



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 9 DECEMBER 2015 at 6.00 pm

**Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU**

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MEMBERS

Sir Steve Bullock	Mayor	L
Councillor Alan Smith	Deputy Mayor - Growth & Regeneration	L
Councillor Chris Best	Health, Well-Being & Older People	L
Councillor Kevin Bonavia	Resources	L
Councillor Janet Daby	Community Safety	L
Councillor Joe Dromey	Policy and Performance	L
Councillor Damien Egan	Housing	L
Councillor Paul Maslin	Children & Young People	L
Councillor Joan Millbank	Third Sector and Community	L
Councillor Rachel Onikosi	Public Realm	L

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Tuesday, 01 December 2015**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

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MAYOR & CABINET		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: December 9 2015

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.

- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 2

MAYOR AND CABINET		
Report Title	Minutes	
Key Decision		Item No.2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: December 9 2015

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on November 11 2015 (copy attached) be confirmed and signed as a correct record.

Public Document Pack

MINUTES OF THE MAYOR AND CABINET

Wednesday, 11 November 2015 at 6.00 pm

PRESENT: Sir Steve Bullock (Mayor), Councillors Alan Smith, Chris Best, Kevin Bonavia, Janet Daby, Joe Dromey, Damien Egan, Paul Maslin, Joan Millbank and Rachel Onikosi.

ALSO PRESENT: Councillor Jim Mallory, Councillor Jamie Milne, Councillor Jacq Paschoud and Councillor John Paschoud.

285. Declaration of Interests

Councillor Janet Daby declared a personal interest in Item 5 as Chair of the Trustees Steering Group for Goldsmiths Community Centre.

286. Minutes

RESOLVED that the minutes of the meeting held on October 21 be confirmed and signed as a correct record subject to the following typographical corrections to Minute 277(5):

b) Wild **Goose** Drive, Telegraph Hill

i) Honor Oak Community & Youth Centres, Telegraph Hill

287. Outstanding Scrutiny Matters

The Mayor received confirmation that there had been no slippage since the last report.

RESOLVED that the report be noted.

288. Matters Raised by Scrutiny and other Constitutional Bodies

Decisions made at Mayor and Cabinet on 21 October 2015 – Community Budget: Establishment of a joint committee between Lambeth, Lewisham and Southwark

In response to the written request from the Business Panel, the Mayor agreed that the Head of Law be asked to ensure a proper framework was set up to regulate joint committees created as part of Partnership working arrangements.

Decisions made at Mayor and Cabinet on 21 October 2015 – Lewisham 2020

In response to the written request from the Business Panel, the Mayor observed the 2020 document was guided by Councillor input and would help to shape officer savings proposals, being additional to existing processes. Scrutiny would retain its vital role and the new document would serve to ensure a strategic approach was taken over a longer period rather than taking an individual year approach.

The Mayor noted the request to establish a new strategic document and agreed there should be a refreshed Lewisham's Community Strategy in the long term but believed there was insufficient available capacity to undertake that task immediately. The Mayor noted the request made by the Business panel and pledged to return to that request at a future date.

Other Scrutiny Matters

Having considered officer reports, the Mayor, agreed that officers be required to prepare responses to the following submissions by Scrutiny bodies:

Overview & Scrutiny Committee – London Fire Brigade
Overview & Scrutiny Committee – Devolution
Sustainable Developments Select Committee – Publishing Viability Assessments
Sustainable Developments Select Committee – S106 funds and CIL

RESOLVED that:

- (1) The Head of Law be asked to prepare a framework to regulate joint committees created as part of Partnership working arrangements;
- (2) The Business Panel referral on Lewisham 2020 be noted;
- (3) The Executive Director for Community Services be asked to prepare a response to the Overview & Scrutiny Committee's referral on the London Fire Brigade;
- (4) The Executive Director for Resources & Regeneration be asked to prepare a response to the Overview & Scrutiny Committee's referral on Devolution;
- (5) The Executive Director for Resources & Regeneration be asked to prepare a response to the Sustainable Development Select Committee's referral on Publishing Viability Assessments;
- (6) The Executive Director for Resources & Regeneration be asked to prepare a response to the Sustainable Development Select Committee's referral on the use of Section 106 funds and the Community Infrastructure Levy update.

289. Voluntary Sector Accommodation Implementation Plan update

The report was presented by the Cabinet Member for the Third Sector, Councillor Joan Millbank, who outlined the consultation process and confirmed changes had been made to the original proposals following detailed consideration of the responses received. She also set out the context of Central Government funding reductions which had impacted on the provision of all local services. She stressed that the majority of the centres reviewed would continue to function, either in their current building or in a new building funded by the provision of new affordable homes. She concluded by acknowledging the process had not been easy and there was deep personal attachment to various centres from individuals who had devoted a lot of time

and effort in supporting their local community.

The Executive Director for Community Services's representative then outlined the proposals for each centre and explained how the original plan for the rationalisation of community provision had changed since July 2014. She clarified that the Honor Oak consultation meeting on September 4 had been called by the Association rather than the Council and all three Ward Councillors had been in attendance.

The Mayor was then addressed by ten speakers representing six of the centres.

Yvonne Peart of the Honor Oak Community Association called upon the Mayor to reconsider the proposals for her centre and asked that a bid for a Community Asset Transfer should be entertained.

Kristina Green representing Wesley Halls reinforced their written representation saying they had no objection to the housing provision as long as the existing community building was retained. She was supported by Helen Bashford of Brighter Horizons, one of the Wesley Halls user groups, who said the existing building was ideal for wheelchair users.

Sarah Hanks, Julia Adam and Celia Holman made a joint presentation on Brandram Road calling for the retention of their centre. They expressed interest in agreeing a full repairing lease but said they needed more time to confirm the arrangement and would be helped by a Council agreement to a sliding scale lease agreement. Officers indicated they could give further consideration to a sliding scale agreement.

Jackie Bishop, the Chair of the Pensioners Forum said her group had been based in the Saville Centre for 9 years and asked the Mayor to reconsider his proposals, as she did not believe the alternatives identified would be appropriate. She was supported by Bridget Sam Bailey of the Artful Dodgers, a self support group for heart disease sufferers who also said identified alternatives could not be used by her group.

Bishop Justus Mugbeh of the Milton Court TRA pleaded for the retention of the Woodpecker Community Centre, saying it was a vital community hub in an area of high deprivation.

Ken Wakeman spoke about the Barnes Wallis Community Centre, explaining he had been the voluntary unpaid manager there for 11 years and he called for the retention and expansion of the Centre.

The Mayor then received the views of Councillors Dromey and Best in support of the officer proposals before considering each facility individually and agreeing the recommendations shown in section 6 of the report.

Having considered an officer report, and presentations by the Cabinet Member for the Third Sector, Councillor Joan Millbank, and ten representatives on behalf of six Community Centres, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the consultation feedback as summarised in section 6 of the report and the full submissions in appendices B & B1-3 be noted; and.

(2) the recommendations for each of the 16 community centres:

Barnes Wallis Community Centre: Telegraph Hill Ward
Brandram Rd Community Hall: Blackheath Ward
Champion Hall: Bellingham Ward
Clare Hall: Brockley Ward
Evelyn Community Centre: Evelyn Ward
Ewart Rd Club Room: Crofton Park Ward
Goldsmiths Community Centre: Whitefoot Ward
Honor Oak Community Centre: Telegraph Hill Ward
Lethbridge Club Room: Blackheath Ward
Saville Centre: Rushey Green Ward
Scotney Hall: New Cross Ward
Sedgehill Community Centre: Bellingham Ward
Venner Rd Hall: Sydenham Ward
Wesley Halls: Downham Ward
Woodpecker Community Centre: New Cross Ward

as shown in section 6 of the report be approved and officers be instructed to proceed to the next stage of implementation.

290. Public Accounts Select Committee Income Generation Referral

Councillor Kevin Bonavia said he appreciated the work done by the Public Accounts Select Committee and would ensure a full response was given. The Mayor said income generation had to be given a higher profile and therefore he would be giving responsibility the oversight of corporate efforts to attract income to Councillor Bonavia.

Having considered an officer report, the Mayor,

RESOLVED that the views and recommendations of the Committee set out in the main report at Appendix A be received and the Executive Director for Resources and Regeneration be asked to prepare a response to the Review's recommendations for Mayoral consideration.

291. Lewisham 2020 5 year Forward view

The Mayor indicated his response to the Business Panel's views on this item was as shown above in these minutes.

Having considered an officer report and a presentation from the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor, for the reasons set out in the report:

RESOLVED that the council's five year forward view summary be approved.

292. Children and Young People Plan 2015-2018

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor for the reasons set out in the report:

RESOLVED that:

- (1) the Children and Young People's Plan 2015-18 be received and submitted to Council for approval; and
- (2) authority be delegated to the Executive Director for Children and Young People to make amendments to the Plan in the light of further comments and data received, prior to it being placed before Council.

293. Annual Complaints Report

The Executive Director for Customer Services's representative informed the Mayor that the report had not yet been considered by the Public Accounts Select Committee.

Having considered an officer report and a presentation from the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor:

RESOLVED that the contents of the report be noted and no amendments be made to the Council's complaints policy following consideration of the contents and the concerns raised by the Independent Adjudicator.

294. Annual Parking Report

The Executive Director for Customer Services's representative informed the Mayor that the report had been considered by the Sustainable Development Select Committee which had no comments to make.

Having considered an officer report and a presentation from the Cabinet Member for the Public Realm, Councillor Rachel Onikosi, the Mayor agreed that:

- (1) the progress of the 2014/15 CPZ programme be noted.
- (2) the priority list for 2015/16 CPZ programme be noted.
- (3) the annual financial performance as set out be noted; and
- (4) contractor performance as set out be noted.

295. Heathside and Lethbridge Phase 5 & 6 Decant

Having considered both an open and a confidential officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (1) the progress of the Heathside and Lethbridge regeneration scheme be noted;
- (2) having considered the responses to the statutory Section 105 consultation, the Council should carry out the decant of Heathside and Lethbridge Phase 6 tenants.
- (3) where necessary, Notice of Seeking Possession be served and possession proceedings brought against secure tenants in Lethbridge Close Phase 6 blocks under ground 10 of Schedule 2 to the Housing Act 1985;
- (4) secure tenants in Lethbridge Close Phase 6 blocks are re-housed as set out;
- (5) home loss and disturbance payments are made to displaced secure tenants and leaseholders where appropriate in accordance with the Land Compensation Act 1973; and
- (6) the financial information provided be noted and the changes to the proposed budget requirements set out in the confidential report be approved.

296. Financial Forecasts

Having considered an officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor:

RESOLVED that: the current financial forecasts for the year ending 31 March 2016 and the action being taken by the Executive Directors to manage down the forecasted year-end overspend be noted.

297. NNDR LLW accreditation discount

The Mayor praised this initiative and said he believed it should be the subject of widespread publicity.

Having considered an officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, supported by Councillor Joe Dromey, who credited LB Brent with the original idea, the Mayor for the reasons set out in the report:

RESOLVED that:

- (1) a one off discount in NNDR based on the cost of accreditation in 2016/17 be offered to businesses that become accredited by the Living Wage Foundation and who meet the criteria set out;
- (2) a discount be offered set at one of the options indicated;
- (3) the discount be offered on a 'first come first served' basis until the

Council's overall contribution equals £20,000 within the 2016/17 financial year and once the Council's £20,000 contribution has been reached, to offer no further discounts; and

(4) the scheme be reviewed in 2016/17 to determine whether it should be offered in future years.

298. Location Priority Policy and Procurement Strategy

The Acting Monitoring Officer confirmed there was no requirement for this item to be the subject of further ratification at Council. Although the Housing Strategy was reserved to Council, its supporting policies and detailed service delivery plans were not subject to Council decision.

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (1) the consultation undertaken on the Location Priority Policy and the Temporary Accommodation Procurement Strategy be noted;
- (2) the scrutiny of the Location Priority Policy and Temporary Accommodation Procurement Strategy by Housing Select Committee on 27 October 2015 be noted;
- (3) the Location Priority Policy, attached as Appendix A, be approved;
- (4) the Temporary Accommodation Procurement Strategy, attached as Appendix C, be approved;
- (5) following necessary approvals the Location Priority Policy and Temporary Accommodation Procurement Strategy be published in November 2015.
- (6) authority be delegated to the Executive Director for Customer Services to make any minor changes to the Location Priority Policy and Temporary Accommodation Procurement Strategy and to prepare for publication.

299. Housing Led Regeneration

The Mayor was addressed by Andy Black, a Witney Path resident, who stated many of the Freeholders and Tenants of Witney Path and Shifford Path were concerned that their views had not been adequately sought or represented during the process of surveys and sought the reassurance of the Cabinet that a dialogue would be opened up with the residents of both streets regarding the housing stock transfer, condition of the estate and relationships with L&Q and Lewisham Homes.

The Mayor was also addressed by Ward Councillor, John Paschoud, who gave the proposals a cautious welcome.

The Mayor, as a past councillor for the former Sydenham East Ward, said he very aware of the complexity of the issues in the locality involving, as it did, leaseholders, freeholders and tenants, but believed the opportunity existed to find a solution which would benefit the entire area

Having considered both an open and a confidential officer report, and presentations by the Cabinet Member for Housing, Councillor Damien Egan, and from a local resident, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the work and consultation with residents carried out so far on the Bampton estate be noted;

(2) Officers proceed to develop a proposal for new council homes as set Out;

(3) Officers proceed to develop a proposal for a wider regeneration scheme with L&Q as set out;

(4) Officers develop these proposals in consultation with residents and statutory consultation under Section 105 of the Housing Act 1985 be carried out on the proposals and reported back to Mayor and Cabinet;

(5) Officers look at procurement options and delivery structure for both proposals; and

(6) an Equalities Analysis Assessment be undertaken on the proposals and reported back to Mayor and Cabinet at the same time as the results of the Section 105 consultation.

(7) the financial and commercial advice provided to date be noted;

(8) authority be delegated to the Executive Director for Customer Services and Executive Director for Regeneration and Resources to commence discussions with L&Q with a view to developing a commercially sound approach for a wider regeneration scheme on the Bampton estate; and

(9) the initial budget as set out be approved.

300. Sheltered Housing Investment and Improvement Programme

Having considered an officer report, and a presentation by the Cabinet Member for Housing, Councillor Damien Egan, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) the findings of the consultation exercise that has been carried out with the tenants of the Council's 18 sheltered housing schemes, as set out be noted;

- (2) on the basis of these consultation results, an enhanced housing management service, funded by service charges to tenants and the existing management fee to Lewisham Homes, be introduced in all 18 schemes, and that the transfer be approved;
- (3) the current floating support service be transferred to Lewisham Homes (with staff transferring under TUPE arrangements where applicable and subject to staff consultation), and is expanded in a manner that directly addresses the concerns raised by tenants during consultation, as outlined;
- (4) officers estimate that the new service charge to tenants will be £23.62 per week, to be implemented from April 2016, be noted, subject to further and final consultation with tenants as part of the Council's annual rent and service charge setting process;
- (5) a service charge assistance fund be implemented for any existing tenants not in receipt of housing benefit who experience financial hardship as a result of this new service charge, in the manner set out; and
- (6) the finalisation of the transfer and proposals for the new service be delegated to the Executive Director for Customer Services as advised by the Executive Director for Resources and Regeneration.

301. Hornimans loan facility

The Mayor said he was a past member of the Horniman's fund raising committee and he believed it had a proven track record in attracting funding.

Having considered an officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (1) a £670,000 interest bearing loan facility to Horniman Museum and Gardens be approved for the development of its gallery spaces to be paid back over a period of no more than 15 years, subject to Heritage Lottery funding of £3.3m being granted and other pledged funding of at least £730,000 being received; and
- (2) authority be delegated to the Executive Director for Resources and Regeneration responsibility to finalise the terms of the loan agreement with the Horniman Museum and Gardens.

302. Exclusion of Press and Public

RESOLVED that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs [3, 4 and

5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

19 ICT Shared Service

20. Heathside and Lethbridge Decant part 2

21. Housing Led Regeneration part 2

303. ICT Shared Service

Having considered a confidential officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor, for the reasons set out in the report:

RESOLVED that:

(1) Lewisham Council establishes a shared service with Brent from 1 April 2016 subject to the London Borough of Brent agreeing to the Shared ICT Service structure in substantially the same form as set out ;

(2) A Shared ICT Service with the London Borough of Brent in the form set out be approved with Brent acting as the legal 'host' of the shared service and employing all the staff of the shared service and entering into contracts on behalf of the shared service where it is for the benefit of both Councils;

(3) The Shared ICT Services Agreement in the form set out in annex A be approved and any final minor amendments required to the agreement be delegated to the Executive Director for Customer Services on the advice of the Head of law.

(4) A Joint Committee in accordance with the Terms of Reference as set out in annex B be approved, to compose of two members from each Council, to set the strategic direction for the shared service and that the Cabinet Member for Resources and the Cabinet Member for Policy and Performance should represent Lewisham on this committee;

(5) Shared ICT Services Management Board made up of an Executive Director, or their appointed nominee, from each Council be approved;

(6) Where Brent will be entering into a contract on behalf of the shared service, the procurement of the contracts where the value to the Council is £500,000 or below, be procured in accordance with Brent's Contract Procedure Rules and the Procurement Protocol and awarded by the Executive Director of each Council;

(7) Mayoral decisions relating to Lewisham's ICT infrastructure should be delegated to the Joint Member Committee except for a small number of critical decisions that shall be reserved to the Mayor:

- expanding the shared service to other partners or withdrawing from the

- partnership;
- altering the terms and conditions of the partnership;
- setting the annual budget;
- disposing of Intellectual Property Rights; and
- awarding of contracts above £500,000.

(8) decisions taken by the Joint Committee and the Council's officer on the Shared Service Management Board will be subject to member scrutiny by Brent and Lewisham according to their respective constitutions;

(9) the budget for 2016/17 for the shared service be £3.4m with a financial contribution from Lewisham of £1.7m to cover the fixed costs of the shared service (variable costs will be met by individual Councils). These figures are consistent with the ICT savings agreed at Mayor and Cabinet on 30 September. Agreement of the budget for subsequent years shall be brought back for a decision from the Mayor;

(10) the interim arrangements set out be approved;

(11) the London Borough of Brent's report to their Executive requesting approval to the Shared ICT Service with the London Borough of Lewisham be noted.

304. Heathside and Lethbridge Decant Part 2

Commercially sensitive financial information on the scheme was considered in conjunction with the Open report on the same matter.

305. Housing Led Regeneration part two

Commercially sensitive financial information on the scheme was considered in conjunction with the Open report on the same matter.

The meeting closed at 9.06pm.

Agenda Item 3

MAYOR AND CABINET		
Report Title	Report Back On Matters Raised By The Overview And Scrutiny Business Panel or other Constitutional bodies	
Key Decision	No	Item No.
Ward		
Contributors	Head of Business & Committee	
Class	Open	Date: December 9 2015

Purpose of Report

To report back on any matters raised by the Overview and Scrutiny Business Panel following their consideration of the decisions made by the Mayor on November 11 2015 or on other matters raised by Select Committees or other Constitutional bodies.

Agenda Item 4

MAYOR & CABINET			
Report Title	Outstanding Scrutiny Matters		
Key Decision	No		Item No.
Ward	n/a		
Contributors	Head of Business and Committee		
Class	Part 1	Date: 9 December 2015	

1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

2. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Response to Overview & Scrutiny Committee – Care Act	ED Community	25 March 2015	9 December 2015	No
Comments on Response Submitted by Mayor to SDSC on Flood and River Related Consultations	ED Res. & Regen.	30 September 2015	9 December 2015	No
Response to Overview and Scrutiny Committee – Recommendations of the Public Spending in Lewisham	All EDs	21 October 2015	13 January 2016	No

Working Group				
Overview & Scrutiny Committee – London Fire Brigade	ED Community	11 November 2015	17 February 2015	No
Overview & Scrutiny Committee - Devolution	ED Res & Regen	11 November 2015	17 February 2015	No
Sustainable Development Select Committee – Publishing Viability	ED Res & Regen	11 November 2015	17 February 2015	No
Sustainable Development Select Committee – Section 106 funds and Community Infrastructure Levy update	ED Res & Regen	11 November 2015	17 February 2015	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 25 March, 30 September and 11 November 2015 available from Kevin Flaherty 0208 3149327 or at:

<http://councilmeetings.lewisham.gov.uk/ieListMeetings.aspx?CId=139&Year=0>

Agenda Item 5

Mayor and Cabinet			
Report Title	Lewisham Future Programme - Revenue Budget Savings Proposals		
Key Decision	Yes	Item No.	
Ward	All Wards		
Contributors	Executive Director for Resources & Regeneration		
Class	Part 1	Date:	9 December 2015

1. EXECUTIVE SUMMARY – PROPOSALS

- 1.1. Following the September Mayor & Cabinet (M&C) report on revenue budget saving proposals for 2016/17 and 2017/18, this report updates on the actions required arising from some of those decisions. In particular; where public consultation has now concluded; scrutiny have considered the additional information requested; and where M&C asked that the proposals return to them.
- 1.2. This report updates the Mayor and members on the additional work completed on the following proposals:
 - L6 – Libraries and Information service
 - Q3a,b,c&e – Sensory teachers, education psychologists, and carers funding
 - Q5 – Youth Service
 - A11 – Managing and improving transition plans
 - A14 – Achieving best value in care packages
 - I9b – Trade Union secondments
 - J2b – Attendance and Welfare service
 - N5 – Passenger transport services
- 1.3. A separate report on the Youth Service is tabled for this M&C meeting. That report includes the impact of the Q5 proposals referred to above.

2. PURPOSE OF THE REPORT

- 2.1. To set out revenue budget savings proposals that need to be agreed to enable a balanced budget for 2016/17 to be put forward to Council in February 2016.

3. RECOMMENDATIONS

- 3.1. The Mayor is asked to:
 - 3.1.1. Note the actions taken since the 30 September on the proposals presented here in section 7 and set out in Appendices i to viii.
 - 3.1.2. For saving L6 – Libraries and Information Services

- 3.1.2.1. Agree the recommendations as set out in the separate full report and appendices at Appendix i to this report; namely:
- To note the results of the consultation as set out in sections 6 and 7 of the report and in appendix 1.
 - To agree the proposed saving of £1million from the Library and Information Service budget.
 - To agree to the retention of three hub libraries at Deptford Lounge, Lewisham and Downham Health and Leisure Centre as set out at para 5.1.
 - To agree to extend the Lewisham Community Library model as described in para 5.1 to Forest Hill, Torridon and Manor House libraries and for a formal tender process to be undertaken to identify partner organisations to work with the council to deliver this. The council will work with local stakeholders as part of this process.
 - To agree to the development of detailed plans for the reconfiguration of the library and public reception area at the ground floor of Laurence House in Catford as set out at para 5.1 and 6.10.
- 3.1.3. For saving Q3 a, b, c & e – Sensory teachers, education psychologists, and carers funding
- 3.1.3.1. note any feedback from the scrutiny process since September, and
- 3.1.3.2. agree the proposal and authorise the Executive Director for Children’s & Young People to implement, subject to completion of any consultation (public, stakeholder or staff) necessary in relation to the proposal.
- 3.1.4. For saving Q5 – Youth Service
- 3.1.4.1. note that the Mayor agreed to take £1.4m in February 2015 and any feedback from the scrutiny process since September, and
- 3.1.4.2. subject to agreement to the recommendations in the separate report on the Youth Service mutual appearing on the same agenda; agree the proposal to taper funding by £0.3m and authorise the Executive Director for Children’s & Young People to implement, subject to completion of any consultation (public, stakeholder or staff) necessary in relation to the proposal.
- 3.1.5. For saving A11 – Managing and improving transition plans
- 3.1.5.1. note any feedback from the scrutiny process since September, and
- 3.1.5.2. agree the proposal and authorise the Executive Director for Community Services to implement, subject to completion of any consultation (public, stakeholder or staff) necessary in relation to the proposal.
- 3.1.6. For saving A14 – Achieving best value in care packages
- 3.1.6.1. note any feedback from the scrutiny process since September, and
- 3.1.6.2. agree the proposal and authorise the Executive Director for Community Services to implement, subject to completion of any consultation (public, stakeholder or staff) necessary in relation to the proposal.
- 3.1.7. For saving I9b – Trade Union secondments
- 3.1.7.1. note the results of engagement work undertaken by officers since September, and

- 3.1.7.2. agree the proposal and authorise the Executive Director for Resources & Regeneration to implement, subject to completion of any consultation (public, stakeholder or staff) necessary in relation to the proposal.
- 3.1.8. For saving J2b – Attendance and Welfare
 - 3.1.8.1. note any feedback from the scrutiny process since September, and
 - 3.1.8.2. agree the proposal and authorise the Executive Director for Children’s & Young People to implement, subject to completion of any consultation (public, stakeholder or staff) necessary in relation to the proposal.
- 3.1.9. For saving N5 – Passenger transport services
 - 3.1.9.1. note any feedback from the scrutiny process since September, and
 - 3.1.9.2. ask the Executive Director for Customer Services to develop, consult (public, stakeholder or staff) where necessary, and bring back a full report to Mayor & Cabinet in relation to the proposal.
- 3.1.10. Note that, consistent with the M&C decisions on the 30 September, work continues on the proposals listed at 6.4 and will return to M&C in due course.

4. STRUCTURE OF THE REPORT

- 4.1. The report is structured into the following sections with supporting Appendices.

Section	Title
1	Executive summary
2	Purpose of the report
3	Recommendations
4	Structure of the report
5	Context
6	Lewisham Future Programme
7	Savings proposals by thematic review
8	Financial implications
9	Legal implications
10	Conclusion
11	Background documents
	Appendices

5. CONTEXT

- 5.1. Pending the Comprehensive Spending Review (CSR) in November and the provisional Local Government Financial Settlement (LGFS) in December, there is considerable uncertainty around the funding that Local Authorities will receive over the duration of this Government to 2019/20.
- 5.2. In July 2015 Lewisham’s Medium Term Financial Strategy (MTFS) to 2019/20 was presented to Mayor & Cabinet. These uncertainties were recognised in the range of the possible outcomes considered – best, base and worst case scenarios. After allowing for the £11m of savings previously agreed for 2016/17 and 2017/18, the MTFS savings estimates to 2019/20 ranges from £57m to £105m.

- 5.3. These savings are proposed in the context of the Council's strategy and priorities. The Council's vision "together, we will make Lewisham the best place in London to live, work and learn" was adopted by the Lewisham Strategic Partnership as part of the Sustainable Community Strategy, along with six over-arching priorities:
- 5.4. The Council's ten 'enduring' priorities were agreed by full Council and are the principal mechanism through which the Council's performance is reported and through which the impact of saving and spending decisions are assessed. The Council's priorities also describe the Council's contribution to the delivery of Lewisham's Sustainable Community Strategy priorities.
- 5.5. In addition to the above, Lewisham's has also adopted nine savings priorities. Prior to the General Election in 2010, the Labour Government instituted a programme of austerity planned over a five year period. In 2010 the Coalition Government increased the level of and pace of "fiscal consolidation" (i.e. tax increases and spending cuts) that applied to the nation's public finances. In 2013 these were increased again such that the original plans of the (then) Labour Government to reduce public spending have been increased dramatically.
- 5.6. To ensure that this scale of service cuts did not impact adversely on front-line services the Mayor and Cabinet agreed a set of principles to underpin the Council's decision making.
- 5.7. All of the sets of priorities above are listed at Appendix ix.

6. LEWISHAM FUTURE PROGRAMME

- 6.1. The Lewisham Future Programme continues to assess the potential for savings across the 18 work streams agreed by Mayor & Cabinet to ensure that all aspects of the business are reviewed, without regard to structural silos. Officers then bring proposals forward for members to scrutinise and M&C to agree.
- 6.2. This report is not putting forward any new proposals. It is bringing back those proposals, considered at M&C on the 30 September, that required further action prior to being agreed. They are:

Ref	Description	16/17 £'000	17/18 £'000	Total £'000	Key decision	Public/Stakeholder consultation	Staff consultation	Sept. M&C decision
L6	Libraries and information service changes (three hubs and extension of communities library model and staff restructure)	400	600	1,000	Y	Y	Y	Agree to consult and full report to return to M&C
Q3a, b, c,	Sensory teachers, education psychologists,	325		325	N	N	Y	Return to CYP select then

Ref	Description	16/17 £'000	17/18 £'000	Total £'000	Key decision	Public/Stakeholder consultation	Staff consultation	Sept. M&C decision
& e	and carers funding							back to M&C
Q5	Youth service – taper funding	150	150	300	Y	Y	Y	Return to CYP select and then back to M&C with youth mutual options report
A11	Managing and improving transition plans	200	300	500	Y	N	N	Return to CYP select then back to M&C
A14	Achieving best value in care packages	600	500	1,100	N	N	N	Return to Healthier select then back to M&C
I9b	Trade Union secondments	40		40	N	N	Y	Agree to consult and report to return to M&C
J2b	Attendance and Welfare: restructure and further traded services	150		150	Y	N	N	Return to CYP select then back to M&C
N5	Review of Lewisham's passenger transport service	500	500	1,000	Y	Y	Y	Return to CYP select then back to M&C

6.3. A summary of the work completed and an update on each of these proposals is provided in section 7 below. The detail for each is provided in Appendices i to viii.

6.4. In addition to the above and following on from the decisions taken by M&C on the 30 September, this leaves the following proposals to also return to M&C in due course once the necessary further work has been completed. They are:

- A13 – Alternative delivery models for the provision of care and support services
- A15 – New delivery models for extra care and provision of contracts
- G2e – Parking service level arrangements (17/18 saving)
- H2 – Reduction in enforcement and regulation work (17/18 saving)
- I3 – changes to how complaints are managed, scheduled for Public Accounts in March and M&C in April
- I9e – Realignment of Human Resource recharge for schools, scheduled for Schools Forum in December, CYP Select in January and M&C in February
- I10b – moving Committee papers to digital access only
- J2a – up lift to schools service level agreements, scheduled for Schools Forum in December, CYP Select in January and M&C in February
- L5 – Grant funding for the Voluntary Sector (17/18 saving)

- L7 – Leisure Services provision, including public health support for obesity (17/18 saving)
- N3 – review of Waste services following consultation, scheduled update to M&C in December with full report returning in January.

