Discharge and Community Support: Policy and Operating Model* (DHSC October 2021) the NHS will fund new or extended health and social care support costs for the first six weeks after discharge from 1st April 2021 to 30th June 2021 and for four weeks from the 1st July 2021 until the 31st March 2022. Comprehensive health and care assessments are required to determine ongoing care needs and care funding responsibility during the respective six- and four-week periods.

14. In 2020/21 the local authorities were required to contribute to CCGs the equivalent of their business-as-usual expenditure on supporting hospital discharge. This requirement has not been repeated in 2021/22.

CCG Funding to the Council

15. The total funding that the Council will receive from the CCG through the BCF for 2021/22 is £10,226k. This comprises of £7,470k minimum CCG contribution to protecting social care and £2,756k additional voluntary contribution.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities?

16. The Council and CCG will be able to comply with the 2021/22 BCF national requirements. Section 117 funding arrangements will also be regularised.

Consultation carried out or required

17. The CCG and Hillingdon Health and Care Partners have been consulted on the content of this report.

CORPORATE CONSIDERATIONS

Corporate Finance

18. Corporate Finance has reviewed this report and associated financial implications, noting the funding split laid out in the tables referenced above and confirm that this is consistent with both the Council's Budget Monitoring and MTFP position.

Legal

19. The Borough Solicitor confirms that the legal implications are included in the body of the report.

BACKGROUND PAPERS

- [Better Care Fund Planning Requirements, 2021/22](#) (DHSC September 2021)
- [Hospital Discharge and Community Support: Finance Support and Funding Flows](#) (DHSC May 2021)
- [Hospital Discharge and Community Support: Policy and Operating Model](#) (DHSC October 2021)

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Dated: _____ **day of** **February** _____ **2022**



London Borough of Hillingdon

and

**North West London Clinical
Commissioning Group**

2021/22

**FRAMEWORK PARTNERSHIP AGREEMENT RELATING TO
THE COMMISSIONING OF HEALTH AND SOCIAL CARE
SERVICES UNDER THE BETTER CARE FUND UNDER
SECTION 75 NATIONAL HEALTH SERVICE ACT, 2006**

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Acknowledgement: This agreement is based on a template developed by Bevan Brittan LLP
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THIS AGREEMENT is made on day of **February** 2022

PARTIES

- (1) **London Borough of Hillingdon** of Civic Centre, High Street, Uxbridge UB8 1UW (the "**Council**")
- (2) **North West London Clinical Commissioning Group** (the "**CCG**") of 15 Marylebone Rd, London NW1 5JD

BACKGROUND

- (A) The Council is a Local Authority established under the London Government Act 1963 (as amended) and by virtue of Part 1 of the Care Act 2014 the Council is responsible for ensuring access to, commissioning and/or providing social care services on behalf of the adult population of the London borough of Hillingdon.
- (B) The CCG is established under Chapter A2 of Part 2 of the National Health Service Act 2006 as amended by section 25 (1) of the Health and Social Care Act 2012 and is responsible for commissioning services to meet the health needs of persons who are patients of the providers of primary medical services in the London borough of Hillingdon.
- (C) The Better Care Fund has been established by the Government to provide funds to local areas to support the integration of health and social care and to seek to achieve the National Conditions and Local Objectives. It is a requirement of the Better Care Fund that the CCG and the Council establish a pooled fund for this purpose.
- (D) Section 75 of the 2006 Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions.
- (E) The purpose of this Agreement is to set out the terms on which the Partners have agreed to collaborate and to establish a framework through which the Partners can secure the future position of health and social care services. It also provides the means through which the Partners can pool funds and align budgets as agreed between the Partners.
- (F) The aims and benefits of the Partners in entering into this Agreement are to:
 - a) improve the quality and efficiency of the Services;
 - b) progress towards closer integration between health and social care where this is demonstrably the most effective mechanism for delivering better outcomes for Service Users and the Partners.
 - c) meet the National Conditions and Local Objectives;
 - d) make more effective use of resources through the establishment and maintenance of a pooled fund for revenue and capital expenditure on the Services;

- e) ensure that by 2025/26 we able to demonstrate improvement in the health and wellbeing of all our residents and a reduction in disparities in health and care across our communities.
- (G) The Partners have jointly carried out consultations on the proposals for this Agreement with all those persons likely to be affected by the arrangements.
- (H) The Partners are entering into this Agreement in exercise of the powers referred to in Section 75 of the 2006 Act and/or Section 13Z(2) and 14Z(3) of the 2006 Act as applicable, to the extent that exercise of these powers is required for this Agreement.
- (I) The Council and the CCG have approved the terms and conditions of this Agreement.

1 DEFINED TERMS AND INTERPRETATION

- 1.1 In this Agreement, save where the context requires otherwise, the following words, terms and expressions shall have the following meanings:

1983 Act means the Mental Health Act, 1983.

2004 Regulations means the Environmental Information Regulations 2004.

2006 Act means the National Health Service Act, 2006.

2014 Act means the Care Act, 2014 unless otherwise stated.

2018 Act means the Data Protection Act, 2018.

Affected Partner means, in the context of Clause 23, the Partner whose obligations under the Agreement have been affected by the occurrence of a Force Majeure Event

Agreement means this agreement including its Schedules, Annexes and Appendices.

Approved Expenditure means any additional expenditure approved by the Partners in relation to an Individual Service above any Contract Price and Performance Payments.

Authorised Officers means an officer of each Partner appointed to be that Partner's representative for the purpose of this Agreement.

Better Care Fund (BCF) means the Better Care Fund as described in NHS England Publications Approval Ref. No. PAR898.

Better Care Fund Plan means for 2021/22 the schemes described in **Schedule 1**.

CCG Statutory Duties means the duties of the CCG pursuant to Sections 14P to 14Z2 of the 2006 Act.

Change in Law means the coming into effect or repeal (without re-enactment or consolidation) in England of any Law, or any amendment or variation to any Law, or

any judgment of a relevant court of law which changes binding precedent in England after the date of this Agreement.

Commencement Date means 00:01 hrs on the 1st April 2021.

Confidential Information means information, data and/or material of any nature which any Partner may receive or obtain in connection with the operation of this Agreement and the Services and:

- (a) which comprises Personal Data or Sensitive Personal Data or which relates to any patient or his treatment or medical history;
- (b) the release of which is likely to prejudice the commercial interests of a Partner or the interests of a Service User respectively; or
- (c) which is a trade secret.

Contract Price means any sum payable to a Provider under a Service Contract as consideration for the provision of Services and which, for the avoidance of doubt, does not include any Default Liability or Performance Payment.

Core Officer Group has the same meaning as Partnership Board defined below.

Default Liability means any sum which is agreed or determined by Law or in accordance with the terms of a Services Contract) to be payable by any Partner(s) to the Provider as a consequence of (i) breach by any or all of the Partners of an obligation(s) in whole or in part) under the relevant Services Contract or (ii) any act or omission of a third party for which any or all of the Partners are, under the terms of the relevant Services Contract, liable to the Provider.

Financial Contributions means the financial contributions made by each Partner to a Pooled Fund in any Financial Year.

Financial Year means each financial year running from 1 April in any year to 31 March in the following calendar year.

Force Majeure Event means one or more of the following:

- (a) war, civil war (whether declared or undeclared), riot or armed conflict;
- (b) acts of terrorism;
- (c) acts of God;
- (d) fire or flood;
- (e) industrial action;
- (f) prevention from or hindrance in obtaining raw materials, energy or other supplies;
- (g) any form of contamination or virus outbreak; and
- (h) any other event,

in each case where such event is beyond the reasonable control of the Partner claiming relief

Functions means the NHS Functions and the Health-related Functions set out in **Schedule 2**.

Health Related Functions means those of the health-related functions of the Council, specified in Regulation 6 of the Regulations as relevant to the commissioning of the Services that are set out in **Schedule 1**.

Host Partner means the Partner that will host the Pooled Fund.

Health and Wellbeing Board means the Health and Wellbeing Board established by the Council pursuant to Section 194 of the Health and Social Care Act, 2012.

Indirect Losses means loss of profits, loss of use, loss of production, increased operating costs, loss of business, loss of business opportunity, loss of reputation or goodwill or any other consequential or indirect loss of any nature, whether arising in tort or on any other basis.

Individual Scheme means one of the schemes agreed by the Partners to be included within this Agreement using the powers under Section 75 as documented in a Scheme Description in **Schedule 1** of this Agreement.

Integrated Commissioning means arrangements by which both Partners commission Services in relation to an individual Scheme on behalf of each other in exercise of both the NHS and Council Functions through integrated structures.

Joint (Aligned) Commissioning means a mechanism by which the Partners jointly commission a Service. For the avoidance of doubt, a joint (aligned) commissioning arrangement does not involve the delegation of any functions pursuant to Section 75.

Law means:

- (a) any statute or proclamation or any delegated or subordinate legislation;
- (b) any enforceable community right within the meaning of Section 2 (1) European Communities Act 1972;
- (c) any guidance, direction or determination with which the Partner(s) or relevant third party (as applicable) are bound to comply to the extent that the same are published and publicly available or the existence or contents of them have been notified to the Partner(s) or relevant third party (as applicable); and
- (d) any judgment of a relevant court of law which is a binding precedent in England.

Lead Commissioning Arrangements means the arrangements by which one Partner commissions Services in relation to an Individual Scheme on behalf of the other Partner in exercise of both the NHS Functions and the Council Functions.

Lead Commissioner means the Partner responsible for commissioning an Individual Service under a Scheme Description and Specification.

Losses means all damage, loss, liabilities, claims, actions, costs, expenses (including the cost of legal and/or professional services), proceedings, demands and charges whether arising under statute, contract or at common law but excluding Indirect Losses and "Loss" shall be interpreted accordingly.

Month means a calendar month.

National Conditions mean the national conditions as set out in the NHS England Better Care Fund Planning Guidance as are amended or replaced from time to time.

NHS Functions means those of the NHS functions listed in Regulation 5 of the Regulations as are exercisable by the CCG as are relevant to the commissioning of the Services and further described in **Schedule 2**.

Non-Pooled Fund means the budget detailing the financial contributions of the Partners which are not included in a Pooled Fund in respect of a particular Service as set out in the relevant Scheme Specification.

Non-Recurrent Payments means funding provided by a Partner to a Pooled Fund in addition to the Financial Contributions pursuant to arrangements agreed in accordance with Clause 8.4.

Overspend means any expenditure from a Pooled Fund in a Financial Year which exceeds the Financial Contributions for that Financial Year.

Partner means either the CCG or the Council, and references to "**Partners**" shall be construed accordingly.

Partnership Board means the 'joint committee' established in accordance with paragraph 10 (2) of the Regulations, which will be responsible for the review of performance and oversight of this Agreement as set out in the governance arrangements in **Schedule 3**, where it is described as the '*Core Officer Group*'.

Patients means the same as **Service Users**.

Performance Payment Arrangement means any arrangement agreed with a Provider and one of more Partners in relation to the cost of providing Services on such terms as agreed in writing by all Partners.

Performance Payments means any sum over and above the relevant Contract Price which is payable to the Provider in accordance with a Performance Payment Arrangement.

Permitted Budget means in relation to a Service where the Council is the Provider, the budget that the Partners have set in relation to the particular Service.

Permitted Expenditure has the meaning given in Clause 7.3.

Personal Data means Personal Data as defined by the 2018 Act.

Personal Health Budgets means an amount of money to support a person's identified health and wellbeing needs the application of which is planned and agreed between the individual, their representative, or, in the case of children, their families or Carers and the local NHS Continuing Healthcare Team.

Pooled Fund means any pooled fund established and maintained by the Partners as a pooled fund in accordance with the Regulations

Pooled Fund Manager means the Section 151 (Local Government Act, 1972) officer of the Council, who is the Corporate Director of Finance or the Accountable Officer of the CCG or their authorised representative, dependent on context.

Provider means a provider of any Services commissioned under the arrangements set out in this Agreement.

Public Health England means the SoSHSC trading as Public Health England.

Quarter means each of the following periods in a Financial Year:

- *Quarter 1*: 1 April to 30 June
- *Quarter 2*: 1 July to 30 September
- *Quarter 3*: 1 October to 31 December
- *Quarter 4*: 1 January to 31 March

and "**Quarterly**" shall be interpreted accordingly.

Regulations mean the *NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 No 617* (as amended).

Residents mean people who live within the geographical boundaries of the London Borough of Hillingdon.

Scheme Description means the description of an Individual Scheme agreed by the Partners to be commissioned under this Agreement.

Section 117 (s117) refers to the duties on local authorities and CCGs to provide aftercare to people previously detained under section 3 of the 1983 Act.

Sensitive Personal Data means Sensitive Personal Data as defined in the 2018 Act.

Services means such health and social care services as agreed from time to time by the Partners as commissioned under the arrangements set out in this Agreement and more specifically defined in each Scheme Description and Specification.

Services Contract means an agreement for the provision of Services entered into with a Provider by one or more of the Partners in accordance with the relevant Individual Scheme.

Service Users means those individuals for whom the Partners have a responsibility to commission the Services.

SoSHSC means the Secretary of State for Health and Social Care.

Term refers to the period of the Agreement as described in clause 2 of this Agreement.

Third Party Costs means all such third-party costs (including legal and other professional fees) in respect of each Individual Scheme as a Partner reasonably and properly incurs in the proper performance of its obligations under this Agreement and as agreed by the Partnership Board.

Working Day means 8.00am to 6.00pm on any day except Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday (in England) under the Banking & Financial Dealings Act 1971.

- 1.2 In this Agreement, all references to any statute or statutory provision shall be deemed to include references to any statute or statutory provision which amends, extends, consolidates or replaces the same and shall include any orders, regulations, codes of practice, instruments or other subordinate legislation made thereunder and any conditions attaching thereto. Where relevant, references to English statutes and statutory provisions shall be construed as references also to equivalent statutes, statutory provisions and rules of law in other jurisdictions.
- 1.3 Any headings to Clauses, together with the front cover and the index are for convenience only and shall not affect the meaning of this Agreement. Unless the contrary is stated, references to Clauses and Schedules shall mean the clauses and schedules of this Agreement.
- 1.4 Any reference to the Partners shall include their respective statutory successors, employees and agents.
- 1.5 In the event of a conflict, the conditions set out in the Clauses to this Agreement shall take priority over the Schedules.
- 1.6 Where a term of this Agreement provides for a list of items following the word "including" or "includes", then such list is not to be interpreted as being an exhaustive list.
- 1.7 In this Agreement, words importing any particular gender include all other genders, and the term "person" includes any individual, partnership, firm, trust, body corporate, government, governmental body, trust, agency, unincorporated body of persons or association and a reference to a person includes a reference to that person's successors and permitted assigns.
- 1.8 In this Agreement, words importing the singular only shall include the plural and vice versa.
- 1.9 In this Agreement, "staff" and "employees" shall have the same meaning and shall include reference to any full or part time employee or officer, director, manager and agent.

- 1.10 Subject to the contrary being stated expressly or implied from the context in these terms and conditions, all communication between the Partners shall be in writing.
- 1.11 Unless expressly stated otherwise, all monetary amounts are expressed in pounds sterling but in the event that pounds sterling is replaced as legal tender in the United Kingdom by a different currency then all monetary amounts shall be converted into such other currency at the rate prevailing on the date such other currency first became legal tender in the United Kingdom.
- 1.12 All references to the Agreement include (subject to all relevant approvals) a reference to the Agreement as amended, supplemented, substituted, novated or assigned from time to time.

2 TERM

- 2.1 This Agreement shall come into force on the Commencement Date.
- 2.2 This Agreement shall continue until the 31st March 2022 or in accordance with Clause 21.

3 GENERAL PRINCIPLES

- 3.1 Nothing in this Agreement shall affect:
- 3.1.1 the liabilities of the Partners to each other or to any third parties for the exercise of their respective functions and obligations (including the Functions); or
 - 3.1.2 any power or duty to recover charges for the provision of any services (including the Services) in the exercise of any local authority function.
- 3.2 The Partners agree to:
- 3.2.1 treat each other with respect and an equality of esteem;
 - 3.2.2 be open and transparent with information about the performance and financial status of each scheme set out in Schedule 1; and
 - 3.2.3 provide early information and notice about relevant problems.
- 3.3 For the avoidance of doubt, the aims and outcomes relating to an Individual Scheme may be set out in the relevant Scheme Description.

4 PARTNERSHIP FLEXIBILITIES

- 4.1 This Agreement sets out the mechanism through which the Partners will work together to establish a single pooled budget.
- 4.2 The Council delegates to the CCG and the CCG agrees to exercise, on the Council's behalf, the Health-related Functions to the extent necessary for the purpose of performing its obligations under this Agreement in conjunction with the NHS Functions as described in **Schedule 2**.

4.3 The CCG delegates to the Council and the Council agrees to exercise on the CCG's behalf the NHS Functions to the extent necessary for the purpose of performing its obligations under this Agreement in conjunction with the Health-related Functions as described in **Schedule 2**.

4.4 Where the powers of a Partner to delegate any of its statutory powers or functions are restricted, such limitations will automatically be deemed to apply to the relevant Scheme Specification and the Partners shall agree arrangements designed to achieve the greatest degree of delegation to the other Partner necessary for the purposes of this Agreement which is consistent with the statutory constraints.

5 FUNCTIONS

5.1 The purpose of this Agreement is to establish a framework through which the Partners can secure the provision of health and social care services in accordance with the terms of this Agreement.

5.2 This Agreement will include such functions as will be agreed from time to time by the Partners.

5.3 Where the Partners add a new Individual Scheme to this Agreement a Scheme Description and Specification for each Individual Scheme shall be in the form set out in **Schedule 1** and shall be completed and agreed between the Partners.

5.4 The Partners will not enter into a Scheme Description in respect of an Individual Scheme unless they are satisfied that the Individual Scheme in question will improve health and well-being in accordance with this Agreement.

5.5 The introduction of any Individual Scheme will be subject to approval in accordance with the governance process set out in **Schedule 3**.

5.6 For the purposes of implementing the Schemes in **Schedule 1**, the CCG delegates to the Council its functions below:

5.6.1 section 3(1)(b) of the 2006 Act of arranging for the provision of other accommodation for the purpose of any service provided under the 2006 Act;

5.6.2 section 3(1)(e) of the 2006 Act of arranging for the provision of such other services or facilities for the prevention of illness, the care of persons suffering from illness, and the after-care of persons who have suffered from illness as are appropriate as part of the health service.

5.7 Table 1 below shall describe the form that the delegation provided for in Clause 5.6 above shall take.

Table 1: Summary of Form of Delegated Functions: CCG to Council	
Scheme	Functions Delegated
Scheme 1	None

Scheme 2	None
Scheme 3	None
Scheme 4	<p>a) Delegation by the CCG to the Council to undertake the brokerage function for homecare placements on behalf of the CCG as described in Schedule 1D of this Agreement.</p> <p>b) Delegation by the CCG to the Council to enter into contractual arrangements with homecare providers on behalf of the CCG.</p> <p>c) Delegation by the CCG to the Council to procure the provision of beds for use as intermediate care on behalf of the CCG as described in Schedule 1D of this Agreement.</p> <p>d) Delegation by the CCG to the Council authority to act as lead commissioner on behalf of the CCG for the Discharge to Assess (D2A) Service described in Schedule 1D.</p> <p>e) Delegation by the CCG to the Council to undertake the brokerage function for nursing care home placements on behalf of the CCG as described in Schedule 1D of this Agreement.</p> <p>f) Delegation by the CCG to the Council to act as lead commissioner on behalf of the CCG for the community equipment service as described in Schedule 1B.</p> <p>g) Delegation by the CCG to the Council authority to undertake assessments and prescriptions for community equipment to meet health needs.</p>
Scheme 5	Delegation by the CCG to the Council to manage the process for people registered with Hillingdon GPs to access Personal Health Budgets as described in Schedule 1C of this Agreement.
Scheme 6	None
Scheme 7	a) Delegation by the CCG to the Council to exercise on its behalf lead commissioning functions for the Children and Young People's Integrated Therapy Service as described in Schedule 1E of this Agreement.

	b) Delegation by the CCG to the Council to undertake all necessary steps for the implementation of Scheme 7 in accordance with the terms of Schedule 1E and the agreed contract for the provision of the Service.
Scheme 8	<p>a) Delegation to the Council by the CCG the case management function for people with a learning disability and/or autism assessed as being eligible for NHS Continuing Healthcare (CHC) funding as described in Schedule 1F of this Agreement.</p> <p>b) Delegation to the Council by the CCG to act as lead commissioner in securing care and support to meet the assessed needs of people with a learning disability and/or autism eligible for CHC funding.</p>

5.8 For the purposes of implementing the Schemes as described in **Schedule 1** the Council delegates its functions under section 2 (1) of the Care Act, 2014, to the CCG as follows:

5.8.1 Arrangements for the provision of services, facilities or resources, or take other steps that will:

- a) Contribute towards preventing or delaying the development by adults in its area of needs for care and support;
- b) Contribute towards preventing or delaying the development by carers in its area of needs for support;
- c) Reduce the needs for care and support of adults in its area;
- d) Reduce the needs for support of carers in its area.

5.9 Table 2 below shall describe the form that the delegation provided for in Clause 5.8 shall take.

Table 2: Summary of Form of Delegated Functions: Council to CCG	
Scheme	Functions Delegated
Scheme 1	None
Scheme 2	None
Scheme 3	None
Scheme 4	a) Delegation to the CCG by the Council to undertake the brokerage function for nursing

	care home placements for adults and children on behalf of the Council as described in Schedule 1D of this Agreement.
	b) Delegation to the CCG by the Council to enter into contractual arrangements with nursing care home providers on behalf of the Council.
	Delegation to the CCG by the Council authority to undertake assessment and prescription of community equipment to meet social care needs.

5.10 The Partners agree that the delegation of functions under this Clause 5 will:

5.10.1 Likely lead to an improvement in the way in which these functions are discharged; and

5.10.2 Will improve health and wellbeing.

6 COMMISSIONING ARRANGEMENTS

6.1 For the duration of the Term each Partner shall retain Lead Commissioner responsibility for the Services within the Schemes described in **Schedule 1** for which they had Lead Commissioner responsibility prior to the Commencement Date. This shall include performance management and contract monitoring of all relevant Service Contracts and payment of the Provider of a Services Contract.

6.2 Both Partners shall be responsible for compliance with and making payments of all sums due to a Provider pursuant to the terms of each Service Contract.

6.3 Both Partners shall work in cooperation and endeavour to ensure that the relevant Services as set out in each Scheme Description and Specification are commissioned within each Partners Financial Contribution in respect of that particular Service in each Financial Year.

6.4 Each Partner shall keep the other Partner and the Partnership Board regularly informed of the effectiveness of the arrangements including the Better Care Fund and any Overspend or Underspend in the Pooled Fund.

6.5 The Partnership Board will report back to the Health and Wellbeing Board as required by its Terms of Reference.

7 ESTABLISHMENT OF A POOLED FUND

7.1 In exercise of their respective powers under Section 75 of the 2006 Act, the Partners have agreed to establish and maintain a Pooled Fund for revenue and capital expenditure as set out in **Schedule 1**.

- 7.2 The Pooled Fund shall be managed and maintained in accordance with the terms of this Agreement.
- 7.3 It is agreed that the monies held in Pooled Funds may only be expended on the following:
- 7.3.1 the Contract Price;
 - 7.3.2 where the Partners are to be the Providers as shall be described in Schedule 1A, the Permitted Budget;
 - 7.3.3 Third Party Costs;
 - 7.3.4 Approved Expenditure
- This shall be "Permitted Expenditure".
- 7.4 The Partners may only depart from the definition of Permitted Expenditure to include or exclude other revenue or capital expenditure with the express written agreement of each Partner.
- 7.5 For the avoidance of doubt, monies held in the Pooled Funds may not be expended on Default Liabilities unless this is agreed by all Partners.
- 7.6 Pursuant to this Agreement, the Partners agree to appoint the Council as Host for the Pooled Fund as set out in the Scheme Specifications. The Host Partner shall be responsible for:
- 7.6.1 Managing and accounting for all monies contributed to the Pooled Fund on behalf of itself and the other Partners;
 - 7.6.2 Providing the financial administrative systems for the Pooled Fund; and
 - 7.6.3 Appointing the Pooled Fund Manager;
 - 7.6.4 Ensuring that the Pooled Fund Manager complies with its obligations under this Agreement.