6.5. All the other proposals presented to M&C on the 30 September were delegated to officers, subject to the completion of due process and consultation where required. Implementation of these proposals is proceeding and the financial impact will be monitored via the regular financial forecast reports to members.

6.6. In respect of additional savings to close the Council's budget gap, further proposals for scrutiny and M&C will be brought forward in the New Year.

7. SAVING PROPOSALS BY THEMATIC REVIEW

7.1. For each of the proposals noted at 6.2 above a summary of the position is provided here with the detail in appendices.

L. Culture and Community Services

7.2. **L6** – changes to the Libraries and Information service proposed savings of £1.0m - £400k in 2016/17 and £600k in 2017/18. The action from the 30 September M&C meeting was to agree for the public consultation to proceed with the results returning to M&C to decide on whether the proposals should proceed. Subsequently, following Business Panel, it was also agreed that there should be pre-scrutiny of the outcome of the public consultation

7.3. The Safer Stronger select committee are reviewing the L6 proposal and results of the public consultation (see full report at Appendix i) at their November meeting.

Q. Early Intervention and Safeguarding

7.4. **Q3** – included a range of individual proposals for Targeted Services. The action from the 30 September M&C meeting was for the savings proforma, with the additional information for proposals Q3 a, b, c and e requested at pre-scrutiny, to be provided to the CYP select committee prior to returning to M&C along with any referral from scrutiny. These individual proposals were in the following areas:

- Q3 a & b – Sensory Teachers: £250k in 2016/17
- Q3c – Educational Psychologists: £35k in 2016/17, and
- Q3e – Reduced carers funding: £40k in 2016/17.

7.5. The CYP select committee reviewed the revised Q3 proforma (see Appendix ii) at their November meeting. No further referral was made.

7.6. **Q5** – presented a savings proposal to accelerate the tapering of funding support for the Youth Service by £0.3m - £150k in 2016/17 and £150k in 2017/18. The action from the 30 September M&C meeting was for the savings proforma, with the additional information requested at pre-scrutiny, to be provided to CYP select committee at the same time as they review the Youth Service mutual report. Prior to both returning to M&C for decision.

7.7. The CYP select committee received the revised Q5 savings proposal (see Appendix iii) as part of their review of the Youth Service mutual report at their November meeting. The business case for which incorporates this saving.

A. Smarter & deeper integration of social care & health

7.8. **A11** – Managing and improving transition plans proposed savings of £0.5m - £200k in 2016/17 and £300k in 2017/18. The action from the 30 September M&C meeting was for the savings proforma, with the additional information requested on planned capacity in the Borough at pre-scrutiny, to be provided to the CYP select committee prior to returning to M&C along with any referral from scrutiny.

7.9. The CYP select committee reviewed the revised A11 proforma (see Appendix iv) at their November meeting. No further referral was made.

7.10. **A14** – Achieving best value in care packages proposed savings of £1.1m - £600k in 2016/17 and £500k in 2017/18. The action from the 30 September M&C meeting was for the savings proforma, with the additional information on case studies requested at pre-scrutiny, to be provided to the Healthier select committee prior to returning to M&C along with any referral from scrutiny.

7.11. The Healthier select committee reviewed the revised A14 proforma (see Appendix v) at their November meeting. No further referral was made.

I. Management and corporate overheads

7.12. **I9b** – Trade Union secondments proposed a saving of £40k in 2016/17. The action from the 30 September M&C was to bring back more detail on how this was to be implemented before being agreed.

7.13. This proposal concerns a review of the corporate secondment arrangements applicable to non-teaching trade unions, to reflect the reduction in trade union membership and the Council's workforce profile, resulting in a saving of £40K in 2016/17. A separate review of the arrangements applicable to the teaching unions will be undertaken by the CYP directorate in due course.

7.14. This proposal does not affect the time off arrangements provided to trade union shop stewards and health and safety representatives generally to undertake their duties in the Council. The original proposal is provided at Appendix vi.

7.15. The local trade unions have been consulted on the proposal to reduce the corporate secondment arrangements and the following views have been expressed:

- UNISON have acknowledged the need to reduce the number of corporate secondments in line with trade union membership in the council.
- GMB have focussed their views on specific operational matters and have not provided any comments on the general budget reduction proposal.

- UNITE have noted the proposal to reduce the corporate secondment budget but believe that future savings requirements will create an increased demand and need for trade union involvement. However, there is no evidence to support the union's views on this matter and trade union involvement on reorganisations/casework continues to reflect their reducing membership.

7.16. In conclusion, M&C are asked to agree that detailed consultation on the savings proposal should commence with the trade unions, with the final decision being delegated to the Executive Director for Regeneration and Resources.

J. School Effectiveness

7.17. **J2b** – Restructure and extend trading of Attendance and Welfare service for schools proposed savings of £150k in 2016/17. The action from the 30 September M&C meeting was for the savings proforma, with the additional information requested at pre-scrutiny, to be provided to the CYP select committee prior to returning to M&C along with any referral from scrutiny.

7.18. The CYP select committee reviewed the revised J2b proforma (see Appendix vii) at their November meeting. No further referral was made.

N. Environmental Services

7.19. **Saving N5** – Review of Lewisham's Passenger Transport Service proposed savings of £1.0m - £500k in 2016/17 and £500k in 2017/18. The action from the 30 September M&C meeting was for the savings proforma, with the additional information on scope of this review requested at pre-scrutiny, to be provided to the CYP select committee prior to returning to M&C along with any referral from scrutiny.

7.20. The CYP select committee reviewed the revised N5 proforma (see Appendix viii) at their November meeting. No further referral was made.

8. FINANCIAL IMPLICATIONS

8.1. This report is concerned with the saving proposals to enable the Council to address the future financial challenges it faces. There are no direct financial implications arising from the report other than those stated in the report and appendices itself.

9. LEGAL IMPLICATIONS

Savings proposals - General Legal Implications

Statutory duties

9.1. The Council has a variety of statutory duties which it must fulfil by law. The Council cannot lawfully decide not to carry out those duties. Even where there is a statutory duty there is often a discretion about the level of service provision. Where there is an impact on statutory duty, that is identified in the report. In other instances, the

Council provides services in pursuit of a statutory power, rather than a duty, and though not bound to carry out those activities, decisions about them must be taken in accordance with the decision making requirements of administrative law.

Reasonableness and proper process

- 9.2. Decisions must be made reasonably taking into account all relevant considerations and disregarding all irrelevant matters. These are particular to the service reductions proposed and are set out in the body of the report. It is also imperative that decisions are taken following proper process. Depending on the particular service concerned, this may be set down in statute, though not all legal requirements are set down in legislation. For example, depending on the service, there may be a need to consult with service users and/or others and where this is the case, any proposals in this report must remain proposals unless and until that consultation is carried out and the responses brought back in a further report for consideration with an open mind before any decision is made. Whether or not consultation is required, any decision to discontinue a service would require appropriate notice. If the Council has published a procedure for handling service reductions, there would be a legitimate expectation that such procedure will be followed.

Staffing reductions

- 9.3. If service reductions would result in redundancy, then the Council's usual redundancy and redeployment procedure would apply. If proposals would result in more than 20 but fewer than 100 redundancies in any 90 day period, there would be a requirement to consult for a period of 30 days with trade unions under Section 188 Trade Union and Labour Relations (consolidation) Act 1992. The consultation period increases to 45 days if the numbers are 100 or more. This consultation is in addition to the consultation required with the individual employees. If a proposal entails a service re-organisation, decisions in this respect will be taken by officers in accordance with the Council's re-organisation procedures.

Equalities

- 9.4. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.5. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 9.6. The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and

proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 9.7. The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 9.8. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 9.9. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 9.10. The EHRC has also issued Guidance entitled “Making Fair Financial Decisions”. It appears at Appendix x and attention is drawn to its contents.
- 9.11. The equalities implications pertaining to the specific service reductions are particular to the specific reduction.
- 9.12. Members are reminded that the overall equalities in respect of these savings and the other scrutinised and presented to Mayor & Cabinet in September 2015 were considered through the individual proposals and overall. Appendix xii presents that information for ease of reference.

The Human Rights Act

- 9.13. Since the introduction of the Human Rights Act 1998 (HRA) the rights set out in the European Convention on Human Rights (ECHR) have been incorporated into UK law and can be enforced in the UK courts without recourse to the European courts.
- 9.14. Those articles which are particularly relevant in to public services are as follows:-
Article 2 - the right to life

- Article 3 - the right not to be subject to inhuman or degrading treatment
- Article 5 - the right to security of the person
- Article 6 - the right to a fair trial
- Article 8 - the right to a private and family life, home and correspondence
- Article 9 - the right to freedom of thought ,conscience and religion
- Article 10 - the right to freedom of expression
- Article 11 - the right to peaceful assembly
- Article 14 - the right not to be discriminated against on any ground

The first protocol to the ECHR added

- Article 1 - the right to peaceful enjoyment of property
- Article 2 - the right to education

- 9.15. Some of these rights are unconditional, such as the right not to be tortured or subject to degrading treatment. Others may be limited in finite and well defined circumstances (such as the right to liberty. Others are qualified and must be balanced against the need of the wider community – such as the right to a private and family life. Where there are human rights implications associated with the proposals in this report regard must be had to them before making any decision.

Crime and Disorder

- 9.16. Section 17 of the Crime and Disorder Act 1998 requires the Council to have regard to the likely effect on crime and disorder when it exercises its functions, and the need to do all that it reasonably can to prevent crime and disorder in its area.

Best value

- 9.17. The Council remains under a duty under Section 3 Local Government Act 1999 to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. It must have regard to this duty in making decisions in respect of this report.

Environmental implications

- 9.18. Section 40 Natural Environment and Rural Communities Act 2006 states that “every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions to the purpose of conserving biodiversity”. No such implications have been identified in this report.

Specific legal implications

- 9.19. Members’ attention is drawn to the specific legal implications arising in relation to particular proposals set out in this report in Appendix xi.

10. CONCLUSION

- 10.1. The Council expects to need to make further savings between now and 2019/20. However the amount and timing is uncertain at the present time pending the Comprehensive Spending Review and Local Government Finance Settlement due

in November and December respectively. For this reason the work of the Lewisham Future Programme continues.

- 10.2. The draft saving proposals in this report reflect the decisions of M&C on the 30 September 2015 to progress savings proposals to meet the savings gap.

11. BACKGROUND DOCUMENTS AND FURTHER INFORMATION

Short Title of Report	Date	Contact
Medium Term Financial Strategy	July 2015	David Austin
Revenue Budget Savings	September 2015	David Austin

Appendices

- i. L6 – Libraries and Information service
- ii. Q3a,b,c&e – Sensory teachers, education psychologists, and carers funding
- iii. Q5 – Youth Service
- iv. A11 – Managing and improving transition plans
- v. A14 – Achieving best value in care packages
- vi. I9b – Trade Union secondments
- vii. J2b – Attendance and Welfare service
- viii. N5 – Passenger transport services
- ix. Community, Council and Savings priorities
- x. Equality and Human Rights – Making Fair Financial Decisions
- xi. Specific legal implications

For further information on this report, please contact:
David Austin, Head of Corporate Resources on 020 8314 9114

Mayor and Cabinet			
Report Title	Proposed changes to the Lewisham Library and Information Service		
Contributors	Executive Director for Community Services		
Date	9 December 2015	Item	

1. Introduction

- 1.1. On 30 September 2015, Mayor and Cabinet agreed for public consultation on the proposed changes to the library service to be undertaken and for the outcome of the consultation to be reported back to Mayor and Cabinet on 9th December 2015.

2. Purpose

- 2.1. This report informs Mayor and Cabinet of the outcome of the consultation and makes recommendations for taking forward proposed changes to the Library and Information Service.

3. Recommendations

- 3.1. Mayor and Cabinet is recommended:
- 3.2. To note the results of the consultation as set out in sections 6 and 7 of the report and in appendix 1.
- 3.3. To agree the proposed saving of £1million from the Library and Information Service budget.
- 3.4. To agree to the retention of three hub libraries at Deptford Lounge, Lewisham and Downham Health and Leisure Centre as set out at para 5.1
- 3.5. To agree to extend the Lewisham Community Library model as described in para 5.1 to Forest Hill, Torrison and Manor House libraries and for a formal tender process to be undertaken to identify partner organisations to work with the council to deliver this. The council will work with local stakeholders as part of this process.
- 3.6. To agree to the development of detailed plans for the reconfiguration of the library and public reception area at the ground floor of Laurence House in Catford as set out at para 5.1 and 6.10.

4. Policy context

- 4.1. Shaping the Future, the Council's Sustainable Community Strategy includes the following priority outcomes which relate to the work of the Library and Information Service and reflect the Council's aspirations for the service:
- Ambitious and Achieving – where people are inspired and supported to fulfil their potential.
 - Empowered and Responsible – where people can be actively involved in their local area and contribute to supportive communities.
 - Healthy, Active and Enjoyable – where people can actively participate in maintaining and improving their health and wellbeing.
 - Dynamic and Prosperous – where people are part of vibrant localities and town centres, well connected to London and beyond.
- 4.2. The Library and Information Service also contributes to the following Council Priorities:
- Community leadership and empowerment – developing opportunities for the active participation and engagement of people in the life of the community.

- Strengthening the local economy – gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
- Active, healthy citizens – leisure, sporting, learning and creative activities for everyone.

5. The Proposal

- 5.1. On 30th September Mayor and Cabinet agreed for public consultation to be undertaken on a £1million proposed saving to the Libraries and Information Service Budget. The Savings Proposal is based on:
- The creation of three Hub Libraries – Deptford Lounge, Lewisham and Downham Health & Leisure Centre—which will carry an enhanced role for face to face contact between the Local Authority and the public to support the digital by default agenda.
 - The extension of the Lewisham Community Library Model to Forest Hill, Torrington, and Manor House, in partnership with other council services and community organisations. The council will continue to be responsible for the library service, owning and managing the stock, providing self issue terminals and overseeing the community library offer with a team of peripatetic community engagement staff. The council will work in partnership with a third party organisation who will take on responsibility for the management of the building and ensure that it remains open to the public.
 - The integration of the library provision into the repurposed ground floor space within the Catford complex (Laurence House).
 - The review of front line staff to include new functions through the re-training and enhancement of front line roles
- 5.2. The Proposal, if implemented, would produce reduced revenue costs of £950,000. The proposal also includes efficiencies to be realised on the Deptford Lounge budget which would produce savings of £50,000.

6. The public consultation

- 6.1. The council conducted a public consultation through five public meetings, a questionnaire, and a series of focus groups. The council also took into account the contributions of a petition, blogs, tweeter feeds, and individual correspondence addressed to the Library and Information Service and elected members during the consultation.
- 6.2. The main themes emerging from the consultation are summarised below. Please note that what follows does not reflect every detail of the consultation but aims to capture the more substantial themes that were brought forward during the consultation. Appendix 1 offers a fuller analysis of the public consultation.
- 6.3. The austerity approach – It emerged consistently during the consultation that many residents feel strongly against the climate of austerity that is having a negative effect on the local authority and its capacity to continue to sustain services to residents. Some maintain that the council should find ways to express its residents' views to central government.

It was explained that the council has a duty to present a balanced budget and that, despite savings agreed to date, there remains an expected reduction in funding of at least £50 million and savings of this order to be made by 2019/20 (see Medium Term Financial Strategy – July 2015 and Mayor & Cabinet savings report – September 2015).

- 6.4. The value of the library service – Residents were unanimous in expressing their views on the value of the Lewisham library service and its staff. The impact on citizens and future generations was repeatedly articulated in person and in writing. For these reasons, the majority of respondents thought that cuts should be taken elsewhere.

Lewisham has consistently invested in the library service and has achieved very positive results in the last years, within substantially reducing resources. The increased popularity of libraries, the way in which the service engages with local communities, and the growing satisfaction rate demonstrate that both the council and its residents value the service. The proposal presents a positive way forward for the service that balances budget reductions with sustainable service delivery.

- 6.5. The consultation process – Some believed that the consultation was not properly carried out because of insufficient publicity or time and opportunity to respond, or because the information was inadequate.

The consultation started on 1 October 2016 and ended on 15 November 2015, which is over the six weeks standard consultation time. The Budget Savings Proposal for the Library and Information Service was made public on 9 September when a paper was presented to the Safer Stronger Communities Select Committee. The consultation was publicised through the local media, including South London Press, News Shopper, and Mercury. Notifications were sent to residents through the Lewisham Life email newsletter. Publicity and papers were available on the council web site and in all the libraries.

The information provided before and during the consultation clarified the Library Service performance, including an overview of the existing community library provision, and the proposed approach to delivering savings. The Service aimed to provide the relevant information without overwhelming the reader. The public participation in the consultation in person and in writing demonstrates that residents were able to evaluate the options and express informed views on them.

- 6.6. Deterioration of the Service if community run – A large number of respondents expressed concern about the quality of the service if this moved to being “community run”. The comments were mostly based on the decrease in book issues at the Community Libraries, the fact that council staff are not based in the buildings and the risk of temporary closures.

There has been a fall in book issues from library services nationally. Overall Lewisham’s book issues have performed well against this national trend but it is true that the issues of books decreased faster in the community libraries than in the council-managed buildings. This may be partially attributed to the reduced stock at community libraries and the accessibility of the self-service technology. The library service intends to take steps to address the drop in book issues across the whole service and is investigating changing the self-service technology to better support self-issue. More positively, visits to community libraries have risen, demonstrating increased usage of the service. This consistent trend is linked to three factors, the increase in opening hours, the introduction of additional services in the buildings, and the direct involvement of local communities in the running of the buildings and the activities in them. It is also worth noting that residents’ satisfaction with the libraries service has risen since the introduction of the community library model in 2011. The need to temporarily close a service for lack of staff or unforeseen problems with a building, whilst always regrettable, can occur in any business, including the council-run libraries.

- 6.7. The local community – Many felt that the proposal would have a negative impact on the local community and some people asked how the council would continue to engage with local communities if the proposal was taken forwards.

The buildings and particularly the services in them are likely to change following the implementation of the community library model. The lack of certainty about the future of their local library is reasonably presenting residents with concern. However, our experience of the community libraries shows that creative and individual solutions can be found for each building, which avoids the potential impact of a more radical approach, such as the closure of a building. The council recognises that local residents will want to continue to be engaged with the implementation of the proposal and will establish mechanisms to continue to work with local stakeholders.

- 6.8. Volunteers – Respondents expressed concern over the use of volunteers to “replace” council staff. Some stressed the lack of reliability that is inherent in the transient role of volunteers. Some were concerned about issues linked to the ability of volunteers to care for the assets and to safeguard visiting audiences, particularly children.

The council is not proposing to replace council staff with volunteers. During the consultation, the community library model was explained. This is based on the commitment by a third party organisation to support access to library service from a building that they are now responsible for. The council commits to sustaining the library service, e.g. through buying books, maintaining the IT-based self-service infrastructure, and providing a peripatetic library service. All the partner organisations maintain safeguarding policies.

- 6.9. Support for a particular library – Respondents articulated a number of reasons why the individual libraries should be excluded from the proposed changes. For example,
- Forest Hill residents thought that their library should be excluded for a range of reasons, including the performance of the library and the impact on their community.
 - Manor House residents thought that their library should be excluded because of its status as a valued heritage building.
 - Torridon Road residents thought that their library should be excluded because of the work it does with children and families.

The value of the individual libraries was never in dispute, as much as the capacity of the future, much reduced workforce to sustain the current presence in these buildings. Some modelling is presented in Section 8 that reflect possible solutions based on retaining the council presence in all the buildings while reducing costs through staff reductions.

- 6.10. Catford – the consultation highlighted the need for a different approach for the library presence on the ground floor of Laurence House, which should be developed with other council services within the building. Residents did not support the proposal that library staff should be removed from the premises leaving the service to operate on a self-service basis with the support of the peripatetic community engagement team. The proposal for Catford is to retain a library service offer as part of an integrated ‘front door’ to the council on the ground floor of Laurence House. The ‘front door’ has three key components:

- A safe, public space – a truly public space, open to all, with books, information and computers that people can access themselves. A space with free WIFI where you can spend time, feel safe and part of the wider community including an area specifically for children that will continue to offer access to books and reading for our younger residents.
- Reception for council business – efficiently and securely welcoming visitors to the council’s offices.
- Access Point – providing a customer service centre that offers face to face support for more complex transactions between the council and residents that cannot be resolved on the phone or online.

At the moment these three functions are managed separately. Over the next 2 months officers will explore how to integrate these functions with a joined up staff team, and a redesign of the layout to support the efficient management of the space whilst still delivering each of the three functions.’ The comments received during the consultation process in relation to Catford Library will be taken into consideration in the redesign.

7. Alternative proposals

- 7.1. During the consultation a number of alternative proposals for how to achieve the required £800k saving in employee costs were suggested. This section of the report explores the feasibility of these alternatives.

7.2. The table below summarises the two main alternative approaches set against the current practice and against the proposal of extending the community library model which was the favoured option put forward in the consultation document. The alternative proposals are then discussed individually.

	Current structure	Proposal	Reduction in staff but all libraries open	Reduction in staff and inclusion of volunteers at all libraries
Employee costs	£ 3,105,800	£ 2,305,800	£ 2,305,800	£ 2,305,800
Total weekly opening hours	637.5	666.5	443	637.5
Structural volunteer hours/week	0	0	0	600
No of Hub Libraries	7	4 (including Catford)	7	7
No of Community Libraries	5	8	5	5
What does it mean?	This is the current cost of providing the service	<ul style="list-style-type: none"> • 3 Hub Libraries (Deptford, Downham, Lewisham), • Extension of Community Library Model to Forest Hill, Manor House, and Torridon Road, and separate solution for Catford to be developed. • Staff roles review and training. 	<ul style="list-style-type: none"> • Reduced opening hours at Catford, Downham, Deptford, and Lewisham to 50 h/w • Reduced opening hours at, Forest Hill, Manor House, and Torridon to 15-20 h/w. • No change to the existing community library (which would all be open longer than the council-staffed libraries) 	<ul style="list-style-type: none"> • This will reduce services from the Current set-up by replacing paid staff with volunteers. • The Service may have to manage a new infrastructure based on volunteers.

7.3. The current structure – The current structure covers the cost of running the library service at the seven buildings and the community engagement team that supports the current five community libraries.

7.4. The proposal – The Proposal would reduce staffing costs by £800,000. The Proposal includes the relocation of staff from four buildings (Catford, Forest Hill, Manor House, and Torridon Road) to the remaining three (Deptford, Downham, and Lewisham) Hub Libraries. Fundamentally, the Proposal maintains a library service provision within the buildings subject to the asset transfer (Forest Hill, Manor House, and Torridon Road) and in Catford. This would be based on a self-service infrastructure and the growth of the peripatetic service currently provided through the Community Engagement Team.

7.5. Reduction of opening hours – It is possible to retain staff at all the seven libraries currently operating in the borough after the reduction in staffing. However, the much reduced staffing levels may result in a 34% loss in opening hours. One in three opening hours will be lost, putting at risk the basic provision of library services.

7.6. Use of volunteers at all libraries – The full integration of new volunteer roles in the structure of the library service might provide an option to sustain current provision. This would have to follow the reduction in staff, proposing the replacement of paid staff with volunteers. The council has always viewed the third sector as distinct, supporting it and valuing its input as additional and complementary to the council's own. There is no indication that the council is minded to depart from the current position. This approach will also require the library service to develop an infrastructure to promote, recruit, manage, and develop volunteers. Such structure

might further reduce the library specific staff, unless the new duties and skills are reassigned to re-trained staff.

- 7.7. Other alternative suggestions included approaches based on increasing income or external, one-off capital input, such as using council reserves or (prudential) borrowing to temporarily sustain the current level of provision.
- In relation to the former, to achieve the required level of income, takings would need to grow from £237,700 to up to £1,187,700 (+500%). While increased income is desirable, the level of growth required, given no other change in the business scope and practices, is unrealistic.
 - In relation to the use of reserves, the council would not be able to use reserves to structurally sustain a specific service. While reserves may be used in emergencies and one-off conditions, relying on them to balance revenue accounts would negate the core function of the reserves fund. Also, prudential or other forms of borrowing to sustain continued revenue costs would not resolve the fundamental issue of allowing the council to live within its means, which may lead to unmanageable debt levels.
- 7.8. Also, during the consultation, respondents mentioned two additional options, namely the potential outsourcing of the service to a third party or the spin-out of local authority control through the formation of an independent organisation, possibly a mutual. While both are potential options, it is unclear that either will provide the required level of savings in the timeframe. It is also plausible that each would require a full reorganisation and streamlining of the Service before its implementation. Without this, the incoming or fledgling organisation would be burdened with additional costs that the council is already trying to reduce through these proposals.

8. The soft market test

- 8.1. The Council conducted a soft market test to gauge the interest in the transfer of the Forest Hill, Manor House, and Torridon Road buildings to potential partners. The Test attracted a number of organisations from the commercial, public, and voluntary sectors.
- 8.2. Given the outcome of soft market test that resulted in eight organisations expressing an interest, it is reasonable to assume that a formal procurement will attract suitable partners interested in taking on the management of the library buildings on a long lease.
- 8.3. It also emerged that community groups, local residents and stakeholders would welcome further engagement during the formal procurement phase. It is proposed that this is done through the Local Assemblies structure and engaging with relevant groups in the vicinity of each building.

9. Potential impact of the proposed changes and equalities implications

- 9.1. The specific impact on protected characteristics and a full Equality Impact Assessment are available in Appendix 2. Overall the equalities impact is assessed as low given that the library service would continue to operate in all of its current locations. However, it is recognised that the service being delivered will change and that the needs of individual protected characteristics will need to continue to be taken into consideration as the proposal is implemented.

10. Comments from the Safer Stronger Communities Select Committee held on 30 November 2015

- 10.1 The Select Committee heard the feedback from the consultation process and wished to be assured about the thoroughness of the process itself.

- 10.2 The Committee also heard contributions from the floor and made note of the passion that many residents have for the Library Service. The Committee also noted the petition presented by a representative of the Defend Torridon Road Library group.
- 10.3 The Committee noted that officers agreed that further work needs to be done on the details of integrating the library, reception and Access Point on the ground floor of Laurence House.
- 10.4 The Committee strongly agreed that if the proposals were to be agreed, officers should engage with residents via Local Assemblies to ensure a level of contribution to shaping the specification for community libraries and contributing to elements of the procurement process.
- 10.5 The Committee regretted that cut backs were required in the Library and Information Service but noted the difficult financial situation that the Council has been placed in. They therefore, with reluctance, recommended that the Mayor agree the proposed changes to the Library and Information Service.

11. Legal Implications

- 11.1 The Public Libraries and Museums Act 1964 makes provision for regulating and improving library services. Section 7(1) sets out the duty of every library authority to provide a “comprehensive and efficient library service for all persons desiring to make use thereof”. Section 7(2) provides that, in fulfilling its duties, a library authority should have regard to the desirability “of securing ...by any other appropriate means” that facilities are available for the borrowing of, or reference to, books and other printed matter, pictures, records, films and other materials in sufficient number, range and quality to meet the general requirements and any special requirements of adults and children. Section 9(1) provides that “a library authority may make contributions towards the expenses ofany person providing library facilities for members of the public”.
- 11.2 Recent judgments by Courts have indicated that where a consultation exercise is undertaken by public bodies in relation to proposals to cut services which are provided pursuant to Statute then that for it to be lawful consultation should conform to certain requirements , namely that it should:
- be undertaken at a time when the relevant proposal is still at a formative stage;
 - give sufficient reasons for particular proposals to permit of intelligent consideration and an intelligent response;
 - give consultees adequate time for consideration and response; and
 - the product of consultation must be conscientiously taken into account when finalising any proposals.
- 11.3 The consultation process is at the discretion of the public authority and provided it is fair there are no prescriptive rules which have to be followed subject to the principles outlined at **Error! Reference source not found.** above being observed.

12. Equalities Legislation

- 12.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 12.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

12.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

12.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

12.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

12.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

13. Financial Implications

13.1 This report relates to savings proposal L6 considered by Mayor and Cabinet on 16 September 2015. The proposal is for a reduction of £1m against the current net library budget of £4.18m, phased £400k in 2016/17, £600k in 2017/18.

13.2 The report sets out the results of public consultation on the proposals and recommends that the further work required to achieve the saving be undertaken.

14. Crime and Disorder Implications

14.1 There are no direct crime and disorder implications arising from this report.

15. Environmental Implications

15.1 There are no direct environmental implications in this report.

16. Conclusion

- 16.1. The consultation on the proposed changes to the Library and Information Service attracted a strong response from residents. Respondents were overwhelmingly opposed to the proposal. A number of alternative proposals were put forward, the majority of which, would be unlikely to achieve the required £1million saving. On balance, taking into account the strong opposition to the proposal and having considered the alternatives, it is felt that the preferred option laid out in the consultation paper and section 5 above, builds on the experience that the council has developed since 2010 in relation to the transfer on long leases of the buildings and the delivery of library services through the Lewisham Community Libraries Model and will enable the council to continue to meet its obligation under the Public Libraries and Museums Act of 1964 to provide a 'comprehensive and efficient' service. The Model is sound and is sustaining a library service that has increased the satisfaction of Lewisham residents. The link that the council has established with local organisations has proven mutually beneficial, attracting increasing visitors to the community libraries. While it is recognised that the issuing of books has reduced, which requires further efforts from the Library and Information Team across the whole service, this is one of many functions that the libraries provide.