8 POOLED FUND MANAGEMENT

- 8.1 The Partners agree that the Council shall act as host for the purposes of Regulations 7(4) and 7(5) in respect of Pooled Fund 1 and the Council shall appoint an officer to act as the Pooled Fund Manager for the purposes of Regulation 7 (4).
- 8.2 The Pooled Fund Manager shall have the following duties and responsibilities:
- 8.2.1 the day to day operation and management of the Pooled Fund;
 - 8.2.2 ensuring that all expenditure from the Pooled Fund is in accordance with the provisions of this Agreement and the relevant Scheme Description and Specification;

- 8.2.3 maintaining an overview of all joint financial issues affecting the Partners in relation to the Services and the Pooled Fund;
- 8.2.4 ensuring that full and proper records for accounting purposes are kept in respect of the Pooled Fund;
- 8.2.5 reporting to the Partnership Board as required by the Partnership Board and the relevant Scheme Description and Specification;
- 8.2.6 preparing and submitting to the Partnership Board Quarterly reports (or more frequent reports if required by the Partnership Board) and an annual return about the income and expenditure from the Pooled Fund together with such other information as may be required by the Partners and the Partnership Board to monitor the effectiveness of the Pooled Fund and to enable the Partners to complete their own financial accounts and returns. The Partners agree to provide all necessary information to the Pooled Fund Manager in time for the reporting requirements to be met.
- 8.2.7 preparing and submitting reports to the Health and Wellbeing Board as required by it.

8.3 In carrying out their responsibilities as provided under Clause 8.2 the Pooled Fund Manager shall deliver the recommendations of the Partnership Board and shall be accountable to the Partners through the Partnership Board.

9 FINANCIAL CONTRIBUTIONS

9.1 The Financial Contribution of the CCG and the Council to the Pooled Fund for each Financial Year of operation of each Individual Scheme will be as set out in the **Schedule 1A**.

9.2 With the exception of Clause 12, no provision of this Agreement shall preclude the Partners from making additional contributions of Non-Recurrent Payments to the Pooled Fund from time to time by mutual agreement. Any such additional contributions of Non-Recurrent Payments shall be explicitly recorded in Partnership Board minutes and recorded in the budget statement as a separate item.

10 NON-FINANCIAL CONTRIBUTIONS

10.1 The Scheme Specification shall set out non-financial contributions of each Partner including staff (including the Pooled Fund Manager), premises, IT support and other non-financial resources necessary to perform its obligations pursuant to this Agreement (including, but not limited to, management of service contracts and the Pooled Fund).

11 RISK SHARE ARRANGMENTS, OVERSPENDS AND UNDERSPENDS

Risk share arrangements

11.1 The Partners have agreed risk share arrangements as set out in **Schedule 4**.

Overspends in Pooled Fund

- 11.2 For the Term of the Agreement overspends in the Pooled Fund shall be managed as set out in **Schedule 4**.

Underspends

- 11.3 For the Term of the Agreement underspends in the Pooled Fund shall be managed as set out in **Schedule 4**.

Benefits

- 11.4 In the event cash savings are delivered, these will be retained by the partner generating the said saving.

12 CAPITAL EXPENDITURE

- 12.1 The Pooled Fund shall not be applied towards any one-off expenditure on goods and/or services outside of the remit of Schemes 1 and 4 of **Schedule 1**, specifically the use of Disabled Facilities Grants, without prior approval of the Partnership Board.

13 VAT

- 13.1 The Partners shall agree the treatment of the Pooled Fund for VAT purposes in accordance with any relevant guidance from HM Customs and Excise.

14 AUDIT AND RIGHT OF ACCESS

- 14.1 All Partners shall promote a culture of probity and sound financial discipline and control. The Host Partner shall arrange for the audit of the accounts of the relevant Pooled Fund in accordance with Section 7 of the Local Audit and Accountability Act, 2014.
- 14.2 All internal and external auditors and all other persons authorised by the Partners will be given the right of access by them to any document, information or explanation they require from any employee, member of the Partner in order to carry out their duties. This right is not limited to financial information or accounting records and applies equally to premises or equipment used in connection with this Agreement. Access may be at any time without notice, provided there is good cause for access without notice.

15 LIABILITIES AND INSURANCE AND INDEMNITY

- 15.1 Subject to Clause 15.2, and 15.3, if a Partner ("First Partner") incurs a Loss arising out of or in connection with this Agreement or the Services Contract as a consequence of any act or omission of another Partner ("Other Partner") which constitutes negligence, fraud or a breach of contract in relation to this Agreement or the Services Contract then the Other Partner shall be liable to the First Partner for that Loss and shall indemnify the First Partner accordingly.
- 15.2 Clause 15.1 will only apply to the extent that the acts or omissions of the Other Partner contributed to the relevant Loss. Furthermore, it shall not apply if such act or omission

occurred as a consequence of the Other Partner acting in accordance with the instructions or requests of the First Partner or the Partnership Board.

- 15.3 If any third party makes a claim or intimates an intention to make a claim against either Partner, which may reasonably be considered as likely to give rise to liability under this Clause 15, the Partner that may claim against the other indemnifying Partner will:
- 15.3.1 as soon as reasonably practicable give written notice of that matter to the Other Partner specifying in reasonable detail the nature of the relevant claim;
 - 15.3.2 not make any admission of liability, agreement or compromise in relation to the relevant claim without the prior written consent of the Other Partner (such consent not to be unreasonably conditioned, withheld or delayed);
 - 15.3.3 give the Other Partner and its professional advisers reasonable access to its premises and personnel and to any relevant assets, accounts, documents and records within its power or control so as to enable the Indemnifying Partner and its professional advisers to examine such premises, assets, accounts, documents and records and to take copies at their own expense for the purpose of assessing the merits of, and if necessary defending, the relevant claim.
- 15.4 Each Partner shall ensure that they maintain policies of insurance (or equivalent arrangements through schemes operated by the National Health Service Litigation Authority) in respect of all potential liabilities arising from this Agreement.
- 15.5 Each Partner shall always take all reasonable steps to minimise and mitigate any loss for which one party is entitled to bring a claim against the other pursuant to this Agreement.

16 STANDARDS OF CONDUCT AND SERVICE

- 16.1 The Partners will always comply with Law and ensure good corporate governance in respect of each Partner (including the Partners respective Standing Orders and Standing Financial Instructions).
- 16.2 The Council is subject to the duty of Best Value under the Local Government Act 1999. This Agreement and the operation of the Pooled Fund is therefore subject to the Council's obligations for Best Value and the other Partner will co-operate with all reasonable requests from the Council which the Council considers necessary in order to fulfil its Best Value obligations.
- 16.3 The CCG is subject to the CCG Statutory Duties and these incorporate a duty of clinical governance, which is a framework through which they are accountable for continuously improving the quality of its services and safeguarding high standards of care by creating an environment in which excellence in clinical care will flourish. This Agreement and the operation of the Pooled Fund are therefore subject to ensuring compliance with the CCG Statutory Duties and clinical governance obligations.
- 16.4 The Partners are committed to an approach to equality and equal opportunities as represented in their respective policies. The Partners will maintain and develop these

policies as applied to service provision, with the aim of developing a joint strategy for all elements of the service.

17 CONFLICTS OF INTEREST

17.1 The Partners shall comply with the agreed policy for identifying and managing conflicts of interest as set out in **Schedule 5**.

18 GOVERNANCE

18.1 Overall strategic oversight of partnership working between the partners is vested in the Health and Well Being Board, which for these purposes shall make recommendations to the Partners as to any action it considers necessary.

18.2 The Partners have established a Partnership Board to undertake responsibility for management of the pooled fund.

18.3 The Partnership Board is based on a joint working group structure. Each member of the Partnership Board shall be an officer of one of the Partners and will have individual delegated responsibility from the Partner employing them to make decisions which enable the Partnership Board to carry out its objects, roles, duties and functions as set out in this Clause 18 and **Schedule 3**.

18.4 The terms of reference of the Partnership Board will be as set out in **Schedule 3**.

18.5 Each Partner has secured internal reporting arrangements to ensure the standards of accountability and probity required by each Partner's own statutory duties and organisation are complied with.

18.6 The Health and Wellbeing Board will be responsible for the overall approval of the Individual Schemes, ensuring compliance with the Better Care Fund Plan and the strategic direction of the Better Care Fund, in accordance with the process set out in **Schedule 3**.

19 REVIEW

19.1 Save where the Partnership Board agree alternative arrangements (including alternative frequencies) the Partners must undertake an annual review ("**Annual Review**") of the operation of this Agreement, any Pooled Fund and the provision of the Services within 3 Months of the end of each Financial Year.

19.2 The Partners shall within 20 Working Days of the annual review prepare a joint annual report documenting the matters referred to in this Clause 19. The annual report shall be subject to approval by the Health and Wellbeing Board.

19.3 In the event that the Partners fail to meet the requirements of the Better Care Fund Plan and NHS England, the Partners shall co-operate with NHS England to agree a recovery plan.

19.4 Any review undertaken in accordance with this Clause 19 must reflect an intention to deliver the aims and benefits identified in Clause (F) of this Agreement.

20 COMPLAINTS

- 20.1 During the term of the Agreement, the Partners will explore establishing a joint complaints system. The application of a joint complaints system will be without prejudice to a complainant's right to use either of the Partners' statutory complaints procedures where applicable.
- 20.2 Prior to the development of a joint complaints system or after the failure or suspension of any such joint complaints system the following will apply:
- 20.2.1 where a complaint wholly relates to one or more of the Council's Health Related Functions it will be dealt with in accordance with the statutory complaints procedure of the Council;
 - 20.2.2 where a complaint wholly relates to one or more of the CCG's NHS Functions, it will be dealt with in accordance with the statutory complaints procedure of the CCG;
 - 20.2.3 where a complaint relates partly to one or more of the Council's Health Related Functions and partly to one or more of the CCG's NHS Functions then a joint response will be made to the complaint by the Council and the relevant NHS organisation, in line with local joint protocol;
 - 20.2.4 where a complaint cannot be handled in any way described above or relates to the operation of the arrangements made pursuant to this Agreement or the content of this Agreement, then the Partnership Board will set up a complaints subgroup to examine the complaint and recommend remedies. All complaints must be reported to the Partnership Board.

21 TERMINATION & DEFAULT

- 21.1 The termination and default provisions as set out in Clauses 21.2 to 21.8 of this Agreement will apply.
- 21.2 Each Individual Scheme may be terminated in accordance with the terms set out in the relevant Scheme Description and Specification (where applicable) provided that the Partners ensure that the Better Care Fund requirements continue to be met.
- 21.3 If any Partner ("Relevant Partner") fails to meet any of its obligations under this Agreement, the other Partner may by notice require the Relevant Partner to take such reasonable action within a reasonable timescale as the other Partners may specify to rectify such failure. Should the Relevant Partner fail to rectify such failure within such reasonable timescale, the matter shall be referred for resolution in accordance with Clause 22.
- 21.4 Termination of this Agreement (whether by effluxion of time or otherwise) shall be without prejudice to the Partners' rights in respect of any antecedent breach.
- 21.5 In the event of termination of this Agreement, the Partners agree to cooperate to ensure an orderly wind down of their joint activities and to use their best endeavours to minimise disruption to the health and social care which is provided to the Service Users.

- 21.6 Upon termination of this Agreement for any reason whatsoever the following will apply:
- 21.6.1 the Partners agree that they will work together and co-operate to ensure that the winding down and disaggregation of the integrated and joint activities to the separate responsibilities of the Partners is carried out smoothly and with as little disruption as possible to service users, employees, the Partners and third parties, so as to minimise costs and liabilities of each Partner in doing so;
 - 21.6.2 where either Partner has entered into a Service Contract which continues after the termination of this Agreement, both Partners shall continue to contribute to the Contract Price in accordance with the agreed contribution for that Service prior to termination and will enter into all appropriate legal documentation required in respect of this;
 - 21.6.3 the Lead Commissioner will make reasonable endeavours to amend or terminate a Service Contract (which shall for the avoidance of doubt not include any act or omission that would place the Lead Commissioner in breach of the Service Contract) where the other Partner requests the same in writing Provided that the Lead Commissioner will not be required to make any payments to the Provider for such amendment or termination unless the Partners will have agreed in advance who shall be responsible for any such payment.
 - 21.6.4 where a Service Contract held by a Lead Commissioner relates all or partially to services which relate to the other Partner's Functions then provided that the Service Contract allows the other Partner may request that the Lead Commissioner assigns the Service Contract in whole or part upon the same terms mutatis mutandis as the original contract.
 - 21.6.5 the Partnership Board will continue to operate for the purposes of functions associated with this Agreement for the remainder of any contracts and commitments relating to this Agreement; and
 - 21.6.6 Termination of this Agreement shall have no effect on the liability of any rights or remedies of either Partner already accrued, prior to the date upon which such termination takes effect.
- 21.7 In the event of termination in relation to an Individual Scheme the provisions of Clause 21.6 will apply mutatis mutandis in relation to the Individual Scheme (as though references as to this Agreement were to that Individual Scheme).

22 DISPUTE RESOLUTION

- 22.1 In the event of a dispute between the Partners arising out of this Agreement, either Partner may serve written notice of the dispute on the other Partner, setting out full details of the dispute.

- 22.2 The Authorised Officer shall meet in good faith as soon as possible and in any event within seven (7) days of notice of the dispute being served pursuant to Clause 22.1, at a meeting convened for the purpose of resolving the dispute.
- 22.3 If the dispute remains after the meeting detailed in Clause 22.2 has taken place, the matter shall be referred in writing to the CCG Clinical Lead for Hillingdon and the Co-chairmen of the Health and Wellbeing Board. The CCG Clinical Lead for Hillingdon and the Co-chairmen of the Health and Wellbeing Board will meet within fourteen (14) days of the date of the referral for the purpose of resolving the dispute.
- 22.4 The decision of the CCG Clinical Lead for Hillingdon and the Co-chairmen of the Health and Wellbeing Board as described in Clause 22.3 will be final and binding on both Partners.
- 22.5 Nothing in the procedure set out in this Clause 22 will in any way affect either Partner's right to terminate this Agreement in accordance with any of its terms or take immediate legal action.

23 FORCE MAJEURE

- 23.1 Neither Partner will be entitled to bring a claim for a breach of obligations under this Agreement by the other Partner or incur any liability to the other Partner for any losses or damages incurred by that Partner to the extent that a Force Majeure Event occurs and it is prevented from carrying out its obligations by that Force Majeure Event.
- 23.2 On the occurrence of a Force Majeure Event, the Affected Partner will notify the other Partner as soon as practicable. Such notification shall include details of the Force Majeure Event, including evidence of its effect on the obligations of the Affected Partner and any action proposed to mitigate its effect.
- 23.3 As soon as practicable, following notification as detailed in Clause 23.2, the Partners will consult with each other in good faith and use all best endeavours to agree appropriate terms to mitigate the effects of the Force Majeure Event and, subject to Clause 23.4, facilitate the continued performance of the Agreement.
- 23.4 If the Force Majeure Event continues for a period of more than sixty (60) days, either Partner will have the right to terminate the Agreement by giving fourteen (14) days written notice of termination to the other Partner. For the avoidance of doubt, no compensation will be payable by either Partner as a direct consequence of this Agreement being terminated in accordance with this Clause.

24 CONFIDENTIALITY

- 24.1 In respect of any Confidential Information a Partner receives from another Partner (the "**Discloser**") and subject always to the remainder of this Clause 24, each Partner (the "**Recipient**") undertakes to keep secret and strictly confidential and will not disclose any such Confidential Information to any third party, without the Discloser's prior written consent provided that:
- 24.1.1 the Recipient will not be prevented from using any general knowledge, experience or skills which were in its possession prior to the Commencement Date; and

24.1.2 the provisions of this Clause 24 will not apply to any Confidential Information which:

- a) is in or enters the public domain other than by breach of the Agreement or other act or omission of the Recipient; or
- b) is obtained by a third party who is lawfully authorised to disclose such information.

24.2 Nothing in this Clause 24 will prevent the Recipient from disclosing Confidential Information where it is required to do so in fulfilment of statutory obligations or by judicial, administrative, governmental or regulatory process in connection with any action, suit, proceedings or claim or otherwise by applicable Law.

24.3 Each Partner:

24.3.1 may only disclose Confidential Information to its employees and professional advisors to the extent strictly necessary for such employees to carry out their duties under the Agreement; and

24.3.2 will ensure that, where Confidential Information is disclosed in accordance with Clause 24.3.1, the recipient(s) of that information is made subject to a duty of confidentiality equivalent to that contained in this Clause 24;

24.3.3 will not use Confidential Information other than strictly for the performance of its obligations under this Agreement.

24.4 Information provided in accordance with the Partners' respective Whistleblowing Policy shall not constitute a breach of this Clause 24.

25 FREEDOM OF INFORMATION AND ENVIRONMENTAL PROTECTION REGULATIONS

25.1 The Partners agree that they will each cooperate with each other to enable any Partner receiving a request for information under the 2000 Act or the 2004 Act to respond to a request promptly and within the statutory timescales. This cooperation will include but not be limited to finding, retrieving and supplying information held, directing requests to other Partners as appropriate and responding to any requests by the Partner receiving a request for comments or other assistance.

25.2 Any and all agreements between the Partners as to confidentiality will be subject to their duties under the 2000 Act and 2004 Act. No Partner will be in breach of Clause 25 if it makes disclosures of information in accordance with the 2000 Act and/or 2004 Act.

26 DATA PROTECTION AND INFORMATION SHARING

26.1 The Partners must comply with the provisions of the Data Protection Laws and any other relevant data protection law in force so far as applicable to this Agreement and the Services and must indemnify each other against all actions, costs, expenses, claims, proceedings and demands which may be brought against the other Party for

breach of statutory duty under these statutes which arises from the use, disclosure or transfer of Personal Data by the other Party or its servants or agents.

- 26.2 For the purposes of this Clause 26, the terms “Data Controller”, “Data Processor”, “Data Subject”, “Data” and “Processing” will have the meaning prescribed under the Data Protection Laws.

27 OMBUDSMEN AND INVESTIGATIONS BY REGULATORY BODIES

- 27.1 The Partners will co-operate with any investigation undertaken by the Health Service Commissioner for England or the Local Government Commissioner for England (or both) and any other regulatory body in connection with this Agreement.

28 NOTICES

- 28.1 Any notice to be given under this Agreement must either be delivered personally or sent by facsimile or sent by first class post or electronic mail. The address for service of each Partner shall be as set out in Clause 28.3 or such other address as each Partner may previously have notified to the other Partner in writing. A notice must be deemed to have been served if:

28.1.1 personally delivered, at the time of delivery;

28.1.2 sent by facsimile, at the time of transmission;

28.1.3 posted, at the expiration of forty-eight (48) hours after the envelope containing the same was delivered into the custody of the postal authorities; and

28.1.4 if sent by electronic mail, at the time of transmission and a telephone call must be made to the recipient warning the recipient that an electronic mail message has been sent to him (as evidenced by a contemporaneous note of the Partner sending the notice) and a hard copy of such notice is also sent by first class recorded delivery post (airmail if overseas) on the same day as that on which the electronic mail is sent.

- 28.2 In proving such service, it will be sufficient to prove that personal delivery was made, or that the envelope containing such notice was properly addressed and delivered into the custody of the postal authority as prepaid first class or airmail letter (as appropriate), or that the facsimile was transmitted on a tested line or that the correct transmission report was received from the facsimile machine sending the notice, or that the electronic mail was properly addressed and no message was received informing the sender that it had not been received by the recipient (as the case may be).

- 28.3 The address for service of notices as referred to in Clause 28.1 shall be as follows unless otherwise notified to the other Partner in writing:

28.3.1 if to the Council, addressed to the **Corporate Director of Social Care and Health**;

Tel: 01895 250506

E.Mail: tzaman@hillingdon.gov.uk

and

28.3.2 if to the CCG, addressed to the **Borough Director**;

Tel: 01895 203005

E.Mail: sean.bidewell@nhs.net/richard.ellis9@nhs.net

29 VARIATION

29.1 No variations to this Agreement will be valid unless they are recorded in writing and signed for and on behalf of each of the Partners.

30 CHANGE IN LAW

30.1 The Partners shall ascertain, observe, perform and comply with all relevant Laws, and shall do and execute or cause to be done and executed all acts required to be done under or by virtue of any Laws.

30.2 On the occurrence of any Change in Law, the Partners shall agree in good faith any amendment required to this Agreement as a result of the Change in Law subject to the Partners using all reasonable endeavours to mitigate the adverse effects of such Change in Law and taking all reasonable steps to minimise any increase in costs arising from such Change in Law.

30.3 In the event of failure by the Partners to agree the relevant amendments to the Agreement (as appropriate), the Clause 22 (Dispute Resolution) shall apply.

31 WAIVER

31.1 No failure or delay by any Partner to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same or of some other right to remedy.

32 SEVERANCE

32.1 If any provision of this Agreement, not being of a fundamental nature, shall be held to be illegal or unenforceable, the enforceability of the remainder of this Agreement shall not thereby be affected.

33 ASSIGNMENT AND SUB CONTRACTING

33.1 The Partners shall not sub-contract, assign or transfer the whole or any part of this Agreement, without the prior written consent of the other Partners, which shall not be unreasonably withheld or delayed. This shall not apply to any assignment to a statutory successor of all or part of a Partner's statutory functions.

34 EXCLUSION OF PARTNERSHIP AND AGENCY

34.1 Nothing in this Agreement shall create or be deemed to create a partnership under the Partnership Act 1890 or the Limited Partnership Act 1907, a joint venture or the

relationship of employer and employee between the Partners or render either Partner directly liable to any third party for the debts, liabilities or obligations of the other.

34.2 Except as expressly provided otherwise in this Agreement or where the context or any statutory provision otherwise necessarily requires, neither Partner will have authority to, or hold itself out as having authority to:

34.2.1 act as an agent of the other;

34.2.2 make any representations or give any warranties to third parties on behalf of or in respect of the other; or

34.2.3 bind the other in any way.

35 THIRD PARTY RIGHTS

35.1 Unless the right of enforcement is expressly provided, no third party shall have the right to pursue any right under this Contract pursuant to the Contracts (Rights of Third Parties) Act 1999 or otherwise.

36 ENTIRE AGREEMENT

36.1 The terms herein contained together with the contents of the Schedules constitute the complete agreement between the Partners with respect to the subject matter hereof and supersede all previous communications representations understandings and agreement and any representation promise or condition not incorporated herein shall not be binding on any Partner.

36.2 No agreement or understanding varying or extending or pursuant to any of the terms or provisions hereof shall be binding upon any Partner unless in writing and signed by a duly authorised officer or representative of the parties.

37 COUNTERPARTS

37.1 This Agreement may be executed in one or more counterparts. Any single counterpart or a set of counterparts executed, in either case, by all Partners shall constitute a full original of this Agreement for all purposes.

38 GOVERNING LAW AND JURISDICTION

38.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the laws of England and Wales.

38.2 Subject to Clause 22 (Dispute Resolution), the Partners irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to hear and settle any action, suit, proceedings, dispute or claim, which may arise out of, or in connection with, this Agreement, its subject matter or formation (including non-contractual disputes or claims).

IN WITNESS WHEREOF this Agreement has been executed by the Partners on the date of this Agreement

THE CORPORATE SEAL of **THE**)
LONDON BOROUGH COUNCIL OF)
HILLINGDON)
was hereunto affixed in the presence of:)

Signed for on behalf of **NORTH WEST
LONDON CLINICAL COMMISSIONING
GROUP**

Authorised Signatory

Schedule 1 - Scheme Descriptions

Scheme 1: Neighbourhood Development

a) Scheme Aim(s)

To manage demand arising from demographic pressures by reducing the movement of Hillingdon residents/patients from lower tiers of risk into higher tiers of risk through proactive early identification and facilitating access to preventative pathways.

b) 2021/22 Priorities

The 2021/22 priorities under this scheme include:

- Updating the Joint Strategic Needs Assessment (JSNA) with a focus on health inequalities in collaboration with Brunel University to inform future investment and commissioning.
- Developing mechanisms for delivering proactive care within neighbourhoods to prevent avoidable attendances and admissions and support independence.
- Developing community-based capacity to deliver local solutions to address need and promote self-care.
- Developing community-based capacity to deliver local solutions to address need and promote self-care.

c) Intended Outcomes/Success Measures

This scheme will contribute to the following key BCF metric:

- **Admission avoidance metric:** Reduction in non-elective admissions of people with ambulatory care sensitive conditions.

Scheme 2: Supporting Carers

a) Scheme Aim(s)

This scheme seeks to maximise the amount of time that Carers are willing and able to undertake a caring role. This will be contributed to by Carers being able to say:

- *"I am physically and mentally well and treated with dignity"*
- *"I am not forced into financial hardship by my caring role"*
- *"I enjoy a life outside of caring"*
- *"I am recognised, supported and listened to as an experienced carer"*

b) 2021/22 Priorities

The 2021/22 priorities under this scheme are:

- Restoring face to face services.
- Re-establishing GP Carer leads in practices.
- The recruitment of carer representatives to attend the Carers' Strategy Group.

- Development of a guide for people who become carers unexpectedly.
- As Covid restrictions are lifted, monitoring:
 - People experiencing mental illness
 - Management by carers of bereavement
 - Safeguarding issues

c) **Intended Outcomes/Success Measures**

This scheme will contribute to the following BCF national metrics:

- **Admission avoidance metric:** Reduction in non-elective admissions of people with ambulatory care sensitive conditions. The ceiling for 2021/22 is 2,550.
- **Length of stay of fourteen days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of fourteen days or more. The ceiling for Q3 2021/22 is 10.9% and for Q4 it is 12.6%.
- **Length of stay of twenty-one days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of twenty-one days or more. The ceiling for Q3 2021/22 is 5.6% and for Q4 2021/22 it is 6.2%.
- **Percentage of people who are discharged from acute hospital to their usual place of residence:** The percentage of Hillingdon residents aged 18 and above discharged to their usual home. The target for 2021/22 is 91%.
- **Permanent admissions to care homes metric:** Reduction in permanent admissions to care homes per 100,000 65 + population.
- **Still at home 91 days after discharge metric:** An increase in the percentage of people aged 65 + still at home 91 days after discharge. The 2021/22 target is 90.6%.

Scheme 3: Better care at end of life

a) **Scheme Aim(s)**

This scheme seeks to realign and better integrate the services provided to support people towards the end of their life in order to deliver the ethos of a 'good death.' The main aims are to:

- Ensure that people at end of life are able to be cared for and die in their preferred place of care; and
- To ensure that people at end of life are only admitted to hospital where this is clinically necessary or where a hospital is their preferred place of care or death.

b) **2021/22 Priorities**

The 2021/21 priorities under this scheme are:

- Improving the responsiveness of service provision for people at end of life.

c) Intended Outcomes/Success Measures

This scheme will contribute to the following key BCF metric:

- **Admission avoidance metric:** Reduction in non-elective admissions of people with ambulatory care sensitive conditions. The ceiling for 2021/22 is 2,550.
- **Length of stay of fourteen days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of fourteen days or more. The ceiling for Q3 2021/22 is 10.9% and for Q4 it is 12.6%.
- **Length of stay of twenty-one days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of twenty-one days or more. The ceiling for Q3 2021/22 is 5.6% and for Q4 2021/22 it is 6.2%.
- **Percentage of people who are discharged from acute hospital to their usual place of residence:** The percentage of Hillingdon residents aged 18 and above discharged to their usual home. The target for 2021/22 is 91%.

The following measure will also be used to identify whether the scheme is working:

- Proportion of people on an end of life pathway on CMC who achieved their preferred place of death.

Scheme 4: Urgent and Emergency Care

a) Scheme Aims

The aims of this scheme are:

- To prevent admission and readmission to acute care following an event or a health exacerbation;
- To enable recovery through intermediate care interventions to maximise a person's independence, ability to self-care and remain in their usual place of residence for as long as possible;
- To facilitate rapid discharge of people who are clinically suitable for discharge from hospitals but are unable to return to their usual place or residence or care setting;
- To support discharge from mental health community beds

b) 2021/22 Priorities

The 2021/22 priorities for this Scheme include:

- Maximising the efficiency of the discharge pathways to minimise length of stay.
- Developing same day emergency care (SDEC).
- Ensuring availability of community capacity to respond to a winter demand surge.

c) **Intended Outcomes/Success Measures**

This scheme will impact on the following BCF metrics:

- ***Permanent admissions to care homes:*** Reduction in permanent admissions of older people aged 65 years and over to residential and nursing care homes, per 100,000 population.
- ***Length of stay of fourteen days or more (Hillingdon residents):*** Percentage of people in hospital with a length of stay of fourteen days or more. The ceiling for Q3 2021/22 is 10.9% and for Q4 it is 12.6%.
- ***Length of stay of twenty-one days or more (Hillingdon residents):*** Percentage of people in hospital with a length of stay of twenty-one days or more. The ceiling for Q3 2021/22 is 5.6% and for Q4 2021/22 it is 6.2%.
- ***Percentage of people who are discharged from acute hospital to their usual place of residence:*** The percentage of Hillingdon residents aged 18 and above discharged to their usual home. The target for 2021/22 is 91%.

Other success measures include:

- ***Daily bed occupancy rate at Hillingdon Hospital:*** The bed occupancy rate should be at no more than 90%.
- ***Length of stay of seven days or more (Hillingdon Hospital):*** Percentage of people in hospital with a length of stay of seven days or more (known as '*stranded patients*') should be no more than 30% of the bed base, i.e. 90 based on 315 core beds.
- ***Out of hospital capacity:*** Health and social care capacity at no more than 90% utilisation.

Scheme 5: Improving care market management and development

a) Scheme Aim(s)

This enabling scheme supports other schemes within the BCF and aims to achieve:

- A market capable of meeting the health and care needs of the local population within financial constraints; and
- A diverse market of quality providers maximising choice for local people.

b) 2021/22 Priorities

The 2021/22 priorities under this scheme are:

- Implementing a coordinated approach to supporting the sustainability of the regulated care market.

c) Intended Outcomes/Success Measures

This scheme will contribute to the following national BCF metrics:

- **Admission avoidance metric:** Reduction in non-elective admissions of people with ambulatory care sensitive conditions. The ceiling for 2021/22 is 2,550.
- **Permanent admissions to care homes:** Reduction in permanent admissions of older people aged 65 years and over to residential and nursing care homes, per 100,000 population.
- **Length of stay of fourteen days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of fourteen days or more. The ceiling for Q3 2021/22 is 10.9% and for Q4 it is 12.6%.
- **Length of stay of twenty-one days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of twenty-one days or more. The ceiling for Q3 2021/22 is 5.6% and for Q4 2021/22 it is 6.2%.
- **Percentage of people who are discharged from acute hospital to their usual place of residence:** The percentage of Hillingdon residents aged 18 and above discharged to their usual home. The target for 2021/22 is 91%.

The following measures will be used to identify whether the scheme is working:

- Number of CQC registered care providers that experience business failure.
- Reduction in inappropriate non-elective admissions from extra care sheltered housing schemes.
- Proportion of people on an end of life pathway on CMC who achieved their preferred place of death.

Scheme 6: Living well with dementia

a) Scheme Aim(s)

The main aim of this scheme is that people with dementia and their family carers are enabled to live well with dementia and are able to say:

- *I was diagnosed in a timely way.*
- *I feel included as part of society.*
- *I know what I can do to help myself and who else can help me.*
- *I understand so I am able to make decisions.*
- *Those around me and looking after me are well supported.*
- *I am treated with dignity and respect.*
- *I get the treatment and support, best for my dementia, and for my life.*
- *I am confident my end of life wishes will be respected. I can expect a good death.*

b) 2021/22 Priorities

The 2021/22 priorities under this scheme are:

- Developing training for care homes in how to manage people with challenging behaviours.
- Enabling people living with dementia to continue to live independently in our community and feel supported and knowledgeable about where to access advice and help when required.

c) Intended Outcomes/Success Measures

This scheme will impact on the following BCF metrics:

- **Admission avoidance metric:** Reduction in non-elective admissions of people with ambulatory care sensitive conditions. The ceiling for 2021/22 is 2,550.
- **Permanent admissions to care homes:** Reduction in permanent admissions of older people aged 65 years and over to residential and nursing care homes, per 100,000 population.
- **Length of stay of fourteen days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of fourteen days or more. The ceiling for Q3 2021/22 is 10.9% and for Q4 it is 12.6%.
- **Length of stay of twenty-one days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of twenty-one days or more. The ceiling for Q3 2021/22 is 5.6% and for Q4 2021/22 it is 6.2%.

Scheme 7: Integrated Care and Support for Children and Young People

a) Scheme Aims

This Scheme aims to:

- To provide a high quality service for children and young people with physical, occupational and speech and language difficulties in accordance with national guidance and best practice.
- To improve the quality of life and the ability of children and young people with physical, occupational and speech and language difficulties to live independently or with support within the community and participate in mainstream services including education.

b) **2021/22 Priorities**

The 2021/22 priority under this scheme is:

- Implementing the Stronger Families Programme.
- Improving preparation for adulthood support.
- Improving access to Child and Adolescent Mental Health Services (CAMHS).
- Improving the dental health and children and young people.
- Developing crisis support for children and young people with learning disabilities and/or autism.

c) **Intended Outcomes/Success Measures**

This scheme will not contribute to the BCF metrics.

The measures that will be used to identify whether the scheme is working include:

- % of referrals acknowledged within 2 days of receipt (by email or text).
- % of referrals (reviewed by the MDT Panel) with referral decision communicated to the referrer within 2 weeks.
- % of EHC needs assessment reports provided within 6 weeks (statutory) by therapy type: SaLT, OT & physiotherapy.
- % of parents / carers satisfied with the timeliness of the identification of their child's needs.
- % of parent / carers who report that the pathway process is clear and that they feel involved in agreeing their child's intervention outcomes.
- *Youth Justice SaLT*: 100% of young people are offered a SaLT assessment within 2 weeks of referral being accepted.
- *Youth Justice SaLT*: 100% of all Pre-sentence Reports and Breach reports have SaLT contribution.
- *Youth Justice SaLT*: 100% of young people are provided with a report and communication profile outlining their strengths, needs and adaptations.

Scheme 8: Integrated care and support for people with learning disabilities and/or autism

a) **Scheme Aims**

The intended aims of this Scheme are to:

- To improve the quality of care for people with a learning disability and/or autism;
- To improve quality of life for people with a learning disability and/or autism;
- To support people with a learning disability and/or autism down pathways of care to the least restrictive setting;
- To ensure that services are user focused and responsive to identified needs;
- To ensure Value for Money and efficient use of resources, maximising income where at all possible and avoiding duplication.

b) **2021/22 Priorities**

The 2021/22 priorities under this scheme are:

- Support Covid-19 vaccination of people with learning disabilities and autistic people.
- Deliver new care and wellbeing service contracts for people with learning disabilities and/or autism who are in a supported living setting.
- Complete implementation of the action plan from reviews completed between health and social care under the Learning Disabilities Mortality Review Programme (LeDeR).
- Secure agreement on an integration model that will secure improved outcomes for people with learning disabilities and/or autism for implementation from 2021/22.
- Developing crisis pathways for people with learning disabilities and/or autism.

c) **Intended Outcomes/Success Measures**

This scheme will impact on the following BCF metrics:

- **Admission avoidance metric:** Reduction in non-elective admissions of people with ambulatory care sensitive conditions. The ceiling for 2021/22 is 2,550.
- **Length of stay of fourteen days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of fourteen days or more. The ceiling for Q3 2021/22 is 10.9% and for Q4 it is 12.6%.
- **Length of stay of twenty-one days or more (Hillingdon residents):** Percentage of people in hospital with a length of stay of twenty-one days or more. The ceiling for Q3 2021/22 is 5.6% and for Q4 2021/22 it is 6.2%.
- **Percentage of people who are discharged from acute hospital to their usual place of residence:** The percentage of Hillingdon residents aged 18 and above discharged to their usual home. The target for 2021/22 is 91%.

The following measures will be used to identify whether the scheme is working:

- % of people with learning disabilities known to services in paid employment.
- % of people with learning disabilities known to services in settled accommodation.
- % of people with learning disabilities known to services receiving an annual health check.
- % of Service Users with an up to date Health Action Plan.

SCHEDULE 1A - FINANCIAL CONTRIBUTIONS SUMMARY AND BREAKDOWN

1. Figures in the tables within this Schedule are subject to rounding and therefore totals given may not be the sum of the numbers provided.

FINANCIAL CONTRIBUTIONS SUMMARY

2. Table 1 summarises the total contribution by organisations by organisation in 2021/22 compared with 2020/21.

Organisation	2020/21 (£,000s)	2021/22 (£,000s)
CCG	48,009	49,127
LBH	55,448	57,327
TOTAL	103,457	106,454

3. Table 2 below provides a breakdown of the mandated financial requirements for 2021/22 compared with 2020/21.

Funding Breakdown	2020/21 (£,000)	2021/22 (£,000)	% Difference
MINIMUM CCG CONTRIBUTION	19,401	20,485	5.6
Required Spend			
• Protecting Social Care	7,075	7,470	5.6
• Out of Hospital	5,513	5,821	5.6
• Other minimum spend	6,813	7,194	5.6
MINIMUM LBH CONTRIBUTION	12,359	12,359	0
Required Spend			
• Disabled Facilities Grant (DFG)	5,111	5,111	0
• Improved Better Care Fund (iBCF)	7,248	7,248	0
MINIMUM BCF VALUE	31,760	32,844	3.4
• Additional CCG Contribution	28,608	28,642	<1
• Additional LBH Contribution	43,089	44,968	4.4
TOTAL BCF VALUE	103,457	106,454	2.9

4. Table 3 below summarises the Council and HCCG contributions for 2021/22 by scheme and compares these with the 2020/21 position.

Scheme		2020/21			2021/22		
		LBH (£,000)	CCG (£,000)	TOTAL	LBH (£,000)	CCG (£,000)	TOTAL (£,000)
1.	Neighbourhood development	3,759	2,661	6,420	4,015	3,053	7,068
2.	Supporting carers	899	94	993	864	101	965
3.	Better care at end of life	0	819	819	0	1,983	1,983
	Covid Hospital discharge	2,411	845	3,256	0	0	0

4.	Urgent and emergency care	2,142	16,808	18,950	4,120	17,772	21,892
5.	Improving care market management and development.	7,598	17,011	24,609	7,598	13,875	21,473
6.	Living well with dementia	30	349	379	0	2,836	2,836
7.	Integrated care and support for children and young people.	501	2,306	2,807	2,567	2,384	4,951
8.	Integrated care and support for people with learning disabilities and/or autistic people.	38,108	7,029	45,137	38,163	7,034	45,197
	Programme Management	0	87	87	0	89	89
	TOTAL	55,448	48,009	103,457	57,327	49,127	106,454

5. Table 4 summarises the funding to be paid by the CCG to the Council for its retention.

Table 4: CCG Funding to the Council to be Retained			
Item	Minimum CCG Contribution (Protecting Social Care)	Additional CCG Contribution	TOTAL
Scheme 1: Neighbourhood development			
Market Place	45	0	45
Online Services Coordinator	51	0	51
Scheme 2: Supporting carers			
Services to carers (inc respite)	77	0	77
New carers' leaflet	5	0	5
Scheme 4: Urgent and emergency care			
Prevention of Admission/Readmission to Hospital (PATH)	29	0	29
Reablement Team	371	963	1,334
Hospital Discharge Social Work Team	1,219	0	1,219
Reablement Physiotherapist	70	0	70
Continuing Healthcare Social Work post	0	46	46
Step-down building A.	69	196	265
Pathway 3 Coordinator post	0	27	27
Additional step-down beds - winter pressures	0	109	109
Residential Homes (65+)	88	0	88
Nursing Homes (65+)	58	0	58
Integrated Homecare (65+)	49	0	49
D2A Bridging Care	0	641	641
Scheme 5: Improving care market management and development			
Quality Assurance Team	249	0	249
Adult Safeguarding	390	0	390
Social Care Review (Provider Concerns) Post	15	0	15
Extra Care Team Manager Post	56	0	56
Extra Care Social Work Post	65	0	65
Residential Homes (65+)	447	0	447
Nursing Homes (65+)	1,823	0	1,823
Integrated Homecare (65+)	1,550	0	1,550
Scheme 6: Living well with dementia			

Dementia Resource Centre	355	0	355
Scheme 7: Integrated care and support for children and young people.			
Children's Safeguarding	0	64	64
Designated Clinical Officer in Special Educational Need and Disability (SEND)	0	31	31
Scheme 8: Integrated care and support for people with learning disabilities and/or autistic people.			
Homecare	171	0	171
Placements	65	282	347
Supported living	0	282	282
Respite Care Placements	64	0	64
LBH Learning Disabilities Case Management Service	0	115	115
Programme Management			
Programme Manager	89	0	89
TOTALS	7,470	2,756	10,226

2021/22 FUNDING BREAKDOWN

6. **Annex A** to this **Schedule 1A** of the Agreement provides a detailed breakdown of services, related funding and funding source reflected within the 2021/22 BCF plan.

ANNEX A: 2021/22 BCF SUBMISSION TEMPLATE EXPENDITURE TAB



SCHEDULE 1A -
ANNEX A 2021-22 BC

SCHEDULE 1B - OPERATION OF THE COMMUNITY EQUIPMENT SERVICE

1. BACKGROUND

- 1.1 The subject of this **Schedule 1B** of the Agreement is the operation of the Community Equipment Service (CES), which will be referred to in this Schedule as the Service.
- 1.2 The Community Equipment Service includes:
- 1.2.1 The Equipment Loans Service (ELS) which provides daily living equipment to people who meet the eligibility criteria described in **Annex A** of this Schedule.
- 1.2.2 Standard and non-standard minor adaptations and door entry systems as defined in Clause 1.3 below and provided to people who meet the eligibility criteria described in **Annex A** of this Schedule.
- 1.2.3 Equipment Prescription Service as defined in Clause 1.3 below.
- 1.3 Defined terms and interpretation for this **Schedule 1B** will be as described in Clause 1.1 of the Agreement unless otherwise stated below:
- 1.3.1 **Contract Operations Officer** means the person appointed by the Council to oversee the day to day operation of the Contract.

- 1.3.2 **Contract** means the contract with the Service Provider.
- 1.3.3 **Door entry systems** refer to systems that facilitate authorised access to the homes of Hillingdon residents where the resident is unable to directly open their front door because of a disability.
- 1.3.4 **Eligibility criteria** means the criteria agreed between the Partners to determine access to the Service as described in **Annex A** of this Schedule.
- 1.3.5 **Equipment Prescription Service** means a prescription for equipment to meet assessed need that reflects the value of the local statutory sector financial contribution to meeting that need. The prescription provides the opportunity to the Service User/Patient to 'top-up' the statutory sector contribution should they wish to do so. Prescriptions can be redeemed in retail outlets approved by the Council. People electing to use the Prescription Service do so as an alternative to the equipment available through the standard ELS catalogue.
- 1.3.6 **Minor adaptations** refer to adaptations costing under £1k.
- 1.3.7 **Standard minor adaptations** refer to minor adaptations available through the Service Provider's equipment catalogue.
- 1.3.8 **Non-standard minor adaptations** refer to minor adaptations that are not available through the Service Provider's equipment catalogue and for which a procurement process is required to be undertaken. These are adaptations that require the services of a building.
- 1.3.9 **Prescribers** refer to qualified staff from all Prescriber Teams who are authorised to prescribe equipment.
- 1.3.10 **Prescribing Teams** refer to teams across Social Care and the NHS who have prescribers authorised to prescribe equipment to people who are residents of the borough or who are registered with a GP who is a member of Hillingdon Clinical Commissioning Group (HCCG).
- 1.3.11 **Service Provider** means Medequip Assistive Technology Ltd.

2. SERVICE AIM

- 2.1 The aim of the Community Equipment Service is to maximise the independence of Hillingdon's residents and other people who meet the eligibility criteria shown in **Annex A** thereby reducing the pressure on the borough's health and care system. This will be achieved by enabling people to carry out day-to-day tasks and activities of daily living that they would otherwise be unable to do without support.

3. MONITORING ARRANGEMENTS

- 3.1 The Council will employ a Contract Operations Officer who will manage the relationships between Prescribing Teams, the Service Provider and the Partners.

- 3.2 Activity, expenditure and quality of service delivery of the Services under this **Schedule 1B** will be overseen by the Budget Monitoring Group, the role and responsibility of which is set out in **Annex B**.
- 3.3 The Contract Operations Officer will provide monthly updates of activity information, expenditure and projected year-end expenditure as directed by the Budget Monitoring Group or the Partnership Board.
- 3.4 Prescribing teams will be given notional budgets against which they will prescribe and their activity will be monitored.
- 3.5 The Council will provide quarterly financial monitoring reports and year-end accounts showing funds received, funds spent, funds committed and any unspent resources, to the Partnership Board. The Council will also provide such other reports as deemed necessary to ensure compliance with Audit requirements.
- 3.6 The pooled budget will not pay the Service Provider for any expenditure above (or different from) that previously agreed unless so authorised in advance by the Partners.

4. PRESCRIBING AUTHORITY

- 4.1 The Contract Operations Officer will enable Prescribers to prescribe equipment under this **Schedule 1B** up to a value as directed by the appropriate team manager or service leads from the Partners. Team managers and service leads will have authority to remove prescribing authority or alter the value to which a Prescriber can prescribe equipment under this **Schedule 1B**.
- 4.2 The Contract Operations Officer may, in consultation with the Chair of the Partnership Board, remove the authority of any prescribing team to prescribe equipment under this **Schedule 1B**. This may only take place where there has been persistent and demonstrable failure to comply with the Eligibility Criteria and that has not been remedied following written notice.

5. CONTRACT

- 5.1 The Council will hold the Contract with the Service Provider for the delivery of the Services set out in **Annex C**.
- 5.2 The Service Provider will carry out the day-to-day requirements of the Services as outlined in **Annex C**. As Host Authority the Council will have the responsibility for managing the Contract.
- 5.3 Ownership of equipment loaned to Service Users for use in their homes rests jointly with the Partners. At the point of termination of the Agreement, separate negotiations will be undertaken regarding the distribution of ownership of loaned equipment provided.

6. FINANCIAL ARRANGEMENTS

Financial Contributions

- 6.1 The contributions of the Partners to the CES will be based on the principle that each Partner pays for what they use.

2021/22 Budget

- 6.2 The breakdown of the 2020/22 budget for the Service is shown in table 1 below.

Table 1: Community Equipment Service Budget 2020/22						
Equipment Service	2020/21			2021/22		
	HCCG (£,000s)	LBH (£,000S)	TOTAL (£,000S)	HCCG (£,000s)	LBH (£,000S)	TOTAL (£,000s)
Equipment Loans	1,223	338	1,561	1,223	420	1,643
Minor Adaptations	36	14	50	36	14	50
Door Entry Systems	24	13	37	24	13	37
Equipment Prescription Service	29	1	30	29	1	30
TOTAL	1,312	366	1,678	1,312	448	1,760

- 6.3 Table 2 provides a breakdown of the ELS budget for 2020/22.

Table 2: Equipment Loans Service Budget Breakdown 2020-2022		
Item	2020/21 (£,000)	2021/22 (£,000)
Equipment purchase	1,439	1,515
Staff	54	56
Equipment Maintenance	50	51
Lead authority role LB H & F	9	10
Overheads – TCES System	9	11
Net Cost/Budget	1,561	1,643

Budget Setting

- 6.4 The Council will propose a base ELS budget for consideration by the Partners by end of Q3 2021/22 and a proposed base budget for 2021/22 will be determined by the end of February 2022. Prescribing Teams funded from the Pooled Budget will be notified of their allocation.
- 6.5 The amount to be provided will cover service developments, inflation and cost pressures.
- 6.6 The VAT regime of the Council will apply as laid out in the CIPFA guidance on Pooled Funds.
- 6.7 Definition of management costs and any shared overheads will be as agreed between the Partners.

Over and Under-spends

- 6.8 Provisions concerning over and under-spends are addressed in **Schedule 4** of this Agreement.

7. AUDIT ARRANGEMENTS

- 7.1 In addition to the provisions in Clause 14 (*Audit and Right of Access*) of this Agreement, the Council may in respect of this **Schedule 1B** arrange for an audit of assessments for equipment and the application of the Eligibility Criteria. The costs arising from this audit will be shared equally by the Partners.

ANNEX A - ELIGIBILITY CRITERIA FOR ACCESS TO SERVICES UNDER THE EQUIPMENT LOANS SERVICE

1. The person must be deemed to be ordinarily resident in the London Borough of Hillingdon to which they have applied for assistance or they are registered with a GP practice that is a member of NHS Hillingdon CCG.

And

2. The adult's needs arise from or are related to a physical or mental impairment or illness.

And

3. The person is eligible under the Care Act 2014 (adults), the Chronically Sick and Disabled Persons Act 1970 (children and young people), National Health Service Act 2006 with consideration as needed to the Human Rights Act 1998, Equalities Act 2010, Moving and Handling Operations Regulations 1992 and Lifting Operations and Lifting Equipment Regulations 1998.

GENERAL CONSIDERATIONS

4. A Therapist, Nurse or trained member of staff, as agreed by the NHS Hillingdon CCG or the London Borough of Hillingdon, may supply equipment following a proportionate and appropriate assessment.
5. Where appropriate the first choice is for the person is to receive rehabilitation or training in alternative techniques to carry out a daily living activity rather than rely on equipment/minor adaptation.
6. Equipment/minor adaptation provision needs to follow the process mapping as for that equipment type detailed below. In addition, equipment and minor adaptations must be considered to prevent, delay or reduce the needs of adults for care and support as outlined in the Care Act 2014.

7. Identified equipment/minor adaptation must focus on minimising risk to and maximising independence of the Service User.
8. The Prescriber must undertake a follow up telephone call and/or visit to ensure that the Service User and/or their Carer are able to use the equipment or minor adaptation safely.
9. Staff must be aware which pieces of equipment require an annual review, e.g. specialist seating for children and some manual handling equipment and make arrangements for this.
10. The Service User must be informed at the time of assessment that the equipment provided through the Loan Model (excluding Minor Adaptations), is on loan for their and their Carer's exclusive use. All equipment should be looked after and used as instructed by the practitioners and information contained in manufacturers publications as provided at the time of issue. The Conditions of Loan document must be issued to each service user (family member) and a record of this made against the service user's file/case notes.
11. Managers should ensure that the equipment and services prescribed do not exceed the annual budget allocation and work within their budget limits.
12. Carer's needs should be assessed at the same time as the person. Equipment may be issued with the primary aim of meeting the carer's needs e.g. transfer belt to prevent back injury.
13. It is expected that nursing and residential care homes will provide their residents with a range of equipment to meet the variety of care needs that is appropriate to their registration status with the Care Quality Commission, including variations in height, weight and size. The Council and CCG are not responsible for the general provision of equipment unless there is an emergency whereby a temporary item can be supplied for a short period time, for example, to facilitate an urgent hospital discharge or where there is a safeguarding concern. Standard equipment should not be supplied to residential or nursing care homes; however, standard special and bespoke special equipment will be considered on a case by case basis following the special equipment request process.
14. A hospital bed for a Service User in residential care homes will be allowed where their needs have escalated to the extent that they require nursing care and the provision of this type of bed will allow them to remain in their current care setting.
15. Each Prescribing Team must make service appropriate arrangements to ensure that equipment no longer needed is collected.