Background Papers

1. May 2011 Report + EIA:

<http://councilmeetings.lewisham.gov.uk/mgConvert2PDF.aspx?ID=1443andISATT=1#search=%22library%22>

2. Mayor and Cabinet Report from HCSC 18 January 2012

<http://councilmeetings.lewisham.gov.uk/mgConvert2PDF.aspx?ID=7306>

3. HCSC report 14 December 2011

<http://councilmeetings.lewisham.gov.uk/mgConvert2PDF.aspx?ID=6983>

4. Mayoral response to the comments of the Healthier Communities Select Committee on the Library and Information Service

<http://councilmeetings.lewisham.gov.uk/documents/s8101/Response%20on%20Community%20Libraries%20to%20Healthier%20Communities%20SC.pdf>

For further information please contact
Liz Dart, Head of Culture and Community Development on 020 8314 6115.

Appendix 1

The public consultation on the proposed changes to the Library and Information Service

Consultation overview

This report brings together the feedback received through each of the different consultation elements and provides a comprehensive evidence base to help inform the decision-making process. It reviews the full range of feedback received, and brings together those common themes that have emerged.

Verbatim quotations (all of which are italicised) are used where relevant to capture recurrent points of view.

Overview of the consultation elements

Consultation type	No of responses / participants
Quantitative	
Questionnaire	827
Total quantitative responses	827
Qualitative	
Public meetings (5 meetings across the borough)	211
Focus groups & stakeholder meetings 5 sessions with various groups)	65
Written submissions (from individuals and groups)	18
Petitions	2
Signatures	1,454
Total qualitative responses (some individuals may have contributed to more than one consultation strand)	1,748
TOTAL RESPONSES OVERALL	2,575

Consultation process

In October and November 2015, Lewisham Council consulted on the proposed savings in the Libraries budget as part of the Lewisham Future Programme. The Library & Information Service was asked to find £1,000,000 in savings from its budget. 3 options were proposed – outsourcing of the service; reducing opening hours and closing libraries; the extension of the Lewisham Libraries community model with the transfer of 3 libraries to community partners - Forest Hill, Manor House and Torridon Libraries, the creation of 3 Hub libraries – Deptford, Downham and Lewisham, and the remodelling of Catford Library

The consultation launched on 1st October and ran until 15th November. Information about the proposals was posted in the libraries, on the Libraries section of the Council website (<http://www.lewisham.gov.uk/libraryconsultation>) and a consultation survey was posted on the Lewisham consultation website (https://lewisham-consult.objective.co.uk/public/proposed_changes_to_the_library_and_information_service). 5 public meetings were held at locations across the borough and 4 focus groups.

Users were encouraged to complete the survey online and paper copies were made available in libraries and at the consultation meetings and focus groups. An email address was created for people to contact the service and request pdf copies of the consultation survey or submit comments - library.consultation@lewisham.gov.uk.

Information was also posted on the Library & Information Service Facebook page and Twitter account.

Petitions were handed in from local interested parties. Steps were taken to monitor activity and comments on the web to ensure awareness of the main areas of concern, including comments posted on the petition **Save Lewisham Libraries** and the **SE23 Forum**.

Public meetings

Public consultation meetings were held on –

Date	Location	No of attendees
Wednesday 7 October	Broadway Theatre, Catford SE6 4RU	27
Monday 12 October	Trinity School, Lee SE12 8PD	46
Monday 19 October	Sydenham School, Forest Hill, SE26 4RD	55
Thursday 22 October	Sandhurst Junior School, Catford SE6 1NW	55
Wednesday 4 November	St Dunstan's Jubilee Hall, Catford SE6 4SW	28

Focus groups

Focus groups were held to ensure input from users who might not be able to interact online or attend evening meetings.

Date	Group	No of attendees
Monday 2 November	Young Mayor's Advisors	25
Thursday 5 November	Positive Ageing Council	12
Wednesday 11 November	School teachers and librarians	3
Thursday 12 November	Lewisham Disability Coalition	4
Monday 16 November	Manor House Library stakeholder meeting	21

Online consultation

The online consultation was launched on 1 October. Information was posted on the Libraries section of the Council website, which received 2,268 unique visits and 2,937 views over the consultation period from 1 October to 15 November.

Source	Number of responses
Library Consultation page on the Council website	2,268 visitors
Consultation survey (A copy of the survey is attached)	827

Written submissions

	Source	Number of responses
Petitions received	2	
	Number of signatories	1454
	Number of comments	363
	Formal responses from local organisations	4
	Emails	7
	Letters	3

Social media

Source	Number of responses
SE23 Forum	100 comments

Areas of concern raised through the consultation process

Main themes

The austerity approach – It emerged consistently during the consultation that residents feel strongly against the climate of austerity that is having a negative effect on the local authority and its capacity to continue to sustain services to residents. Some maintain that the council should find ways to express its residents' views to the government.

The value of the library service – Residents were unanimous in expressing their views on the value of the Lewisham library service and its staff. It was felt that any reduction in the service would make the authority poorer in the present and more so in the future. The impact on citizens and future generations was clearly and repeatedly articulated in person and in writing.

Deterioration of the Service if community run – A large number of respondents expressed concern about the quality of the service if this moved to being “community run” and that the proposed option would entail reduced access to professional and/or trained library staff

Impact on children - A number of respondents expressed concern that the proposed option would have a major detrimental effect on children and their families.

Reduction in perceived access to libraries – Respondents expressed concern that they would be unable to travel to a hub library and would not be able to access ‘full’ library services

The local community – Many felt that the proposal would have a negative impact on the local community.

Volunteers – Respondents expressed concern over the use of volunteers to “replace” council staff. Some stressed the lack of reliability that is inherent in the transient role of volunteers. Some were concerned about issues linked to the ability of volunteers to care for the assets and to safeguard visiting audiences, particularly children. That the proposed option would mean that professional and/or trained library staff

The consultation process – Some believed that the consultation was not properly carried out because of insufficient publicity or time and opportunity to respond, or because the information was inadequate.

Consultation survey

827 Responses were received to consultation survey.

Need for change

Respondents were asked to what extent they agreed or disagreed that changes to the Council's public library service were necessary.

20% agreed or strongly agreed
65% disagreed or strongly disagreed

Need for change

Question responses: 814 (98.43%)

To what extent do you agree or disagree that changes to the Council's public library service are necessary?

Table .1

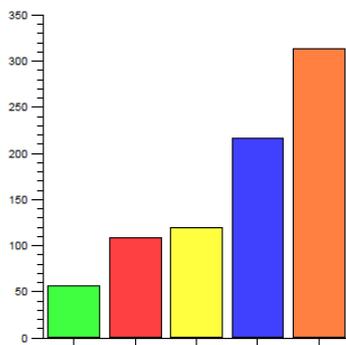


Table .2

	% Total	% Answer	Count
Strongly agree	6.77%	6.88%	56
Agree	13.06%	13.27%	108
Neither agree nor disagree	14.51%	14.74%	120
Disagree	26.24%	26.66%	217
Strongly disagree	37.85%	38.45%	313
[No Response]	1.57%	--	13
Total	100.00%	100.00%	827

Option selection

Respondents were asked which – if any – of the 3 proposed options they preferred.

6% preferred outsourcing the service to a third party organisation
4% preferred reducing opening hours and closing libraries
36% preferred creating 3 fully staffed hubs and extending the community model
54% preferred another option

Respondents were then asked to complete a free text box with details of their preferred 'other' option. These are listed below.

Option selection

Question responses: 780 (94.32%)

Which of the following is your preferred option for changes to the library service?

Table .1

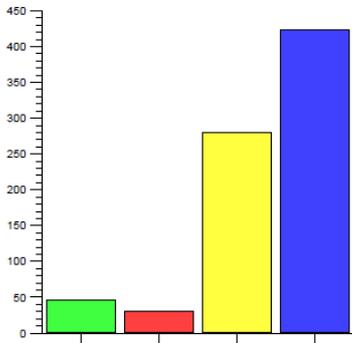


Table .2

	% Total	% Answer	Count
Outsourcing the library service to a third party organisation	5.56%	5.90%	46
Reducing opening hours and closing libraries	3.75%	3.97%	31
Creating three fully staffed hub libraries with longer opening hours and extending the community library model to three more buildings	33.86%	35.90%	280
Other...please specify below	51.15%	54.23%	423
[No Response]	5.68%	--	47
Total	100.00%	100.00%	827

Preferred option

Respondents were asked to what extent they agreed or disagreed with the Council's preferred option to create 3 hub libraries and extend the community model.

29% agreed or strongly agreed
59% disagreed or strongly disagreed

Preferred option

Question responses: 806 (97.46%)

To what extent do you agree or disagree with the Council's preferred option to create three fully staffed hub libraries with longer opening hours while extending the community model to three more buildings?

Table .1

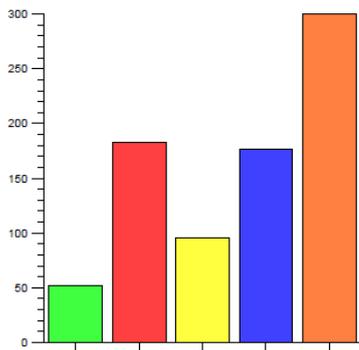


Table .2

	% Total	% Answer	Count
Strongly agree	6.29%	6.45%	52
Agree	22.13%	22.70%	183
Neither agree nor disagree	11.49%	11.79%	95
Disagree	21.28%	21.84%	176
Strongly disagree	36.28%	37.22%	300
[No Response]	2.54%	--	21
Total	100.00%	100.00%	827

Impact of the proposed changes

Respondents were asked what impact the proposal would have on them personally.

8% said it would have a positive impact
66% said it would have a negative impact

Respondents were able to complete a free text box with further details on what the impact would be on them. The results of this are listed below.

Impact of proposed changes

Question responses: 809 (97.82%)

What impact do you think that this proposal would have on you personally?

Table .1

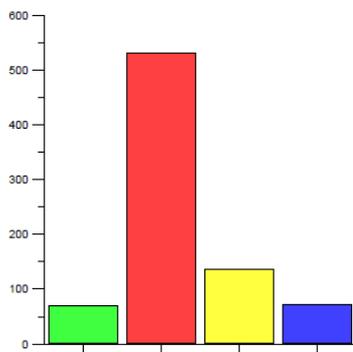


Table .2

	% Total	% Answer	Count
Positive impact	8.34%	8.53%	69
Negative impact	64.21%	65.64%	531
No personal impact	16.57%	16.93%	137
Don't know	8.71%	8.90%	72
[No Response]	2.18%	--	18
Total	100.00%	100.00%	827

Free text comments

There were 3 questions where people could enter free text and make comments on –

Which of the following is your preferred option for changes to the library service? Please specify your 'other' preferred option here

What impact do you think that this proposal would have on you personally? Please describe briefly how you think you would be impacted by this proposal?

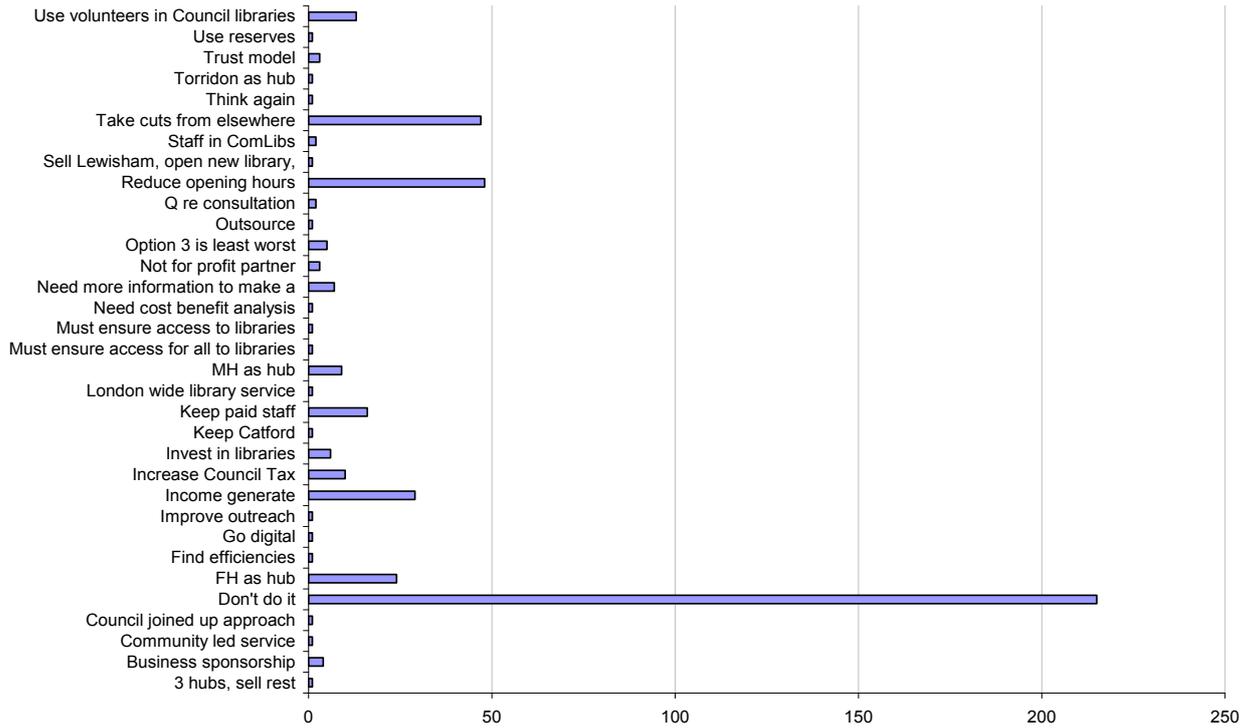
Do you have any other comments on the proposed changes to the library service that you would like to share with us?

Question 1

Which of the following is your preferred option for changes to the library service? Please specify your 'other' preferred option here.

54% or 423 people selected this option. 474 respondents completed a response and these were categorised as follows

Category	No of responses
3 hubs, sell rest	1
Business sponsorship	4
Community led service	1
Council joined up approach	1
Don't do it	215
Forest Hill as hub	24
Find efficiencies	1
Go digital	1
Improve outreach	1
Income generate	29
Increase Council Tax	10
Invest in libraries	6
Keep Catford Library	1
Keep paid staff	16
London wide library service	1
Manor House as hub	9
Must ensure access for all to libraries	1
Must ensure access to libraries	1
Need cost benefit analysis	1
Need more information to make a choice	7
Not for profit partner	3
Option 3 is least worst	5
Outsource	1
Q re consultation	2
Reduce opening hours	48
Sell Lewisham, open new library, close community libraries	1
Staff in community libraries	2
Take cuts from elsewhere	47
Think again	1
Torridon Library as hub	1
Trust model	3
Use reserves	1
Use volunteers in Council libraries	13



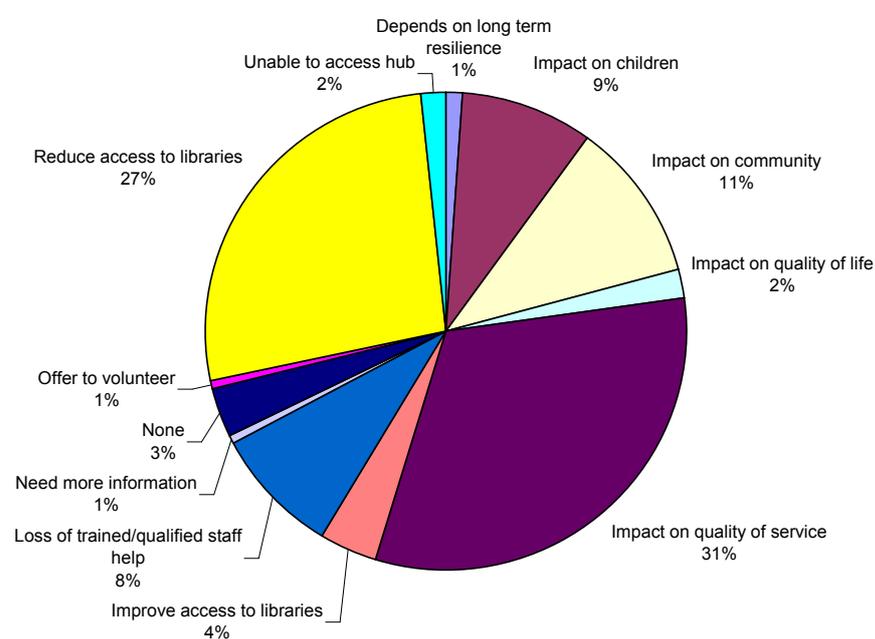
Question 2

**What impact do you think that this proposal would have on you personally?
Please describe briefly how you think you would be impacted by this proposal?**

573 respondents entered a response and these were categorised as follows

Category	No of responses
Depends on long term resilience	6
Impact on children	50
Impact on community	59
Impact on quality of life	11
Impact on quality of service	178
Improve access to libraries	22
Loss of trained/qualified staff help	47
Need more information	3
None	18
Offer to volunteer	3
Reduce access to libraries	149
Unable to access hub	9

Libraries consultation - Impact of proposals



Question 3

Do you have any other comments on the proposed changes to the library service that you would like to share with us?

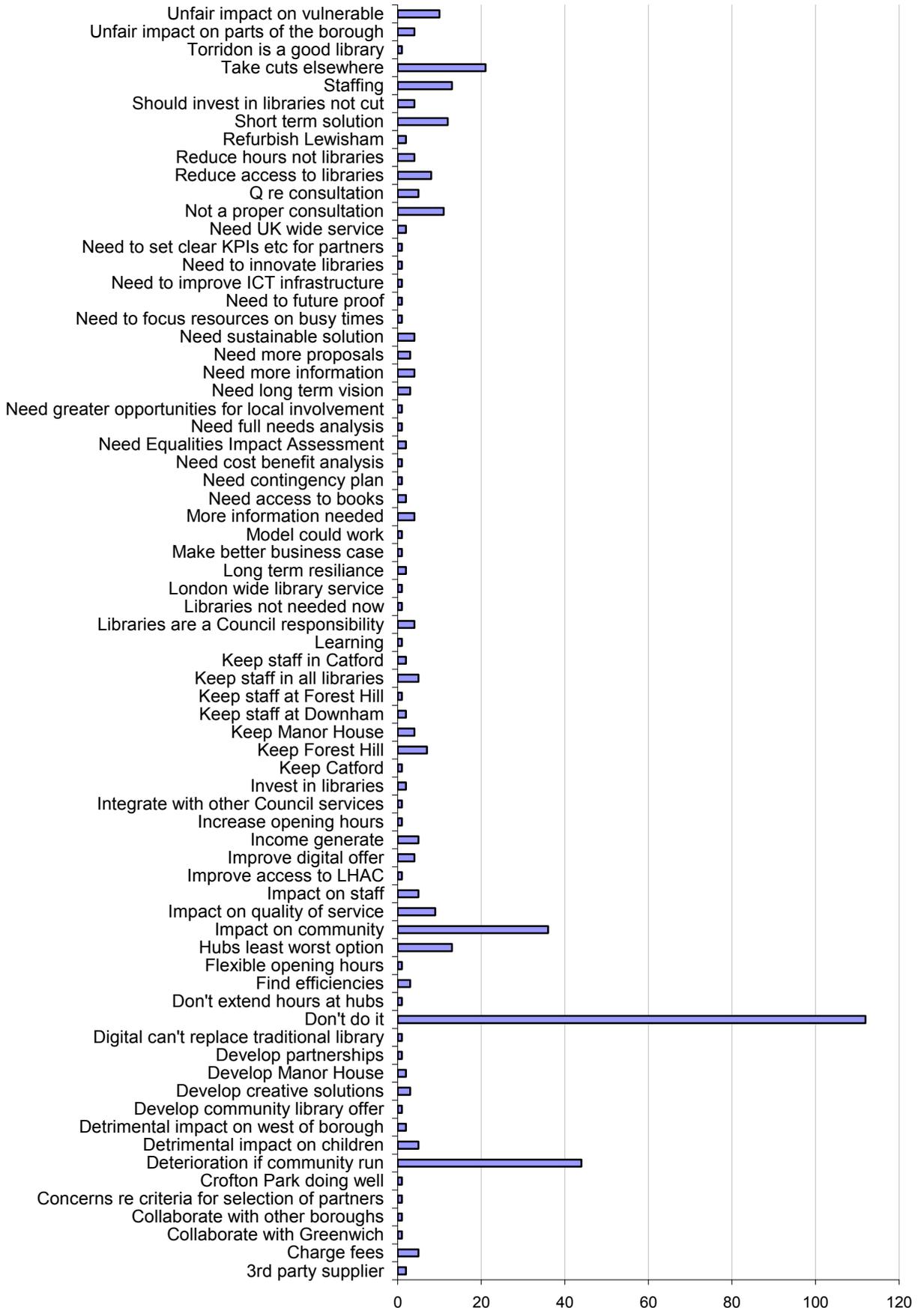
444 respondents entered a response.

These covered a wide range of subjects which were categorised as follows –

Category	No of responses
3rd party supplier	2
Charge fees	5
Collaborate with Greenwich	1
Collaborate with other boroughs	1
Concerns re criteria for selection of partners	1
Crofton Park doing well	1
Deterioration if community run	44
Detrimental impact on children	5
Detrimental impact on west of borough	2
Develop community library offer	1
Develop creative solutions	3
Develop Manor House	2
Develop partnerships	1
Digital can't replace traditional library	1
Don't do it	112
Don't extend hours at hubs	1
Find efficiencies	3
Flexible opening hours	1
Hubs least worst option	13
Impact on community	36
Impact on quality of service	9
Impact on staff	5
Improve access to LHAC	1
Improve digital offer	4
Income generate	5
Increase opening hours	1
Integrate with other Council services	1
Invest in libraries	2
Keep Catford	1
Keep Forest Hill	7
Keep Manor House	4
Keep staff at Downham	2
Keep staff at Forest Hill	1
Keep staff in all libraries	5
Keep staff in Catford	2
Learning	1
Libraries are a Council responsibility	4
Libraries not needed now	1
London wide library service	1
Long term resilience	2
Make better business case	1
Model could work	1
More information needed	4

Category	No of responses
Need access to books	2
Need contingency plan	1
Need cost benefit analysis	1
Need Equalities Impact Assessment	2
Need full needs analysis	1
Need greater opportunities for local involvement	1
Need long term vision	3
Need more information	4
Need more proposals	3
Need sustainable solution	4
Need to focus resources on busy times	1
Need to future proof	1
Need to improve ICT infrastructure	1
Need to innovate libraries	1
Need to set clear KPIs etc for partners	1
Need UK wide service	2
Not a proper consultation	11
Q re consultation	5
Reduce access to libraries	8
Reduce hours not libraries	4
Refurbish Lewisham	2
Short term solution	12
Should invest in libraries not cut	4
Staffing	13
Take cuts elsewhere	21
Torridon is a good library	1
Unfair impact on parts of the borough	4
Unfair impact on vulnerable	10

Free text comments



Respondent types

92% of respondents live in Lewisham and 15% work and 3% study in the borough
(This was a multiple choice question)

Respondent types

Question responses: **816 (98.67%)**

Which of the following best describes you?

Table .1

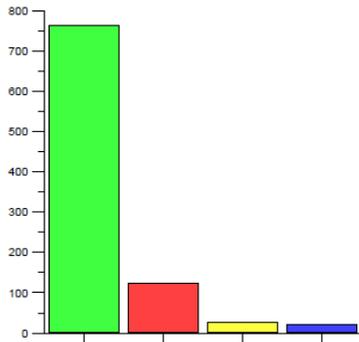


Table .2

	% Total	% Answer	Frequency	Count
I live in the borough of Lewisham	80.83%	81.78%	92.26%	763
I work in the borough of Lewisham	13.14%	13.29%	14.99%	124
I study in the borough of Lewisham	2.65%	2.68%	3.02%	25
None of the above	2.22%	2.25%	2.54%	21
[No Response]	1.17%	--	1.33%	11
Total	100.00%	100.00%	0%	944

Frequency of use

The majority of respondents are regular library users and visit a Lewisham library weekly – 44% or monthly 30%

Frequency of use

Question responses: 817 (98.79%)

How often do you use any of the public libraries in Lewisham?

Table .1

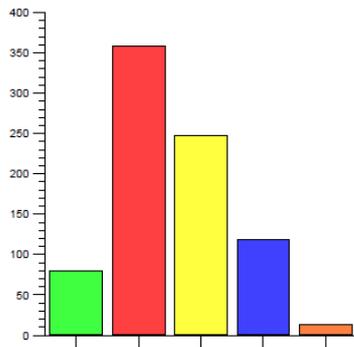


Table .2

	% Total	% Answer	Count
Daily	9.55%	9.67%	79
Weekly	43.29%	43.82%	358
Monthly	29.99%	30.35%	248
Less often than monthly	14.39%	14.57%	119
Never	1.57%	1.59%	13
[No Response]	1.21%	--	10
Total	100.00%	100.00%	827

Which library do you use

The majority of responses came from users of Manor House (30%) and Forest Hill (24%) libraries, followed by Lewisham (11%), Catford (9%) and Torrington Road (9%) libraries

Which library

Question responses: **820 (99.15%)**

Which one of Lewisham's public libraries do you use the most often?

Table .1

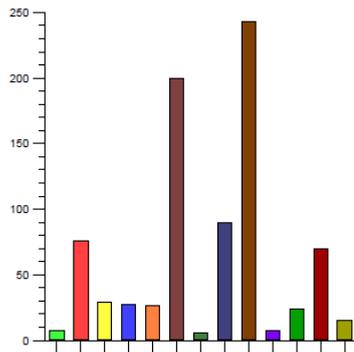


Table .2

	% Total	% Answer	Count
Blackheath	0.85%	0.85%	7
Catford	9.19%	9.27%	76
Crofton Park	3.51%	3.54%	29
Deptford Lounge	3.26%	3.29%	27
Downham	3.14%	3.17%	26
Forest Hill	24.18%	24.39%	200
Grove Park	0.73%	0.73%	6
Lewisham	10.88%	10.98%	90
Manor House	29.38%	29.63%	243
New Cross	0.85%	0.85%	7
Sydenham	2.90%	2.93%	24
Torrington Road	8.46%	8.54%	70

Age of respondents

The responses came from a broad range of age groups, the highest being the over 65s (17%) and 40-44 years (16%). This was followed by the 35-39 years (15%), 45-49 years (10%), 30-34 years (10%) and the 50-54 years (9%).

Age

Question responses: 819 (99.03%)

Please select your age group

Table .1

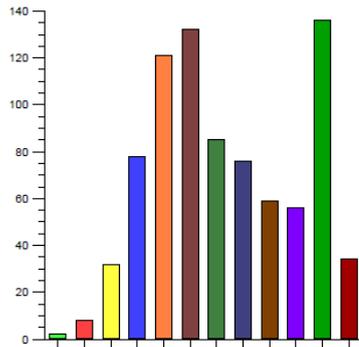


Table .2

	% Total	% Answer	Count
Under 18 years	0.24%	0.24%	2
18-24	0.97%	0.98%	8
25-29	3.87%	3.91%	32
30-34	9.43%	9.52%	78
35-39	14.63%	14.77%	121
40-44	15.96%	16.12%	132
45-49	10.28%	10.38%	85
50-54	9.19%	9.28%	76
55-59	7.13%	7.20%	59
60-64	6.77%	6.84%	56
65+	16.44%	16.61%	136
I'd rather not say	4.11%	4.15%	34

Ethnicity of respondents

The majority of responses came from White British and White other ethnic groups – 79%, with Black African, Caribbean, British providing 7%.

Ethnicity

Question responses: 800 (96.74%)

What is your ethnic group?

Table .1

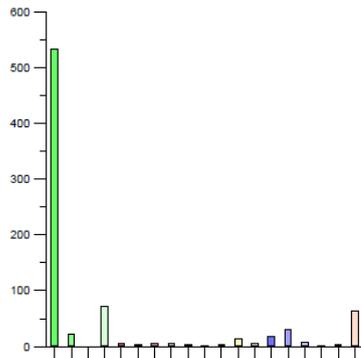


Table .2

	% Total	% Answer	Count
White			
English/Welsh/Scottish/Northern Irish/British	64.45%	66.63%	533
Irish	2.66%	2.75%	22
Gypsy or Irish Traveller	0.00%	0.00%	0
Any other White background	8.71%	9.00%	72
Mixed/Multiple Ethnic Groups			
White and Asian	0.73%	0.75%	6
White and Black African	0.48%	0.50%	4
White and Black Caribbean	0.60%	0.63%	5
Any other mixed/ multiple ethnic background	0.60%	0.63%	5
Asian/Asian British			
	% Total	% Answer	Count
Chinese	0.48%	0.50%	4
Bangladeshi	0.24%	0.25%	2
Pakistani	0.48%	0.50%	4
Indian	1.57%	1.63%	13
Any other Asian background	0.60%	0.63%	5
Black/ African/ Caribbean/ Black British			
African	2.18%	2.25%	18
Caribbean	3.63%	3.75%	30
Any other Black/ African/ Caribbean background	0.97%	1.00%	8
Any other ethnic group			
Arab	0.24%	0.25%	2
Other ethnic group	0.48%	0.50%	4
I'd rather not say	7.62%	7.88%	63
[No Response]	3.26%	--	27
Total	100.00%	100.00%	827

Gender of respondents

64% of responses came from Women and 30% from men, with 6% preferring not to say.

Gender

Question responses: **806 (97.46%)**

Are you:

Table .1

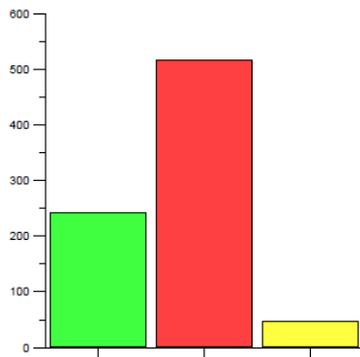


Table .2

	% Total	% Answer	Count
Male	29.38%	30.15%	243
Female	62.39%	64.02%	516
I'd rather not say	5.68%	5.83%	47
[No Response]	2.54%	--	21
Total	100.00%	100.00%	827

Transgender responses

Transgender respondents supplied 6% of responses with 10% preferring not to say.

Transgender

Question responses: 661 (79.93%)

Is your gender identity different from the gender you were assigned at birth?

Table .1

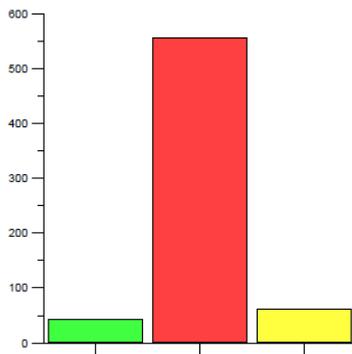


Table .2

	% Total	% Answer	Count
Yes	5.08%	6.35%	42
No	67.35%	84.27%	557
I'd rather not say	7.50%	9.38%	62
[No Response]	20.07%	--	166
Total	100.00%	100.00%	827

Disability

12% of respondents were people who considered themselves to be disabled

Disability

Question responses: 783 (94.68%)

Do you consider yourself to be a disabled person?

Table .1

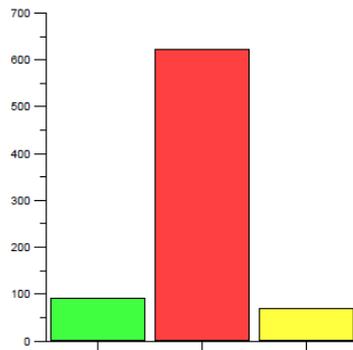


Table .2

	% Total	% Answer	Count
Yes	11.12%	11.75%	92
No	75.09%	79.31%	621
I'd rather not say	8.46%	8.94%	70
[No Response]	5.32%	--	44
Total	100.00%	100.00%	827

25% of these respondents had a long standing illness or health condition, 18% a physical impairment, 16% a mental health condition, 14% a learning disability and 13% a sensory impairment.

Please state the type of impairment that applies to you

Question responses: 92 (11.12%)

Please state the type of impairment that applies to you.

Table .1

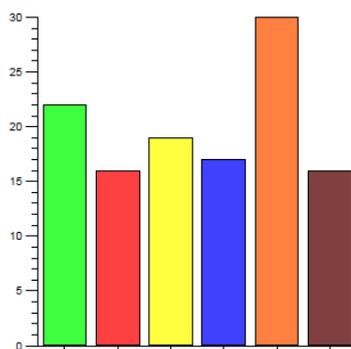


Table .2

	% Total	% Answer	Frequency	Count
Physical impairment, such as difficulty using your arms or mobility issues which means using a wheelchair or crutches	2.57%	18.33%	2.66%	22
Sensory impairment, such as being blind/ having a serious visual impairment or being deaf/ having a serious hearing impairment	1.87%	13.33%	1.93%	16
Mental health condition, such as depression or schizophrenia	2.22%	15.83%	2.30%	19
Learning disability/difficulty, such as Down's Syndrome or dyslexia or cognitive impairment, such as autistic spectrum disorder	1.99%	14.17%	2.06%	17
Long-standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease or epilepsy	3.51%	25.00%	3.63%	30
Other	1.87%	13.33%	1.93%	16

Religion and Belief

46% of those responding said they had no religion, 33% said they were Christian (all denominations) and 14% preferred not to say.

Religion and belief

Question responses: 796 (96.25%)

Table .1

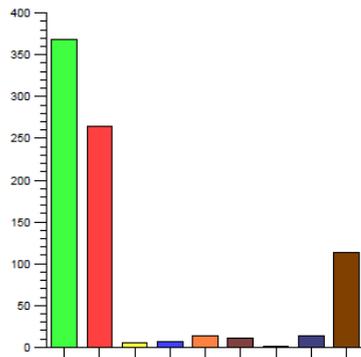


Table .2

	% Total	% Answer	Count
None	44.50%	46.23%	368
Christian (all denominations)	31.92%	33.17%	264
Buddhist	0.60%	0.63%	5
Hindu	0.73%	0.75%	6
Jewish	1.69%	1.76%	14
Muslim	1.33%	1.38%	11
Sikh	0.12%	0.13%	1
Any other religion/ belief	1.69%	1.76%	14
I'd rather not say	13.66%	14.20%	113
[No Response]	3.75%	--	31
Total	100.00%	100.00%	827

Sexual orientation

73% of respondents said they were straight/heterosexual, 21% preferred not to say, 3% were Gay/lesbian and 2% were Bisexual.

Sexual Orientation

Question responses: 769 (92.99%)

How would you define your sexual orientation?

Table .1

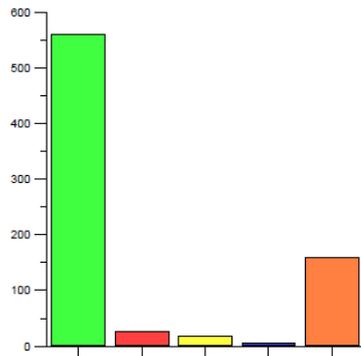


Table .2

	% Total	% Answer	Count
Straight/ heterosexual	67.84%	72.95%	561
Gay/ lesbian	3.14%	3.38%	26
Bisexual	2.06%	2.21%	17
Other	0.60%	0.65%	5
I'd rather not say	19.35%	20.81%	160
[No Response]	7.01%	--	58
Total	100.00%	100.00%	827

Pregnancy and maternity

4% of respondents were pregnant or on maternity leave while 10% preferred not to say.

Pregnancy & Maternity

Question responses: 738 (89.24%)

Are you pregnant or on maternity leave?

Table .1

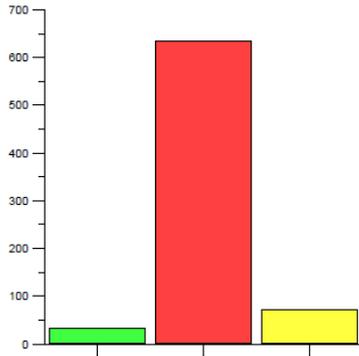


Table .2

	% Total	% Answer	Count
Yes	3.87%	4.34%	32
No	76.78%	86.04%	635
Prefer not to say	8.59%	9.62%	71
[No Response]	10.76%	--	89
Total	100.00%	100.00%	827

Consultation meetings

211 people attended the 5 consultation meetings

Date attendees	Location	No of
Wednesday 7 October	Broadway Theatre, Catford SE6 4RU	27
Monday 12 October	Trinity School, Lee SE12 8PD	46
Monday 19 October	Sydenham School, Forest Hill, SE26 4RD	55
Thursday 22 October	Sandhurst Junior School, Catford SE6 1NW	55
Wednesday 4 November	St Dunstan's Jubilee Hall, Catford SE6 4SW	28

Summary of concerns raised

- Concern over the loss of valued community and heritage assets and the impact of this on the local community
- Concern over the lack of precise detail on the current financial costs and the detail and impact of the proposed savings. Several attendees requested detailed financial details of the saving for their local library
- Concern as to whether the proposed changes will actually deliver the required savings
- Need for alternative revenue streams as opposed to cuts, i.e. charges, income generation, hiring out library spaces, improving café offer
- Concern that this was not a 'proper consultation', that the decision had already been made
- Is the timetable realistic – very short timescale to deliver these changes if they go ahead
- Concern over the level of redundancies among library staff – number and financial details were requested
- Concern over the loss of qualified librarians and trained staff and the potential deterioration in service at the proposed community libraries
- What is the potential for using volunteers in the Council run libraries and using this to support keeping Council library staff in all the community libraries
- Concern over the potential deterioration in stock and resources at the proposed community libraries
- Concern over the potential impact on services to children and families – ie Under 5s sessions, Baby Bounce, Summer Reading Challenge – and the need to maintain these
- How will potential partners be selected and will the local community have a role in the selection as this will be of major importance to them
- What contracts will be specified and how will they be monitored. Will local library groups have any input
- How will the 'peripatetic' service provided by the Community Engagement Team work in practice, how much time will be allocated to each library
- Why does the Council not just say no to the government and not implement any cuts
- Why does the Council not use money from the reserves instead of making cuts

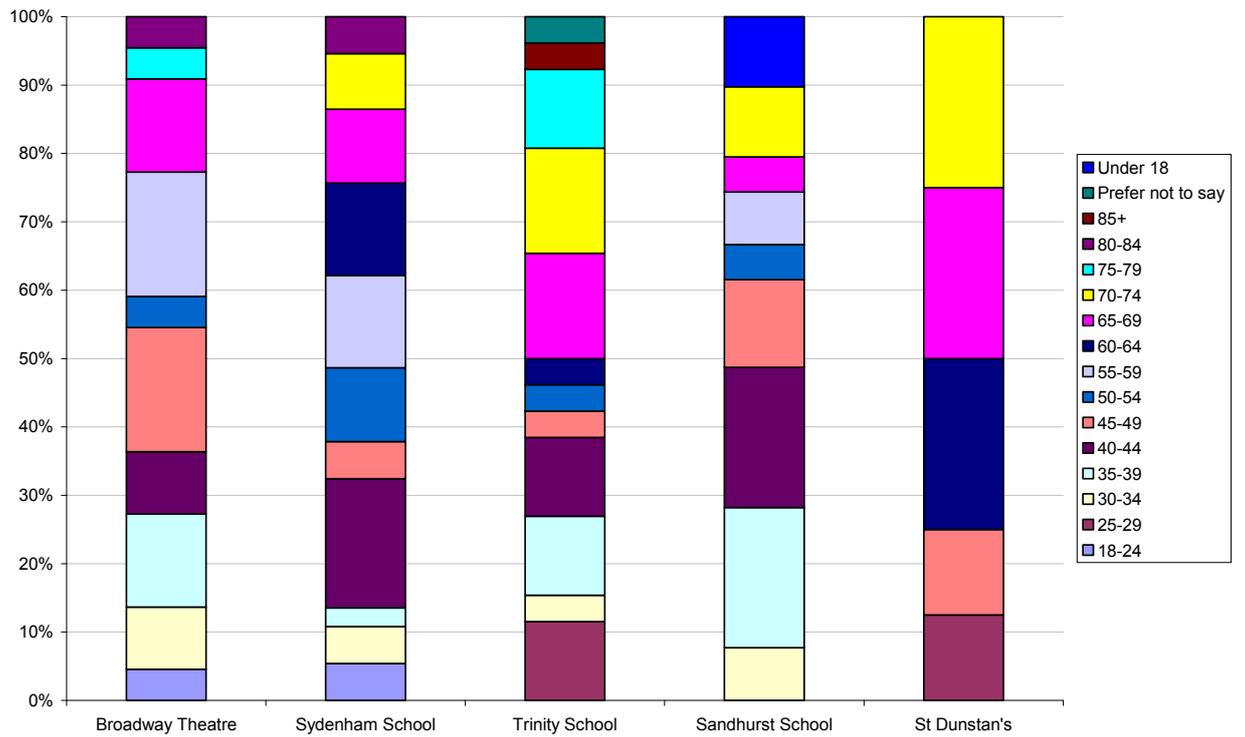
Specific to Forest Hill

- Why was Forest Hill chosen over Downham as a potential community library given that it has high usage – borrowers and footfall
- This would leave a large part of the borough without close access to a hub library as Deptford, Downham and Lewisham are too far to travel to from the Forest Hill area

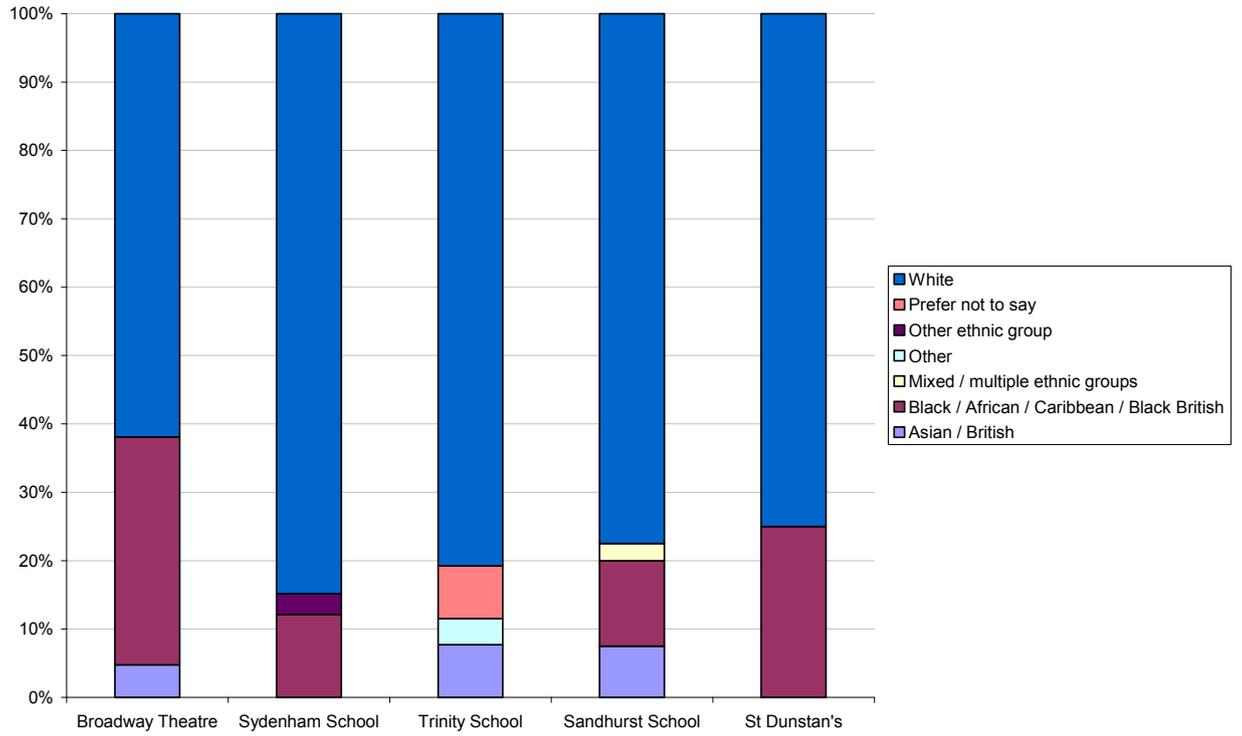
Specific to Manor House

- Manor House is a Grade II* listed building and an important heritage and community asset that the Council has invested a large amount of money in to restore and maintain

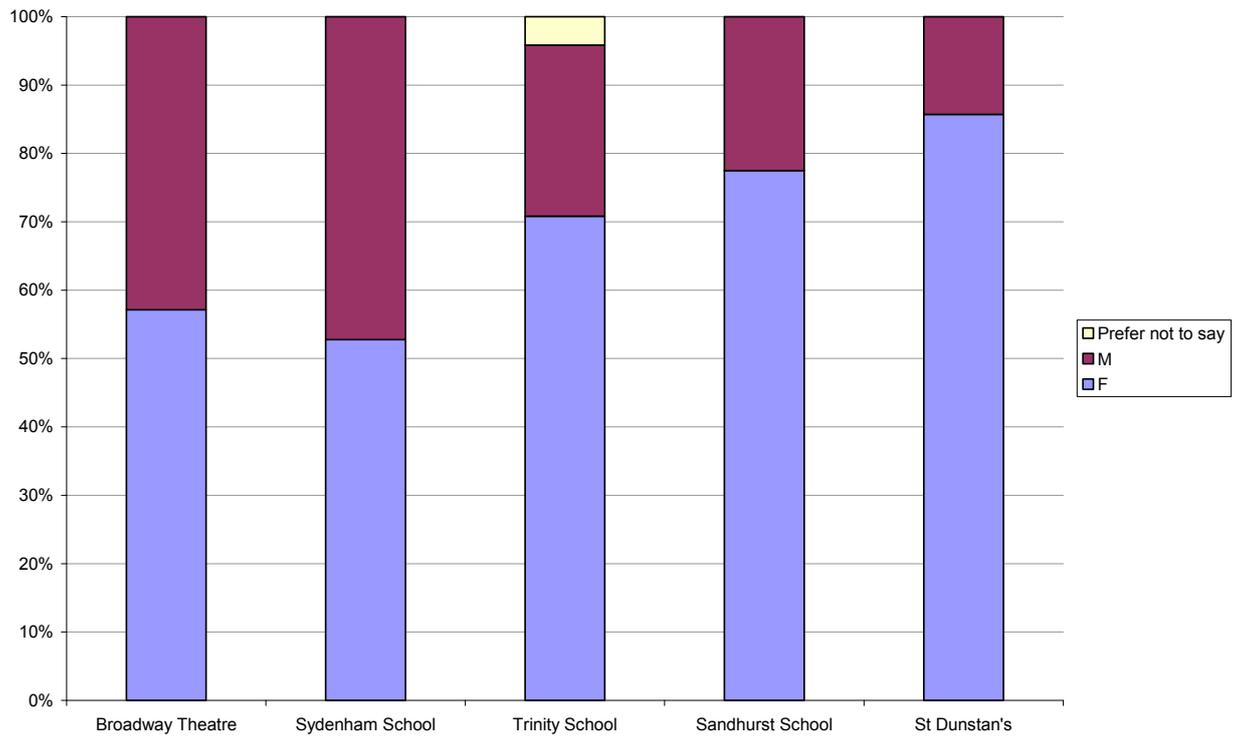
Breakdown of attendees by age



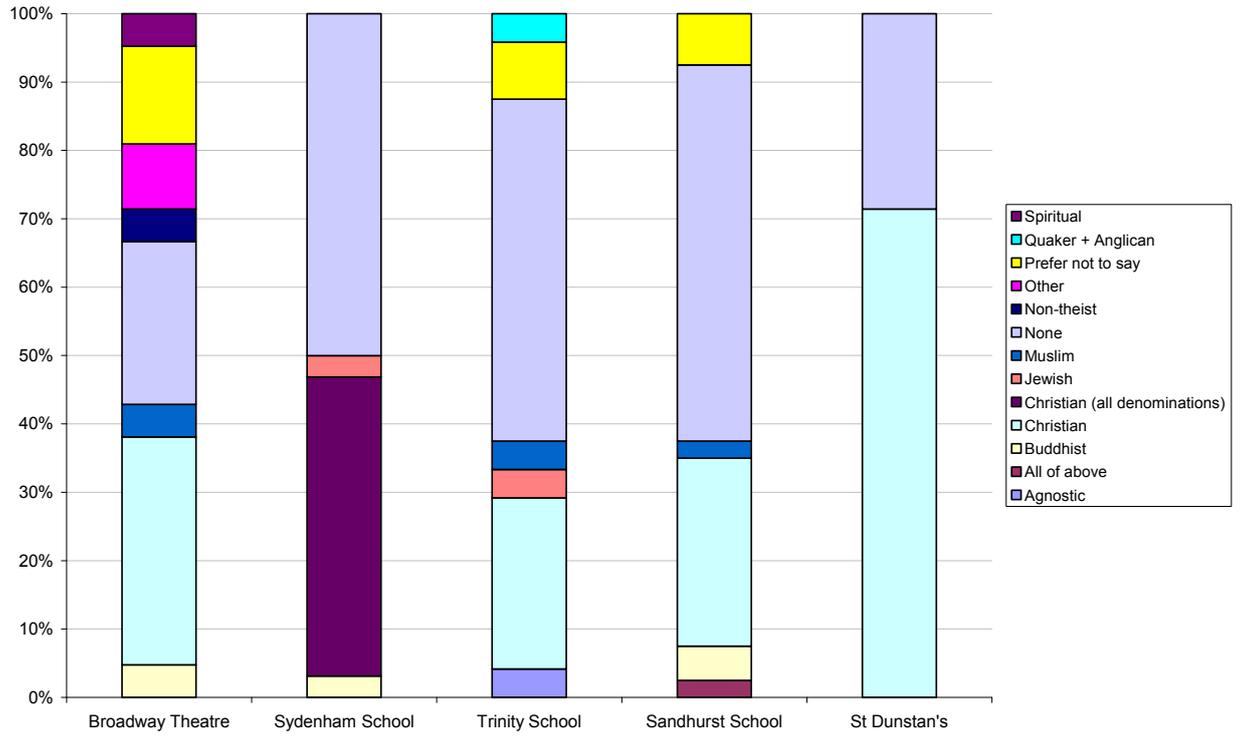
Breakdown of attendees by ethnicity



Breakdown of attendees by gender



Breakdown of attendees by belief



Focus groups and stakeholder meeting

44 people attended the 4 focus groups
21 people attended the stakeholder meeting

Monday 2 November	Young Mayor's Advisors	25
Thursday 5 November	Positive Ageing Council	12
Wednesday 11 November	School teachers and librarians	3
Thursday 12 November	Lewisham Disability Coalition	4
Monday 16 November	Manor House Library stakeholders	21

Monday 2 November Young Mayor's Advisors

The Young Mayor and young advisers have a direct involvement in the process of determining council grant allocation to youth service initiatives, experiencing some of the real complexities of political decision-making and public service delivery, looking at key decision-making reports and engaging with service managers, policy-makers and elected members to both hear and comment on plans and strategies for the delivery of services.

Young advisers come from a wide range of young people's involvement initiatives including youth and community projects, specialist groups, neighbourhood forums, volunteering initiatives and school or college councils, as well as those from Lewisham's Young Citizens' Panel.

Concerns raised included

- How could £1 million be saved by outsourcing
- How could £1 million be saved by extending the community library model, what will be the impact on staff
- Could the savings be achieved in any other way – crowd funding, service charges, income generation
- Has becoming a mutual organisation been considered
- How the proposed changes could impact on young people – lack of study space, reduced hours to access libraries
- Need to raise profile of libraries to encourage use
- Need to develop libraries so they are more relevant and attractive to young people

Thursday 5 November Positive Ageing Council

The Positive Ageing Council was set up in 2011 to help give older people a voice, share views and ideas, meet new people and join in with free social activities. The group is open to anyone aged 60 years or over who lives, works, learns or volunteers in the borough. They meet as an open forum four times a year to discuss issues that have a real effect on the lives of older people.

Concerns raised included

- Concern re the closure of local community facilities for older people generally, including community centres and the increased pressure on remaining services
- Long term viability of the proposed option and the availability of volunteers to support
- Long term viability of the proposed option and implications if a partner organisation was unable to continue. Would this mean library closures
- Loss of access to trained / qualified staff
- Availability of library service at Catford

Wednesday 11 November School teachers and librarians

A range of teachers and school librarians at Lewisham primary and secondary schools were approached to attend

Concerns raised included

- Long term viability – if Council funding was restored would the libraries be brought back under direct Council management
- Concerned over the erosion of services - Is this a 'race to the bottom'
- Need for an impact assessment on the existing community libraries
- Need to raise profile of the Community Engagement Team so that schools can access their support more easily
- How can the schools work with the community libraries to support childrens' reading
- Concerns re safeguarding and responsibility of DBS checks, especially if partners are using volunteers
- Impact of the community model on book stock in libraries and need to maintain quality
- Loss of access to trained / qualified staff
- Need for libraries to remain a safe place, providing consistency, knowledge and quality of service

Thursday 12 November Lewisham Disability Coalition

Lewisham Disability Coalition (LDC) works to promote equality for disabled people and to provide services that support Independent Living. It provides information, support and advice to people and carers living with a long-term health problem or disability, The LDC has a drop in service once weekly where residents needing advice can go for 1:1 advice and practical help with issues relating to disability.

Concerns raised included

- Access to the Home Library Service
- Need to find a non-profit partner rather than commercial
- Loss of access to trained / qualified staff
- Need to encourage more people to use libraries
- Impact on children and young people of reduction in library services

Monday 16 November Manor House Library stakeholders

Attendees included representatives from a number of local organisations

Lee Manor Society
Users & Friends of Manor House Library
Lee Green Assembly
Website
Lee Forum
Good Shepherd and St Peters Churches

Concerns raised included

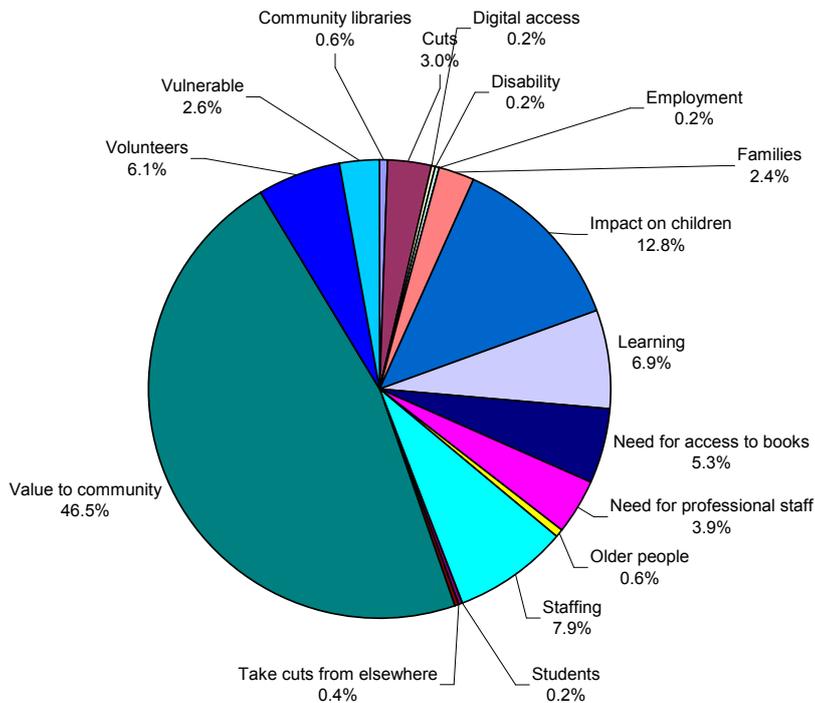
- Manor House is a significant public asset – Grade II* listed building and an integral part of the gardens and the cultural heritage of the area. Large investment has been made by the Council in restoring the building
- Long term viability of the proposed option – financial and social
- Financial implications - maintenance costs and responsibility, income generation
- How the Library Service would be delivered in the proposed option and the relationship between any partner and the Council
- Lack of access to trained / qualified staff as opposed to volunteers
- How the Library Service would support library services in Manor House
- How a potential partner/manager of the building would be selected

Social media

The 'Save Lewisham Libraries' campaign ran an online petition where people were encourage to state the reason they had signed the petition. The petition was submitted as part of the consultation and had 1,310 signatories with 363 had left a comment.

These were categorised as follows –

Reason for signing petition	No of responses
Value to community	229
Impact on children	63
Staffing	39
Learning	34
Volunteers	30
Need for access to books	26
Need for professional staff	19
Cuts wrong	15
Vulnerable	13
Families	12
Older people	3
Community libraries poor alternative	3
Take cuts from elsewhere	2
Students	1
Employment	1
Disability	1
Digital access	1



Comments from the Save Lewisham Libraries petition

The SE23 Forum ran an online discussion thread on Forest Hill Library which attracted 100 comments during the consultation period. The majority of these opposed the preferred option and the extension of the community library model to Forest Hill Library. There was also concern at the distance from Forest Hill to the new proposed hub libraries at Deptford Lounge, Lewisham and Downham Health & Leisure Centre and the potential impact of any changes on children and families.

Appendices

Consultation survey

Written responses were received from -

Forest Hill Society
Forest Hill Traders Association
Lee Manor Society
Defend Torridon road Library

Petitions were received from –

'Please support our local libraries to stay open'
'Save Lewisham Libraries'

Letters were received from –

Judith Corbyn
Michael Muldoon

Emails were received from –

Emma Johnson
Georgia Dobbs
G. Englefield
Stephen Thomas
Jeannine Dowling-Jones
Simon Jennings
Sue Hyam
Mrs F I Al-Ghraifi
Pauline Wright

Proposed changes to Library and Information Service

Consultation survey

This is a transcript of the consultation questionnaire

About this consultation

We are proposing changes to the way that the Council provides library services and we want your views.

We welcome the views of all Lewisham residents, whether you are a current user of library services or not. We are also interested in hearing from organisations that may be affected by our proposed changes.

This consultation will close at midnight on **Sunday 15 November 2015**.

How to respond

In addition to this survey, you are also welcome to attend one of the following consultation meetings, all of which start at **7.30pm**:

7 October – Broadway Theatre, Catford, SE6 4RU

12 October – Trinity School, Taunton Rd, Lee, SE12 8PD

19 October – Sydenham School, Dartmouth Rd, SE26 4RD

22 October – Sandhurst Junior School, Minard Rd, SE6 1NW

4 November – St Dunstan's Jubilee Hall, Canadian Ave, SE6 4SW

Printed copies of this consultation are available upon request. Please email library.consultation@lewisham.gov.uk.

After the consultation

Once the consultation has closed all responses will be considered and a summary of responses will be included in a report to the meeting of Lewisham's Mayor and Cabinet on 9 December 2015. This report will seek a decision on the future plan for library services and approval to proceed with implementation.

Addition information

Additional information concerning the Library and Information Service, including further detail on budget saving proposals can be reviewed at: www.lewisham.gov.uk/libraryconsultation.

Background

Lewisham Council believes that the public library service and library buildings provide easy access to information, learning and culture. They help bring communities together and are an important interface between residents and the Council.

The Lewisham Library and Information Service is one of the most successful library services in London. It has often outperformed national trends, attracting increasing numbers of users and extending both

opening hours and geographical reach. The service has also led the way implementing new ways to work with local communities.

The service currently operates through seven buildings that the Council owns and manages (Catford, Deptford, Downham, Forest Hill, Lewisham, Manor House and Torrison Road) and six buildings that are owned and/or managed by community and voluntary organisations (Blackheath, Crofton Park, Grove Park, New Cross, Sydenham, and Pepys).

In the buildings run by others, the service is run on a self-service infrastructure supported by an outreach team. The Lewisham Model is different from other “community library” solutions in that the Council owns and manages the stock and the systems that allow residents to access the library service. The library service that is delivered in partnership with the community libraries is therefore fully integrated with the rest of the service.

The service also includes the Home Library Service that supports residents who cannot visit a library building, the Archives and the Local History Service.