ANNEX B - BUDGET MONITORING GROUP



SCHEDULE%201B%20-%20ANNEX%20B.d

ANNEX C - CONTRACT WITH THE SERVICE PROVIDER



Call Off Contract -
Medequip.pdf



Service
Specification.docx

SCHEDULE 1C - OPERATION OF THE PERSONAL HEALTH BUDGETS SERVICE

1. BACKGROUND

- 1.1 The Service that is the subject of this **Schedule 1C** is the Personal Health Budgets Service for Adults and Children.
- 1.2 A Personal Health Budget (PHB) is an amount of money spent to meet the health and well-being needs of Hillingdon people eligible for NHS CHC or those with a defined long-term condition. PHBs centre on a care plan, which sets out the service user's health outcomes, the amount of money in the budget, and how the money will be used. The support plan will be developed by the individual with support from a support worker additional to the Continuing Healthcare Team, employed by the CCG.
- 1.3 Personal health budgets can take three forms:
- 1.3.1 *A notional budget:* This is the identification of the amount of money that the NHS will contribute to meeting a person's assessed healthcare needs;
- 1.3.2 *A budget held by a third party:* Where the sum of money determined by the NHS to fund service provision to meet assessed health need is paid to another person at the direction of the Service User. This may be the Carer, another family member or another individual. In Hillingdon our preferred option is to administer Direct Payments via a prepaid card, however other options can be explored on a case by case basis; or
- 1.3.3 *A Direct Payment (DP):* Where the sum of money determined by the NHS to fund service provision to meet assessed health need is paid to the individual. As described in Clause 1.2.2 above, the preferred method of payment in Hillingdon is through a pre-paid card.
- 1.4 Budgets will be approved by the Continuing Healthcare Commissioning Lead for the CCG. PHBs may be used for the purchase of care in a person's own home or in a nursing care home setting.

2. COMMISSIONING ARRANGEMENTS

- 2.1 The Council is being commissioned by the CCG to provide the administration, financial monitoring and on-going direct payment support for service users of all ages entitled to be offered a PHB and request a direct payment, a notional budget, a budget held by a third party, or a mixed budget (e.g. notional and direct payment).
- 2.2 Funding the full cost of care packages for the people eligible for PHBs remains the statutory responsibility of the CCG. The funding of an integrated PHB will be a joint responsibility between the Council and the CCG.

3. KEY SERVICE ELEMENTS, PHILOSOPHY AND BUDGET

- 3.1 The Service to be provided by the Council to people eligible for a PHB shall:
 - 3.1.1 Access to creative support planning;
 - 3.1.2 Access to the Approved Provider List of Personal Budget Support Services for managing a PHB DP, payroll services, recruitment services for Personal Assistants (PAs) and ongoing support and advice on DPs;
 - 3.1.3 Support to case managers to aid creative care planning;
 - 3.1.4 Support to case managers and/or service users and/or Carers once budgets and care plans are agreed by the CCG and the CHC Case Managers to explain prepaid cards;
 - 3.1.5 Arrangement and implementation of prepaid cards for service users/carers;
 - 3.1.6 Financial monitoring of Service User/Carer spending
 - 3.1.7 Reporting to the CCG of Service User/Carer spending
- 3.2 The Service provided by the Council shall not include the following functions:
 - 3.2.1 Assessment of financial contributions, as the NHS will fully fund the services required to meet health needs following a CHC assessment or Children's Continuing Care assessment or review of an individual with a long-term condition;
 - 3.2.2 Clinical case management and reviews;
 - 3.2.3 Support to people receiving a PHB through a CCG notional budget; and
 - 3.2.3 Assessment of the continued eligibility for NHS CHC.
- 3.3 The Service shall be offered and delivered based on an 'enabling' model and philosophy, the emphasis will be on facilitation to encourage confidence and creativity in choice of support. Service Users shall be assisted to access services and community networks through the online resident portal Connect to Support or other such similar system.
- 3.4 The Council shall support case managers to encourage take up of PHBs by eligible adults and children.

4. SERVICE PROCESS AND RESPONSE TIMES

- 4.1 The referral process is summarised in **Annex A** to this **Schedule 1C**. Referrals will come via the CHC Commissioning Lead for HCCG and can be either a new or existing Service User.
- 4.2 If the Service User is known to the Council and in receipt of Direct Payments from the Council:
- 4.2.1. Referral from CHC Commissioning Lead to Direct Payments Team via secure email including a care plan and indicative budget signed off through HCCG Expenditure Control Procedures;

- 4.2.2 Referral reviewed by LBH Direct Payments team - Target time: 2 days;
- 4.2.3 Budget adjusted and documented by the Council - Target time: 2 days;
- 4.2.4 The Council shall provide on-going financial monitoring and reporting;
- 4.3 If a Service User is not known to the Council and has never received Direct Payments:
 - 4.3.1 Referral from CHC Commissioning Lead to the Direct Payments Team via email including a care plan and indicative budget signed off through Hillingdon CCG Expenditure Control Procedures;
 - 4.3.2 Referral to be reviewed by the Council's Direct Payment's Team Leader - Target time: 2 working days);
 - 4.3.3 Service User details documented by the Council on Protocol - Target time: 10 working days;
 - 4.3.4 The Council's Direct Payments Team Leader will allocate the case to a Direct Payments Worker and they will make contact with Service User confirming referral. They will initiate the discussion about creating a support plan and explain direct payment financial monitoring and employment set up and on-going support;
 - 4.3.5 The Council will make a referral through the Council's Direct Payments Support Framework Agreement where the Service User requires employment support, for example with employing a personal assistance - Target time: 1 working day;
 - 4.3.6 The Council's Direct Payments Team will set up a pre-paid care for the Service User/Carer.
- 4.4 Where during financial monitoring processes the Council identifies any anomalies such as no spend or evidence to suggest misuse of funds, the CCG will be notified immediately and all relevant information will be provided to the CCG to undertake further investigations as to NHS Fraud guidance. In such circumstances the CCG will advise the Council on what action to take in regard to the continued payment and administration of the Direct Payment
- 4.5 The CHC Commissioning Lead shall notify the Direct Payments Team via secure email where there are changes to NHS CHC funding or long-term conditions funding or where this eligibility ends, which may result from a reduction in the Service User's health needs or their death.

5. SERVICE QUALITY AND OUTCOMES

- 5.1 Quality assurance and monitoring will be built into individual service delivery, monitored and tracked through existing CCG systems and technology. This will include:
 - 5.1.1 Identifying the number of service users receiving a personal health budget through direct payments;
 - 5.1.2 Identifying the number of service users using a pre-paid card; and
 - 5.1.3 Equality and diversity profiling

5.2 The CCG will retain responsibility for clinical care, through its Continuing Care Case management team or as notified to the Council by the CCG.

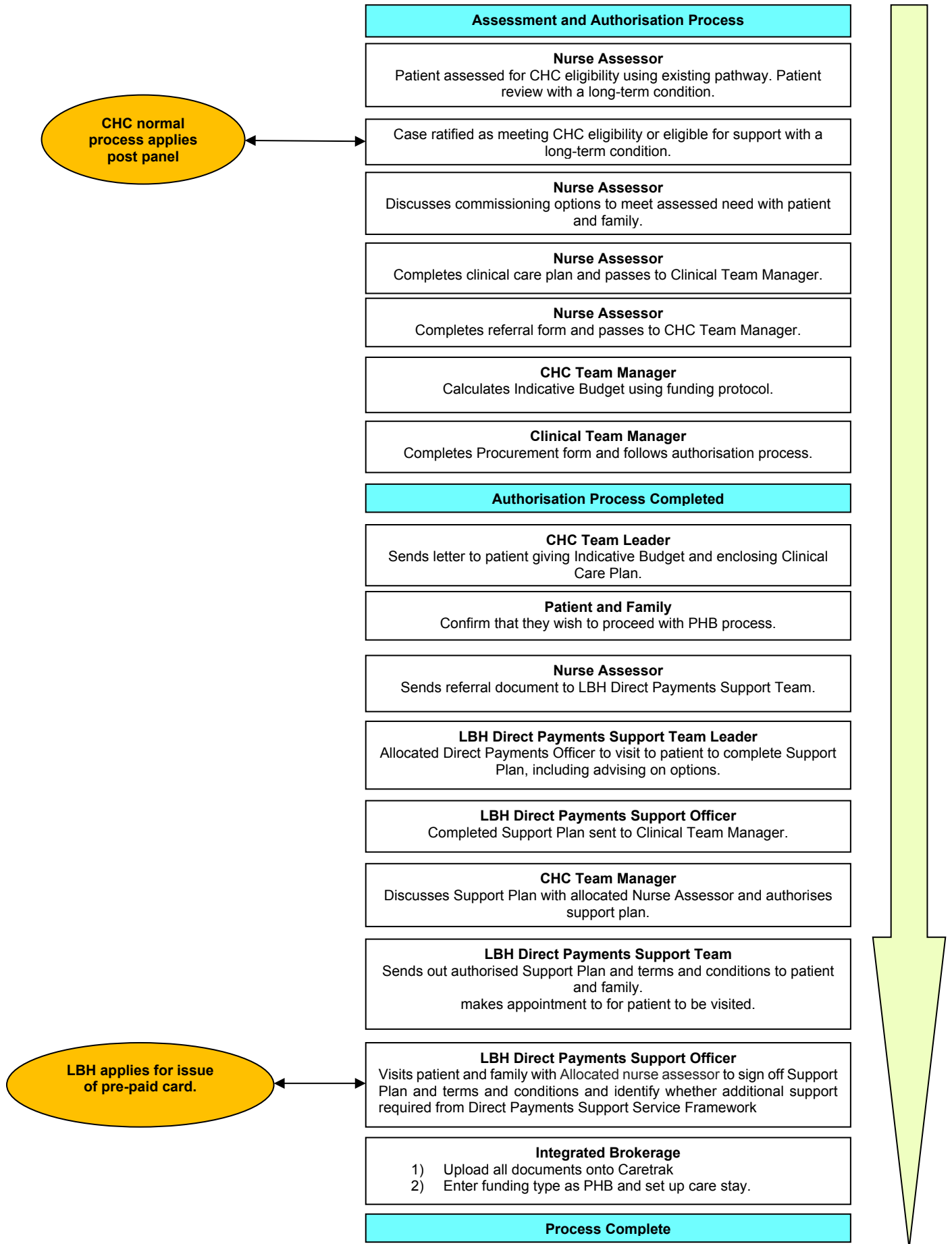
6. FUNDING

6.1 The CCG will pay a fixed rate per case to the Council for the administration of PHBs for the duration of the Agreement. The fixed rate per new case for 2021/22 will be £1,040 with an annual support cost charge of £440 per case thereafter.

6.2 Service Users will be set up on the Council's case management database called Protocol and an estimate of the value of business for CCG commissioned packages that will be paid directly by the Council, as well as the related support charges, will be made at the beginning of each year. This estimate will be incorporated into the amount the CCG pays to the Council as part of the quarterly billing for the whole BCF. This value will be regularly reviewed and adjusted as necessary during the course of the pilot project.

6.3 Monthly reports of actual spend on NHS commissioned packages will be provided to the CCG to enable the CCG to monitor the costs of the Service.

ANNEX A - PERSONAL HEALTH BUDGET PATHWAY TO DIRECT PAYMENTS



Schedule 1D: Operation of Integrated Hospital Discharge Arrangements

1. BACKGROUND AND OVERVIEW

- 1.1 The subject of this **Schedule** of the Agreement is the operation of hospital discharge arrangements during the period of the Covid-19 pandemic. The Schedule links into Scheme 4: *Urgent and emergency care*.
- 1.2 This Schedule describes financial and commissioning arrangements as they apply to people discharged from all hospitals.
- 1.3 The Schedule was initially introduced in 2020/21 in response to the global Covid-19 pandemic and more specifically the Government's Discharge Requirements guidance to reduce pressure on those hospitals providing acute services. The Partners have reviewed the Discharge Requirements and determined that the arrangements as set out in this Schedule will permit them to implement the Discharge Requirements.
- 1.4 Funding for hospital discharge will be included within the Better Care Fund Pooled Budget but separately identified.
- 1.5 The Council is the Host Partner for the Pooled Fund.
- 1.6 Unless the context otherwise requires, the defined terms used in this **Schedule** will have the meanings set out in the Partnership Agreement. For the purposes of this Schedule the following terms will have the ascribed meaning:
- 1.6.1 **CHC** means NHS Continuing Healthcare, a system under which care provision for people with complex long-term health conditions is fully funded by the NHS as set out in the *National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care* (October 2018);
- 1.6.2 **CHC Team** means the NWL Continuing Healthcare Team. This is the team with responsibility for discharging the responsibilities of the CCG under the *National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care* (October 2018);
- 1.6.3 **Discharge Requirements** means either, depending on context, **Annex A**: the guidance entitled *Hospital discharge and community support: Finance support and funding flows* (May 2021) for the period 1st April to 30th September 2021', or **Annex B**: the guidance entitled *Hospital discharge and community support: Policy and Operating Model* (October 2021) for the period 1st October 2021 to 31st March 2022;
- 1.6.4 **FNC** means Funded Nursing Care, which is a benefit paid by the NHS to those who do not qualify for free NHS Continuing Healthcare but are deemed to need nursing care as opposed to just residential care;
- 1.6.5 **NWL** means the North West London Integrated Care System;
- 1.6.6 **Packages of Care** means for the purposes of this Schedule provision of homecare in a person's own home;

1.6.7 **Placements** means for the purposes of this Schedule, placements in care homes registered with the Care Quality Commission (CQC) for the provision of accommodation with personal care or accommodation with nursing;

1.7 The terms and conditions of the Partnership Agreement will equally apply to this Schedule unless otherwise stated.

1.8 This agreement will take effect from the 1st April 2021

2. AIMS AND OUTCOMES

2.1 **Aim:** The key aim of the Scheme is to facilitate rapid discharge of people who are clinically suitable for discharge from hospitals but are unable to return to their usual place or residence or care setting. This will be achieved through the rapid mobilisation of care and support packages and placements and will include avoidance of hospital admissions.

2.2 **Outcome:** The key intended outcome is the maintenance of enough capacity within hospitals to provide care for people with Covid-19 who require hospitalisation and other residents with conditions requiring hospital admission for treatment.

3. FINANCIAL ARRANGEMENTS

Financial Contributions

3.1 The supporting principle governing financial contributions under the Schedule is that the Council should contribute in 2021/22 the value it would reasonably expect to spend for 6 weeks (Q1) and 4 weeks (Q2-Q4) of funded care.

3.2 The CCG will fund new or additional placement and package of care costs for people discharged from hospital during 2021/22 for the periods shown below:

3.2.1 01/04/21 - 30/06/21: For six weeks.

3.2.2 01/07/21 - 31/03/22: For four weeks.

3.3 The Council and the CCG will make contributions to the Pooled Fund for the following areas of expenditure:

3.3.1 Placements and Packages of Care and associated costs.

3.3.2 Intermediate tier services.

3.4 In respect of clause 3.3.1 above, the CCG will make payments to the Council to address placement and package of care costs for the periods shown in clause 3.2. Payments will be based on detailed client information provided to the CCG by the Council. These client specific payments will sit outside of the Pooled Budget.

3.5 The intermediate tier services referenced in clause 3.3.2 above will be funded by the Partners as shown in table 1 below.

- 3.6 Any variation in costs attributed to the services in table 1 necessary to manage demand fluctuations will be reconciled at year end.

Table 1: 2021/22 Intermediate Tier Services Summary						
Service	Provider	Start Date	End Date	CCG Contribution (£,000s)	LBH Contribution (£,000s)	Total Cost 2021/22 (£,000s)
D2A Bridging Care	Comfort Care Services	05/04/21	03/04/22	641	0	641
Step-down: Building A	Comfort Care Services	05/04/21	03/04/22	265	48	313
TOTAL				906	48	954

- 3.7 The Partners will:

3.7.1 Comply with the Discharge Requirements and any subsequent guidance issued by HM Government and/or the NHS relating to the funding of hospital discharge arrangements; and

3.7.2 Work together in good faith to give effect to any such requirements and/or guidance.

3.7.3 The Partners will make available any information required for audit purposes.

Placements and Packages of Care

- 3.8 The Council will act as lead commissioner on behalf of the CCG for the provision of homecare and the intermediate tier services shown in table 1. The Council will also lead on commissioning arrangements for residential care home provision. The CCG will act as lead commissioner on behalf of the Council for nursing care home placements until 31st August 2021. After this date the Council will assume this function. This will not apply to nursing home placements for complex people who are eligible for CHC funding.

Placements and Packages of Care

- 3.9 Commissioners should ensure appropriate processes and governance are in place for the period following cessation of the enhanced discharge support process. As part of this, planning conversations should be taking place, where appropriate with patients and their families about the possibility that they will need to fund their care later.
- 3.10 The Council and the CCG will work together to identify residents that are in higher cost placements than would normally be funded, with a view to renegotiating rates and/or offering alternative care settings.
- 3.11 Where social care has been provided free at the point of delivery for the emergency period, the expectations of individuals in receipt of funded care packages (that may not continue to be funded after the COVID-19 emergency period) will need to be managed, as some individuals will need to return to usual funding arrangements, which will mean they may have to contribute or fully fund their care.

3.12 For Service Users eligible to receive a financial contribution to meeting their adult social care needs from the local authority, the Council will assume care responsibility from week 6 (Q1) and week 4 (Q2 –Q4) or from the point of the assessments to determine eligibility where this is earlier.

3.13 Where CHC/Care Act Assessments have not been completed by the end of week 6 (Q1) and week 4 (Q2-Q4) then the following will apply from the beginning of the following week:

3.13.1 Where the NHS continuing healthcare (CHC) or funded nursing care (FNC) assessments are delayed, the CCG remains responsible for paying until the NHS CHC/FNC assessment is done.

3.13.2 Where there is no NHS CHC or FNC assessment delay, responsibility for funding sits with the local authority in line with existing procedures until the Care Act assessment is completed, after which normal funding routes apply.

Intermediate Tier Services: Exit Arrangements

3.14 The CCG may decommission or reduce the capacity of the services shown in table 1 by giving reasonable notice. Reasonable notice is defined as follows:

3.14.1 D2A Bridging Care: *Two calendar weeks.*

3.14.2 Step-down building A: *Four calendar weeks*

3.15 Should the CCG wish to retain any of the services shown in table 1 beyond the term of the Agreement written notice must be given to the Council detailing the:

3.15.1 Service(s) to be retained;

3.15.2 Service capacity required;

3.15.3 Estimated period of provision required.

3.16 The CCG may terminate the services in table 1 in accordance with clause 3.14 without penalty. However, the CCG acknowledges and accepts that terminating this provision will release workforce capacity that it may take some time to restore should it be necessary to reactivate the services. For step-down building A this may not be possible, as the premises will be subject to letting to tenants.

Winter Pressures Funding

3.17 There will be a memorandum of understanding between the Partners and Hillingdon Health and Care Partners concerning the governance of funding provided to the Council to contribute to supporting the health and care system during possible demand surges during the quarters 3 and 4. The memorandum of understanding will include funding included within this Agreement to address winter demand pressures as well as additional funding not included within this Agreement.

3.18 Table 2 below summarises the winter pressures funding included within this Agreement.

Table 2: Winter Pressures Funded Additional Capacity		
Service	Provider	Cost £,000
D2A Bridging Service additional hours	Comfort Care Services	63
Additional step-down	Independent Sector	109
Pathway 3 Coordinator	LBH	27
	TOTAL	199

3.19 The D2A Bridging Care cost shown in table 1 includes the additional capacity cost reflected in table 2.

ANNEX A: HOSPITAL DISCHARGE AND COMMUNITY SUPPORT: FINANCE SUPPORT AND FUNDING FLOWS GUIDANCE



C1281 Hospital
Discharge Policy Fin

ANNEX B: HOSPITAL DISCHARGE AND COMMUNITY SUPPORT: POLICY AND OPERATING MODEL GUIDANCE



hospital-discharge-
and-community-sup

SCHEDULE 1E - INTEGRATED THERAPIES FOR CHILDREN AND YOUNG PEOPLE

1. BACKGROUND

- 1.1 The subject of this **Schedule 1E** of the Agreement is the operation of the integrated therapies service for children and young people (CYP), which will be referred to in this Schedule as the 'Service'.
- 1.2 Integrated therapies include:
- 1.2.1 Speech and Language Therapy (SaLT) for CYP with speech, language and communication needs (SLCN) or eating, drinking and swallowing difficulties (dysphagia);
 - 1.2.1AA Speech and Language Therapist post to support the Council's Youth Justice Service.
 - 1.2.2 Occupational therapy for CYP with difficulties relating to mobility, gross and fine motor skills, sensory processing and perception; and
 - 1.2.3 Physiotherapy for CYP who have a disability or illness caused by neurological, neuromuscular, musculoskeletal, orthopaedic and cardio-vascular or respiratory conditions.
- 1.3 For the purposes of this Schedule reference to the Service Provider will mean CNWL.
- 1.4 Defined terms and interpretation for this **Schedule 1E** shall be as described in Clause 1.1 of this Agreement unless otherwise stated below:
- 1.4.1 **2014 Act** means the Children and Families Act, 2014;
 - 1.4.2 **Contract** means the contract between the Council and the Service Provider for the provision of the Integrated Therapy Service;
 - 1.4.3 **EHCP** means Education, Health and Care Plans pursuant to section 37 of the 2014 Act;
 - 1.4.4 **OT** means occupational therapy, which aims to maximise the ability of individuals to undertake the activities of daily life;
 - 1.4.5 **SEND** means Special Educational Needs pursuant to section 20 of the 2014 Act;
 - 1.4.6 **TAC** means '*Team Around the Child*' and brings together a range of different practitioners from across the children and young people's workforce to support an individual child or young person and their family. It places the emphasis firmly on the needs and strengths of the child or young person, rather than on organisations or service providers.

2. SERVICE AIMS AND OBJECTIVES

2.1 The aims of the Service that is the subject of this **Schedule 1E** are:

2.1.1 To provide a high quality service for children and young people with physical, occupational and speech and language difficulties in accordance with national guidance and best practice.

2.1.2 To improve the quality of life and the ability of children and young people with physical, occupational and speech and language difficulties to live independently or with support within the community and participate in mainstream services including education.

2.2 The key objectives of the Services are:

2.2.1 To provide early intervention services, offering early assessment and advice, supporting self-care and reducing dependence on services in future years.

2.2.2 To provide a robust integrated triage process that directs children and young people to the most appropriate therapy and support without delay.

3. SERVICE SCOPE

3.1 The people eligible for the Service will be:

3.1.1 All CYP aged 0-19 years who live within the geographical boundaries of the London Borough of Hillingdon (for local authority services) or are registered with a GP affiliated to HCCG (for health services).

3.1.2 All CYP resident in the London Borough of Hillingdon with a special education need and/or an Education, Health and Care Plan (EHCP) aged 18-25 years attending an education establishment regardless of its geographical location.

3.1.3 Home schooled CYP who live in the London Borough of Hillingdon and/or are registered with a GP affiliated to HCCG.

4. SERVICE DESCRIPTION AND DELIVERY

4.1 An equitable and inclusive service will be delivered that is:

4.1.1 *Universal*: for CYP with mild to moderate or transient needs; and

4.1.2 *Targeted*: for CYP with moderate to severe needs.

4.2 High quality support must be provided to CYP who have a need identified or specified in Part F (Education) and Part G (Health) of their EHCP. Therapy needs identified under Part F or Part G are mandatory.

4.3 The Service Provider will deliver the Integrated Therapies Service Model illustrated in **Annex A** of this Schedule. The Service will be delivered in accordance with the requirements of the Service Specification shown in **Annex B**.

4.4 Delivery of the model shown in **Annex A** will lead to the following changes:

- 4.4.1 Increasing OT provision in schools to provide therapy and training;
- 4.4.2 Developing a pathway for those without an EHCP using a screening tool called Speech Link;
- 4.4.3 Delivering a triage facility that ensures that all referrals are reviewed by a qualified therapist within two weeks of a referral;
- 4.4.4 Introducing and formalising the consultation model for stakeholders involved in the assessment of a CYP;
- 4.4.5 Increasing the focus on transition to primary school and using a system called Language link to assess and inform therapy provision for children aged 4 to 8.;
- 4.4.6 Using the support planning document called My Support Plan and the TAC process to inform transition to primary and to secondary school with information shared regarding planned therapy input in schools;
- 4.4.7 Introducing social skills groups to support CYP and their parents;
- 4.4.8 Introducing a Development/Facilitator role to build and support cross-agency working through training and sharing best practice, etc.