Beyond traditional services such as the lending of books, reading promotions, information services, the Library & Information Service provides room hire, access to computers (PC and Apple), Wi-Fi, a vast collection of digital content (newspapers, magazines, reference material), and support to eAdmissions, parking permits and registrar services.

Rationale for changing the library service

The Lewisham Mayor’s Commission on Libraries and Adult Learning, published in 2009, defined the library service as the one that offers “unbiased access to information and works of the creative imagination” and relies on open, trusted, public spaces available to citizens.

Lewisham’s approach to the delivery of Library and Information Services reflects these principles, and the changes to the service implemented in 2011 with the introduction of community libraries were shaped by them.

In considering further change we are taking account of three specific needs:

- the expectation of 24/7 online service provision
- the need to sustain quality and reach, while serving a growing and changing population
- the continued pressure on the Council to reduce expenditure.

Online service provision

The Council is increasingly moving services online to meet the expectations and demands of our residents and service users.

However we continue to recognise the value of face-to-face interaction and the need to provide for those who – for whatever reason – seek support to access, or interpret, online resources. Library staff are particularly skilled in providing this support. Since the late 1990s public libraries have offered free access to computers, training, and support for information seekers, learners, and more. Lewisham libraries offer PCs, Apple Macs, Wi-Fi, and online collections of reference materials, eBooks, eAudio books, substantial collections of online magazines and newspapers and access to research papers.

In developing proposals for the future delivery of the service it is important to maintain the service's ability to expand the digital presence and equip staff with even better skills to support the move to digital in years to come.

Sustaining quality and reach for a growing population

Lewisham's resident population is one of the fastest growing in the capital. In response, the Library and Information Service has increased the number of venues where library services can be accessed from, the investment in digital resources and introduced a new Community Engagement Team. A new and additional library presence is planned for the PLACE/Ladywell development on the site of the former Ladywell leisure centre. It is important to build on this success.

Budget pressures

From 2010 to 2015 Lewisham Council made savings of over £120 million. The Council needs to identify a further £45million savings over the next two years. For this reason the Council has been undertaking a fundamental review of all its budgets, including the Library and Information Service.

The library service has been asked to contribute savings of £1 million over the next two financial years.

Possible options

In considering how to deliver the Library and Information Service in the future, the Council has looked at the following three options:

Option 1: Commission a third party to deliver the service on a contract basis.

Some local authorities have outsourced the provision of library services to third party organisations. In this case, the service is regulated by a contract that sets out the specifications of the service against which the contractor delivers.

Pros: A tried and tested option that other councils have adopted. A new external provider could bring new skills and capacity to the service.

Cons: This approach alone is unlikely to deliver the scale of savings required as staff costs would be transferred to the new provider under TUPE legislation. The ability for the service to operate as a main interface between the Council and residents may be compromised.

This option is not favoured.

Option 2: Reduce opening hours and/or close libraries.

This option relies on the reduction of services to match the resources available while keeping it in house. Lewisham has managed to consistently increase opening hours in spite of budget reductions in

the past. This option departs substantially from the strategy adopted so far by the Council and relies on reduced costs and much reduced services, which may involve the closure of most buildings.

Pros: Could deliver the required level of saving.

Cons: This option is not consistent with the principles of the 2009 Mayoral Commission and would not sustain service reach or enhance its capacity to support online services.

This option is not favoured.

Option 3: Extend the Lewisham community library model.

Establish three hub libraries at Deptford Lounge, Lewisham and Downham Health and Leisure Centre. These three libraries are the most popular with very large numbers of visitors every month. A reorganisation of the staff and new roles would deliver increased opening hours, allowing the three hubs to be open 85 hours per week each, taking Lewisham and Downham to the level of Deptford Lounge.

Transform Forest Hill, Torridon Road and Manor House into community libraries. These would become self-service libraries and would operate in a very similar way to the current community libraries. There would be a full staff reorganisation of the service and library staff would be withdrawn from these buildings prior to the move to the community library model.

Potential partner organisations will be asked to express an interest in occupying Forest Hill, Manor House and Torridon Road library buildings on the basis that they work with the service to support the continued provision of library services as well as providing other community benefits.

In Catford, create self-service library provision in a redesigned ground floor space in Laurence House integrated with other council services. The self-service provision would be supported by the other Council staff working on the ground floor. This change would only take place as part of a wider review of the use of the ground floor in Laurence House. This review is expected at some point as part of the Council's customer service transformation programme. In the meantime the library space would remain unchanged.

Pros: This approach would deliver the required £1m savings through a reduction of £800,000 in the staff salaries budget, £150,000 through contract efficiencies in the service, and £50,000 efficiencies from the Deptford Lounge premises budget.

This approach safeguards the fundamental principles that the Mayoral Commission identified for the library service while continuing to deliver cost effective, quality library services to Lewisham residents and supporting digital service delivery across the Council.

Cons: The proposal is reliant on identifying suitable partner organisations for three buildings. The service offer at the four self-service libraries will change, although this may be mitigated by new services provided by the partner organisations.

Preferred option: On balance we believe that extending the Lewisham community library model is the best way to continue to provide a comprehensive and efficient library service within reducing resources.

Consultation questions

We welcome comments on this consultation and we are particularly keen to hear your views on the following:

Which of the following best describes you?

(please select all that apply)

- I live in the borough of Lewisham
- I work in the borough of Lewisham
- I study in the borough of Lewisham
- None of the above

How often do you use any of the public libraries in Lewisham?

(please select one answer)

- Daily
- Weekly
- Monthly
- Less often than monthly
- Never

Which one of Lewisham's public libraries do you use the most often?

(please select one answer)

- Blackheath
- Catford
- Crofton Park
- Deptford Lounge
- Downham
- Forest Hill
- Grove Park
- Lewisham
- Manor House
- New Cross
- Sydenham
- Torridon Road
- I do not use the libraries in Lewisham

To what extent do you agree or disagree that changes to the Council's public library service are necessary?

(please select one answer)

- Strongly agree
- Agree

- Neither agree nor disagree
- Disagree
- Strongly disagree

Please read the '**Possible Options**' page of this survey before answering the following question.

Which of the following is your preferred option for changes to the library service?

(please select one answer)

- Outsourcing the library service to a third party organisation
- Reducing opening hours and closing libraries
- Creating three fully staffed hub libraries with longer opening hours and extending the community library model to three more buildings
- Other....please specify below

Please specify your 'other' preferred option.

Please read the '**Possible Options**' page of this survey before answering the following question.

To what extent do you agree or disagree with the Council's preferred option to create three fully staffed hub libraries with longer opening hours while extending the community model to three more buildings?

(please select one answer)

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Our preferred proposal is based on creating three fully staffed hub libraries with longer opening hours and on extending the community library model to three more buildings.

What impact do you think that this proposal would have on you personally?

(please select one answer)

- Positive impact
- Negative impact
- No personal impact
- Don't know

Please describe briefly how you think you would be impacted by this proposal?

Do you have any other comments on the proposed changes to the library service that you would like to share with us?

If you are responding to this consultation on behalf of a voluntary or community group, then please provide the name of the organisation below:

About you

The following questions are for the specified purpose of the monitoring of our services, to ensure that Lewisham Council is being fair and inclusive. We need to know who our customers are to check that everyone in the borough is accessing the services they are entitled to, and that nobody is discriminated against unlawfully. All questions on the form are voluntary and you do not have to answer them. Any information that you do choose to provide on this form will be treated confidentially in accordance with the Data Protection Act 1998.

Age

Please select your age group

(please select one answer)

- Under 18 years
- 18-24
- 25-29
- 30-34
- 35-39
- 40-44
- 45-49
- 50-54
- 55-59
- 60-64
- 65+
- I'd rather not say

Ethnicity

What is your ethnic group?

(please select one answer)

White

- English/Welsh/Scottish/Northern Irish/British
- Irish
- Gypsy or Irish Traveller
- Any other White background

Mixed/Multiple Ethnic Groups

- White and Asian

- White and Black African
- White and Black Caribbean
- Any other mixed/ multiple ethnic background

Asian/Asian British

- Chinese Bangladeshi
- Pakistani
- Indian
- Any other Asian background

Black/ African/ Caribbean/ Black British

- African
- Caribbean
- Any other Black/ African/ Caribbean background

Any other ethnic group

- Arab
- Other ethnic group
- I'd rather not say

Any other White background (please specify)

Any other mixed/ multiple ethnic background (please specify)

Any other Asian background (please specify)

Any other Black/ African/ Caribbean background (please specify)

Any other ethnic group (please specify)

Gender

Are you:

(please select one answer)

- Male
- Female
- I'd rather not say

Transgender

Is your gender identity different from the gender you were assigned at birth?

(please select one answer)

- Yes
- No
- I'd rather not say

Disability

Under the Equality Act 2010 a person is considered to have a disability if he/she has a physical or mental impairment which has a sustained and long-term adverse effect on his/her ability to carry out normal day to day activities. This also includes people with HIV, cancer and multiple sclerosis (MS).

Do you consider yourself to be a disabled person?

(please select one answer)

- Yes
- No
- I'd rather not say

Please state the type of impairment that applies to you

People may experience more than one type of impairment, in which case you may indicate more than one. If none of the categories apply, please mark 'Other' and specify the type of impairment.

Please state the type of impairment that applies to you.

(please select all that apply)

- Physical impairment, such as difficulty using your arms or mobility issues which means using a wheelchair or crutches
- Sensory impairment, such as being blind/ having a serious visual impairment or being deaf/ having a serious hearing impairment
- Mental health condition, such as depression or schizophrenia
- Learning disability/difficulty, such as Down's Syndrome or dyslexia or cognitive impairment, such as autistic spectrum disorder
- Long-standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease or epilepsy
- Other

Any other disability (please specify)

Religion and belief

(please select one answer)

- None
- Christian (all denominations)
- Buddhist
- Hindu
- Jewish
- Muslim

- Sikh
- Any other religion/ belief
- I'd rather not say

Any other religion (please specify)

Sexual Orientation

How would you define your sexual orientation?

(please select one answer)

- Straight/ heterosexual
- Gay/ lesbian
- Bisexual
- Other
- I'd rather not say

Any other sexual orientation (please specify)

Pregnancy & Maternity

Are you pregnant or on maternity leave?

(please select one answer)

- Yes
- No
- Prefer not to say

Would you like to receive the Lewisham Life e-newsletter for local events and things to do, news, discounts and other consultations?

(please select all that apply)

- Yes please
- No thanks

If yes please provide your email address

Frequently asked questions

Is Lewisham closing four libraries?

No. The preferred approach on which we are consulting is based on the four library buildings continuing to provide library services, but on the basis of the existing community libraries.

What will happen to my library?

Deptford Lounge: Very little will change at the Lounge, which is still the most successful library in Lewisham.

Lewisham: Opening hours will increase to match Deptford Lounge. The proposal will also require some improvements to the building, including the lift and other minor adjustments.

Downham: Opening hours will increase to match Deptford Lounge.

Catford: The library space will operate on a self-service basis, while other council services are integrated across the whole ground floor of Laurence House.

Forest Hill, Manor House, and Torridon Road: We will seek partners willing to manage the space while supporting the provision of library services in the building. We would expect the opening hours to remain unchanged and the floor space of the library may reduce where other activities are being developed by the partner organisation. The partners are likely to be different to reflect the different potential uses of the three sites.

Blackheath, Crofton Park, Grove Park, Sydenham, and New Cross: The existing community libraries will continue to operate as at present.

How do community libraries work in Lewisham?

The community library is a service delivered in partnership with others in buildings that used to be wholly managed by the council or in buildings owned outright by the partner organisation.

The Council is responsible for buying the books, maintaining the stock, providing self-service terminals, for organising reading events, and for supporting the partner organisation with training.

Residents can still join the library service, reserve a book, borrow and return books, ask for information, and more.

What will happen to library staff?

There will be a full reorganisation of the service with the introduction of new, enhanced front line roles. This will see a reduction to the number of library staff. The reorganisation will be based on all remaining staff being moved to the hub libraries before the proposed extension of the community library model to the four buildings.

What options are there to outsource the library service?

These depend very much on what you are trying to achieve through outsourcing. What follows is not an exhaustive list, but may offer a few examples of what is possible:

1. If you want to secure significant staff engagement in the ownership, leadership, and design of the library service an employee owned social enterprise may be the way forward.
2. If you want to secure direct library user engagement in the leadership, design, and delivery of the service a mutual or co-operative model may be appropriate.
3. If you want commercial financial discipline and a business focus, a local authority trading company may be appropriate. (as in Essex and Slough)
4. If you want to manage and develop libraries as community assets over the long-term a charitable trust may be appropriate (Wigan, Salford, Luton, Greenwich, although these are leisure trusts that also run libraries).
5. If you want to transfer risk and decision-making to the private sector, (joint) procurement of an independent provider may be appropriate (as Wandsworth and Croydon and Bexley and Bromley have done).
6. If you want to secure economies of scale in management and service delivery cross-borough collaboration may be appropriate.

It would be possible to consider any of the above at a future date for the newly reconfigured service.

Key dates

1 October 2015 - Consultation opens.

15 November 2015 - Consultation closes.

30 November 2015 - Outcome of consultation considered by Safer Stronger Select Committee.

9 December 2015 - Outcome of consultation reported to Mayor and Cabinet and decision sought on future approach for the service.

January 2016 - Implementation of new approach commences, including staff consultation.

August 2016 - New approach fully implemented.

Thank you

Thank you for taking the time to complete this survey.

If you require any further information then please contact library.consultation@lewisham.gov.uk.

Appendix 2

Impact assessment of the proposed changes to the Library and Information Service

Equalities Analysis Assessment

Name of proposal	Proposed changes to the Library and Information Service
Lead officer	Liz Dart Head of Cultural and Community Development
Other stakeholders	
Start date of Equality Analysis	1 October 2015
End date of Equality Analysis	15 November 2015

- 1. Background**
 - 1.1. This document is the Equalities Analysis Assessment for the proposed changes to the Library & Information Service. It considers how the proposed plan might affect different groups in the community and assesses whether these effects are positive or negative. It also outlines the activity that the Council will take to ensure that equal opportunities are promoted and that no group is disproportionately discriminated against.
- 2. Proposed changes to Library & Information Service**
 - 2.1. From 2010 to 2015 Lewisham Council made savings of over £120 million. The Council needs to identify a further £45million savings over the next two years. For this reason the Council has been undertaking a fundamental review of all its budgets, including the Library and Information Service. The library service has been asked to contribute savings of £1 million over the next two financial years.
- 3. Option 3: Extend the Lewisham community library model.**
 - 3.1. Establish three hub libraries at Deptford Lounge, Lewisham and Downham Health and Leisure Centre. These three libraries are the most popular with very large numbers of visitors every month. A reorganisation of the staff and new roles would deliver increased opening hours, allowing the three hubs to be open 85 hours per week each, taking Lewisham and Downham to the level of Deptford Lounge.
 - 3.2. Transform Forest Hill, Torridon Road and Manor House into community libraries. These would become self-service libraries and would operate in a very similar way to the current community libraries. There would be a full staff reorganisation of the service and library staff would be withdrawn from these buildings prior to the move to the community library model.
 - 3.3. Potential partner organisations will be asked to express an interest in occupying Forest Hill, Manor House and Torridon Road library buildings on the basis that they work with the service to support the continued provision of library services as well as providing other community benefits.
 - 3.4. In Catford, create self-service library provision in a redesigned ground floor space in Laurence House integrated with other council services. The self-service

provision would be supported by the other Council staff working on the ground floor. This change would only take place as part of a wider review of the use of the ground floor in Laurence House. This review is expected at some point as part of the Council's customer service transformation programme. In the meantime the library space would remain unchanged.

- 3.5. Pros: This approach would deliver the required £1m savings through a reduction of £800,000 in the staff salaries budget, £150,000 through contract efficiencies in the service, and £50,000 efficiencies from the Deptford Lounge premises budget.
- 3.6. This approach safeguards the fundamental principles that the Mayoral Commission identified for the library service while continuing to deliver cost effective, quality library services to Lewisham residents and supporting digital service delivery across the Council.
- 3.7. Cons: The proposal is reliant on identifying suitable partner organisations for three buildings. The service offer at the four self-service libraries will change, although this may be mitigated by new services provided by the partner organisations.

4. Equalities Context

- 4.1. Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
 - foster good relationships between those who share a protected characteristic and those who do not share that characteristic.
- 4.2. The following equalities characteristics are 'protected' from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion and belief; gender; and sexual orientation.
- 4.3. The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 4.4. The Human Rights Act came into effect in the UK in October 2000. It means that people in the UK can take cases about their human rights as defined in the European convention on Human Rights to a UK court. At least 11 Articles of the European Convention on Human Rights have implications for the provision of public services and functions. This EIA assesses whether the proposed recommendations are in line with duties established by this Act.
- 4.5. Against the backdrop of the of the Equality Act 2010, Lewisham's Comprehensive Equalities Scheme (CES) was developed and agreed by the Mayor in 2012. The CES is the council's overarching equalities vision statement. It specifically describes how the Public Sector Equality Duty will be addressed through five overarching objectives:
- tackling victimisation discrimination and harassment
 - closing the gap in outcomes for citizens
 - improving access to services
 - improving mutual understanding and respect
 - improving participation and engagement

5. Equalities Assessment of the Proposed changes to the Library and Information Service

5.1. Age

Age refers to a person belonging to a particular age or age range. As an employer and a provider of services the Council is required to ensure that it does not unlawfully discriminate against a person on account of their age. A summary of data on age is set out in the box below.

Data summary for age:

- according to the 2011 Census some 70,100 Lewisham residents are aged between 0-19 (25% of the population), whilst some 179,800 residents are aged between 20-64 (65% of the population). By contrast there are some 26,200 older people aged 65 and over (9.5%).
- according to the 2013 Sub National Population Projections by 2021 the number of Lewisham residents aged 0-19 is expected to rise to 79,570 (25% of the population), whilst the number of people aged 20-64 is expected to reach 208,190 (65% of the population). By contrast the number of people aged 65 and older is expected to increase to 30,570 (10% of the population).
- Ward profiles suggest that a greater number of older residents (65+) live in the south of borough in areas like Downham or Grove Park; whilst younger residents (0-19) are spread throughout the borough more evenly.

Within the proposed plan, the main changes that may have an effect on older people and younger people are the extension of the community library model to 3 more libraries – Forest Hill, Manor House and Torrison Road libraries and the establishment of 3 hub libraries at Deptford Lounge, Downham Health & Leisure Centre and Lewisham Library.

The number and location of libraries will stay as they are within the plan. The proposal may result in a negative impact for some residents where services at their local library may change. However, new community partnerships may bring new services that do not currently exist to the affected neighbourhoods.

The Community Library is a service delivered in partnership with others in buildings that used to be wholly managed by the council or in buildings owned outright by the partner organisation. The council is responsible for buying the books, maintaining the stock, providing self-service terminals, for organising reading events, and for supporting the partner organisation with training. Residents can still join the library service, reserve a book, borrow and return books, ask for information, and more. The preferred option proposes an expanded Community Engagement Team which would

- take on the role of developing and delivering activities for families.
- meet regularly with staff and volunteers in the anchor organisation to share ideas on events and activities
- develop and deliver training for staff and volunteers in the anchor organisation on developing knowledge on choosing and sharing books together.
- broker relationships between the anchor organisation and the family organisations such as Children's Centres. To provide advice and guidance on working with external organisations where needed.

Overall, we believe that older people and younger people should not be disproportionately affected by the implementation of this plan.

5.2. Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. 'Substantial' is more than minor or trivial e.g. it takes longer than it usually would to complete an everyday action such as getting dressed, whilst a 'long-term' condition means 12 months or more. Progressive conditions can also be classed as disabilities; these are conditions that get worse over time like HIV or cancer. It should also be noted that a number of older residents are likely to be eligible for disability-specific provision, for examples for services supporting dementia or individuals who are physically incapacitated. A summary of data on disability is set out in the box below.

Data summary for disability

According to the 2011 Census:

- 7.1% (19,523) Lewisham residents indicated that their day-to-day activities were limited a lot, and 7.3% (20,212) indicated that their day-to-day activities were limited a little;
- 5.3% (14,318) Lewisham residents indicated that they are in bad health or very bad health;
- 8.1% (22,521) Lewisham residents provide some form of unpaid care. Over 5,000 Lewisham residents provide 50+ hours of unpaid care per week.
- 160 Lewisham residents indicated that sign language was their main language.

The number of users identifying themselves as having a disability is lower for all of the proposed community libraries than for the service as a whole – 13-18% compared with 20%. (Public Library User Survey 2012)

Therefore we should expect residents with this protected characteristic not to be disproportionately affected by the proposed plans.

5.3. Gender

Gender has the meaning usually given to it and refers to whether a person is a man or a woman. A summary of data on gender is set out in the box below.

Data summary for gender

- according to the 2011 Census there are 135,000 males living in Lewisham and 140,900 females;
- however, by 2030 it is forecast that the number of males would have surpassed that of females (158, 500 men to 157,100 women);

- based on the 2013 Mid-year Population Estimates Lewisham's males are more numerous than females between the 0-19 age groups. By contrast females are more numerous than males in the 20 – 44, 35 - 59 60 -79 and 80+ age groups;
- by 2030 the percentage of males is still expected to be greater than females in the 0-19 age group. Males are also expected to be more numerous in the 20 – 44, and 35 – 59 age group. However, females will still be more numerous in the 60-79 and 80+ age groups.

The recommended plan is inclusive of both genders. The inclusive nature of all libraries, both community and hub models, and partner organisations that operate within them or will be selected to operate within them, suggests that no specific gender should be disproportionately affected by the proposed implementation plan.

5.4. Gender Re-assignment

Gender re-assignment describes the process of transitioning from one gender to another. For individuals within this group, the Act provides protection for transsexual people from discrimination and harassment in various areas, such as work or the provision of goods and services. A summary of data on gender reassignment is set out in the box below.

Data summary for gender reassignment

- in 2006-07 Lewisham Council commissioned a research study of the LGBT populations who lived, worked, studied or socialised in the borough;
- of the 316 respondents, seven identified as trans people, which was insufficient to draw quantitative conclusions;
- according to the NHS Secondary User Service Admitted Patients database, there were four admissions to NHS hospitals in 2011-12 of four different individuals resident in Lewisham and having a primary diagnostic code beginning F64 (trans-sexualism or gender identify disorder). Only one of these was for a full (male to female) gender reassignment. None of the admissions were to Lewisham Hospital.
- In October 2014 the Trans and Gender Non-Conforming Swimming Group (TAGS) set up a weekly private swimming session – 20 regular swimmers have attended a week, although some may have travelled from other boroughs to Lewisham.

The inclusive nature of all libraries, both community and hub models, and partner organisations that operate within them or will be selected to operate within them, suggests that there will be no positive or negative connotations for people going through the gender re-assignment process.

As a result we don't believe that the implementation plan will have any impact on residents going through Gender re-assignment.

5.5. **Marriage and Civil Partnership**

The Equality Act protects against unlawful discrimination if you are legally married or in a civil partnership. A summary of data on marriage and civil partnership is set out in the box below.

Data summary for marriage and civil partnership

- In 2011 about half of Lewisham residents over 16 have never been married or in a civil partnership. This is higher than England as a whole.
- A third of over 16s in Lewisham are currently married or in a civil partnership (0.5% in civil partnership)
- 17% of residents (aged 16 and over) have been married or in a civil partnership but are now separated, divorced or widowed.

Consideration of the characteristic of marriage and civil partnerships need only be in respect of eliminating unlawful discrimination. In this regard, the proposed implementation plan would not in any way exclude individuals who are legally married or in a civil partnership. Therefore, this characteristic should not be disproportionately affected under the proposed plans.

5.6. **Pregnancy and Maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding. A summary of data on pregnancy and maternity is set out in the box below.

Data summary for pregnancy and maternity

- for 2013 there were about 4,827 new babies recorded in official statistics as Lewisham residents; the General Fertility Rate is notably higher in Lewisham, at 68.1 live births per 1,000 women aged 15 – 54, than in England at 62.4 in 2013.
- Lewisham has an underlying population growth arising from its excess of births over deaths. In a typical year, there are more births (approximately 4,500-5200) than deaths (approximately 1,500-1,800) in Lewisham residents.

The proposed transfer of the 3 libraries to the community library model could have an impact on Pregnancy and Maternity as all Lewisham libraries provide activities and support for children, especially Under 5s activities. These activities are also an integral part of the library offer in the existing community libraries and would continue after any transfer. The number and location of libraries and users will stay as they are within the plan.

Therefore we should expect residents with this protected characteristic not to be disproportionately affected by the proposed plans.

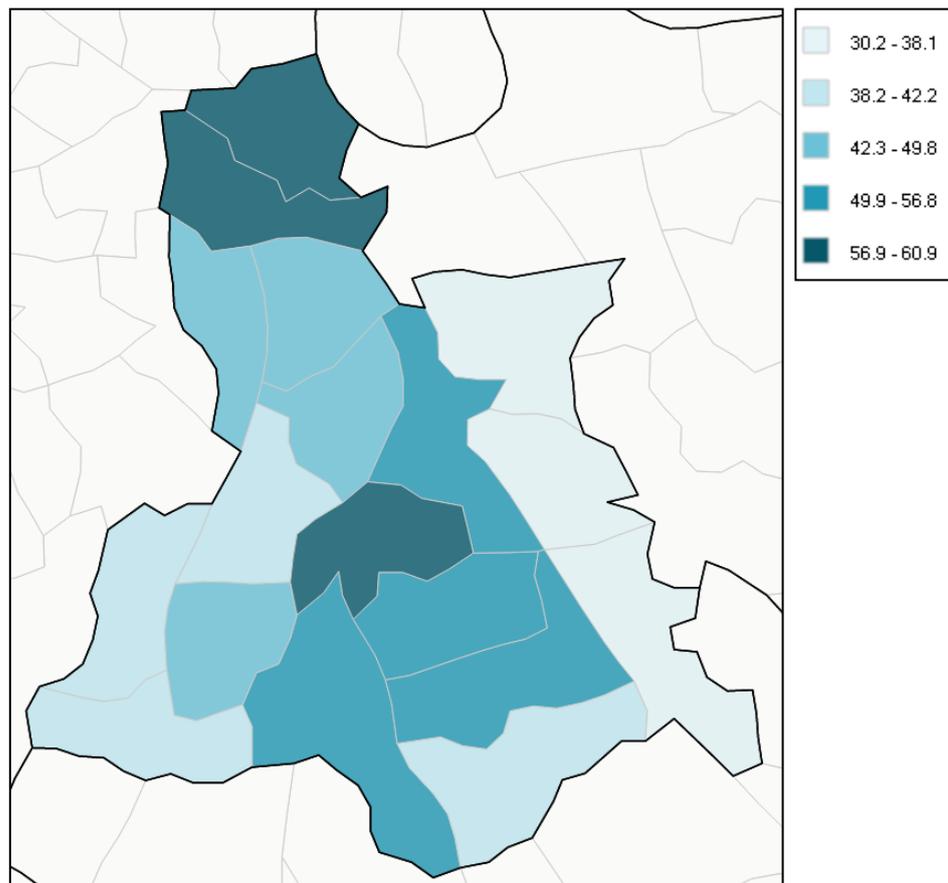
5.7. Race

Race refers to the equality group of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. A summary of data on race is set out in the box below.

Data summary for race

- according to Census data from 2011, 53.6% (147, 686) of all Lewisham residents are white (White British, White Irish and White European);
- currently people from a Black Caribbean, Black African and Black other ethnic background represent 27.2% (74,942) of the population.
- Profiles indicate that the majority of black and minority ethnic residents live in the North and Centre of the borough in wards such as Evelyn, New Cross and Rushey Green.

The data in the table below shows that there is considerable demographic variation across the borough when it comes to BME communities with a number of wards having a BME majority.



Percentage of the population from a BME community

The number and location of libraries will stay as they are within the plan. Any changes to services at Catford Library would be considered to have a great

potential impact on this protected characteristic as 64% of Catford Library users are BME compared with a service average of 52%. The consultation highlighted the need for a different approach for the library presence on the ground floor of Laurence House, which should be developed in concert with other council services within the building. Further investigation on the options for the ground floor of the Laurence House building are proposed.

The proposed plan is considered not to have a disproportionate impact relating to Race

5.8. Religion or Belief

Religion has the meaning usually given to it, but belief includes religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. A summary of data on religion and belief is set out in the box below.

Data summary for religion or belief

- the most up to date information on religion or belief in Lewisham is from the Census of 2011. This revealed that nearly 64% of Lewisham residents described themselves as having a faith or religion, whilst around 27% of residents described themselves as having no faith or religion;
- amongst those residents that described themselves as having a faith or religion some 52.8% identified their faith as Christian, whilst 6.4% described themselves as Muslim;
- of other religions, Hindus represent 2.4% of the population, whilst Buddhists represent just over 1.3% of the population;

The number and location of libraries and users will stay as they are within the plan. The inclusive nature of all libraries, both community and hub models, and partner organisations that operate within them or will be selected to operate within them, suggests that there will be no positive or negative connotations for residents with this protected characteristic.

5.9. Sexual Orientation

Sexual orientation is defined as whether a person's sexual attraction is towards the opposite sex, their own sex or to both sexes. A summary of data on sexual orientation is set out in the box below.

Data summary for sexual orientation

- There are no accurate statistics available regarding the profile of the lesbian, gay, bisexual and transgender (LGBT) population either in Lewisham, London or Britain as a whole.
- The Greater London Authority based its Sexual Orientation Equality Scheme on an estimate that the lesbian and gay population comprises roughly 10% of the total population.

- At the 2011 census 2% of over 16 year olds were cohabiting with someone of the same sex or were in a civil partnership, this is higher than both the England and London averages (0.9 % and 1.4% respectively).
- in the 2015 Annual Resident Survey, a question on sexual orientation found that 3% of respondents identified as lesbian or gay.