Access to the Service

- 4.5 The Service Provider will be required to ensure the provision of the following:
 - 4.5.1 A telephone advice line to enable CYP, their parents, carers, healthcare professionals and education Staff to seek advice regarding how to access the Services and/or given advice on other available support programmes.
 - 4.5.2 Drop-in facility/clinics in Children's Centres, schools and colleges for CYP as well as parents and education staff to seek advice on presenting issues and how to access the most appropriate support.

Referral to the Service

- 4.6 The following will apply to the referral process:
 - 4.6.1 Referral forms will be accepted from CYP, their parents/carers, healthcare professionals, education staff and the Council's SEND team.
 - 4.6.2 Referrers will be encouraged to include video clips capturing a CYP's difficulties/challenging behaviour.
 - 4.6.3 Referral forms will be accepted via email or post. The advice line will be promoted to assist with queries regarding completion of the referral form.
 - 4.6.4 All referrals will be acknowledged within 2 working days of receipt.

4.6.5 Referrals from the Council's SEND team for assessment as part of the statutory EHC Needs Assessment will be allocated for assessment in all cases.

Service Location

4.7 The Services will be delivered from a range of settings including early years settings, schools and colleges. The hours of operation of the Services will be agreed between the Service Provider and the Council.

5. SERVICE OUTCOMES

5.1 The Integrated Therapies Model shown in **Annex A** is intended to deliver the outcomes shown in table 1 below.

Table 1: Children's Integrated Therapies Service Model Outcomes Framework				
Prevention & Early Intervention	Identification	Triage	Assessment & Individual Care Planning	Review & Transition
"A CYP, their families and carers are able to access wellbeing support before it becomes an issue".	"A CYP's needs are identified as early as practically possible".	"A CYP is signposted to the necessary intervention shortly after referral".	"A CYP's needs are assessed and clear recommendations are made around the provision they require".	"Therapy delivery provides targeted intervention that enables CYP to make good progress". "A CYP and their family are clear on the reasons for discharge and understand what future support will look like, if necessary".

5.2 The Service must also deliver the following outcomes from the NHS Outcomes Framework:

5.2.1 *Domain 2*: Enhancing quality of life for people with long-term conditions.

5.2.2 *Domain 3*: Helping people to recover from episodes of ill-health or following injury.

5.2.3 *Domain 4*: Ensuring people have a positive experience of care.

5.2.4 *Domain 5*: Treating and caring for people in a safe environment and protecting them from harm.

6. CONTRACT

6.1 The contract with the Service Provider will be held by the Council.

Contract Duration

- 6.2 The period of the contract between the Council and the Service Provider will be, subject to the exercise of any provisions for early termination, 1st August 2019 to 31st July 2022.

7. MONITORING ARRANGEMENTS

- 7.1 Although the contract for the Service will be between the Service Provider and the Council, the contract will be jointly managed by both the Council and the CCG. Management of the contract between the Council and the Service Provider will be undertaken in accordance with the provisions of the contract management schedule shown in **Annex C**.
- 7.2 Delivery of the Service under this Schedule will be overseen by the Core Officer Group as described in **Schedule 3 (Governance)** of the Agreement. This body will provide an escalation route regarding the implementation of the Integrated Therapies Model shown in **Annex A**.

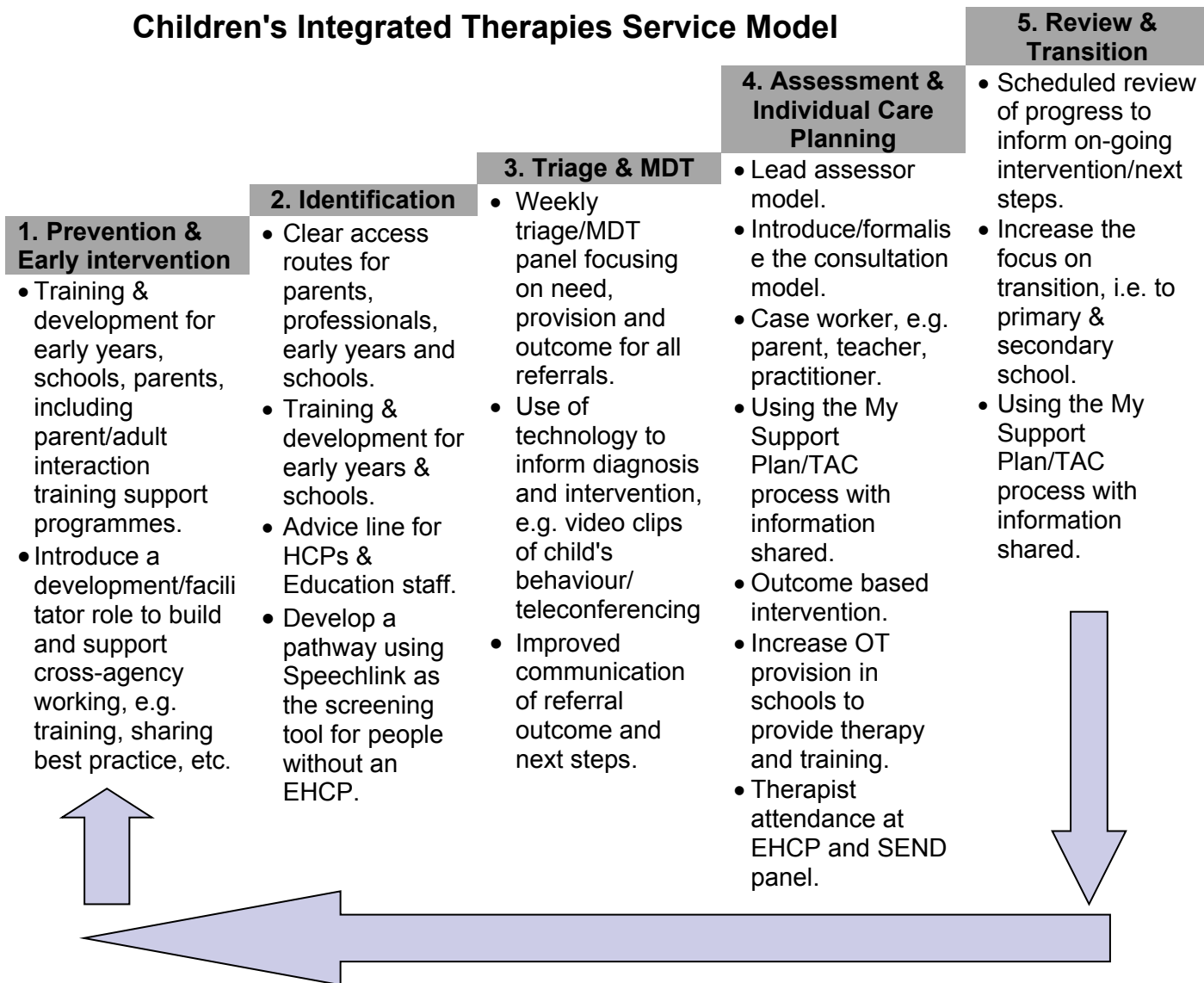
8. FINANCIAL ARRANGEMENTS

- 8.1 The expectation of both the Council and the CCG is that the implementation of an early intervention and prevention model will assist in the management of demographic growth. The service budget for the period of this Agreement and the Contract is between £2.3m and £2.5m and will remain within these parameters. The respective financial contributions to the Service by the Council and the CCG are set out in **Schedule 1A** of the Agreement. For ease of reference these are summarised in table 2 below:

Service	Funder					
	2020/21			2021/22		
	LBH	HCCG	TOTAL	LBH	HCCG	TOTAL
	(£,000)	(£,000)	(£,000)	(£,000)	(£,000)	(£,000)
Integrated therapies	441	2,246	2,687	441	2,246	2,687
SaLT in Youth Justice Service	35	35	70	35	35	70
Designated Clinical Officer in SEND	25	25	50	31	31	62
TOTAL	501	2,306	2,807	507	2,312	2,819

- 8.2 For 2020/21 the CCG shall pay the Service Provider directly the CCG's contribution to the Service as shown in table 2 above.
- 8.3 Arrangements for managing over and underspends will be managed in accordance with the provisions of **Schedule 4 (Risk Share and Over and Underspends)** of the Agreement.

Children's Integrated Therapies Service Model



Annex B



SCHEDULE 1E -
ANNEX B INTEGRATE

Annex C



Schedule 4 -
Contract Management

SCHEDULE 1F - INTEGRATED CARE AND SUPPORT FOR PEOPLE WITH LEARNING DISABILITIES

1. BACKGROUND

- 1.1 The subject of this **Schedule 1F** of the Agreement is the delivery of a case management and placement function by the Council on behalf of the CCG for people described in Clause 2 of this Schedule and summarised in Scheme 8 of **Schedule 1** of this Agreement.
- 1.2 During the period of the Agreement the Partners will review the model of integration for the provision of care and support for people with learning disabilities and associated commissioning arrangements. The objective of the review will be to secure better outcomes for people with learning disabilities and ensure value for money for the Partners.
- 1.3 The definition of terms used in this Schedule will be as described in Clause 1 of the Agreement unless otherwise stated. For the purposes of this Schedule the following terms will have the meaning described:
 - 1.3.1 **CNWL** means the Central and North West London NHS Foundation Trust.
 - 1.3.2 **The Service** means a case management and placement service provided by the Council to the CCG.
 - 1.3.3 **In-house services** means services directly provided by the Council.
 - 1.3.4 **Placements** include care home, supported living (including extra care), domiciliary care (also known as homecare) and day opportunity services. Identification to which of these is referred to at any given time will be determined by context.
 - 1.3.5 **1983 Act** means the Mental Health Act, 1983.
 - 1.3.6 **Independent sector providers** include providers that are for profit organisations as well not-for-profit voluntary and community sector organisations.
 - 1.3.7 **Preparing for Adulthood Team** (PfA) means the team within the Council responsible to managing the transition from children to adult social care and/or health services. This was formerly known as the '*Transition Team*'.

2. SERVICE SCOPE

NHSE Transforming Care Case Management and Placements

- 2.1 The Service will be delivered by the Council to people aged 18 and over:
- 2.1.1 Who are included within the Transforming Care Programme, which applies to people who have a diagnosis of a learning disability and/or autism who are in an inpatient hospital setting as well as those who could be at risk of inpatient admission unless support is commissioned to meet their assessed needs; and
 - 2.1.2 Who have been assessed as meeting the eligibility criteria for NHS Continuing Healthcare (CHC) funding and are people with a diagnosed learning disability; or
 - 2.1.3 Are entitled to after care services under s117 of the 1983 Act and are jointly funded by the Partners.
- 2.2 The following are excluded from the scope of the Service:
- 2.2.1 People with a learning disability and/or autism aged under 18.
 - 2.2.2 Any actions on behalf of the CCG that are required to be undertaken by a qualified solicitor in accordance with the Solicitors Act, 1974.

3. SERVICE AIMS AND OBJECTIVES

- 3.1 The intended aims of the Partners are:
- 3.1.1 To improve the quality of care for people with a learning disability and/or autism;
 - 3.1.2 To improve quality of life for people with a learning disability and/or autism;
 - 3.1.3 To support people with a learning disability and/or autism down pathways of care to the least restrictive setting;
 - 3.1.4 To ensure that services are user focused and responsive to identified needs;
 - 3.1.5 To ensure Value for Money and efficient use of resources, maximising income where at all possible and avoiding duplication.
- 3.2 The objectives of the Partners in meeting the aims described in Clause 3.1 above are that integrated working will:
- 3.2.1 Maximise the opportunities for people with a learning disability and/or autism to lead happy and fulfilling lives as independently as possible in the least restrictive environment feasible:
 - 3.2.2 Ensure that people with a learning disability and/or autism have a positive experience of care and support.

4. SERVICE DESCRIPTION

NHSE Transforming Care Case Management and Placements

4.1 The Service provided to the CCG will include:

4.1.1 Liaising with and providing updates to organisations including NHS England and the Department of Health and Social Care. Following are examples (and not an exhaustive list) of the updates that will be required:

4.1.1.1 Information regarding the delivery of social care support services to individuals and groups of people with learning disabilities and/or autism;

4.1.1.2 Responding to data requests and national information requirements;

4.1.1.3 Contributing to audits and reviews in respect of monitoring and improving the care provided to people with learning disabilities and/or autism in Hillingdon, such as the National Autism Statutory Assurance Framework.

4.1.2 The updates referred to in Clause 4.1.1 may be provided to the CCG for onward transmission or provided directly and copied to the CCG. The route chosen will be dependent on the update required and will be determined in consultation with the CCG.

4.1.3 Providing access to the Council's brokerage team to identify suitable placements;

4.1.4 Providing access to the Council's social work team in order to complete risk assessments and support plans.

4.2 The Council will make placements on behalf of the CCG for eligible Service Users as described in Clause 2.1 of this Schedule. The Council will broker these placements and pay the providers.

4.4 Both Partners will work to ensure there is no undue delay when processing reviews and/or CHC Criteria Assessments.

4.5 The timescales to which the CHC Team will be working are:

- Fast-track applications-decisions made: - 2 working days
- Eligibility for CHC against Decision Support Tool (DST): - 28 working days

- Length of time from Panel decision to letter sent to individual advising outcome: - within 10 working days

4.6 Health funding reviews will be managed by the CHC Team according to the following timescales:

- Initial review following allocation of funding: - 3 months
- Review frequency thereafter: - Annually
- Time frame from completion of the review assessment to decision: - 28 working days

4.7 In circumstances where a Service User who is jointly funded under section 117 is placed outside of Hillingdon and then re-sectioned under the 1983 Act, the Council will manage the transfer of care to the host local authority. However, it must be noted that a different set of rules apply with regards the CCG's responsibility in such a situation as set out in the guidance document '*Who Pays? Determining responsibility for payments to providers*' (NHSE August 2013).

4.8 Where the CHC team has not completed an assessment within the 28 days and the Service User either:

4.8.1 *Goes into hospital* - if awarded CHC will be backdated to the 1st referral date (Day 29 from completion of initial checklist) irrespective of hospitalisation; or

4.8.2 *Dies* - HCCG will review the case to determine eligibility for CHC where representations are made by the Service User's family. HCCG will also undertake a review in circumstances where either the Service User does not have a family or where they have a family who do not wish to request a review and the Council makes representations on the basis that there has been an undue delay.

Referrals to the Service

4.9 Referrals to the Service will come from the following sources:

4.9.1 The Council's Preparing for Adulthood (PfA) Team;

4.9.2 The CCG's CHC Team; and

4.9.3 The CHLDT.

4.10 The Council's Social Work Team may make referrals to the CHLDT and this process will be guided by a Memorandum of Understanding (MoU) between the Council and CNWL.

Legal Support

- 4.11 Where a Service User's circumstances requires the intervention of a solicitor the Council will make a referral to the CCG's CHC lead, who will make the required arrangements as set out in the CCG's protocol for accessing Legal Advice. This would apply where, for example, a Community Deprivation of Liberty Standards (DOLS) application to the Court of Protection is required.

5. LEGAL LIABILITY

- 5.1 The CCG acknowledges and accepts that the Council will act appropriately in delivering the Service on its behalf. Accordingly and for the avoidance of doubt, in the event of legal proceedings being undertaken by a third party regarding any aspect of the Service then Clause 15 (*Liabilities and Insurance and Indemnity*) of the Agreement will apply.

6. CONTRACT

- 6.1 For avoidance of doubt, the contract for the provision of the CHLDT will be held by the CCG for the duration of the Agreement. The CCG will be the lead commissioner for this service during the term of the Agreement.
- 6.2 Subject to Clause 29 (*Variations*) of the Agreement, the provider for the CHLDT will be CNWL.

7. MONITORING

- 7.1 Arrangements for monitoring delivery of the Service will be as described in **Schedule 3 (Governance)** of the Agreement.

8. FINANCIAL ARRANGEMENTS

General

- 8.1 This Clause 8 should be read in conjunction with **Annex A** of this Schedule and also **Schedule 1A** of the Agreement.
- 8.2 The North West London (NWL) Continuing Healthcare Team will be responsible for the budgets during the period of the Agreement in respect of the eligible Service Users described in Clause 2.1 of this Schedule and must be involved in any decision concerning the provision of care and support to eligible Service Users.
- 8.2 The CCG will be responsible for meeting 100% of the cost of meeting the care needs of a Service User in the following circumstances:
- 8.2.1 The Service User has been assessed as being entitled to NHS Continuing Healthcare funding.
- 8.2.2 The Service User is placed in a hospital setting for assessment and/or treatment.

- 8.3 For Service Users assessed under s117 of the 1983 Act the CCG will be responsible for contributing a percentage agreed between the Partners. The remaining difference in cost will be paid by the Council. The formal mechanism for agreeing the respective contributions of the Partners will be as described in Schedule 4A of the Agreement.

Process for Agreeing New Placement Costs

- 8.4 Prior to entering into a contract with a provider the Council must secure written approval the CCG's CHC lead to enter into an agreement at the proposed price.

Process for Agreeing Changes in Placement Costs

- 8.5 Any additional charges arising from changes to care costs associated with an escalation of need must be authorised by an authorised signatory. The process is outlined below as follows:

8.5.1 Any increase to a care package within an existing placement must be authorised by the CHC lead for the CCG, who will work within their agreed authorisation limits covered by CCG standing financial instructions.

8.5.2 Any change in placement for a Service User who is not a CHC patient and not a recipient of s117 aftercare will be authorised by the Council's Head of Mental Health and Learning Disability Services within the parameters of their authorisation limits. Costs above this will be authorised in accordance with the Council's scheme of delegations.

8.5.3 Any change in a placement for a Service User who is eligible for CHC will be approved by the CCG's CHC lead, who will be working within agreed authorisation limits covered by CCG standing financial instructions.

8.5.4 Any requirement to place a Service User in an inpatient care setting, including mental health hospital inpatient care, must be escalated to the CCG responsible commissioner and referred to the LD clinical psychiatry services (CNWL). The consultant psychiatrist will review the clinical need for in-patient treatment and the care manager will act accordingly. The expectation is that there will be an Multi-disciplinary Team (MDT) meeting (either face to face or via a teleconference) to discuss alternatives to admission to a specialist LD or MH inpatient setting, which would possibly be followed up by a Care and Treatment Review (CTR) under Transforming Care CTR protocols to ensure the Service User's holistic needs are discussed. A robust plan for care and support must also be agreed between all parties, including the Service User's representative and family members. The Service User's details must be added to the risk of admission register if not already included.

- 8.5.5 The membership of any MDT necessitated by circumstances in which a Service User is at risk of admission to a specialist LD or MH inpatient setting must include a manager with delegated decision making authority, the CCG's responsible commissioner and the CHC clinical lead. Any additional professional representation will be determined by the manager with delegated decision making authority.
- 8.5.6 Should specialist hospital admission be required, the CCG's CHC lead will request funding approval from the NWL Chief Nurse and Director of Quality.
- 8.5.7 Service Users requiring low secure provision following clinical assessment will be discussed with the NHSE non-acute commissioning team and the Transforming Care lead commissioner at the CCG at an early stage to support and agree the placement.

Inflationary Uplifts

- 8.6 The Council's process for agreeing inflationary uplifts will apply to services commissioned by the Council on behalf of the CCG.

Cessation of Service

- 8.7 In the event of the death of a CCG funded patient the CCG will continue to be liable for the cost of that care package as follows:

Residential Placements

- 8.7.1 For Service Users in placements with independent sector providers the CCG will be liable in accordance with the terms of the contract that the Council has with that provider. This will ordinarily entail 100% of the placement costs for the 24-hour period following the death of the Service User.
- 8.7.3 Where the placement is an in-house provided service, the CCG will remain liable until the earlier of:
- 8.7.3.1 The date the relevant vacancy has been filled following the date when the vacancy became available; or
- 8.7.3.2 Seven days following the date that the vacancy became available.

Day Opportunity Services

- 8.7.4 For Service Users in placements with independent sector providers the CCG will be liable in accordance with the terms of the contract that the Council has with that provider.
- 8.7.5 Where the placement is in an in-house service, the CCG will be liable until such time that the relevant vacancy is filled up to a maximum of seven days following last day of service provision to the Service User.

Domiciliary Care

- 8.7.6 The CCG's liability will cease immediately following the death of the Service User.

Hospital Placements

- 8.8 Where care is required and commissioned in a non-acute hospital setting for a Service User in order to address physical and mental health needs (including detention under a relevant section of the 1983 Act for assessment/treatment) and/or the Service User has been identified as a CCG funding responsibility prior to admission, then the full cost of that placement for the duration of the Agreement will be the responsibility of the CCG.
- 8.9 For as long as the Service User's previous residential placement remains open continued funding will be the responsibility of either the CCG or the Council depending on the Service User's status on the date of admission. In such circumstances, there will be an assessment undertaken prior to a planned discharge from the non-acute NHS setting to determine on-going funding responsibility.
- 8.10 Admission for NHS care in an acute setting will not change the on-going funding status of the Service User unless determined by an assessment in accordance with the Agreement or the 1983 Act.

Change of Supplier

- 8.11 In the event that a change of supplier should be determined by either Partner as a result of a review of care required in relation to a Service User's needs then the CCG will be liable in accordance with the terms of the contract that the Council has with the relevant provider.

People Aged under 18

- 8.12 A review (or an assessment) will be undertaken by the CHC Team of people known to the PfA Team prior to them attaining their 18th birthday in order to determine eligibility under the adult CHC criteria. Where it is determined that an individual qualifies for CHC funding then the effective date for this funding will either be the individual's 18th birthday or the date of referral by the PfA Team, whichever is the later.

Out of Borough Placements

- 8.13 In the case of dispute with another CCG, Hillingdon CCG will be responsible for funding the Service User until a transfer date has been agreed with the other CCG. In these circumstances Hillingdon CCG will recover any back dated costs direct from the other CCG if the dispute is settled in favour of Hillingdon CCG.

Reporting Requirements

- 8.14 The Council must send a financial schedule to the CCG's Finance Lead on a monthly basis setting out the expenditure for the previous month and future commitment.

Monthly Review

- 8.15 There will be monthly meetings to review expenditure and commitments. These meetings will include:

8.15.1 The Finance Leads from both the Council and the CCG;

8.15.2 The CCG's Complex Care Lead; and

8.15.3 The Council's Head of Service with responsibility for services for people with learning disabilities and/or autism.

9. ESCALATION PROCESS

9.1 The CCG's CHC lead will be the initial contact point for the Council to secure approval of placement costs in accordance with Clauses 8.4 and 8.5 of this Schedule and also to request that appropriate legal advice be sought in accordance with 4.11. In the event that a response has not been received within a reasonable time period the escalation route shown in table 1 below should be followed. The nature of the decision request and the circumstances of the Service User/Patient will determine what constitutes a '*reasonable time period*'.

Contact Details	Courtesy Copy Destination Details
1. David Muana Associate Director Continuing Healthcare & Complex Care Brent, Harrow & Hillingdon CCGs Tele: 0203 114 7157 Email: david.muana2@nhs.net	Jane Hainstock Head of Joint Commissioning Hillingdon CCG Tele:01895 203000 Email: Jane.Hainstock@nhs.net
2. Deputy Director of Quality & Safety (Head of Continuing Healthcare/Complex Care) Brent, Harrow & Hillingdon CCGs Tele: 0203 114 7168	Sean Bidewell/Richard Ellis Borough Director Hillingdon CCG Tele: 01895 203000 Email: sean.bidewell@nhs.net/richard.ellis9@nhs.net
3. Chief Nurse & Director of Quality NWL CCG Collaboration Tele: 020 3350 4798	

10. FUNDING DISPUTE RESOLUTION

10.1 This Clause 10 will only apply to disputes between the Partners regarding:

10.1.1 Funding responsibility for services provided to any Service User who is the responsibility of either or both of the parties under the "*ordinary residence*" rules or equivalent rules on funding responsibility as they apply to the NHS; or

10.1.2 The outcome of an assessment of needs or eligibility for services to be provided by the CCG under the National Framework for CHC or by the Council; or

10.1.3 The package of services to be offered to a Service User following an assessment;

10.2 The procedure will also cover disagreements between partners over jointly funded care packages.

10.3 There are three stages to this funding dispute resolution process, and these are:

10.3.1 **Stage 1:** Escalation to Clinical Care Commissioner

10.3.2 **Stage 2:** Escalation to Chief Nurse and Director of Quality for the CCG.

10.3.3 **Stage 3:** Referral to arbitration.

- 10.4 **Stage 1: Escalation to Clinical Care Commissioner:** Where any dispute cannot be resolved by the decision-making practitioners, either party may request that the Service Managers (or equivalents) in the Partners' respective decision-making teams meet within 14 days of being notified of the existence of a dispute to review the decision and/or the process by which the decision was made. The purpose of this meeting is to explore the possibility reaching a consensus decision as to the correct outcome of the decision-making process.
- 10.5 In the case of disputed eligibility for NHS Continuing Healthcare, either Partner may request that the CCG refers the case, if it has not already been considered by that panel, for consideration at the next meeting of its Continuing Healthcare Panel ("CHC panel"). If the case has already been considered by the CHC panel then a request can be made for reconsideration at the next meeting of the CCG's Continuing Healthcare Review Panel. The Council will always be invited to represent when the case is discussed at the Continuing Care Panel.
- 10.6 **Stage 2: Escalation to Chief Nurse and Director of Quality:** Where the procedures set out in Stage 1 do not result in a consensus decision being reached as to the correct outcome of the decision-making process, the matter will be referred to Chief Nurse and Director of Quality for the North West London Collaboration of CCGs and the Council's Director of Delivery for Adult Social Work or officers of equivalent seniority within each body responsible for the decision-making teams referred to in Stage 1.
- 10.7 Within 14 days of being notified by either party of a dispute which has not been resolved at Stage 1 of this procedure, the Chief Nurse and Director of Quality and Director of Delivery for Adult Social Work, or officers of equivalent seniority of the Partners, will hold a meeting to try and resolve the dispute by reaching a consensus decision.
- 10.8 The relevant officers referred to in Clause 10.7 above may involve other professionals in the meeting to provide guidance and/or advice in specialist areas as they deem to be appropriate.
- 10.9 **Stage 3: Referral to arbitration:** If any dispute is not resolved through the procedures outlined in Stages 1 and 2 above, or there is any failure by either party to acknowledge the existence of a dispute or to deal with it in accordance with the procedures outlined above, the Partners will refer the matter to the Corporate Director for Social Care and Health and the Borough Director of the CCG or the Accountable Officer for the CCG for arbitration. The outcome of stage 3 will end the local stage of the dispute resolution process.
- 10.10 The Corporate Director for Social Care and Health and the CCG's Borough Director or Accountable Officer, as appropriate, will hold a meeting within 14 days of being notified by either party of a dispute which has not been resolved at Stage 2 of this procedure.

- 10.11 Other professionals may be invited to the meeting described in paragraph 10.10 above to provide guidance and/or advice in specialist areas as is deemed appropriate and necessary.
- 10.12 Where the local resolution procedure has not resulted in an outcome that the Service User finds satisfactory, they have the right to apply to NHSE to establish an independent review of the decision through an Independent Review Panel (IRP).

ANNEX A - FINANCIAL ARRANGEMENTS

1. CALCULATION OF CHARGES

- 1.1 The Charges are split between Fixed and Variable costs as set out in paragraphs 2 and 3 respectively of this **Annex A**.

2. CHARGES BASED ON A FIXED PRICE

- 2.1 Charges for 2020/21 and 2021/22 based on a fixed cost are as described in table 1 below.

Table 1: Charges to the CCG for LD Services 2020/22			
Type	FTE/Clients	Rate	Cost £
Case Management Service Costs			
1. Staffing: • Social Work (POB grade)	1.5	54,576	81,863
2. Accommodation & ICT	1.5	4,000	6,000
3. Additional staff support costs, e.g. travel, training, admin, etc.	N/A	5,000	5,000
4. Finance costs: payment of providers and recharging CCG.	73	309	22,557
TOTAL COST			
TOTAL COST: HOSTING LD HEALTH TEAM AND CASE MANAGEMENT SERVICE			115,420

3. VARIABLE COSTS

- 3.1 The costs of Service User placements will be recharged at cost basis split between externally provided services and in-house services.
- 3.2 Externally provided services will be recharged to the CCG at the total gross package cost.
- 3.3 In-house services will be recharged at the rates agreed per the Council Fees and Charges Report agreed at Cabinet when the Council Budget is set.

4. PAYMENT PLAN

- 4.1 1/12th of the estimated Annual Cost of the service will be billed at the beginning of each month. A review of the estimate will take place in October and bills for the rest of the year will be adjusted to reflect the latest forecast.

5. COUNCIL CONTRIBUTION TO THE POOLED BUDGET

5.1 The Council's contribution to the pooled budget for 2021/22 will be as set out in **Schedule 1A** of the Agreement.

6. FINANCIAL CONTRIBUTIONS

6.1 **Schedule 1A** of the Agreement identifies the respective financial contribution to the Pooled Budget established under this Agreement. For ease of reference, table 2 below outlines the resource contributions of the Partners to the Scheme 8 of the BCF plan that is the subject of this **Schedule 1F**.

Service	Provider	Funder 2020/21			Funder 2021/22		
		LBH (£,000's)	HCCG (£000's)	TOTAL (£000's)	LBH (£,000's)	HCCG (£000's)	TOTAL (£000's)
8.1 Social Care Staffing	LBH	1,254	0	1,254	1,254	0	1,254
8.2 Homecare	Various P & V	840	167	1,007	840	171	1,011
8.3 Community Support	Various P & V	8,093	0	8,093	8,093	0	8,093
8.4 Supported Living	Various P & V	14,667	282	14,949	14,667	282	14,949
Centre for ADHD and Autistic Support (CAAS)	CAAS	0	0	0	15	0	15
Hillingdon Autistic Care and Support (HACS)	HACS	0	0	0	40	0	40
8.5 Residential/Nursing Care Home Placements	Various P & V	11,945	345	12,290	11,945	347	12,292
8.6 Respite placements	LBH & Various P & V	1,309	64	1,372	1,309	64	1,373
8.7 CHC Placements	Various P & V	0	3,467	3,467	0	3,467	3,467
8.8 Non-CHC Placements	Various P & V	0	2,590	2,590	0	2,590	2,590
8.9 Accommodation & Staffing	LBH	0	115	115	0	115	115
SCHEME 8 TOTAL		38,671	6,299	45,137	38,164	7,035	45,198

NB: Figures in table subject to rounding and may not sum to total.

SCHEDULE 2 - FUNCTIONS

1. Functions of NHS Bodies included in the Section 75 are:

- a) The functions of arranging for the provision of services under sections 3, 3A and 3B of, and paragraphs 9 to 11 of Schedule 1, to the 2006 National Health Service Act, including rehabilitation services and services intended to avoid admission to hospital;
- b) The functions of making direct payments under:
 - i. Section 12A (1) of the National Health Service Act, 2006 (direct payments for health care)
 - ii. The National Health Service (Direct Payments) Regulations, 2013

2. Excluded NHS functions are:

- a) Surgery, radiotherapy, the use of Class 4 laser treatments and other invasive treatments and emergency ambulance services.

3. Health-related responsibilities of the Council included in the BCF Plan are:

- a) Functions under Part 1 of the Care Act, 2014.
- b) Functions under Schedule 1 of the Local Authority Social Services Act, 1970 (as amended).
- c) Functions under Part 1 of the Housing Grants, Construction and Regeneration Act, 1996, specifically the provision of Disabled Facilities Grants.

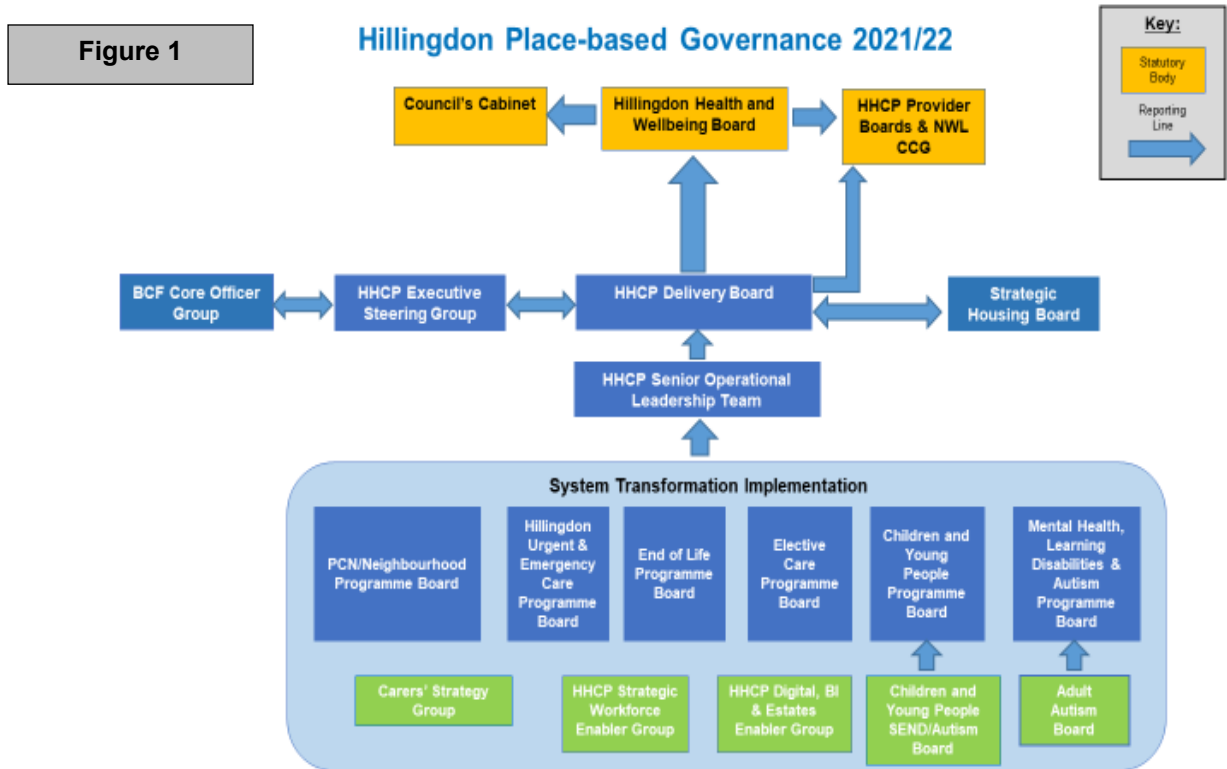
4. Excluded Council functions include:

- a) Functions under sections 4 (providing information and advice), 5 (promoting diversity and equality in provision of services), 14 to 17 (charging and assessing financial resources), 34 to 36 (deferred payment agreements), 42 to 47 (safeguarding adults), 48 to 52 (provider failure) and 69 to 70 (enforcement of debts) of the Care Act, 2014.

SCHEDULE 3 - BETTER CARE FUND GOVERNANCE ARRANGEMENTS

1. BETTER CARE FUND GOVERNANCE STRUCTURE SUMMARY

1.1 Figure 1 below summarises how the governance of the BCF fits within the broader placed-based governance arrangements for the health and care system in Hillingdon.



2. BETTER CARE FUND GOVERNANCE STRUCTURES TERMS OF REFERENCE

a) Health and Wellbeing Board

2.1 The key purpose of the Health and Wellbeing Board is to fulfil statutory requirements under the 2012 Health and Social Care Act to improve the health and wellbeing of the local population.

2.2 The Board is also responsible for:

2.2.1 Providing place-based leadership in developing a strategic approach for health and wellbeing in Hillingdon;

2.2.2 Developing the statutory Health and Wellbeing Strategy;

2.2.3 Ensuring that the Health and Wellbeing Strategy is informed and underpinned by the Joint Strategic Needs Assessment (JSNA) and is focused upon:

- Improving the health and wellbeing of the residents of Hillingdon;
- The continuous improvement of health and social care services;

- The reduction of health inequalities;
 - The involvement of service users and patients in service design and monitoring; and
 - Integrated working across health and social care where this would improve quality;
- 2.2.4 Reviewing performance on delivering the Health and Wellbeing Strategy and other key strategic targets;
- 2.2.5 Holding partner agencies to account for performance on agreed priorities in conjunction with the External Services Scrutiny Committee of the Council;
- 2.2.6 Influencing and approving the Clinical Commissioning Group (CCG) commissioning plan and annual update;
- 2.2.7 Collaborative working to develop social care and health related commissioning plans to improve the health and wellbeing of residents of the Borough and monitor implementation and performance;
- 2.2.8 Agreeing and monitoring delivery of the BCF plan (as shown in governance structure summary); and
- 2.2.9 Monitoring the performance of Public Health and reviewing services in conjunction with the External Services Scrutiny Committee.

Board Membership

- 2.3 The Board is the co-chaired by Cabinet Member for Health and Social Care and the Managing Director of Hillingdon Health and Care Partners, Hillingdon's accountable care partnership.
- 2.4 Statutory members of the Board include:
- Cabinet Members from the London Borough of Hillingdon
 - A representative from Northwest London Clinical Commissioning Group
 - A representative from Healthwatch Hillingdon
 - The statutory Director of Adult Social Services
 - The statutory Director of Children's Services
 - The statutory Director of Public Health
- 2.5 Membership also includes the Council's Chief Executive and representatives from local NHS provider trusts, and these are:
- The Confederation, which represents 43 out of 45 local GP practices.
 - The Hillingdon Hospitals Foundation Trust
 - Central and North West London Foundation Trust
 - The Royal Brompton and Harefield Foundation Trust

Frequency of Meetings

- 2.6 The Board meets in public every two months and its agenda and reports are published on the Council's website a week before its meetings. Dates of meetings are also published on the Council's website and can be found by following this link <http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=322&Year=0>
- 2.7 Although the public can attend meetings, there is no public right to speak.

b) Better Care Fund Core Officer Group

- 2.8 The key purpose of the Core Group is to:
- 2.8.1 Provide day to day management of the BCF pooled budget established under Section 75 of the National Health Service Act, 2006, in accordance with delegated authority provided by the Council's Cabinet and the CCG's Governing Body;
 - 2.8.2 Undertake the role of '*Partnership Board*' as described in the Section 75 Agreement.
- 2.9 The Core Officer Group will be responsible for:
- 2.9.1 Considering the development of the BCF within the context of the priorities of the democratically elected administration of the Council and also of the statutory CCG Board;
 - 2.9.2 Making decisions on financial expenditure in accordance with the agreed BCF Plan and agreement of both Partners;
 - 2.9.3 Considering the strategic issues arising from the delivery of the Plan and consulting with the Transformation Board accordingly;
 - 2.9.4 Taking directions from the elected administration of the Council and the statutory CCG Board where required in order to make informed recommendations to the Transformation Board;
 - 2.9.5 Translating recommendations from the Transformation Board into action.
- 2.10 The Core Officer Group will also:
- 2.10.1 Be the escalation point for performance issues requiring urgent remedial intervention;
 - 2.10.2 Report on issues arising from the management of the pooled budget to the Health and Wellbeing Board;

2.10.3 Consider opportunities for joint commissioning that may be reflected in the future scope of the BCF and section 75 agreement, subject to approval by the Health and Wellbeing Board, the Council's Cabinet and the CCG's Governing Body.

Group Membership

2.11 The BCF Core Group is chaired jointly by the Council's Corporate Director of Social Care and Health and the Managing Director of Hillingdon Health and Care Partners.

2.12 Other members include:

- Borough Director - CCG
- Head of Health Integration and Voluntary Sector Partnerships – LBH.
- BCF Programme Manager - LBH

Accountability

2.13 The BCF Core Group is accountable to the Health and Wellbeing Board and informs the Transformation Board.

2.14 Council officers who are members of the Core Group will be accountable to the Council's Cabinet and CCG officers will be accountable to the CCG's Governing Body.

Frequency of Meetings

2.15 The BCF Core Group meets monthly. Its meetings are not open to the public due to the confidential and sensitive nature of the information discussed.

Commitment of Resources

2.16 The Core Group has no authority to commit resources to the BCF other than those approved by either the Council's Cabinet or the CCG's Governing Body.

c) Hillingdon Health and Care Partners Delivery Board

2.17 The key purpose of the HHCP Delivery Board is to:

2.17.1 Develop and deliver an agreed service transformation programme;

2.17.2 Undertake the functions of the A & E Delivery Board.

2.18 The HHCP Board will be responsible for:

2.18.1 Approving and owning the transformation programme governance;

2.18.2 Addressing any issues escalated from the programme that require senior internal or organisation to organisation resolution;

- 2.18.3 Holding the Senior Responsible Officers to account for delivery;
- 2.18.4 Ensuring that patients access safe, timely and clinically effective A&E services;
- 2.18.5 Ensuring that recovery and improvement plans are in place and that agreed priorities are being implemented;
- 2.18.6 Resolving clinical, managerial and organisational issues which impact on the delivery of A&E services.

Membership

- 2.19 The Board will be chaired on a rotation basis by the partner representatives shown in clause 2.20 below.
- 2.20 Membership of the Board will include the following:
- **HHCP Managing Director**
 - **H4All: CEO**
 - **THH: Chief Operating Officer**
 - **CCG: Borough Director.**
 - **CNWL: Managing Director**
 - **Healthwatch Hillingdon: nominated representative**
 - **GP Confederation: CEO**
 - **SROs**
- 2.22 The Council will have associate membership and will be represented by the Corporate Director, Social Care.

Accountability

- 2.23 Each member of the Board will be accountable through the governance structures of their respective organisations.

Frequency of Meetings

- 2.24 The Board meets monthly and its meetings are not open to the public due to the confidential and sensitive nature of the information discussed.

Commitment of Resources

- 2.25 The Board has authority to commit resources to in accordance with delegation arrangements between NHS partners within the Integrated Care Partnership. It has no authority to commit Council resources without the approval of the Council's Cabinet.

d) HHCP Senior Operational Leadership Team (SOLT)

2.26 The key purpose of the Senior Operational Leadership Team:

- Manage/utilise resources across system to optimise service delivery;

2.27 The Senior Operational Leadership Team will be responsible for:

- Ensuring operational ownership of transformation projects, ensuring changes become business as usual;
- Overseeing operational implementation of the agreed model of care and related projects;
- Ensuring effective issues and risk management is in place;
- Making recommendations to the HHCP Delivery Board for changes to the plan.

Membership

2.28 Meetings will be chaired by the HHCP Managing Director

2.29 SOLT membership will include:

- GP Confederation: Chief Operating Officer
- CNWL: Borough Director and Assistant Director, Outer London Services
- THH: Directors of Operations for Planned and Unplanned Care
- CCG: Borough Director, Associate Director, Integration and Delivery, Primary Care Commissioner and Mental Health Commissioner.
- H4All: CEO
- HHCP Clinical Directors
- HHCP Finance Lead
- SROs

2.30 The Council will also be represented by the Head of Hospital and Locality Services.

Accountability

2.31 SOLT will be accountable to the HHCP Delivery Board.

Frequency of Meetings

2.32 SOLT meets monthly and its meetings are not open to the public due to the confidential and sensitive nature of the information discussed.

Commitment of Resources

- 2.33 SOLT has no authority to commit resources and any such decisions will need to be referred to the Delivery Board for consideration.

e) Programme Manager

- 2.34 The responsibilities of the Programme Manager will be to:
- 2.34.1 Identify, analyse and communicate to the Core Officer Group and other key stakeholders all interdependencies between the different schemes in the BCF programme, plus any external dependencies and how they will be managed.
 - 2.34.2 Monitor progress of the schemes and take action to deal with any exceptional situations that might jeopardise achievement of the plan and its benefits.
 - 2.34.3 Actively manage identified risks and issues arising from schemes.
 - 2.34.4 Provide direct support to scheme leads who have responsibility for managing relevant task and finish groups as required.
 - 2.34.5 Escalate to the Core Officer Group risks or issues that cannot otherwise be managed and recommend mitigation.
 - 2.34.6 Liaise and engage with the Transitional Joint Operational Management Team of Hillingdon's Integrated Care Partnership known as Hillingdon Health and Care Partners as required to ensure implementation of the BCF delivery programme.
 - 2.34.7 Produce performance reports on a quarterly basis for the Health and Wellbeing Board and HCCG's Governing Body.
 - 2.34.8 Manage the delivery of the stakeholder engagement strategy.

SCHEDULE 4 – RISK SHARE AND OVER AND UNDER PERFORMANCE

1. RISK SHARE

- 1.1 The Partners have agreed that they will each manage their own risks under this Agreement unless otherwise stated in this **Schedule 4**.

2. OVERSPENDS

- 2.1 The Partners in their capacity as Lead Commissioners for the Service Contracts at the Commencement Date will be responsible for managing any overspends in those Service Contracts that may occur during the Term.

- 2.2 Liability for any overspends during the period of the Agreement for the Service described in **Schedule 1B (Community Equipment Service)** will be on the following basis:

2.2.1 Where an overspend is incurred because of budget maladministration, the liability for this will rest with the Council. Maladministration is defined as expenditure outside the terms of this Agreement and without proper authorisation.

2.2.2 Where over expenditure occurs as a result of failure of one or more of the Partners to abide by the terms of the Agreement, for example, through inappropriate prescribing practice, the relevant Partner shall bear full responsibility for that overspend.

2.2.3 Where overspends occur due to unforeseen circumstances that are not due to maladministration, or as a result of failure of one or more of the Partners to abide by the terms of this Agreement, or an action by one or more of the Partners which is prohibited or against the terms of this Agreement, liability will be with the Partner whose Prescribing Team incurred the overspend. For avoidance of doubt, for Social Care Teams this will be the Council and NHS Teams this will be the CCG.

- 2.3 With regards to **Schedule 1D (Hospital Discharge Arrangements)**, the Partners agree to manage their own risks and benefits associated with the Scheme. Where costs arise as a result of delays in CHC or Care Act assessments being undertaken then the provisions of Clause 3.13 of **Schedule 1D** will apply.

- 2.4 In respect of **Schedule 1E (Integrated Therapies for Children and Young People)**, where it is agreed by Partners through the BCF Core Officer Group that demand cannot be met within the contract value the following arrangements will apply:

2.4.1 *Increased demand attributed to therapy needs identified as part of the EHCP:* The Council would manage this risk in accordance with its duties under the Children and Families Act, 2014.

2.4.2 *Increased demand not attributed to therapy needs identified as part of the EHCP:* HCCG would manage this risk in accordance with its processes for approving non-budgeted financial pressures.

- 2.5 The Partners will inform the Partnership Board in accordance with Clause 8 of the Agreement where the remedial actions to address any overspend may impact on one or more of the Individual Schemes set out in **Schedule 1**.
- 2.6 The Partnership Board will use its best endeavours to preserve the integrity of Individual Schemes.
- 2.7 Where remedial action is proposed to address over performance that may jeopardise the integrity of an Individual Scheme, a report shall be provided to the Health and Wellbeing Board before any such action is implemented.

3. UNDERSPENDS

- 3.1 Each Partner will have regard to the aims of this Agreement as set out in Clause F of this Agreement in determining how any such underspend on their contribution to the Pooled Fund shall be spent.

SCHEDULE 4A – OPERATION OF SECTION 117 RISK SHARE ARRANGEMENTS

1. INTRODUCTION

- 1.1 This Schedule 4A concerns joint funding arrangements under section 117 (s117) of the Mental Health Act, 1983 (the '1983 Act') for the provision of aftercare support to people previously detained under section 3 of the 1983 Act.

2. RISK SHARE

- 2.1 The Partners agree to apportion the costs of s117 aftercare provision as follows:

- **Council:** 68%
- **CCG:** 32%

3. DISPUTE RESOLUTION

- 3.1 Disputes between the Partners may occur where one of the Partners considers the cost of provision to be excessive.

- 3.2 There are three stages to the agreed local Dispute Resolution process, and these are:

Stage 1: Escalation to Clinical Care Commissioner

Stage 2: Escalation to Chief Nurse and Director of Quality for the CCG.

Stage 3: Referral to arbitration.

- 3.3 **Stage 1: Escalation to Clinical Care Commissioner:** Where any dispute cannot be resolved by the decision-making practitioners, either party may request that the Service Managers (or equivalents) in the Partners' respective decision-making teams meet within 14 days of being notified of the existence of a dispute to review the decision and/or the process by which the decision was made. The purpose of this meeting is to explore the possibility reaching a consensus decision as to the correct outcome of the decision-making process.

- 3.4 In the case of disputed eligibility for NHS Continuing Healthcare, either Partner may request that the CCG refers the case, if it has not already been considered by that panel, for consideration at the next meeting of its Continuing Healthcare Panel ("CHC panel"). If the case has already been considered by the CHC panel then a request can be made for reconsideration at the next meeting of the CCG's Continuing Healthcare Review Panel. The Council will always be invited to represent when the case is discussed at the Continuing Care Panel.

- 3.5 **Stage 2: Escalation to Chief Nurse and Director of Quality:** Where the procedures set out in Stage 1 do not result in a consensus decision being reached as to the correct outcome of the decision-making process, the matter will be referred to Chief Nurse and Director of Quality for the North West London Collaboration of CCGs and the Council's Director of Delivery for Adult Social Work or officers of equivalent seniority within each body responsible for the decision-making teams referred to in Stage 1.