Users of Lewisham Library and Information Service that identify themselves as Gay/Lesbian or Bisexual are 4% of total users (Public Library User Survey 2012). The make up of users of the proposed community libraries reflect this and are in some instances lower than the service average. The number and location of libraries will stay as they are within the plan, and it is not anticipated that this proposed plan will have a negative impact upon the LGBT community.

6. Overall Mitigation

- 6.1. The Community Library is a service delivered in partnership with others in buildings that used to be wholly managed by the council or in buildings owned outright by the partner organisation. The council is responsible for buying the books, maintaining the stock, providing self-service terminals, for organising reading events, and for supporting the partner organisation with training. Residents can still join the library service, reserve a book, borrow and return books, ask for information, and more.
- 6.2. The proposal may result in a negative impact for some residents where services at their local library may change. However, new community partnerships may bring new services that do not currently exist to the affected neighbourhoods.
- 6.3. The proposal brings opportunities to develop new partnerships for the library service and will provide partner organisations with access to new premises and additional service users. A soft market test will seek partners willing to manage the space while supporting the provision of library services in the building.
- 6.4. We would expect the opening hours to remain unchanged and the floor space of the library may reduce where other activities are being developed by the partner organisation. The partners are likely to be different to reflect the different potential uses of the three sites.
- 6.5. When considering the impact of the proposed plan across the nine protected characteristics, the two main areas for concern were the impact on older and younger people, and those from the BME community. However, having considered the mitigation and demographic profile of the borough alongside alternative local facilities the impact on these groups is not felt to be negative, and indeed if the hub model and re-provision of buildings through partnerships with housing providers is successful then long term there will be a positive impact.
- 6.6. Overall, considering the changes to the range of libraries that are being proposed, alongside the new ways of working and the potential to develop new community services with potential partners, the implementation plan is considered to be fair and equitable.

Equalities Analysis Assessment

Equalities Impact Assessment for the proposed changes to Lewisham Library and Information Service

1. Consultation summation

- 1.1. In October and November 2015, Lewisham Council held public meetings to discuss the impact of proposed savings in the Libraries budget. 3 options were proposed – outsourcing of the service, reducing opening hours and closing libraries; extension of the Lewisham Libraries community model with the transfer of 3 libraries to community partners - Forest Hill, Manor House and Torridon Libraries, the creation of 3 Hub libraries – Deptford, Downham and Lewisham, and the remodelling of Catford Library
- 1.2. Information about the proposals were posted in the libraries, on the Libraries section of the Council website (<http://www.lewisham.gov.uk/libraryconsultation>) and a consultation survey was posted on the Lewisham consultation website (https://lewisham-consult.objective.co.uk/public/proposed_changes_to_the_library_and_information_service) . Users were encouraged to complete the survey online and paper copies were made available in libraries and at the consultation meetings. An email address was created for people to contact the service and request pdf copies of the consultation survey or submit comments - library.consultation@lewisham.gov.uk. Petitions were handed in from local interested parties. Steps were taken to monitor activity and comments on the web to ensure awareness of the main areas of concern, including comments posted on the petition Save Lewisham Libraries.
- 1.3. Library public consultation meetings were held on –
- | | |
|----------------------|---|
| Wednesday 7 October | Broadway Theatre, SE6 4RU |
| Monday 12 October | Trinity School, Taunton Road, Lee SE12 8PD |
| Monday 19 October | Sydenham School, Dartmouth Road SE26 4RD |
| Thursday 22 October | Sandhurst Junior School, Minard Road SE6 1NW |
| Wednesday 4 November | St Dunstan's Jubilee Hall, Canadian Avenue, SE6 4SW |
- 1.4. Focus groups were held to ensure input from users who might not be able to interact online or attend evening meetings.
- | | |
|-----------------------|--|
| Monday 2 November | Young Mayor's Advisors |
| Thursday 5 November | Positive Ageing Council |
| Wednesday 11 November | School teachers and librarians |
| Thursday 12 November | Disability Forum interviewees |
| Monday 16 November | Manor House Library stakeholders meeting |

2. Areas of concern raised through the consultation process

2.1. The main areas of concern raised through the consultation process were.

- The value of the library service – Residents were unanimous in expressing their views on the value of the Lewisham library service and its staff. It was felt that any reduction in the service would make the authority poorer in the present and more so in the future. The impact on citizens and future generations was clearly and repeatedly articulated in person and in writing.
- Deterioration of the Service if community run – A large number of respondents expressed concern about the quality of the service if this moved to being “community run” and that the proposed option would entail reduced access to professional and/or trained library staff
- Impact on children - A number of respondents expressed concern that the proposed option would have a major detrimental effect on children and their families.
- Reduction in perceived access to libraries – Respondents expressed concern that they would be unable to travel to a hub library and would not be able to access ‘full’ library services
- The local community – Many felt that the proposal would have a negative impact on the local community.
- Volunteers – Respondents expressed concern over the use of volunteers to “replace” council staff. Some stressed the lack of reliability that is inherent in the transient role of volunteers. Some were concerned about issues linked to the ability of volunteers to care for the assets and to safeguard visiting audiences, particularly children. That the proposed option would mean that professional and/or trained library staff

3. Catford Library

- 3.1. Catford Library is based on the ground floor of Laurence House, which is part of the Council civic complex and the main offices for Council staff. Laurence House has high footfall from both residents and Council employees. The library occupies the eastern end of the ground floor and had a re-fresh in May 2015 which included a new carpet, repainted walls and a reconfiguration of the shelving layout.
 - 3.2. Catford is near good transport links, both bus and train and close to the shopping centre. It benefits from its central location and attracts users from across the borough. 21% come from Rushey Green ward, 12% each from Bellingham and Catford South ward and 9% from Whitefoot ward.
 - 3.3. There are links with local schools and nurseries meaning children in the local community have the opportunity to engage with reading and library activities. Catford Library works closely with 7 nurseries and 6 primary schools who regularly visit Catford Library or are visited by library staff.
 - 3.4. A programme of regular activities takes place during the 57 hours of opening. The library hosts visits from partner organisations such as Stop Smoking, Volunteer Lewisham, NHS Active Gateway, Lewisham Mind and the National Careers Service. The Reader Organisation runs a weekly reading group and there are weekly Under 5s, 'Baby Bounce' and craft sessions for young children.
- Libraries data and user profile**
- 3.5. Active users profile – users come from across the borough as Catford is a central point and houses the main Council offices. 21% come from Rushey Green ward, 12% from Bellingham and 12% from Catford South wards.
 - 3.6. Active Users – Please see the attached charts showing statistics for active users as at 1 April 2015 and results from the 2012 Public Library User Survey
 - 3.7. Age range – The age profile for Catford library users is slightly older than that of the service average with 35% of users aged under 18 compared with 38% for Lewisham as a whole. There are slightly more 18-24 year olds – 9% compared with a service average of 8%.
 - 3.8. Gender – Catford has a slightly higher proportion of female users – 60% compared with a service average of 59%
 - 3.9. Ethnicity – 36% of Catford library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black African – 21%, Black Caribbean – 19% and Black Other - 9%.
 - 3.10. Disability - The number of users identifying themselves as having a disability is lower for Catford Library than for the service as a whole – 17% compared with 20%
 - 3.11. Ward Profiles (Catford library users) – Please see the attached charts showing statistics for the wards in the library catchment area
 - 3.12. 57% of active library users in Rushey Green ward use Catford Library, while 23% use Lewisham and 4% use Downham. 31% of active library users in Bellingham ward use Catford Library, 18% use Sydenham and 16% use Lewisham libraries.

38% of library users in Catford South ward use Torridon Road library, 31% use Catford and 13% use Downham libraries.

Equalities Context

- 3.13. Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
 - foster good relationships between those who share a protected characteristic and those who do not share that characteristic.
- 3.14. The following equalities characteristics are ‘protected’ from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion and belief; gender; and sexual orientation.
- 3.15. The Human Rights Act came into effect in the UK in October 2000. It means that people in the UK can take cases about their human rights as defined in the European convention on Human Rights to a UK court. At least 11 Articles of the European Convention on Human Rights have implications for the provision of public services and functions. This EIA assesses whether the proposed recommendations are in line with duties established by this Act.

Scoping grid

- 3.16. The key questions to be considered in scoping the assessment are:
- Could this service - and the way we deliver it - affect some groups in society differently?
 - Will /can this service - and the way we deliver it - promote equal opportunities?

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Age	Negative / Low	The age profile for Catford library users is slightly older than that of the service average - with 35% of users aged under 18 compared with 38% for Lewisham as a whole; slightly more 18-24 year olds – 9% compared with a service average of 8%; 20% 45-64 year olds compared 18% for Lewisham as a whole
Disability	Negative / Low	The number of users identifying themselves as having a disability is lower for Catford Library than for the service as a whole – 17% compared with 20%
Gender	Negative / Low	Catford has a slightly higher proportion of female users – 60% compared with a service average of 59%

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Gender Re-assignment	Negative / Low	
Marriage and Civil Partnership	Negative / Low	29% of Catford Library users identify themselves as Married and 2% as Civil-partnered compared with 36% and 2% as the service average
Pregnancy and Maternity	Negative / Low	
Race	Negative / Medium	64% of Catford Library users are BME compared with a service average of 52%. . The largest BME populations are Black African – 21%, Black Caribbean – 19%
Religion or Belief	Negative / Low	26% of Catford Library users report themselves as having No religion, 60% as Christian, compared with Lewisham library average of 31% No religion, 55% Christian
Sexual Orientation	Negative / Low	2% of Catford Library users identify themselves as Gay / Lesbian compared with the service average of 2% and 3% as Bisexual compared with the Lewisham average of 2%

Suggestions as to potential mitigation actions

- 3.17. The preferred option proposes an expanded Community Engagement Team which would
- take on the role of developing and delivering activities for families.
 - meet regularly with staff and volunteers in the anchor organisation to share ideas on events and activities
 - develop and deliver training for staff and volunteers in the anchor organisation on developing knowledge on choosing and sharing books together.
 - broker relationships between the anchor organisation and the family organisations such as Children’s Centres. To provide advice and guidance on working with external organisations where needed.
- 3.18. Stock being regularly moved between branches using stock management tools and staff expertise. Stock being regularly maintained by library staff to ensure collections are of good quality and relevance.
- 3.19. Any changes to services at Catford Library would be considered to have a great potential impact on this protected characteristic as 64% of Catford Library users are BME compared with a service average of 52%. The consultation highlighted the need for a different approach for the library presence on the ground floor of Laurence House, which should be developed in concert with other council services within the building. Further investigation on the options for the ground floor of the Laurence House building are proposed and the needs of this community will need to be considered in taking forward the proposals.

Socio-Economic specific to Catford Library catchment

- 3.20. Active users profile – users come from across the borough as Catford is a central point and houses the main Council offices. 21% come from Rushey Green ward, 12% from Bellingham and 12% from Catford South wards.

Rushey Green ward – 21% of users

- 3.21. The age structure for Rushey Green is slightly younger than the Lewisham average with 26.8% aged 0-19 compared with 25.4%. The mean age of the Rushey Green ward population is 34 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Rushey Green is Age 30 to 44 which represents 27.50% of the population.
- 3.22. BME residents represent 59.1% of the population compared with 46.5% for Lewisham.
- 3.23. Median household income for Rushey Green is slightly lower than that for the borough as a whole and there are lower numbers of economically active residents - 72.4% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 32.9% compared with 38% for the borough as a whole.
- 3.24. A breakdown of the Forest Hill Ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 21.3% of the ward's population
- 3.25. The crime rate is higher than the Lewisham average – Criminal damage is 15.8 per 1,000 population compared with 9.7 for Lewisham, Violence against the person is 41.2 compared with 23.6.
- 3.26. Disability rates are higher than the Lewisham average – 8% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Rushey Green has 4.4% residents that report being in bad health and 1.5% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 14 (out of 18 Wards) within Lewisham.
- 3.27. Rushey Green ward has 6,257 households, which represents 5.39% of Lewisham's 116,091 households. The largest number of households live in 'Private rented: Private landlord or letting agency' accommodation - 28.9% compared with 23.0% for Lewisham as a whole.
- 3.28. The second largest number of households lives in 'Owned with a mortgage or loan' accommodation - 26.7% compared with 27.5% for the borough.
- 3.29. Rushey Green has 17.9% of households with dependent children aged 0 to 4 and 33.9% of households have 'Dependent children in household: All ages'.

Bellingham ward – 12% of users

- 3.30. There is a higher proportion of 0-19 year olds in Bellingham – 30.5%, compared with 25.4% for Lewisham. There are also slightly more over 50s in the ward – 24.9% compared with 22.9%. The mean age of the Bellingham ward population is 34 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Bellingham is Age 30 to 44 which

represents 23.4% of the population.

- 3.31. BME residents represent 51.3% of the population compared with 46.5% for Lewisham.
- 3.32. Median household income for Bellingham is lower than that for the borough as a whole and there lower numbers of economically active residents – 69.5% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 23.5% compared with 38% for the borough as a whole.
- 3.33. A breakdown of the Forest Hill Ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 18.4% of the ward's population
- 3.34. The crime rate is slightly lower than the Lewisham average, although Criminal damage is 10.1 per 1,000 population compared with 9.7 for Lewisham and Violence against the person is 25.4 compared with 23.6.
- 3.35. Disability rates are higher than the Lewisham average – 8.9% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Bellingham has 5.2% residents that report being in bad health and 1.7% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 16 (out of 18 Wards) within Lewisham.
- 3.36. Bellingham Ward has 6,107 households, which represents 5.26% of Lewisham's 116,091 households. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 26.9% of the Ward's households. That compares with 27.5% for the borough as a whole.
- 3.37. The second largest number of households lives in 'Private rented: Private landlord or letting agency' accommodation with 24.2% of the Ward's households. That compares with 15.5% for the borough as a whole.
- 3.38. Bellingham has 16.9% households with dependent children aged 0 to 4 and 37.7% of households have 'Dependent children in household: All ages'.

Catford South ward – 12 % of users

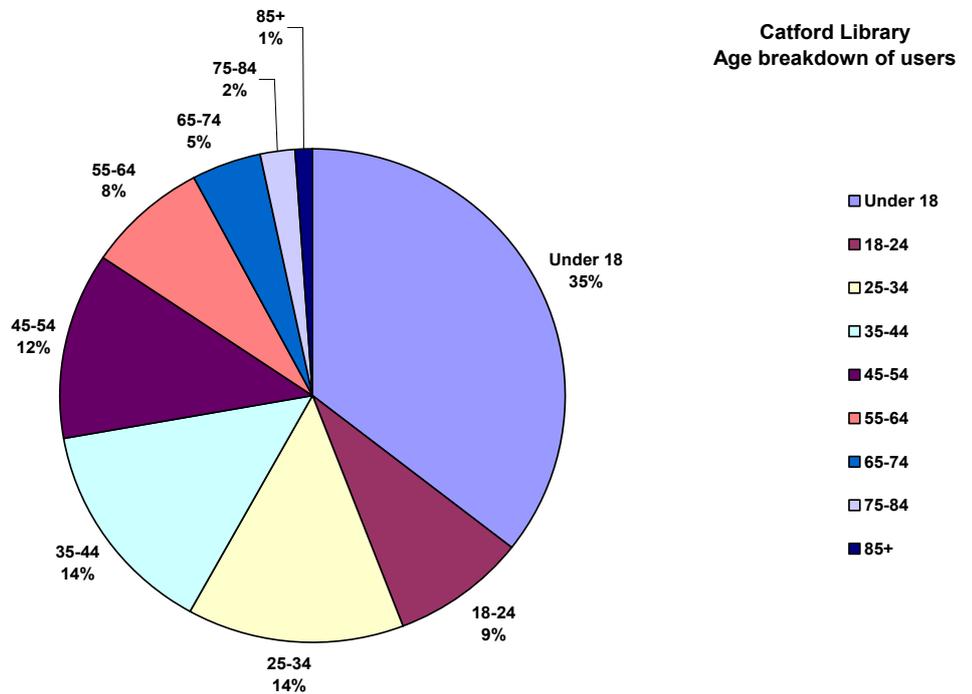
- 3.39. There are higher levels of younger and older people in Catford South ward compared with the Lewisham average - 27.5% 0-19 year olds compared with 25.4%, 16.7% 50-64 year olds compared with 13.4% and 11.3% over 65s compared with 9.5%. The mean age of the Catford South ward population is 36 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Catford South is Age 45 to 59 which represents 22.10% of the population.
- 3.40. BME residents represent 56.2% of the population compared with 46.5% for Lewisham.
- 3.41. Median household income for Catford South is higher than that for the borough as a whole. The number of economically active residents is close to the Lewisham average – 73% compared with 73.6%. The percentage of people with level 4 or

higher qualifications is 34.2% compared with 38% for the borough as a whole.

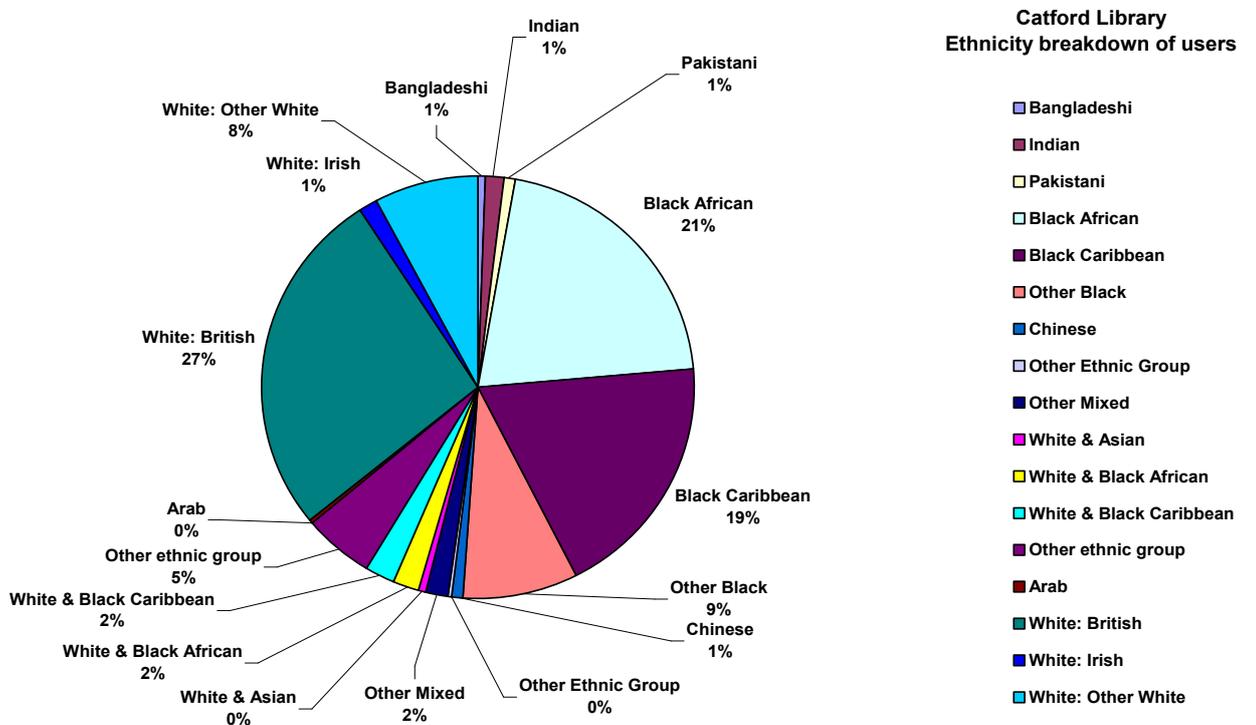
- 3.42. A breakdown of the Catford South ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 24.1% of the ward's population
- 3.43. The crime rate is lower than the Lewisham average across all indicators.
- 3.44. Disability rates reflect the Lewisham average – 7% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Catford South has 3.6% residents that report being in bad health and 1.1% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 3 (out of 18 Wards) within Lewisham.
- 3.45. Catford South Ward has 5,712 households, which represents 4.92% of Lewisham's 116,091 households.
- 3.46. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 43.0% of the ward's households. That compares with 27.5% for the borough as a whole.
- 3.47. The second largest number of households lives in 'Owned outright' accommodation with 22.8% of the ward's households. That compares with 14.9% for the borough as a whole.
- 3.48. Catford South has 14.7% of households with dependent children aged 0 to 4 and 36.2% of households have 'Dependent children in household: All ages'.

Active user statistics April 2015 – Catford Library

Age range – April 2015

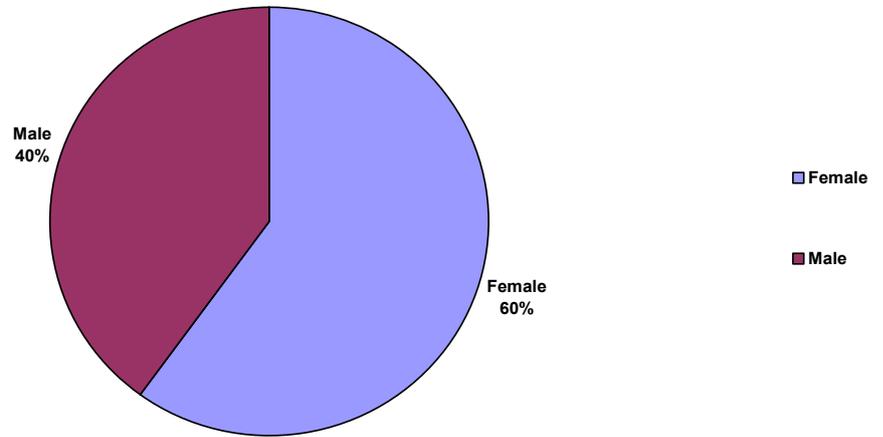


Ethnicity – April 2015



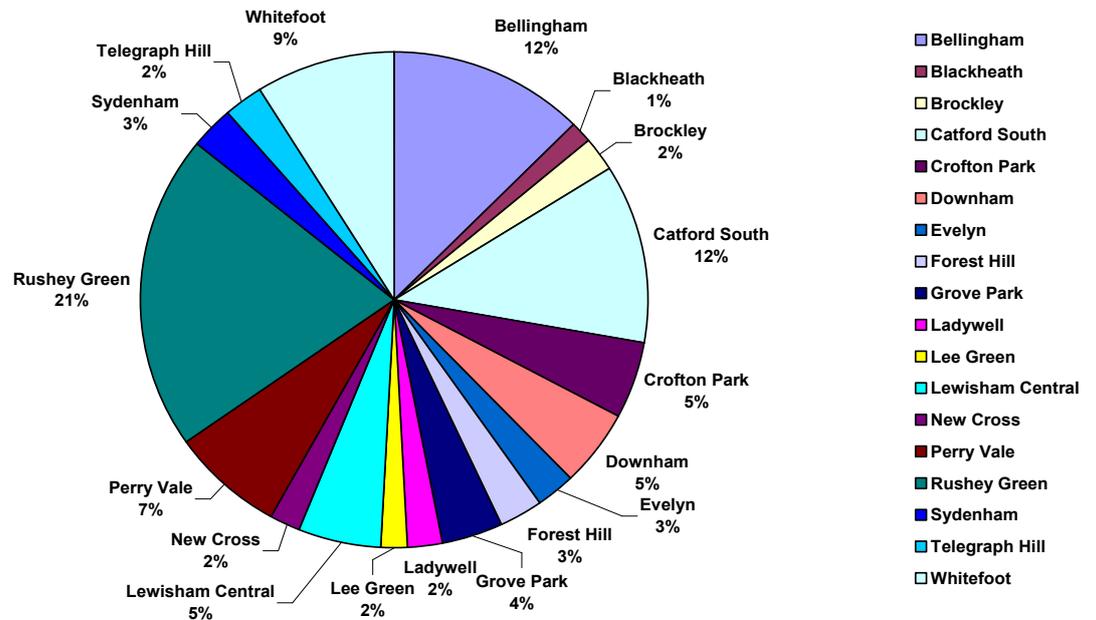
Gender – April 2015

Catford Library Gender breakdown of users



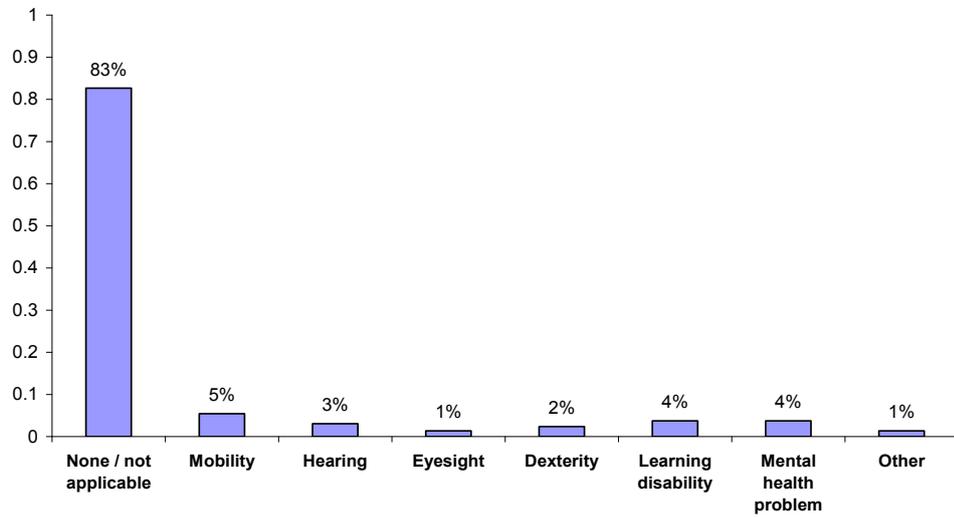
Which wards do users come from – April 2015