- 3.6 Within 14 days of being notified by either party of a dispute which has not been resolved at Stage 1 of this procedure, the Chief Nurse and Director of Quality and Director of Delivery for Adult Social Work, or officers of equivalent seniority of the Partners, will hold a meeting to try and resolve the dispute by reaching a consensus decision.
- 3.7 The relevant officers referred to in Clause 10.7 above may involve other professionals in the meeting to provide guidance and/or advice in specialist areas as they deem to be appropriate.
- 3.8 **Stage 3: Referral to arbitration:** If any dispute is not resolved through the procedures outlined in Stages 1 and 2 above, or there is any failure by either party to acknowledge the existence of a dispute or to deal with it in accordance with the procedures outlined above, the Partners will refer the matter to the Corporate Director for Social Care and Health and the Borough Director of the CCG or the Accountable Officer for the CCG for arbitration. The outcome of stage 3 will end the local stage of the dispute resolution process.
- 3.9 The Corporate Director for Social Care and Health and the CCG's Borough Director or Accountable Officer, as appropriate, will hold a meeting within 14 days of being notified by either party of a dispute which has not been resolved at Stage 2 of this procedure.
- 3.10 Other professionals may be invited to the meeting described in paragraph 3.9 above to provide guidance and/or advice in specialist areas as is deemed appropriate and necessary.
- 3.11 Where the local resolution procedure has not resulted in an outcome that the Service User finds satisfactory, they have the right to apply to NHSE to establish an independent review of the decision through an Independent Review Panel (IRP).

SCHEDULE 5 – CONFLICTS OF INTEREST

1. DEFINITION OF A CONFLICT OF INTEREST

- 1.1 A conflict of interest occurs where an individual's ability to exercise judgement or act in one role is or could be impaired or otherwise influenced by his or her involvement in another role or relationship. The individual does not need to exploit his or her position or obtain an actual benefit, financial or otherwise. A potential for competing interests and/or a perception of impaired judgement or undue influence can also be a conflict of interest.

2. PRINCIPLES FOR MANAGING CONFLICTS OF INTEREST

- 2.1 Conflicts of interest can be managed by:

2.1.1 **Doing business properly.** If commissioners get their needs assessments, consultation mechanisms, commissioning strategies and procurement procedures right from the outset, then conflicts of interest become much easier to identify, avoid or deal with, because the rationale for all decision-making will be clear and transparent and should withstand scrutiny;

2.1.2 **Being proactive not reactive.** Commissioners should seek to identify and minimise the risk of conflicts of interest at the earliest possible stage, for instance by considering potential conflicts of interest when electing or selecting individuals to join the governing body or other decision-making roles, and by ensuring individuals receive proper induction and understand their obligations to declare conflicts of interest. They should establish and maintain registers of interests, and agree in advance how a range of different situations and scenarios will be handled, rather than waiting until they arise;

2.1.3 **Assuming that individuals will seek to act ethically and professionally, but may not always be sensitive to all conflicts of interest.** Most individuals involved in commissioning will seek to do the right thing for the right reasons. However, they may not always do it the right way because of lack of awareness of rules and procedures, insufficient information about a particular situation, or lack of insight into the nature of a conflict. Rules should assume people will volunteer information about conflicts and, where necessary, exclude themselves from decision-making, but there should also be prompts and checks to reinforce this;

2.1.4 **Being balanced and proportionate.** Rules should be clear and robust but not overly prescriptive or restrictive. They should protect and empower people by ensuring decision making is efficient as well as transparent and fair, not constrain people by making it overly complex or slow.

- 2.2 The Partners will manage conflicts of interest as follows:

2.2.1 **HCCG** - as set out in the *Managing conflicts of interests: Guidance for clinical commissioning groups* (NHS England March 2013).

2.2.2 **LBH** – as set out in the *Code of Conduct for Council Employees* (LBH March 2010).

SCHEDULE 1A – ANNEX A 2021/22 BCF SUBMISSION TEMPLATE EXPENDITURE TAB

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if Scheme Type is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
1	Neighbourhood development	Age UK, DASH and MIND core grants.	Prevention / Early Intervention	Other	Core Grant	Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£800,000	Existing
1	Neighbourhood development	H4All outreach support	Prevention / Early Intervention	Other	Community outreach	Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£20,000	Existing
1	Neighbourhood development	H4All Wellbeing Service	Prevention / Early Intervention	Social Prescribing		Community Health	CCG	Charity / Voluntary Sector	Additional CCG Contribution	£351,000	Existing
1	Neighbourhood development	Community capacity development	Community Based Schemes	Integrated neighbourhood services		Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£40,000	Existing
1	Neighbourhood development	Marketplace online directory.	Care Act Implementation Related Duties	Other	Online directory	Social Care	LA	Private Sector	Minimum CCG Contribution	£45,000	Existing
1	Neighbourhood development	Online Services Coordinator post salary	Care Act Implementation Related Duties	Other	Online services coordinator	Social Care	LA	Local Authority	Minimum CCG Contribution	£51,000	Existing
1	Neighbourhood development	Falls Prevention Service	Reablement in a persons own home	Preventing admissions to acute setting		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£127,000	Existing
1	Neighbourhood development	The GP Confederation integrated care programme	Integrated Care Planning and Navigation	Care navigation and planning		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£1,791,000	Existing
1	Neighbourhood development	Care Connection Teams	Integrated Care Planning and Navigation	Assessment teams/joint assessment		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£317,000	Existing
1	Neighbourhood development	Weekend Visiting Service	Community Based Schemes	Integrated neighbourhood services		Community Health	CCG	CCG	Additional CCG Contribution	£370,000	Existing
1	Neighbourhood development	Telecare equipment	Assistive Technologies and Equipment	Telecare		Social Care	LA	Private Sector	DFG	£360,000	Existing
1	Neighbourhood development	Major adaptations	DFG Related Schemes	Adaptations, including statutory DFG grants		Social Care	LA	Private Sector	DFG	£2,795,058	Existing
2	Supporting carers	Carers' hub contract	Care Act Implementation Related Duties	Carer advice and support		Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£659,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
2	Supporting carers	Respite and short break services	Carers Services	Respite services		Social Care	LA	Private Sector	Minimum CCG Contribution	£77,000	Existing
2	Supporting carers	Carers' trust core grant	Care Act Implementation Related Duties	Other	Core Grant	Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£105,000	Existing
2	Supporting carers	Information leaflet for new carers.	Care Act Implementation Related Duties	Carer advice and support		Social Care	LA	Local Authority	Minimum CCG Contribution	£5,000	Existing
2	Supporting carers	Respite/short breaks provision for carers	Carers Services	Respite services		Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£100,000	Existing
2	Supporting carers	Carer Support Worker	Carers Services	Other	Advice and support	Community Health	CCG	Charity / Voluntary Sector	Additional CCG Contribution	£19,000	Existing
3	Better care at end of life	Palliative homecare	Personalised Care at Home	Physical health/wellbeing		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£557,000	Existing
3	Better care at end of life	Community Palliative Team	Personalised Care at Home	Physical health/wellbeing		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£262,000	Existing
3	Better care at end of life	Palliative nursing care home provision	Personalised Care at Home	Physical health/wellbeing		Community Health	CCG	Private Sector	Additional CCG Contribution	£602,000	Existing
3	Better care at end of life	Palliative homecare	Personalised Care at Home	Physical health/wellbeing		Community Health	CCG	Private Sector	Additional CCG Contribution	£562,000	Existing
4	Urgent and emergency care	Age UK PATH Service	Community Based Schemes	Low level support for simple hospital discharges (Discharge to Assess pathway 0)		Social Care	LA	Charity / Voluntary Sector	Minimum CCG Contribution	£29,000	Existing
4	Urgent and emergency care	Age UK PATH Service	Community Based Schemes	Low level support for simple hospital discharges (Discharge to Assess pathway 0)		Community Health	CCG	Charity / Voluntary Sector	Minimum CCG Contribution	£97,026	Existing
4	Urgent and emergency care	Reablement Team	Reablement in a persons own home	Reablement service accepting community and		Social Care	LA	Private Sector	Minimum CCG Contribution	£371,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
4	Urgent and emergency care	Reablement Team	Reablement in a persons own home	Reablement service accepting community and discharge referrals		Social Care	LA	Private Sector	Additional CCG Contribution	£963,000	Existing
4	Urgent and emergency care	Hospital Discharge Social Work Team	High Impact Change Model for Managing Transfer of Care	Multi-Disciplinary/Multi-Agency Discharge Teams supporting discharge		Social Care	LA	Local Authority	Minimum CCG Contribution	£1,219,000	Existing
4	Urgent and emergency care	Reablement Physiotherapist	High Impact Change Model for Managing Transfer of Care	Multi-Disciplinary/Multi-Agency Discharge Teams supporting discharge		Social Care	LA	NHS Community Provider	Minimum CCG Contribution	£70,000	Existing
4	Urgent and emergency care	Continuing Healthcare Social Work post	High Impact Change Model for Managing Transfer of Care	Multi-Disciplinary/Multi-Agency Discharge Teams supporting discharge		Social Care	LA	Local Authority	Additional CCG Contribution	£46,000	Existing
4	Urgent and emergency care	Intermediate care flats: Park View Court extra care scheme	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Social Care	LA	Private Sector	Minimum CCG Contribution	£69,000	Existing
4	Urgent and emergency care	Intermediate care flats: Park View Court extra care scheme	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Social Care	LA	Private Sector	Additional CCG Contribution	£196,000	Existing
4	Urgent and emergency care	Intermediate care flats: Park View Court extra care scheme	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Social Care	LA	Private Sector	Additional LA Contribution	£48,000	Existing
4	Urgent and emergency care	Community equipment	Assistive Technologies and Equipment	Community based equipment		Community Health	LA	Private Sector	DFG	£1,312,000	Existing
4	Urgent and emergency care	Community equipment	Assistive Technologies and Equipment	Community based equipment		Social Care	LA	Private Sector	DFG	£420,000	Existing
4	Urgent and emergency care	Community equipment	Assistive Technologies and Equipment	Community based equipment		Community Health	CCG	Private Sector	DFG	£214,000	Existing
4	Urgent and emergency care	Pressure mattress contract	DFG Related Schemes	Discretionary use of DFG - including small adaptations		Social Care	LA	Private Sector	DFG	£10,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
4	Urgent and emergency care	Rapid Response Team	High Impact Change Model for Managing Transfer of Care	Home First/Discharge to Assess - process support/core costs		Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£2,174,000	Existing
4	Urgent and emergency care	Hawthorn Intermediate Care Unit	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£1,849,000	Existing
4	Urgent and emergency care	Community Adult Rehabilitation Service	Reablement in a persons own home	Reablement service accepting community and discharge referrals		Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£1,878,000	Existing
4	Urgent and emergency care	Age UK Take Home and Settle Service	Community Based Schemes	Low level support for simple hospital discharges (Discharge to Assess pathway 0)		Community Health	CCG	Charity / Voluntary Sector	Minimum CCG Contribution	£63,000	Existing
4	Urgent and emergency care	Community Homesafe	High Impact Change Model for Managing Transfer of Care	Home First/Discharge to Assess - process support/core costs		Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£639,000	Existing
4	Urgent and emergency care	Community Homesafe	High Impact Change Model for Managing Transfer of Care	Home First/Discharge to Assess - process support/core costs		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£67,000	Existing
4	Urgent and emergency care	Winter pressures capacity	High Impact Change Model for Managing Transfer of Care	Other	Pathway 3 Coordinator	Social Care	LA	Local Authority	Additional CCG Contribution	£27,000	Existing
4	Urgent and emergency care	Franklin House Step-down beds	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Community Health	CCG	Private Sector	Minimum CCG Contribution	£259,000	Existing
4	Urgent and emergency care	Winter pressures capacity - step-down beds.	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Social Care	LA	Private Sector	Additional CCG Contribution	£109,000	Existing
4	Urgent and emergency care	Residential care home placements 65 +	Residential Placements	Care home		Social Care	LA	Private Sector	Minimum CCG Contribution	£88,000	Existing
4	Urgent and emergency care	Residential care home placements 65 +	Residential Placements	Care home		Social Care	LA	Private Sector	Additional LA Contribution	£796,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if Scheme Type is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
4	Urgent and emergency care	Nursing care home placements 65 +	Residential Placements	Nursing home		Social Care	LA	Private Sector	Minimum CCG Contribution	£58,000	Existing
4	Urgent and emergency care	Nursing care home placements 65 +	Residential Placements	Nursing home		Social Care	LA	Private Sector	Additional LA Contribution	£400,000	Existing
4	Urgent and emergency care	Homecare provision 65 +	Home Care or Domiciliary Care	Domiciliary care packages		Social Care	LA	Private Sector	Minimum CCG Contribution	£49,000	Existing
4	Urgent and emergency care	Homecare provision 65 +	Home Care or Domiciliary Care	Domiciliary care packages		Social Care	LA	Private Sector	Additional LA Contribution	£920,000	Existing
4	Urgent and emergency care	Continence Service	Reablement in a persons own home	Reablement service accepting community and discharge referrals		Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£900,000	Existing
4	Urgent and emergency care	Community Matrons	High Impact Change Model for Managing Agency Discharge Transfer of Care	Multi-Disciplinary/Multi-Agency Discharge Teams supporting discharge		Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£726,000	Existing
4	Urgent and emergency care	District Nursing Service	Community Based Schemes	Other	District Nursing	Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£3,864,000	Existing
4	Urgent and emergency care	District Nursing Service	Community Based Schemes	Other	District Nursing	Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£587,000	Existing
4	Urgent and emergency care	Twilight Service	Community Based Schemes	Other	Twilight Service	Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£167,000	Existing
4	Urgent and emergency care	Tissue Viability Service	Community Based Schemes	Other	Tissue Viability	Community Health	CCG	NHS Community Provider	Minimum CCG Contribution	£566,000	Existing
4	Urgent and emergency care	DZA Bridging Service	Home Care or Domiciliary Care	Domiciliary care to support hospital discharge (Discharge to Assess pathway 1)		Social Care	LA	Private Sector	Additional CCG Contribution	£641,000	Existing
5	Improved market management & development	Quality Assurance Team	Care Act Implementation Related Duties	Other	Quality Assurance Team	Social Care	LA	Local Authority	Minimum CCG Contribution	£249,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
5	Improved market management & development	Adult Safeguarding Team	Care Act Implementation Related Duties	Other	Adult Safeguarding	Social Care	LA	Local Authority	Minimum CCG Contribution	£390,000	Existing
5	Improved market management & development	Brokerage Service	Enablers for Integration	Integrated models of provision	Market development	Social Care	LA	Local Authority	Additional LA Contribution	£350,000	Existing
5	Improved market management & development	Social Care Review (Provider Concerns) Post	Care Act Implementation Related Duties	Other	Adult Safeguarding	Social Care	LA	Local Authority	Minimum CCG Contribution	£15,000	Existing
5	Improved market management & development	Extra Care Team Manager Post	Residential Placements	Extra care		Social Care	LA	Local Authority	Minimum CCG Contribution	£56,000	Existing
5	Improved market management & development	CHC Brokerage post	Enablers for Integration	Other	Market development	Continuing Care	CCG	CCG	Additional CCG Contribution	£47,000	Existing
5	Improved market management & development	Extra Care Social Work Post	Residential Placements	Extra care		Social Care	LA	Local Authority	Minimum CCG Contribution	£65,000	Existing
5	Improved market management & development	Residential care home placements 65 +	Residential Placements	Care home		Social Care	LA	Private Sector	Minimum CCG Contribution	£447,000	Existing
5	Improved market management & development	Residential care home placements 65 +	Residential Placements	Care home		Social Care	LA	Private Sector	iBCF	£1,051,000	Existing
5	Improved market management & development	Nursing care home placements 65 +	Residential Placements	Nursing home		Social Care	LA	Private Sector	Minimum CCG Contribution	£1,823,000	Existing
5	Improved market management & development	Nursing care home placements 65 +	Residential Placements	Nursing home		Social Care	LA	Private Sector	iBCF	£2,203,000	Existing
5	Improved market management & development	Homecare 65 +	Home Care or Domiciliary Care	Domiciliary care packages		Social Care	LA	Private Sector	Minimum CCG Contribution	£1,550,000	Existing
5	Improved market management & development	Homecare 65 +	Home Care or Domiciliary Care	Domiciliary care packages		Social Care	LA	Private Sector	iBCF	£3,994,248	Existing
5	Improved market management & development	CHC Homecare	Home Care or Domiciliary Care	Domiciliary care packages		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£797,000	Existing
5	Improved market management & development	65+ physical disability	Residential Placements	Nursing home		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£2,732,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
5	Improved market management & development	<65 physical disability	Residential Placements	Nursing home		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£2,774,500	Existing
5	Improved market management & development	FNC contributions	Residential Placements	Nursing home		Community Health	CCG	Private Sector	Additional CCG Contribution	£2,433,500	Existing
5	Improved market management & development	Care Home Support Team	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Community Health	CCG	NHS Community Provider	Additional CCG Contribution	£496,000	Existing
6	Living well with dementia	EMI Nursing Care Home 65 +	Residential Placements	Nursing home		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£2,227,000	Existing
6	Living well with dementia	EMI Homecare 65 +	Home Care or Domiciliary Care	Domiciliary care packages		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£253,000	Existing
6	Living well with dementia	Dementia Resource Centre	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Social Care	LA	Private Sector	Minimum CCG Contribution	£355,000	Existing
7	Integrated care and support for children and young people	Children's Safeguarding Team	Other		Children's Safeguarding	Community Health	LA	Local Authority	Additional CCG Contribution	£64,000	New
7	Integrated care and support for children and young people	Children's Safeguarding Team	Other		Children's Safeguarding	Social Care	LA	Local Authority	Additional LA Contribution	£1,883,000	New
7	Integrated care and support for children and young people	Homestart	Community Based Schemes	Other	Outreach support for CYP & families	Community Health	CCG	Charity / Voluntary Sector	Additional CCG Contribution	£9,000	New
7	Integrated care and support for children and young people	Homestart	Community Based Schemes	Other	Outreach support for CYP & families	Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£120,000	New
7	Integrated care and support for children and young people	Integrated therapies for CYP	Community Based Schemes	Multidisciplinary teams that are supporting independence,		Community Health	LA	NHS Community Provider	Additional CCG Contribution	£2,246,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
7	Integrated care and support for children and young people	Integrated therapies for CVP	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Social Care	LA	NHS Community Provider	Additional LA Contribution	£441,000	Existing
7	Integrated care and support for children and young people	SalT in Youth Justice Service	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Community Health	LA	NHS Community Provider	Additional CCG Contribution	£35,000	Existing
7	Integrated care and support for children and young people	SalT in Youth Justice Service	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Social Care	LA	NHS Community Provider	Additional LA Contribution	£35,000	Existing
7	Integrated care and support for children and young people	Designated Clinical Officer in Special Educational Need and Disability (SEND)	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Community Health	LA	NHS Community Provider	Additional CCG Contribution	£31,000	Existing
7	Integrated care and support for children and young people	Designated Clinical Officer in Special Educational Need and Disability (SEND)	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Social Care	LA	NHS Community Provider	Additional LA Contribution	£31,000	Existing
7	Integrated care and support for children and young people	Relate Family Support	Community Based Schemes	Other	Family support	Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£12,000	New
7	Integrated care and support for children and young people	P3 - Core Grant	Integrated Care Planning and Navigation	Care navigation and planning		Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£42,000	New
7	Integrated care and support for children and young people	Uxbridge Child Development Centre - Core Grant	Community Based Schemes	Other	Child & family support	Social Care	LA	Charity / Voluntary Sector	Additional LA Contribution	£3,000	New

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
8	Integrated care and support for people with learning disabilities/autism	Social Care Staff Team	Integrated Care Planning and Navigation	Assessment teams/joint assessment		Social Care	LA	Local Authority	Additional LA Contribution	£1,254,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Day opportunity services	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Social Care	LA	Private Sector	Additional LA Contribution	£2,800,600	Existing
8	Integrated care and support for people with learning disabilities/autism	Live-in care	Home Care or Domiciliary Care	Other	Live-in care	Social Care	LA	Private Sector	Additional LA Contribution	£206,200	Existing
8	Integrated care and support for people with learning disabilities/autism	Direct Payments	Personalised Budgeting and Commissioning			Social Care	LA	Private Sector	Additional LA Contribution	£2,505,500	Existing
8	Integrated care and support for people with learning disabilities/autism	Outreach	Community Based Schemes	Multidisciplinary teams that are supporting independence, such as anticipatory care		Social Care	LA	Private Sector	Additional LA Contribution	£2,580,500	Existing
8	Integrated care and support for people with learning disabilities/autism	Homecare provision 18 +	Home Care or Domiciliary Care	Domiciliary care packages		Social Care	LA	Private Sector	Minimum CCG Contribution	£171,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Homecare provision 18 +	Home Care or Domiciliary Care	Domiciliary care packages		Social Care	LA	Private Sector	Additional LA Contribution	£840,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Residential & nursing care home placements	Residential Placements	Learning disability		Social Care	LA	Private Sector	Minimum CCG Contribution	£65,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Residential & nursing care home placements	Residential Placements	Learning disability		Social Care	LA	Private Sector	Additional CCG Contribution	£282,000	Existing

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
8	Integrated care and support for people with learning disabilities/autism	Residential & nursing care home placements	Residential Placements	Learning disability		Social Care	LA	Private Sector	Additional LA Contribution	£11,945,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Supported living provision	Residential Placements	Supported living		Social Care	LA	Private Sector	Additional CCG Contribution	£282,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Supported living provision	Residential Placements	Supported living		Social Care	LA	Private Sector	Additional LA Contribution	£14,667,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Respite/short breaks provision for carers	Carers Services	Respite services		Social Care	LA	Private Sector	Minimum CCG Contribution	£64,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Respite/short breaks provision for carers	Carers Services	Respite services		Social Care	LA	Private Sector	Additional LA Contribution	£1,309,000	Existing
8	Integrated care and support for people with learning disabilities/autism	LD nursing placements	Residential Placements	Learning disability		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£3,467,000	Existing
8	Integrated care and support for people with learning disabilities/autism	LD nursing placements	Residential Placements	Learning disability		Continuing Care	CCG	Private Sector	Additional CCG Contribution	£2,590,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Case management service	Integrated Care Planning and Navigation	Assessment teams/joint assessment		Community Health	LA	Local Authority	Additional CCG Contribution	£115,000	Existing
8	Integrated care and support for people with learning disabilities/autism	Core grant - Centre for ADHD and Autistic Support	Care Act Implementation Related Duties	Other	Information, advice and support	Social Care	LA	Local Authority	Additional LA Contribution	£15,000	New

Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Commissioner	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
8	Integrated care and support for people with learning disabilities/autism	Core grant - Hillingdon Autistic Care and Support	Care Act Implementation Related Duties	Other	Information, advice and support	Social Care	LA	Local Authority	Additional LA Contribution	£40,200	New
9	Programme management	Programme manager post	Enablers for Integration	Programme management		Social Care	LA	Local Authority	Minimum CCG Contribution	£89,031	Existing

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CHANGES TO THE ADMISSIONS CRITERIA FOR COMMUNITY SCHOOLS

Cabinet Member(s)	Councillor Susan O'Brien
Cabinet Portfolio(s)	Cabinet Member for Families, Education, and Wellbeing
Officer Contact(s)	Dan Kennedy - Planning, Environment, Education and Community Services
Papers with report	None

HEADLINES

<p>Summary</p>	<p>Hillingdon Council has a statutory responsibility to secure sufficient early years and school places for children resident in Hillingdon. Over the last ten years the Council has worked closely with schools in Hillingdon to successfully deliver an ambitious programme of school expansion to ensure every child living in Hillingdon can be offered a school place as close to home as possible.</p> <p>Further to the Cabinet's agreement to consult on changes to Hillingdon Community school admission arrangements in October 2021, the Council has undertaken a consultation about the proposed changes. This Cabinet report includes:</p> <ul style="list-style-type: none"> ● The outcome of the period of consultation with the relevant consultees. ● Recommendations for determining admissions arrangements for Hillingdon Community schools in the Borough. <p>Cabinet is therefore asked to consider implementing the proposed changes to the existing school admissions arrangements for Community schools to safeguard future access to school places.</p>
<p>Putting our Residents First</p>	<p>This report supports the council objectives of: <i>Our People and Strong financial management</i>. The recommended changes to the school admissions criteria contained in this report will support the aim that all children in Hillingdon can be offered a local school place as close to home as possible and ensure effective, and best use of the investment the Council has made to expand primary schools across the Borough.</p>

Financial Cost	There are no direct financial implications from the recommendations contained in this report. However, schools with excess places above the local demand can experience part-empty classes which are not financially viable, stretching school budgets to cover the staffing levels and limiting resources available to all pupils. This can lead to an overall deficit and the school seeking a loan from the council for the Dedicated Schools Grant for maintained schools (community, foundation, and VA) or to their Academy Trust.
Relevant Select Committee	Families, Health and Wellbeing Select Committee
Ward(s) affected	All

RECOMMENDATIONS

That Cabinet:

1. **Note the outcome of the consultation about proposed changes to the school admissions criteria.**
2. **Consider and give full regard to the outcome of the consultation findings and when making a decision on the proposals to amend the school admissions criteria.**
3. **Consider the comments made by the Families, Health and Wellbeing Select Committee at their meeting on 5 January 2022 which considered the outcome of the consultation and endorsed the proposals.**
4. **Agree to implement the amended admission arrangements for all Hillingdon Community schools from September 2023. In accordance with the School Admissions Code, Admissions Authorities must determine their admissions criteria by 28 February 2022.**
5. **Agree the proposal to amend the point of measurement for school applications for Whitehall Infant & Nursery School.**
6. **Agree the proposal to amend the point of measurement for school applications for Yeading Infant & Junior School.**
7. **Agree that no further material changes are required to the admissions criteria for community schools.**
8. **Agree the proposal to reduce the Published Admission Number for Harefield Infant School from 90 to 60.**

9. **Agree the proposal to reduce the Published Admission Number for Harefield Junior School from 90 to 60.**
10. **Agree the proposal to reduce the Published Admission Number for Harlyn Primary School from 90 to 60.**
11. **Agree the proposal to reduce the Published Admission Number for Field End Infant School from 120 to 90.**
12. **Agree that the Council supports the proposals submitted following formal consultation from non-community schools to reduce their Planned Admissions Numbers by 30 as their consultations did not raise serious issues or objections:**
 - **Hillside Infant School from 90 to 60;**
 - **Brookside Primary School from 90 to 60;**
 - **Charville Academy from 90 to 60;**
 - **Wood End Park Academy from 150 to 120;**
 - **Field End Junior School from 120 to 90;**
 - **Oak Wood Secondary School from 270 to 240.**

Reasons for recommendation:

13. As part of the strategic education function of the Local Authority, Hillingdon Council has a statutory responsibility to secure sufficient early years and school places to meet the needs of children resident in the Borough. In October 2020 the School Placement and Admissions team consulted and made changes to the admissions criteria for community schools to take effect from 1 September 2021.
14. The Local Authority now recognise a need to reduce the published admission numbers in four community primary schools, each by 30 places. This is due to demographic changes leading to declining pupil rolls and Reception intakes, and into Year 3 into the Junior school, over the past few years which is projected to continue for another few years. In each school, there would be no difference for current pupils after the proposed change takes effect from Reception 2023, and there would be sufficient places to meet future demand from their siblings and other local parents.
15. Following consultations on each proposal, Officers seek Cabinet approval to determine the reduction in Published Admission Numbers for:
 - Field End Infant School - from 120 to 90 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1250m to 1000m** in line with our admissions arrangements.
 - Harefield Infant School - from 90 to 60 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1000m to 750m** in line with our admissions arrangements.