Catford Library Where users come from



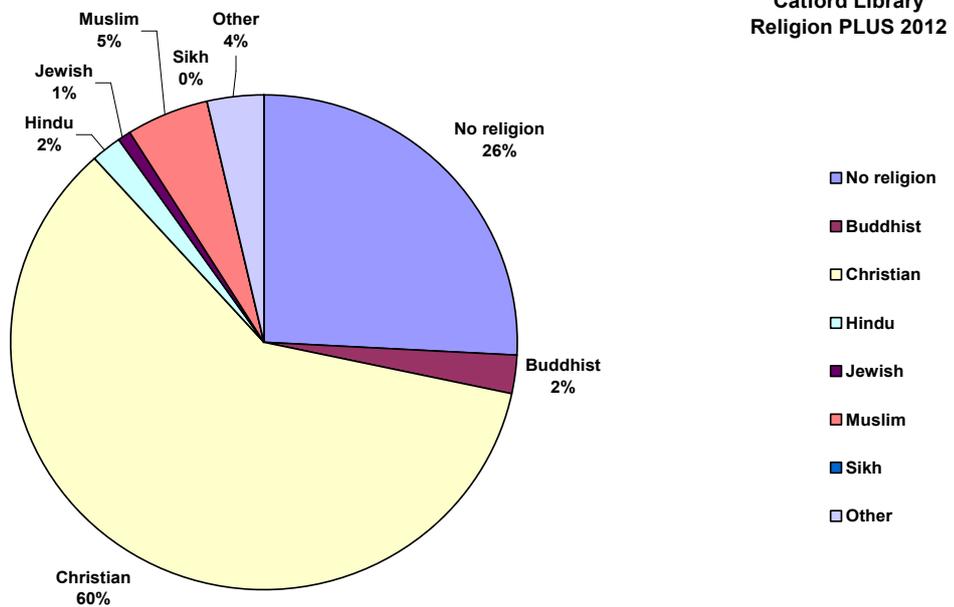
Disability – PLUS 2012

Catford Library
Disability PLUS 2012

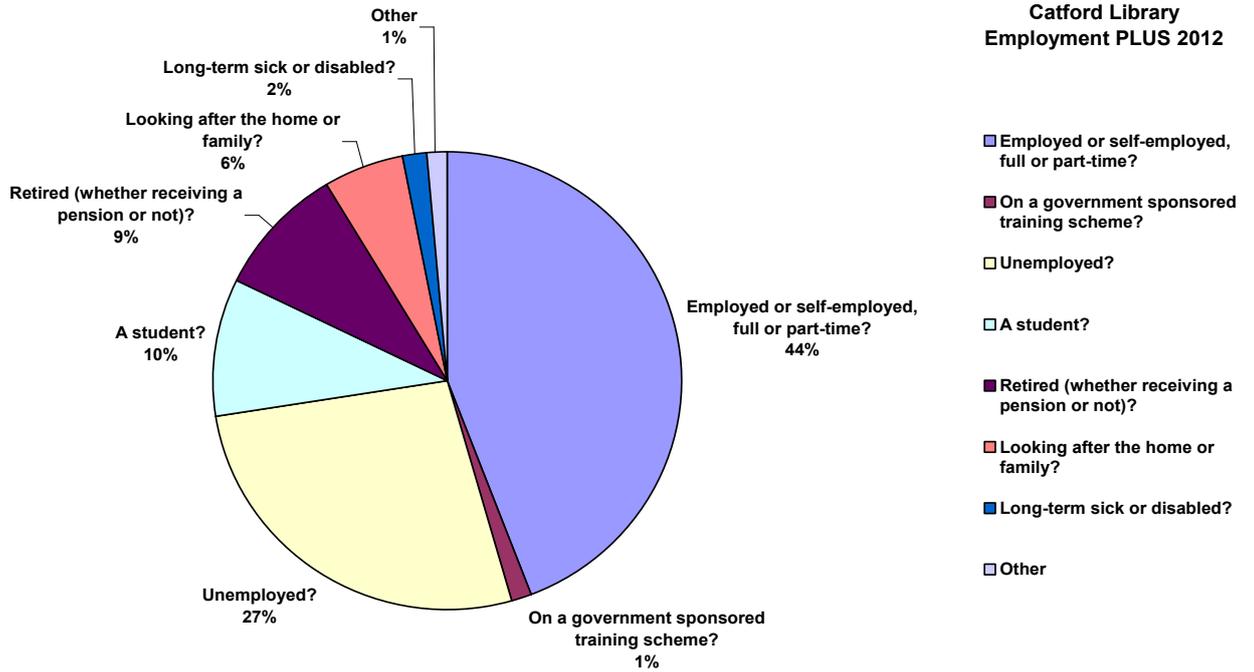


Religion – PLUS 2012

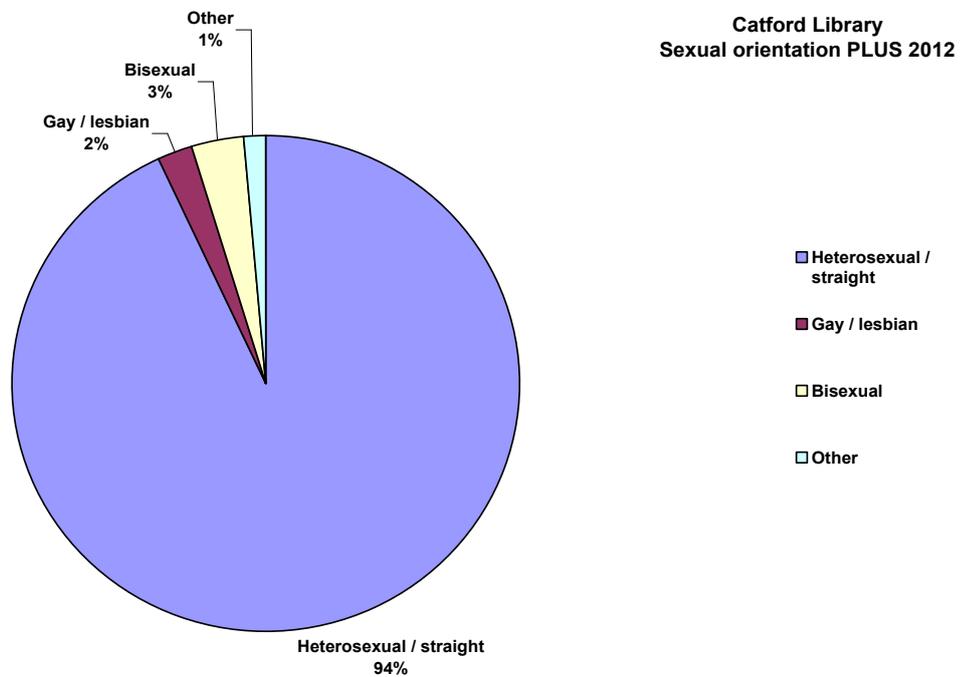
Catford Library
Religion PLUS 2012



Employment – PLUS 2012

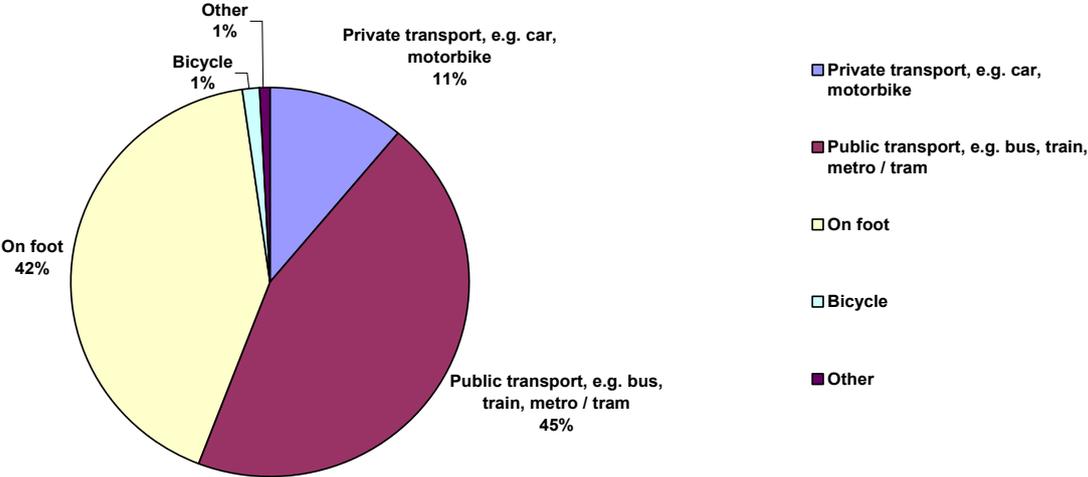


Sexual orientation – PLUS 2012



Mode of Travel – PLUS 2012

Catford Library
How did you travel to the library? PLUS 2012



4. Forest Hill Library

- 4.1. Forest Hill Library is a Grade II listed building on Dartmouth Road and forms part of the Victorian complex of civic buildings also comprising Forest Hill Pools and Louise House. Originally built in 1901 it was extensively refurbished in 2007, with building works to make structural repairs as well as new carpet, redecoration throughout, new shelving and book stock and the installation of self service.
 - 4.2. Forest Hill is a busy library with strong links to the local area. 37% of users come from Forest Hill ward, 22% from Perry Vale and 18% from Sydenham wards. During the last 5 years Forest Hill Library has reversed the trend of declining visits, demonstrating increases in visitor numbers. Similarly, many of the users of Forest Hill Library are keen readers and visit regularly to borrow the latest titles. This is demonstrated in increases in issues during the last five years.
 - 4.3. There are links with local schools and nurseries offering children in the local community the opportunity to engage with reading and library activities. Forest Hill Library works closely with 5 primary schools and 1 secondary school who regularly visit Forest Hill Library or are visited by library staff
 - 4.4. As a Grade II listed building, the building needs regular maintenance and attention despite the structural works during the refurbishment. This can require specialists to undertake work.
 - 4.5. On 2 floors plus a small basement, the building has 2 rooms on the 2nd floor that have the potential to generate income. The only access to the rooms is via stairs – there is no lift. This potentially limits the audiences interested in hiring the space. The rest of the building is fully accessible with flat access for wheelchairs and pushchairs through the back of the building via a ramp.
 - 4.6. Forest Hill Library is located close to the town centre and is well served by public transport links, both bus and train. The town centre has undergone transformation in the past few years, with new coffee shops and boutiques attracting a younger, family audience. The library is part of a ‘cultural quarter’ that is currently undergoing development. This includes Louise House and Forest Hill Pools. There are plans to link the 3 spaces through landscaping and seating to create an inviting, public space. This builds on the refurbishment of the pools in 2012 and the development of Forest Hill as a destination.
 - 4.7. A programme of regular activities takes place during the 66 hours of opening. The library hosts monthly Lively Minds sessions for over 55’s with outside invited speakers, a monthly reading group, Origami workshop, run by a volunteer meet monthly. Partner organisations also run sessions such as Storytelling in Hope who run sessions for over 55’s, NHS Stop Smoking group and ‘KEBIN’ Youth Club. There are weekly under 5s sessions and monthly Chatterbooks for older children. The library also runs craft activities for children to support specific events such as the Summer Reading Challenge.
- Libraries data and user profile**
- 4.8. Active users profile – 37% from Forest Hill, 22% from Perry Vale, 18% from Sydenham wards.

- 4.9. Active Users – Please see the attached charts showing statistics for active users as at 1 April 2015 and results from the 2012 Public Library User Survey
- 4.10. Age range – The age profile for Forest Hill library users matches that of the service average quite closely. Differences are that 7% of users are 18-24 year olds compared with 8% for Lewisham as a whole. There are also slightly more 35-44 year olds – 17% compared with a service average of 15%. There are slightly fewer users in the 45-54 age group – 10% compared with 11%.
- 4.11. Gender – Forest Hill has a slightly lower proportion of female users – 58% compared with a service average of 59%
- 4.12. Ethnicity - 60% of Forest Hill library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black African – 11% and Black Caribbean – 10%
- 4.13. Disability - The number of users identifying themselves as having a disability is lower for Forest Hill Library than for the service as a whole – 13% compared with 20%
- 4.14. Ward Profiles (Forest Hill library users) – Please see the attached charts showing statistics for the wards in the library catchment area
- 4.15. 82% of active library users in Forest Hill ward use Forest Hill Library, while 6% use Catford and 5% use Lewisham. 58% of active library users in Perry Vale ward use Forest Hill Library, 18% use Catford, 9% use Lewisham and 8% use Sydenham libraries. 46% of active library users in Sydenham ward use Forest Hill Library, 33% use Sydenham community library and 7% use Catford Library.

Equalities Context

- 4.16. Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
 - foster good relationships between those who share a protected characteristic and those who do not share that characteristic.
- 4.17. The following equalities characteristics are 'protected' from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion and belief; gender; and sexual orientation.
- 4.18. The Human Rights Act came into effect in the UK in October 2000. It means that people in the UK can take cases about their human rights as defined in the European convention on Human Rights to a UK court. At least 11 Articles of the European Convention on Human Rights have implications for the provision of public services and functions. This EIA assesses whether the proposed recommendations are in line with duties established by this Act.

Scoping grid

4.19. The key questions to be considered in scoping the assessment are:

- Could this service - and the way we deliver it - affect some groups in society differently?
- Will /can this service - and the way we deliver it - promote equal opportunities?

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Age	Negative / Low	The age profile for Forest Hill library users matches that of the service average quite closely. Differences are that 7% of users are 18-24 year olds compared with 8% for Lewisham as a whole. There are also slightly more 35-44 year olds – 17% compared with a service average of 15%. There are slightly fewer users in the 45-54 age group – 10% compared with 11%. Forest Hill Library works closely with 5 primary schools and 1 secondary school
Disability	Negative / Low	The number of users identifying themselves as having a disability is lower for Forest Hill Library than for the service as a whole – 13% compared with 20%
Gender	Negative / Low	Forest Hill has a slightly lower proportion of female users – 58% compared with a service average of 59%
Gender Re-assignment	Negative / Low	
Marriage and Civil Partnership	Negative / Low	40% of Forest Hill Library users identify themselves as Married and 0% as Civil-partnered compared with 36% and 2% as the service average
Pregnancy and Maternity	Negative / Low	
Race	Negative / Low	60% of Forest Hill library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black African – 11% and Black Caribbean – 10%
Religion or Belief	Negative / Low	36% of Forest Hill Library users report themselves as having No religion, 53% as Christian, compared with Lewisham library average of 31% No religion, 55% Christian
Sexual Orientation	Negative / Low	1% of Forest Hill Library users identify themselves as Gay / Lesbian compared with the service average of 2% and 3% as Bisexual compared with the Lewisham average of 2%

Suggestions as to potential mitigation actions

4.20. The preferred option proposes an expanded Community Engagement Team which would

- take on the role of developing and delivering activities for families.
- meet regularly with staff and volunteers in the anchor organisation to share ideas on events and activities
- develop and deliver training for staff and volunteers in the anchor organisation on developing knowledge on choosing and sharing books together.
- broker relationships between the anchor organisation and the family organisations such as Children's Centres. To provide advice and guidance on working with external organisations where needed.

4.21. Stock being regularly moved between branches using stock management tools and staff expertise. Stock being regularly maintained by library staff to ensure collections are of good quality and relevance.

Socio-Economic specific to Forest Hill Library catchment

4.22. Active users profile – 37% from Forest Hill, 22% from Perry Vale, 18% from Sydenham wards.

Forest Hill ward – 37% users

4.23. The age structure for Forest Hill is slightly older than the Lewisham average with 25.3% aged 35-49 compared with 24.1% and 24.3% aged over 50 compared with a Lewisham average of 22.7%. The mean age of the Forest Hill ward population is 35 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Forest Hill is Age 30 to 44 which represents 29.60% of the population.

4.24. BME residents represent 38.2% of the population compared with 46.5% for Lewisham.

4.25. Median household income for Forest Hill is higher than that for the borough as a whole and there are higher numbers of economically active residents – 77.0% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 46.4% compared with 38% for the borough as a whole.

4.26. A breakdown of the Forest Hill ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 29.0% of the ward's population.

4.27. The crime rate is lower than the Lewisham average although there are higher levels of Burglary – 19.4 per 1,000 population compared with a borough average of 13.3. Criminal damage is 8.1 per 1,000 population compared with 9.7 for Lewisham, Violence against the person is 19.3 compared with 23.6.

4.28. Disability rates are lower than the Lewisham average – 5.9% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Forest Hill has 3.5% residents that report being in bad health and 1.0% residents that report

being in very bad health. Its ranking for the number of residents in very bad health is 1 (out of 18 Wards) within Lewisham.

- 4.29. Forest Hill ward has 6,506 households, which represents 5.60% of Lewisham's 116,091 households. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 29.4% of the Ward's households. That compares with 27.5% for the London borough as a whole.
- 4.30. The second largest number of households lives in 'Private rented: Private landlord or letting agency ' accommodation with 23.0% of the Ward's households. That compares with 23.0% for the London borough as a whole
- 4.31. Forest Hill has 15.5% of households with dependent children aged 0 to 4 and 30.8% of households have 'Dependent children in household: All ages'.

Perry Vale ward – 22% of users

- 4.32. The age structure of Perry Vale ward is slightly older than the Lewisham average with 26.4% aged 35-49 compared with a Lewisham average of 24.1%. The mean age of the Perry Vale ward population is 35 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Perry Vale is Age 30 to 44 which represents 28.70% of the population
- 4.33. BME residents represent 42.5% of the population compared with 46.5% for Lewisham.
- 4.34. Median household income for Perry Vale is higher than that for the borough as a whole and there are higher numbers of economically active residents – 75.9% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 41.5% compared with 38% for the borough as a whole.
- 4.35. A breakdown of the Perry Vale ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 28.5% of the ward's population.
- 4.36. The crime rate is lower than the Lewisham average across all indicators.
- 4.37. Disability rates are lower than the Lewisham average – 6.7% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Perry Vale has 3.4% residents that report being in bad health and 1.2% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 7 (out of 18 Wards) within Lewisham.
- 4.38. Perry Vale ward has 6,707 households, which represents 5.78% of Lewisham's 116,091 households. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 31.9% of the ward's households. That compares with 27.5% for the borough as a whole.
- 4.39. The second largest number of households lives in 'Private rented: Private landlord or letting agency ' accommodation with 21.7% of the Ward's households. That compares with 23.0% for the borough as a whole.

4.40. The ward has 14.9% of households with dependent children aged 0 to 4 and 32.1% of households have 'Dependent children in household: All ages'.

Sydenham ward – 18% of users

4.41. The age structure of Sydenham ward is older than the Lewisham average with 26.5% aged over 50 compared with a Lewisham average of 22.9%. The mean age of the Sydenham ward population is 36 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Sydenham is Age 30 to 44 which represents 26.50% of the population

4.42. BME residents represent 41.8% of the population compared with 46.5% for Lewisham.

4.43. Median household income for Sydenham is slightly higher than that for the borough as a whole but there are lower numbers of economically active residents – 72.3% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 36.6% compared with 38% for the borough as a whole.

4.44. A breakdown of Sydenham ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 24.9% of the ward's population.

4.45. The crime rate is lower than the Lewisham average except for Fraud or Forgery which is 6.0 per 1,000 population compared with a borough average of 5.4.

4.46. Disability rates are higher than the Lewisham average – 8.1% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Sydenham has 4.1% residents that report being in bad health and 1.4% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 13 (out of 18 Wards) within Lewisham.

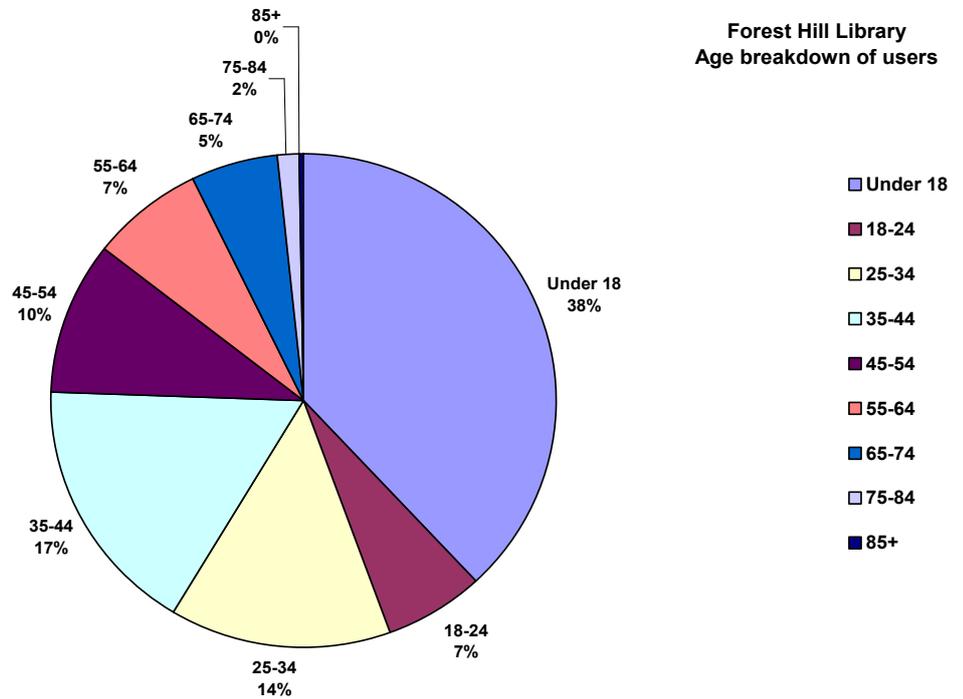
4.47. Sydenham ward has 6,793 households, which represents 5.85% of Lewisham's 116,091 households. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 27.6% of the ward's households. That compares with 27.5% for the borough as a whole.

4.48. The second largest number of households lives in 'Social rented: Rented from council (Local Authority) ' accommodation with 19.8% of the Ward's households. That compares with 15.6% for the borough as a whole.

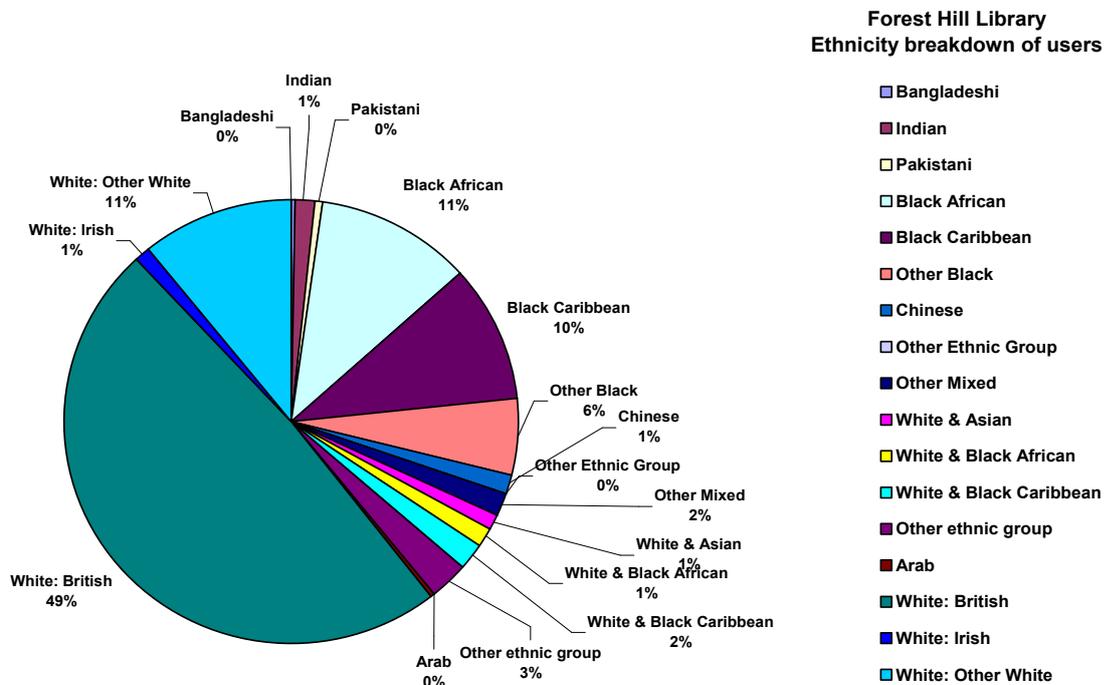
4.49. Sydenham has 14.8% of households with dependent children aged 0 to 4 and 30.7% of households in the ward have 'Dependent children in household: All ages'.

Active user statistics April 2015 – Forest Hill Library

Age Range – April 2015

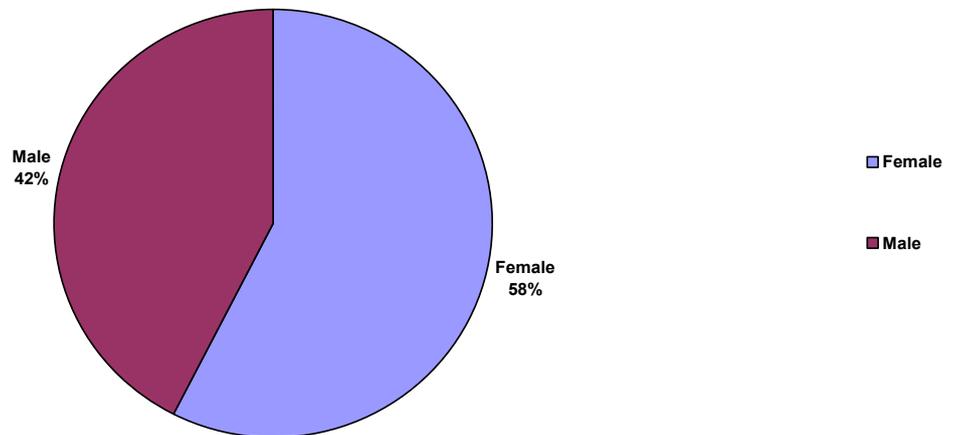


Ethnicity – April 2015



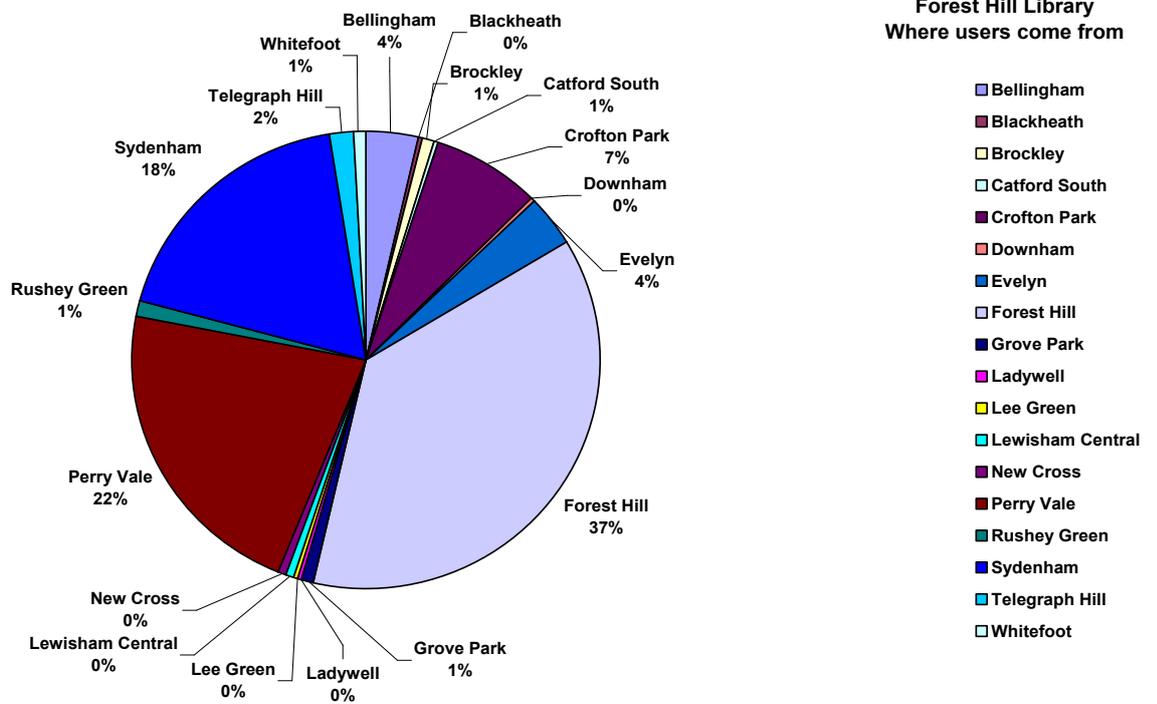
Gender – April 2015

Forest Hill Library
Gender breakdown of users



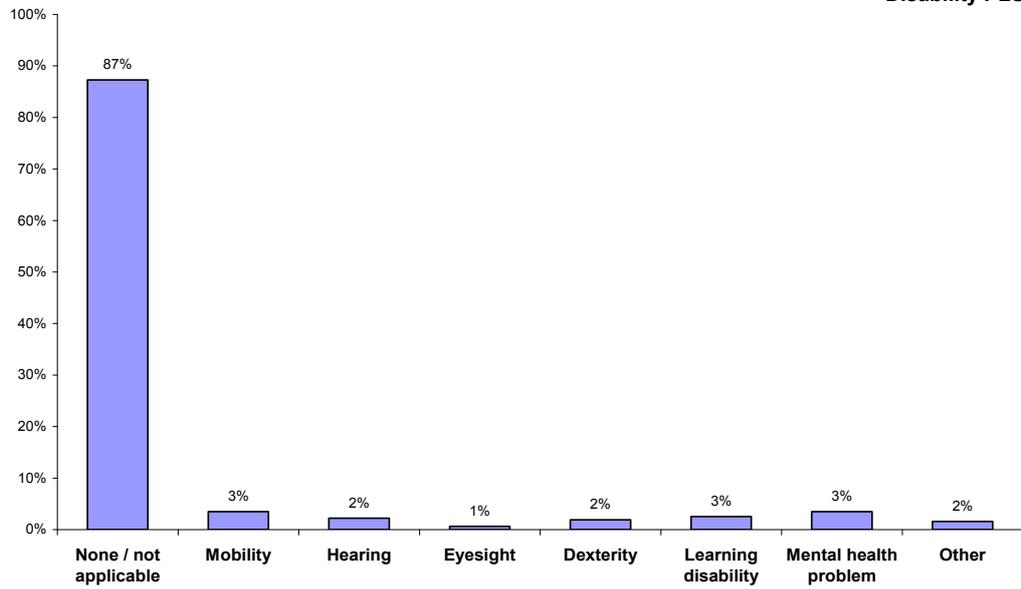
Which wards do users come from – April 2015