- Harefield Junior School - from 90 to 60 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1000m to 750m** in line with our admissions arrangements.
- Harlyn Primary School - from 90 to 60 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1000m to 750m** in line with our admissions arrangements.

Alternative options considered / risk management

16. The proposals presented in this report are intended to be reasonable, clear, objective, procedurally fair and comply with all relevant legislation to mitigate the potential future risk that a small number of children living in Hillingdon may not be guaranteed a school place as close to home as possible. Options have been considered to address this risk, some of which are specific to a location in the Borough. Where alternative options have been considered therefore, these are set out in the body of the report.
17. The proposals for reductions in PAN are to improve schools' ability to efficiently plan their staffing and educational provision and not reducing could lead to schools suffering financial pressures leading to deficits, which in the community schools could then require a loan, further adding to the deficit in the Dedicated Schools Grant.

Select Committee comments

18. The Families, Health and Wellbeing Select Committee was held on Tuesday 5 January 2022 and considered all the proposals and the outcome of the consultation and provided the following comments:

'The Committee recognises the challenges associated with school place planning, and the necessity for periodic reviews of admissions criteria and PAN numbers, to keep schools viable and on a sustainable financial footing. It therefore endorses the recommendations coming before Cabinet. The Committee believes it is important to take every opportunity to build flexibility into the school estates to help cater for fluctuating cyclical demand, and endorses officers' approach to this as well as the collaborative work undertaken with schools throughout this process and on an ongoing basis.'

SUPPORTING INFORMATION

Background

19. The purpose of the statutory School Admissions Code is to ensure that all school places for maintained schools (excluding maintained special schools) and academies are allocated in an open and fair way. The Code contains mandatory requirements. The admission arrangements to community schools are determined by the Local Authority as the 'admission authority'.

20. In drawing up the admission arrangements to schools, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated. All schools must have admission arrangements that clearly set out how children will be admitted. The admission authority for the school must also set out in the arrangements the oversubscription criteria against which places will be allocated at the school when there are more applications than places and the order in which the criteria will be applied.
21. To ensure that the criteria applied in prioritising access to community schools which are oversubscribed remains procedurally fair, objective and clear, a review of the criteria has been undertaken using four years of Hillingdon admissions data to primary school reception places. The focus of the review sought to identify any residual risk that the Council would not fulfil its statutory duty to ensure every child is offered a school place.

The review considered the following areas:

22. Ensure there are sufficient school places in Hillingdon and eliminate financial constraints where evidence shows a continued and sustained reduction in admissions.
23. Cabinet agreed in October 2021 for proposed changes to Hillingdon's community school admission arrangements to be subject to consultation for an eight week period with the required consultees, including service users, stakeholders and the community.
24. In summary, the proposals were:
 - Accurate points of measurement for school applications using the Geographical Information System and accuracy of school building usage for measurement purposes.
 - Ensure there are sufficient school places in Hillingdon and eliminate financial constraints where evidence shows a continued and sustained reduction in admissions.
25. An inclusive consultation programme has subsequently been delivered, including the following elements:
 - 'Have your say' via the Council website.
 - All Hillingdon schools were asked to include within their communications to parents i.e. newsletters and websites.
 - Social media posts.
 - All adjoining neighbouring local authorities were consulted.
 - A questionnaire available on-line and in paper form (on request), with the additional option to contact the team to discuss.
 - Invitations to submit a written response.

26. The consultation was widely advertised and had the potential to receive in excess of thousands of responses given the high number of children attending a school in Hillingdon. In excess of 50,000 children attend Hillingdon schools, 12,030 (as per the October Census 2021) of which attend mainstream community schools. There were 68 page views for the dedicated consultation web page. Given the relatively small number of responses and the high number of potential consultees it is assumed that there is consensus to implement the proposals.

EFFECT ON RESIDENTS, SERVICES USERS & COMMUNITIES

What will be the effect of the recommendation?

27. The proposals set out in the consultation will help to mitigate the residual risk of Hillingdon children not securing access to a place at a local school close to where they live. This is in line with the Council's vision to put residents first.

Consultation Carried Out or Required

28. The Schools Admission Code requires a minimum of a 6 week consultation period. Hillingdon's proposed changes were subject to consultation for 8 weeks. The consultation was designed to ensure that the following received notification of the consultation, in line with the Admissions Code:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority is not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.

29. The consultation document was available from 25 October 2021 until 20 December 2021 on the Hillingdon Council website on the consultation page and the School Admissions Arrangements page. This included the Cabinet report, a brief outline of the proposed change and a questionnaire was also provided to obtain feedback in direct response to each proposal.

30. Information regarding the consultation was widely publicised to the following:

- 107 Hillingdon early years providers
- 70 Hillingdon primary schools
- 22 Hillingdon secondary schools
- 10 Academy Trusts

31. As Hillingdon Council also receives applications from residents who live outside of the Borough, the consultation was designed to be inclusive. Therefore, we contacted the following surrounding Local Authorities:

- London Borough of Ealing
- London Borough of Hounslow
- London Borough of Brent
- London Borough of Harrow
- Hertfordshire County Council
- Buckinghamshire County Council
- Slough Borough Council

32.Consultation Responses Received - Analysis

Five responses were received in total during the consultation period, but one was a blank response. All were submitted via the online questionnaire. A summary of responses is detailed below:

1. Two respondents stated that they had children under the age of 18 living in their household. Respondents were also given the opportunity to provide information on their interest in the proposals.
 1. Parent/carer/guardian - 2
 2. An Early Years Professional - 1
 3. Other – 1
 4. Did not specify - 1
2. Respondents were invited to state which school(s) their child(ren) currently attend and the responses were as follows:
 - Harefield Junior School – 1
 - Deanesfield Primary School - 1
 - Did not specify – 3
3. Respondents were invited to state why they had chosen their child(ren)'s current school(s) and the responses were as follows (where a response was received):
 - Close to home - 1
 - Other (no further detail supplied) – 1
 - Did not specify - 3
4. Two respondents gave contact details, neither of these respondents had made comments to which required further explanation. All responses have been given due consideration and have assisted with a review of additional improvements which can be implemented.

Below are the responses to specific questions on each individual change proposed:

Do you agree with the proposed admission arrangements for Hillingdon Community Schools?

- Agree: 3
- Disagree: 1*
- Blank: 1

**The respondent who disagreed suggested that the Council review the education settings that have fewer admission numbers against the quality of teaching in these provisions.*

Proposal 1: Change to measuring point - Whitehall Infant & Nursery School.

Amendment to the point of measurement for school applications for Whitehall Infant & Nursery School.

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 3
 - Disagree: 0
 - Blank: 1
 - Not applicable response: 1
- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 1*
 - No: 2
 - Blank: 2

**The respondent who answered 'yes' that changes would disadvantage residents stated that the change may reduce access for parental preference.*

Proposal 2: Change to measuring point Yeading Infant School

Amendment to the point of measurement for school applications for Yeading Infant School.

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 3
 - Disagree: 0
 - Blank: 1
 - Not applicable: 1
- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 0
 - No: 3
 - Blank: 2

Proposal 3: Change to measuring point Yeading Junior School

Amendment to the point of measurement for school applications for Yeading Junior School.

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 3
 - Disagree: 0
 - Blank: 1
 - Not applicable: 1

- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 0
 - No: 3
 - Blank: 2

Proposal 4: Published Admissions Numbers (PAN) Harefield Infant School

The Local Authority is consulting to reduce the PAN for Harefield Infant School from 90 to 60 from September 2023

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 2
 - Disagree: 2*
 - Blank: 1

**The respondents who disagreed with the changes stated:*

- 1) *that the reduction in PAN may disadvantage residents to access a preferred school.*
- 2) *that the Council review the education settings against the quality of teaching in this provision.*

- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 2*
 - No: 2
 - Blank: 1

**The respondents who disagreed with the changes stated:*

- 1) *that the reduction in PAN may disadvantage residents to access a preferred school.*
- 2) *the reduced access to public transport impacts on residents having to travel to schools outside of the village.*

Proposal 5: Published Admissions Numbers (PAN) Harefield Junior School

The Local Authority is consulting to reduce the PAN for Harefield Junior School from 90 to 60 from September 2023.

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 2
 - Disagree: 2*
 - Blank: 1

**The respondents who disagreed with the changes stated:*

- 1) that the reduction in PAN may disadvantage residents to access a preferred school.
- 2) that the Council review the education settings against the quality of teaching in this provision.

- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 2*
 - No: 2
 - Blank: 1

**The respondent who answered 'yes' that changes would disadvantage residents stated:*

- 1) that the reduction in PAN may disadvantage residents to access a preferred school.
- 2) parents are seeking school places outside of the local area.

Proposal 6: Published Admissions Numbers (PAN) Harlyn Primary School

The Local Authority is consulting to reduce the PAN for Harlyn Primary School from 90 to 60 from September 2023.

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 2
 - Disagree: 1*
 - Blank: 1
 - Not applicable: 1

**The respondent who disagreed with the changes stated:*

- 1) that the reduction in PAN may disadvantage residents to access a preferred school.

- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 1
 - No: 2
 - Blank: 2

**The respondent who answered 'yes' that changes would disadvantage residents stated:*

- 1) that the reduction in PAN may disadvantage residents to access a preferred school.

Proposal 7: Published Admissions Numbers (PAN) Field End Infant School

The Local Authority is consulting to reduce the PAN for Field End Infant School from 120 to 90 from September 2023.

- Do you agree with this proposed change to the above admissions criteria?
 - Agree: 2
 - Disagree: 1*
 - Blank: 1
 - Not applicable: 1

**The respondent who disagreed with the changes stated:*

1) that the reduction in PAN may disadvantage residents to access a preferred school.

- Do you think this proposed change will disadvantage any residents in Hillingdon?
 - Yes: 0
 - No: 2
 - Blank: 3*

**One of the respondents who left this question blank did go on to provide the following feedback:*

1) that the reduction in PAN may disadvantage residents to access a preferred school.

Improvements following consultation:

Subject to agreement from Cabinet to the proposed changes, an implementation plan will be prepared to ensure a smooth transition to the revised admissions criteria. This will include clear communications for parents and residents.

Financial Implications

The financial impacts of this report have been reviewed with confirmation that there are no direct financial implications arising from the recommended amendments to the school admissions criteria. Broader financial implications associated with the Council's strategic education function are managed through the wider Medium Term Financial Forecast.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and confirms that there are no direct financial implications arising from the recommended amendments to the school admissions criteria. Broader financial implications associated with the Council's strategic education function are managed through the wider Medium-Term Financial Forecast.

Legal

The School Admissions Code

The Schools Admissions Code 2021 ["the Code"] came into force from 1 September 2021, having been issued under Section 84 of the School Standards and Framework Act 1998. It applies to all maintained schools in England. It is the responsibility of all admission authorities to ensure that admission arrangements are fully compliant with the Code.

The purpose of the Code, which has the force of law, is to ensure that all school places are allocated and offered in an open and fair way. In drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. The intention is that parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

Admissions authorities must set out in their arrangements the criteria against which places will be allocated at the school where there are more applications than places and the order in which the criteria will be applied. Over subscription criteria, as it is known, must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including human rights and equalities legislation.

Paragraph 1.9 of the Code provides that it is for admission authorities to formulate their own admission arrangements, but they must not take into account the 15 criteria which are listed in this paragraph.

The proposals for changes to the Council's admissions criteria, which the Cabinet has been invited to consider, do not fall within any of the "exempt" criteria referred to above and therefore, it was lawful for the Council to commence a consultation exercise in relation to these proposals.

The Select Committee was given an opportunity to comment on the draft admission arrangements and their comments have also been considered.

Consultation

Where changes are proposed to admission arrangements, admission authorities must first publicly consult on those arrangements. The council have duly carried out a consultation exercise, the outcome of which is set out in the report. It is with the utmost importance that Cabinet ensures that the consultation responses are consciously taken into account in making its decision.

Comments from other relevant service areas

In line with Public Sector Equality Duties officers have taken due regard to this duty in the context of revising its school admissions arrangements. It was not deemed necessary to complete an equality impact assessment as there are no material changes that impact on equality.

BACKGROUND PAPERS

[Cabinet - 14 October 2021 - Consultation on changes to School Admissions Arrangements](#)

LHC - CONSIDERATION OF WITHDRAWAL FROM THE JOINT COMMITTEE

Cabinet Member(s)	Councillor Edward Lavery
Cabinet Portfolio(s)	Cabinet Member for Environment Housing & Regeneration
Officer Contact(s)	Raj Alagh, Borough Solicitor
Papers with report	None

HEADLINES

Summary	To seek Cabinet approval to withdraw from the LHC Joint Committee and not to participate in any future corporate legal entity which the LHC may set up.
Putting our Residents First	This report relates to the Council objective of: Our Built Environment.
Financial Cost	Financial implications are minimal and have been factored into budget considerations going forward.
Relevant Select Committee	Environment, Housing & Regeneration
Relevant Ward(s)	All

RECOMMENDATIONS

That Cabinet:

1. Notes that at a meeting on 7 December 2012, the LHC was formally established as a Joint Committee, pursuant to the Local Government Act 1972, with the London Borough of Hillingdon as a Constituent Member.
2. Further notes that Councillor Edward Lavery [Executive] and Councillor Philip Corthorne [non-Executive] are appointed as the London Borough of Hillingdon's Members on the LHC Joint Committee with effect from 21 January 2021.
3. Agrees that the London Borough of Hillingdon should withdraw as a Constituent Member of the LHC Joint Committee and as Lead Authority and that it notifies LHC in writing of this accordingly by 25 February 2022.
4. Further agrees that Councillors Edward Lavery and Philip Corthorne cease to be Members of the LHC Joint Committee upon the Council's withdrawal.
5. Confirms that in the event that LHC decides to become a corporate legal entity at a future date, the London Borough of Hillingdon does not participate in it in any form.

Reasons for recommendations

To consider the Council's withdrawal from the LHC Joint Committee. There is no benefit, financial or otherwise, for the Council to continue to be associated with the LHC.

Alternative options considered/risk management

The alternative would be for the Council to continue to be a member of the LHC Joint Committee, which is not recommended.

Democratic compliance / previous authority

There have been three previous Cabinet decisions, approving the establishment of the Joint Committee and the Council's membership of it. Cabinet has also approved the executive and non-executive Councillor membership of the Joint Committee.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

Background

1. The London Housing Consortium [LHC] was established in 1966 by a group of London Boroughs known as the LHC Founder Members. These Boroughs were Barnet, Brent, Camden, Camden, Ealing, Hillingdon, Islington and Tower Hamlets.
2. Although the LHC purported to act under the auspices of a Joint Committee established under section 101[5] of the Local Government Act 1972 and Part 4 of the Local Authorities [Arrangements for the Discharge of Functions] [England] Regulations 2012, the reality was that it was never properly constituted as such and it instead operated as an unincorporated association with no legal powers and therefore it could not, for example, employ staff, hold property or contract in its own right. Furthermore, the individual appointed members to the LHC were exposed to personal liability.
3. At a meeting on 7 December 2012, the LHC resolved to formally establish a Joint Committee pursuant to the Local Government Act 1972 and the 2012 Regulations referred to above. A written Constitution for the Joint Committee was subsequently agreed.
4. Each Local authority who was a member of the Joint Committee had been required to obtain the necessary democratic approval to become a member.
5. At its meeting on 26 January 2012, Cabinet agreed that the LHC should be established as a Joint Committee and that the Council should become a member together with other participating authorities. Cabinet also resolved to appoint Councillors Corthorne, J Cooper and Nelson as the initial Council's representatives on the Joint Committee.

6. Cabinet was presented with a report on the LHC at its meeting on 24 January 2013. It was recommended that Councillors Corthorne [Executive] and J. Cooper [non-Executive] be appointed as the Councillor's representatives on the Joint Committee. This was agreed by Cabinet.
7. On 24 May 2018, Cabinet was presented with a further report on the LHC. It was recommended that Councillors Corthorne [Executive] and J. Palmer [non-Executive] be appointed as the Councillor's representatives on the Joint Committee. This was agreed by Cabinet.
8. The Councillor's representatives on the Joint Committee were changed again by a resolution of Cabinet on 21 January 2021 when it was agreed that they would now be Councillor Lavery [Executive] and Councillor Corthorne [non-Executive].

Current Position

8. There are currently 10 constituent authorities of the Joint Committee which are the London Boroughs of Brent, Ealing, Enfield, Hackney, Haringey, Hillingdon, Islington, Lambeth, Tower Hamlets and finally, Buckinghamshire Council.
9. The LHC has over several years built a position as a procurement consortium and its stated aims are to:
 - work with social landlords and public sector building owners throughout Great Britain to deliver better buildings, homes and communities through improved procurement. Apparently, LHC now has a pipeline of almost 5000 homes on 133 live projects with over 40 social landlords;
 - bring buyers and suppliers together to improve the efficiency and effectiveness of building procurement and to benefit the local community;
 - earn its income through a levy on the total value of all procurements undertaken and return surpluses to its clients for investment in community benefit schemes.
10. The LHC Joint Committee appoints a team of dedicated professional staff to run the LHC Operations on a day-to-day basis. The management team of LHC report to the LHC Joint Committee twice a year.
11. It is important to note that a joint committee is not recognised as a legal entity in its own right and therefore it cannot be an employer. The Council is recognised as the lead authority and it therefore employs all LHC staff and holds all contracts in its name.

Future Proposed Arrangements

12. The LHC has recognised that although its current arrangements have served it well, the pace of growth of the LHC business, together with the increasingly competitive nature of the market, requires a more agile governance structure and one which is more representative of its current and future operations.
13. At its meeting on 3 December 2021, the LHC resolved to disband the Joint Committee and to establish in its place an alternative corporate entity for LHC to be effective from 1 April

2023. LHC has indicated that the exact form of that corporate entity will be recommended to the LHC Joint Committee in March 2022.

14. In the meantime, a new LHC Board of Directors has been established, essentially operating as a sub-committee of the Joint Committee, with delegated authority for the stewardship of LHC.
15. In light of LHC's decision to disband the LHC, the Council and the other nine participating authorities can decide to withdraw from the LHC Joint Committee. If a decision to withdraw is made, the respective representatives on the LHC from each of these authorities will also cease to be members of the Joint Committee upon its dissolution. Each authority will require democratic approval to formally withdraw and it is not known at this stage what the other authorities' decisions are likely to be. However, constituent local authorities have been requested to make a decision on this matter by 25 February 2022, in order to report back to the March 2022 meeting of the Joint Committee.
16. The Council is, irrespective of the position of the other authorities, however, free to withdraw from the Joint Committee and thereby would also cease to be the lead authority.
17. It should be noted, however, that under the LHC Joint Committee's Constitution [extract below], that there is a transition period to formally cease being a member, upon giving notice to withdraw:

"If any of the authorities wishes to withdraw from membership of the Joint Committee that authority shall give notice to the Secretary to the Joint Committee by no later than 30 September in any year and that authority shall cease to be a member of the Joint Committee on 1 April in the following year.

From the date of giving notice up to and including 31 March in the following year the authority which has given notice shall remain a full member of the Joint Committee and shall be entitled to receive its full share of any distributed surplus or will be liable to pay its full share of any deficit, as the case may be, for the financial year in which its membership ceases."

This, therefore, means that the Council, in deciding to withdraw, would continue to be a participant member of the Joint Committee until 31 March 2023. If all constituent authorities decide to withdraw from the Joint Committee, it will then obviously no longer exist from 31 March 2023. In these circumstances, as lead authority, this transition time will support the TUPE transfer of LHC staff and the novation of contracts to be effected to a new corporate legal entity once it has been set up.

18. If the Council withdraws from the Joint Committee, and in the event that two or more of the other constituent authorities wish it to continue, then one of these authorities will have to agree to take on the role of lead authority. If these circumstances were to arise, similarly, TUPE of the LHC staff and novation of contracts to the other local authority would need to take place as part of the transition period.
19. The following considerations are apposite in relation to the recommendations proposed. The rationale for joining the LHC Joint committee was to work collaboratively with other

London Councils to improve the procurement of housing and construction products and services. The Council has benefitted annually from a share of LHC's surpluses.

20. However, the position has changed in recent years. LHC has expanded its operations widely throughout Great Britain, servicing around 300 public sector organisations. LHC surpluses are now shared widely across the country resulting in a reduced annual return for the Council. The Council also receives an annual community benefit fund from LHC surpluses of £10,000.
21. The expansion of LHC's services has also added risk to the Joint Committee, particularly in relation to staffing and employer liability, arising from the widespread nature of LHC operations and geographic location of LHC staff and offices and also the rapid growth of the LHC workforce.
22. It also has to be recognised that the Joint Committee arrangement is old fashioned in nature and that a more modern legal structure may be advantageous for the LHC.
23. There is also the question of whether the LHC decides to set itself up as a future corporate entity such as, for example, a company limited by guarantee or an industrial and provident society. This is ultimately a matter for the LHC, but it is difficult to see what benefits there would be for the Council to participate in a future company if it has already made the decision to withdraw from the Joint Committee arrangement. Cabinet may therefore prefer to have a 'clean break' from the LHC and it should be recognised that the Council is perfectly capable of being responsible for its own future procurement arrangements.

Financial Implications

Under the terms of the existing arrangement, the Council currently receives a share of the annual surplus generated by LHC. If it decided to no longer participate in the LHC, it would no longer be in receipt of the surplus. The most recent distributions for the Council in 2019/20 and 2020/21 were just £441 and £2,701 respectively, and therefore do not represent a material revenue stream for the authority.

In addition to these surpluses, the Council currently receives circa £30k per annum for the provision of Human Resources support which will end as the LHC transitions towards a new commercial model. Provision for the loss of this income has been factored into the Council's budgets from 2022/23 onwards, with capacity within the Human Resources service redirected to meet local priorities.

As outlined in previous sections, the commercialisation and extended presence of the LHC across the UK presents increasing financial risks for the Council relating to potential general legal disputes, employer liability issues and other commercial risks as well as continued minimal surplus distributions. As such the recommendations outlined in this report will contribute towards minimising risk to the Council from activities outside its core business.

RESIDENT BENEFIT & CONSULTATION

Effect on residents, service users and communities.

There will be neutral resident benefit/impact of this proposed decision.

Consultation carried out or required

None required.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and associated financial implications, noting that the recommendations to disassociate from the LHC will release additional capacity for officers and elected members to focus on local priorities and minimise the Council's exposure to commercial risks arising from the LHC's national operations.

Legal

The Borough Solicitor is the author of the report and therefore all necessary legal implications are contained in the body of the report.

HR implications

These are included in the report.

BACKGROUND PAPERS

- [Cabinet report / decision – 26 January 2012 - to establish the Joint Committee](#)
- [Cabinet report / decision - 24 January 2013 - to appoint Members](#)
- [Cabinet report / decision – 24 May 2018 – to appoint Members](#)
- [Cabinet decision – 21 January 2021 – to appoint Members](#)

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Agenda Item 14

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Agenda Item 15

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Agenda Item 18

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