Forest Hill Library
Where users come from



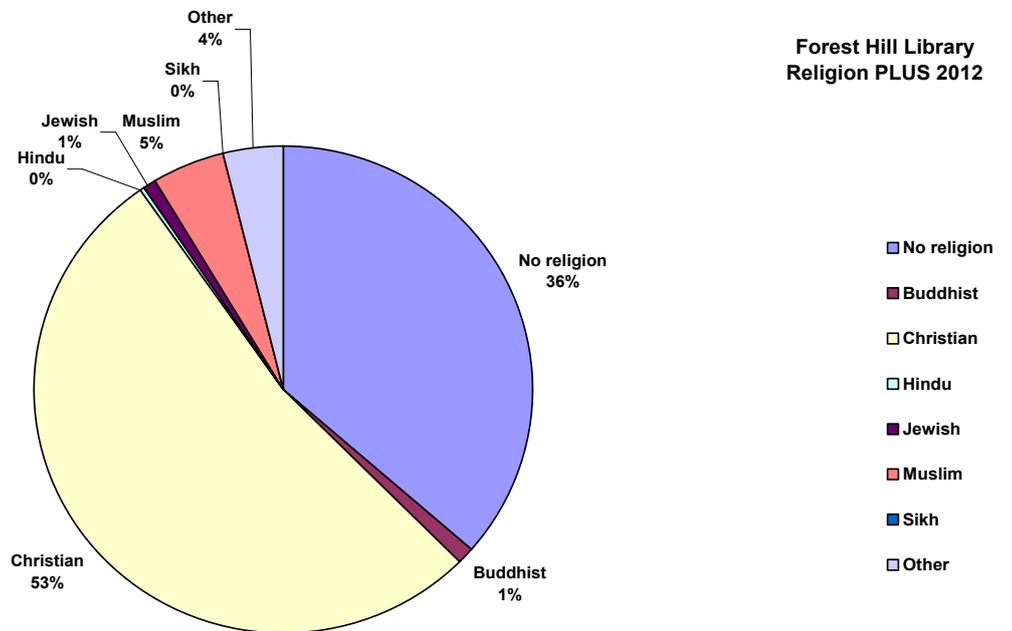
Disability – PLUS 2012

Forest Hill Library
Disability PLUS 2012

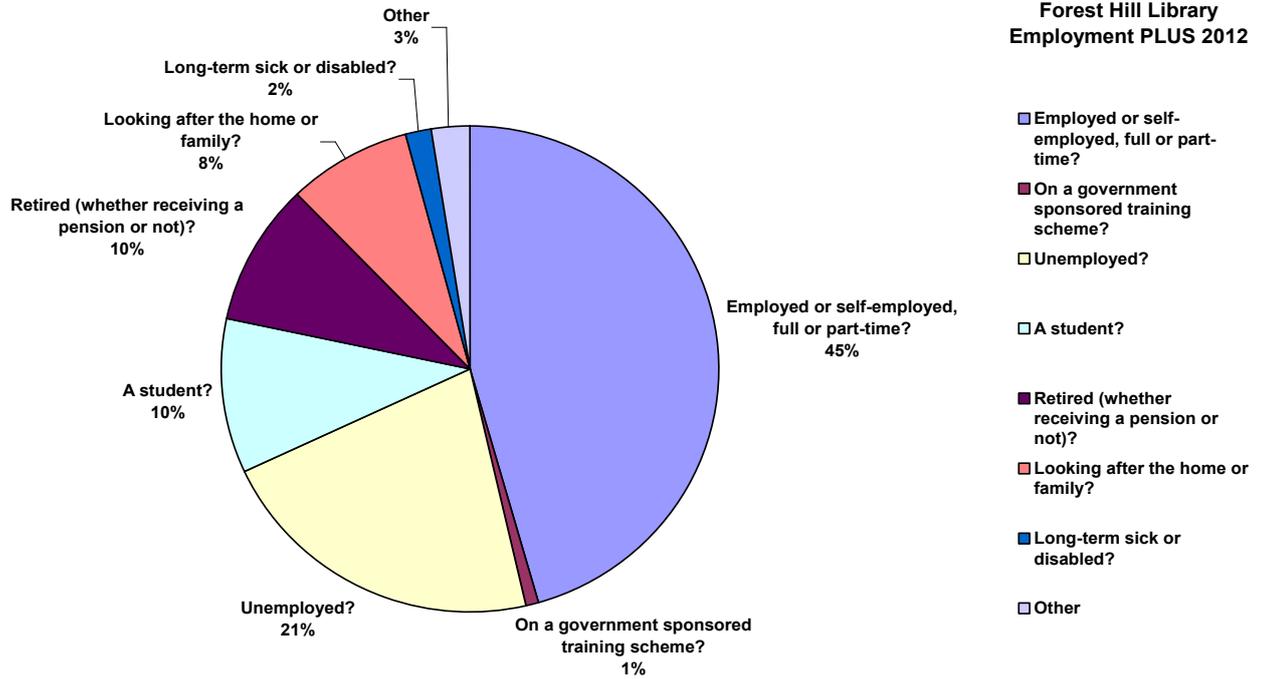


Religion – PLUS 2012

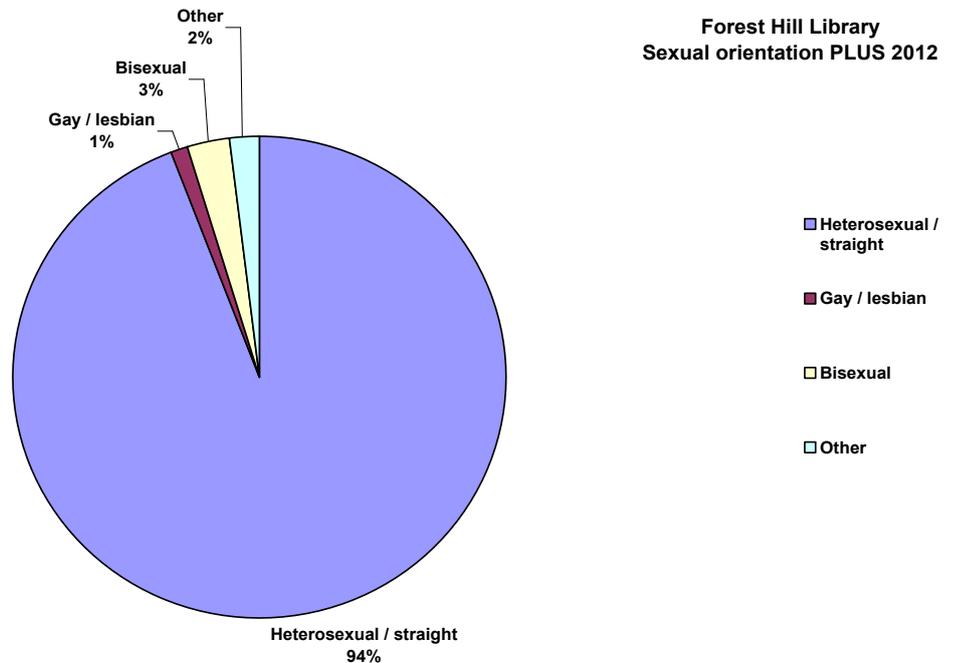
Forest Hill Library
Religion PLUS 2012



Employment – PLUS 2012

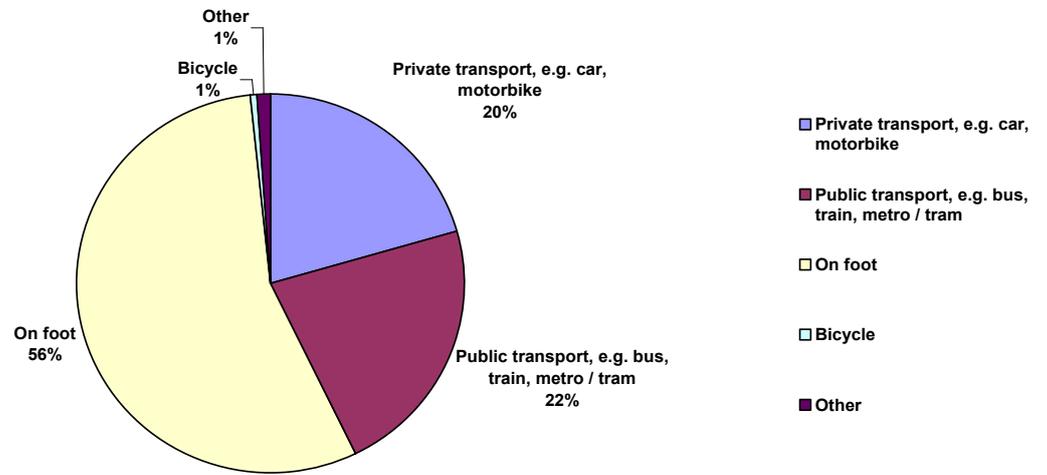


Sexual orientation – PLUS 2012



Mode of travel – PLUS 2012

Forest Hill Library
How did you travel to the library PLUS 2012



5. Manor House

- 5.1. Manor House is a Grade II* listed Georgian building overlooking Manor House Gardens. Originally built in 1772 it was acquired by Lewisham Metropolitan Council in 1901 and converted into a library. It was re-furbished in 2008/2009, with structural repairs undertaken, lifts installed, redecoration throughout, new shelves and layout, self-service installed and new book stock. Rooms on the first and second floors were restored and are now available for hire. Part of this redevelopment included co-location with a Children's Centre in the lower ground floor. This has enabled the library to engage with local families and run activities jointly.
- 5.2. Manor House is located in Manor House Gardens and has strong links to the local community. 60% of users come from Lee Green ward, 17% from Blackheath and 7% from Lewisham Central wards. Manor House Library reverses the trend of declining visits, demonstrating an increase in visitor numbers during the last 5 years. Similarly, many of the users are keen readers and visit regularly to borrow the latest titles
- 5.3. The renovation of the hireable rooms means the building is not just a library but a community resource. The venue is frequently hired for weddings and ceremonies, providing an attractive setting and generating income. The rooms are also hired regularly for classes such as yoga, for meetings and for events run by the library service and local community groups.
- 5.4. With all four floors now in use, the building needs regular maintenance and attention, despite the structural works during the refurbishment. As a Grade II* listed building, this can require specialists to undertake work. The hireable rooms can be in high demand and regularly require maintenance such as walls being re-painted and carpets deep cleaned. The basement needs regular maintenance due to damp issues that can cause rooms to be unusable.
- 5.5. The lift can require maintenance throughout the year. If not in use this means there is no access to the 1st and 2nd floors apart from the stairs, making them inaccessible to some users.
- 5.6. Manor House is within walking distance of Lewisham town centre and is close to local bus stops. The nearby gardens and café attract families after school and at weekends that also use the library. There are links with local schools and nurseries meaning children in the local community have the opportunity to engage with reading and library activities. The library works closely with 3 nurseries and 6 primary schools through class visits to the library.
- 5.7. The location near the gardens in summer provides many opportunities for library services to link into activities in the gardens. During the winter months, the library can be quieter due to less activity in the park and not being directly near public transport
- 5.8. A programme of regular activities takes place during the 65 hours of opening. The library hosts regular reading group meetings, a 'knit and natter' group and Latino Americano, a Spanish-speaking film and book discussion group. There are weekly under 5s sessions, and a Cantonese for under 5s group.
- 5.9. A wide range of groups and organisations make use of the room booking service including NTC - antenatal care, Learn Direct, Lewisham & Greenwich NHS,

Intelligent Training Academy – ESOL, Friends of Manor House Gardens, BOLT - online learning technology for business, Inkhead - creative writing for children and yoga and Pilates groups.

Libraries data and user profile

- 5.10. Active users profile – 60% from Lee Green ward, 17% from Blackheath and 7% from Lewisham Central wards.
- 5.11. Active Users – Please see the attached charts showing statistics for active users as at 1 April 2015 and results from the 2012 Public Library User Survey
- 5.12. Age range – The age profile for Manor House library users is slightly younger compared with the service average. 41% of users are under 18 compared with 38% for Lewisham as a whole. There are slightly fewer 18-24 and 25-34 year olds – 6% and 12% compared with 8% and 14%. There are slightly more 35-44 year olds – 17% compared with 15%.
- 5.13. Gender – Manor House 60% female users compared with a service average of 59%
- 5.14. Ethnicity – 75% of Manor House library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black African – 5% and Black Caribbean – 4%
- 5.15. Disability - The number of users identifying themselves as having a disability is lower for Manor House Library than for the service as a whole – 16% compared with 20%
- 5.16. Ward Profiles (Manor House library users) – Please see the attached charts showing statistics for the wards in the library catchment area
- 5.17. 51% of active library users in Lee Green ward use Manor House library, while 28% use Lewisham and 5% use Blackheath Village libraries. 38% of active library users in Blackheath ward use Blackheath Village library, 35% use Lewisham and 14% use Manor House libraries.

Equalities Context

- 5.18. Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
 - foster good relationships between those who share a protected characteristic and those who do not share that characteristic.
- 5.19. The following equalities characteristics are 'protected' from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race;

religion and belief; gender; and sexual orientation.

5.20. The Human Rights Act came into effect in the UK in October 2000. It means that people in the UK can take cases about their human rights as defined in the European convention on Human Rights to a UK court. At least 11 Articles of the European Convention on Human Rights have implications for the provision of public services and functions. This EIA assesses whether the proposed recommendations are in line with duties established by this Act.

Scoping grid

5.21. The key questions to be considered in scoping the assessment are:

- Could this service - and the way we deliver it - affect some groups in society differently?
- Will /can this service - and the way we deliver it - promote equal opportunities?

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Age	Negative / Medium	The age profile for Manor House library users is slightly younger compared with the service average. 41% of users are under 18 compared with 38% for Lewisham as a whole. There are slightly fewer 18-24 and 25-34 year olds – 6% and 12% compared with 8% and 14%. There are slightly more 35-44 year olds – 17% compared with 15%. The library is co-located with a children’s centre and works closely with local schools and nurseries.
Disability	Negative / Low	The number of users identifying themselves as having a disability is lower for Manor House Library than for the service as a whole – 16% compared with 20%
Gender	Negative / Low	Manor House library has 60% female users compared with a service average of 59%
Gender Re-assignment	Negative / Low	
Marriage and Civil Partnership	Negative / Low	49% of Manor House Library users identify themselves as Married and 2% as Civil-partnered compared with 36% and 2% as the service average
Pregnancy and Maternity	Negative / Low	
Race	Negative / Low	75% of Manor House library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black African – 5% and Black Caribbean – 4%

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Religion or Belief	Negative / Low	35% of Manor House Library users report themselves as having No religion, 52% as Christian, compared with Lewisham library average of 31% No religion, 55% Christian
Sexual Orientation	Negative / Low	2% of Manor House Library users identify themselves as Gay / Lesbian compared with the service average of 2% and 0% as Bisexual compared with the Lewisham average of 2%

Suggestions as to potential mitigation actions

- 5.22. The preferred option proposes an expanded Community Engagement Team which would
- take on the role of developing and delivering activities for families.
 - meet regularly with staff and volunteers in the anchor organisation to share ideas on events and activities
 - develop and deliver training for staff and volunteers in the anchor organisation on developing knowledge on choosing and sharing books together.
 - broker relationships between the anchor organisation and the family organisations such as Children’s Centres. To provide advice and guidance on working with external organisations where needed.
- 5.23. Stock being regularly moved between branches using stock management tools and staff expertise. Stock being regularly maintained by library staff to ensure collections are of good quality and relevance.

Socio-Economic specific to Manor House catchment

Lee Green ward – 60% of users

- 5.24. The age structure of Lee Green ward is older than the Lewisham average with 25.6% aged over 50 compared with a Lewisham average of 22.9%. The mean age of the Lee Green ward population is 36 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Lee Green is Age 30 to 44 which represents 28.90% of the population.
- 5.25. BME residents represent 33.7% of the population compared with 46.5% for Lewisham.
- 5.26. Median household income for Lee Green is higher than that for the borough as a whole and there are higher numbers of economically active residents – 76.7% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 46.1% compared with 38% for the borough as a whole.
- 5.27. A breakdown of Lee Green ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations'

representing 30.0% of the ward's population.

- 5.28. The crime rate is lower than the Lewisham average across all indicators.
- 5.29. Disability rates are lower than the Lewisham average – 6.6% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Lee Green has 3.4% residents that report being in bad health and 1.3% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 9 (out of 18 Wards) within Lewisham
- 5.30. Lee Green ward has 6,320 households, which represents 5.44% of Lewisham's 116,091 households. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 32.2% of the ward's households. That compares with 27.5% for the borough as a whole.
- 5.31. The second largest number of households lives in 'Private rented: Private landlord or letting agency ' accommodation with 22.1% of the ward's households. That compares with 23.0% for the borough as a whole.
- 5.32. Lee Green has 14.5% of households with dependent children aged 0 to 4 and 29.7% of households in the Ward have 'Dependent children in household: All ages'.

Blackheath ward – 17% of users

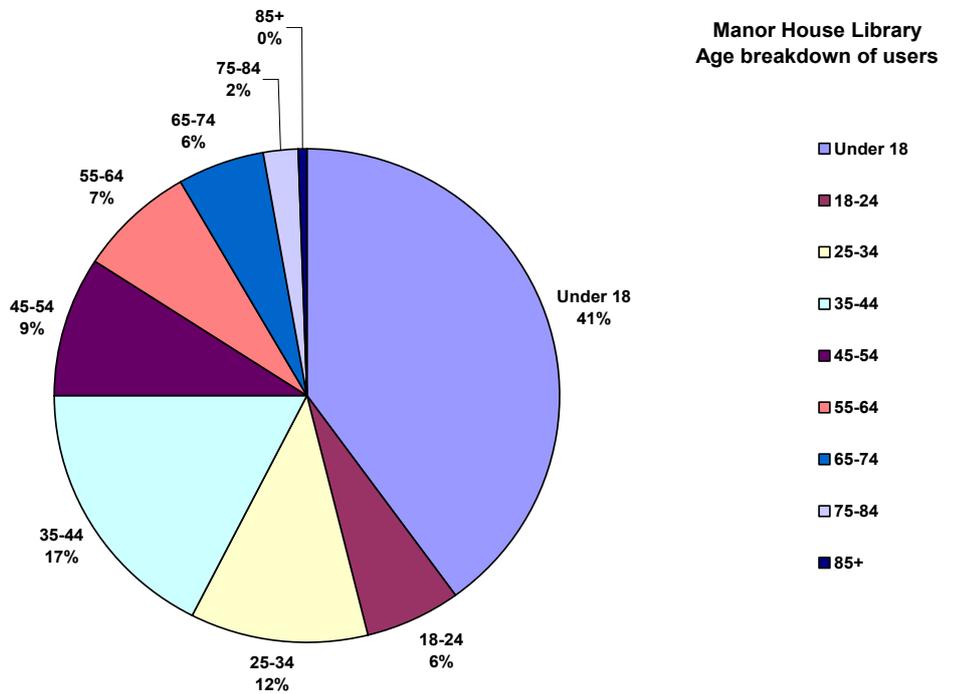
- 5.33. The age structure of Blackheath ward is slightly older than the Lewisham average with 24.25% aged over 50 compared with a Lewisham average of 22.9%, but there are higher numbers of 20-34 year olds with 28.6% compared with a Lewisham average of 27.6%. The mean age of the Blackheath ward population is 36 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Blackheath is Age 30 to 44 which represents 31.20% of the population
- 5.34. BME residents represent 30.2% of the population compared with 46.5% for Lewisham.
- 5.35. Median household income for Blackheath is higher than that for the borough as a whole and there are higher numbers of economically active residents – 76.5% compared with a Lewisham average of 73.6%. The percentage of people with level 4 or higher qualifications is 53.2% compared with 38% for the borough as a whole.
- 5.36. A breakdown of Blackheath ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 30.0% of the ward's population.
- 5.37. The crime rate matches the Lewisham average except for Drugs Offences which are 9.6 per 1,000 population compared with a borough average of 5.8 and Fraud or Forgery which is 9.8 per 1,000 population compared with 5.4.
- 5.38. Disability rates are lower than the Lewisham average – 6.3% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Blackheath has 3.6% residents that report being in bad health and 1.1% residents that report being in very bad health. Its ranking for the number of residents in very bad health

is 3 (out of 18 Wards) within Lewisham.

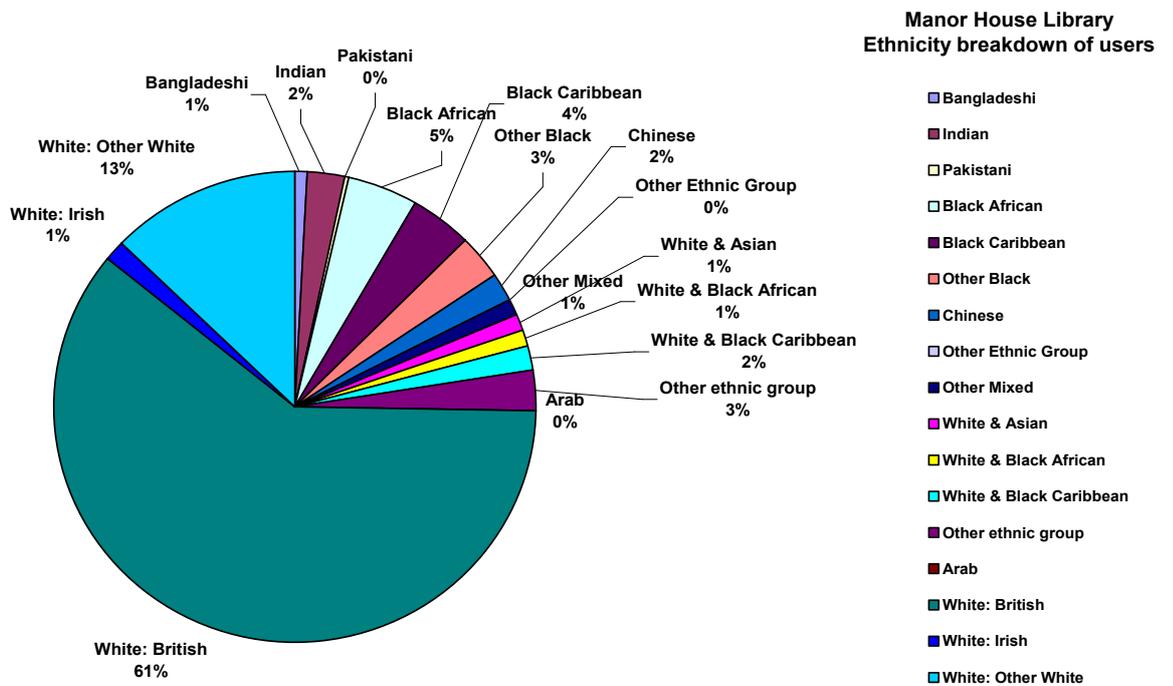
- 5.39. Blackheath ward has 6,423 households, which represents 5.53% of Lewisham's 116,091 households. The largest number of households lives in 'Private rented: Private landlord or letting agency' accommodation with 25.8% of the ward's households. That compares with 23.0% for the borough as a whole.
- 5.40. The second largest number of households lives in 'Private rented: Private landlord or letting agency' accommodation with 25.0% of the ward's households. That compares with 27.5% for the borough as a whole.
- 5.41. Blackheath has 13.1% of households with dependent children aged 0 to 4 and 26.4% of households in the Ward have 'Dependent children in household: All ages'.

Active user statistics April 2015 – Manor House Library

Age range – April 2015

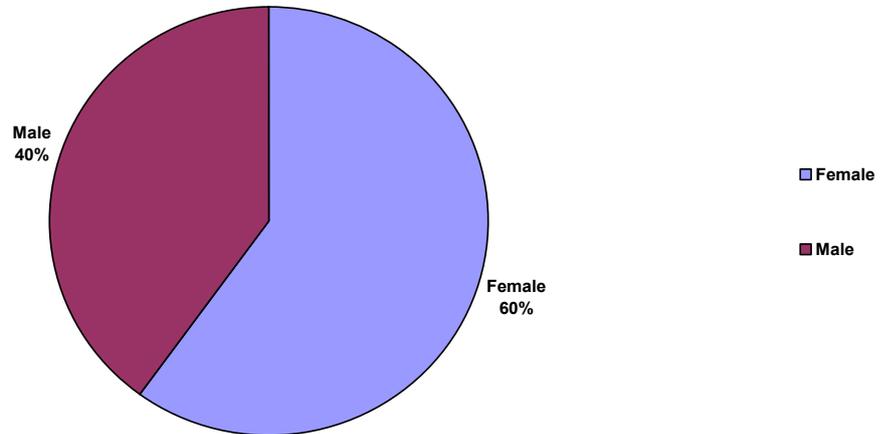


Ethnicity – April 2015



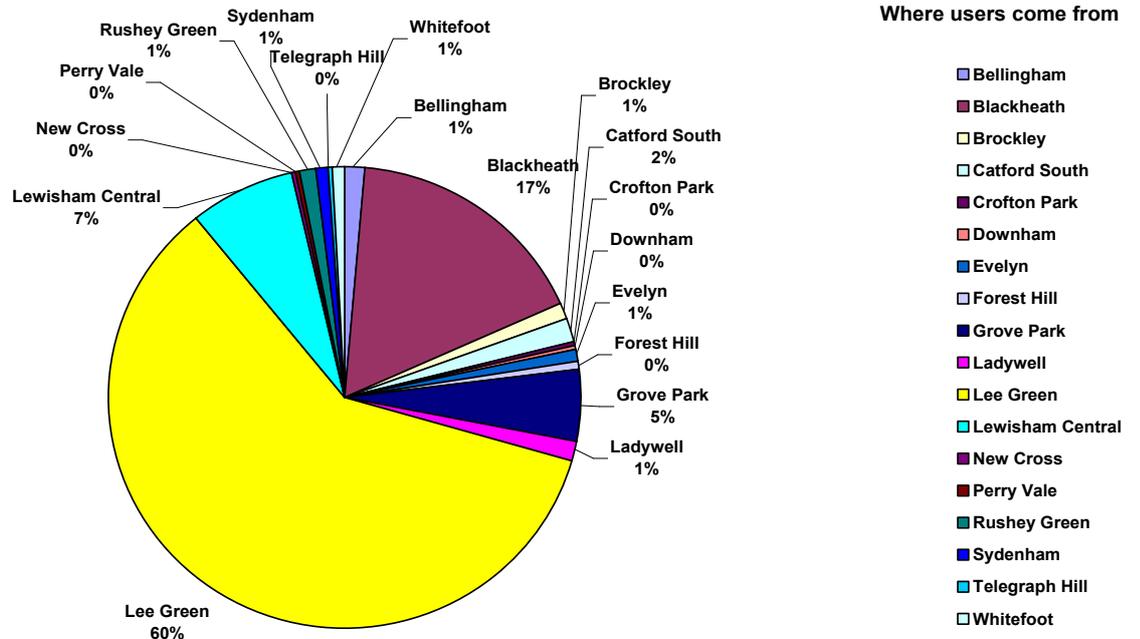
Gender – April 2015

Manor House Library
Gender breakdown of users



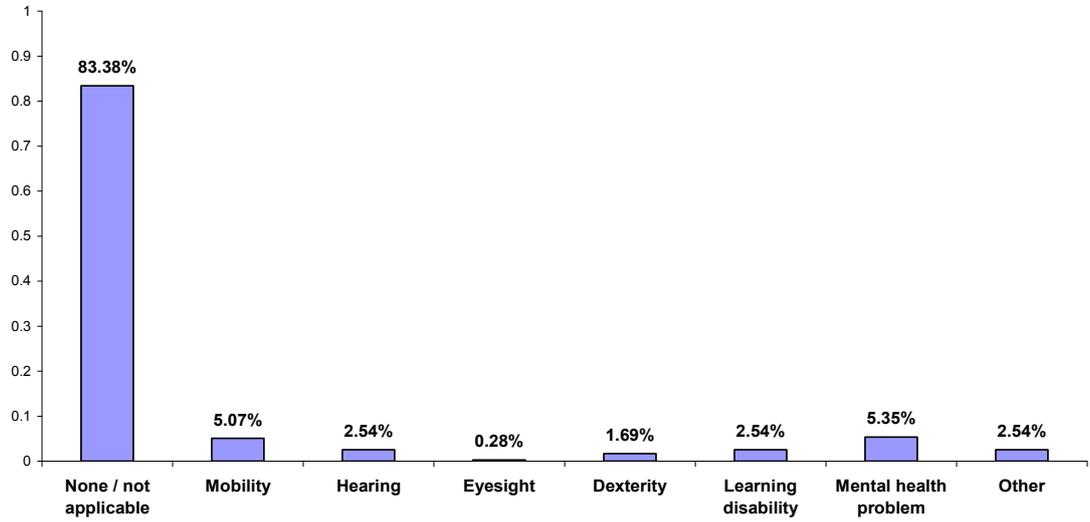
Which wards do users come from – April 2015

Manor House Library
Where users come from



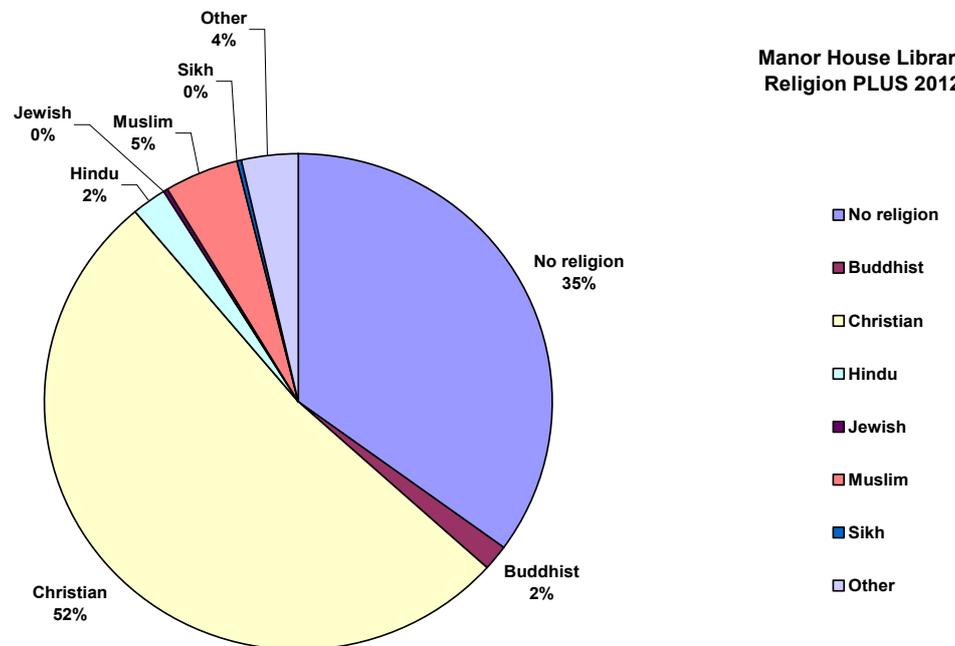
Disability – PLUS 2012

Manor House Library
Disability PLUS 2012

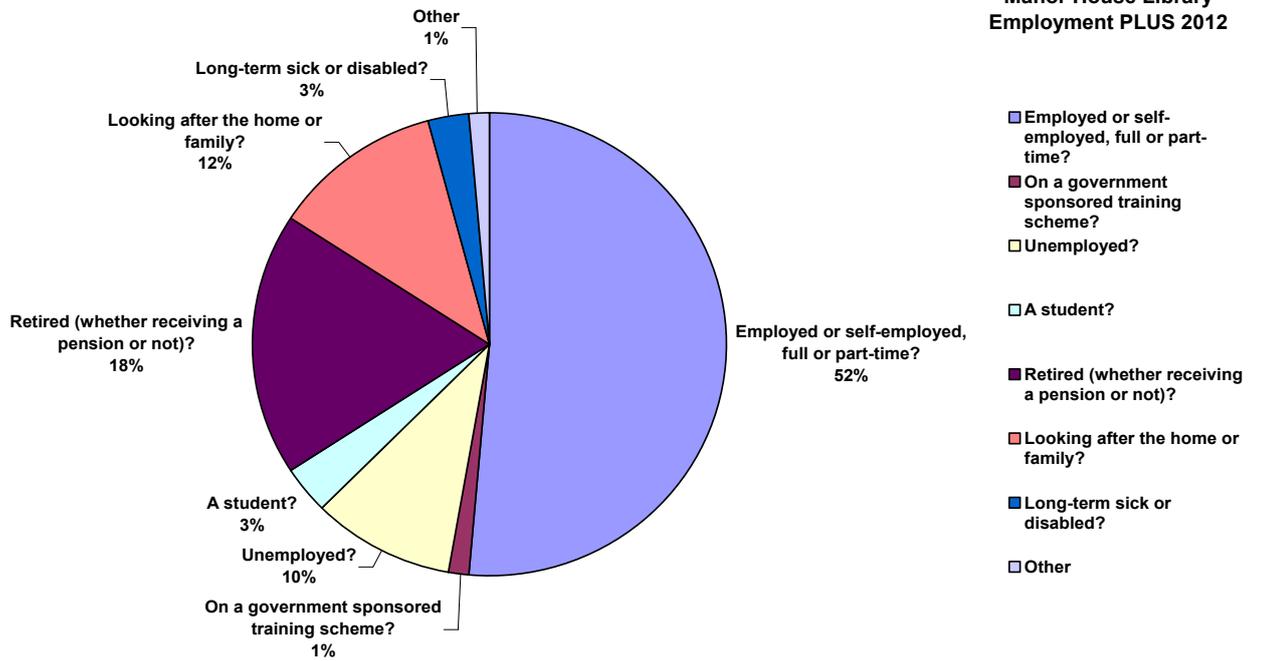


Religion – PLUS 2012

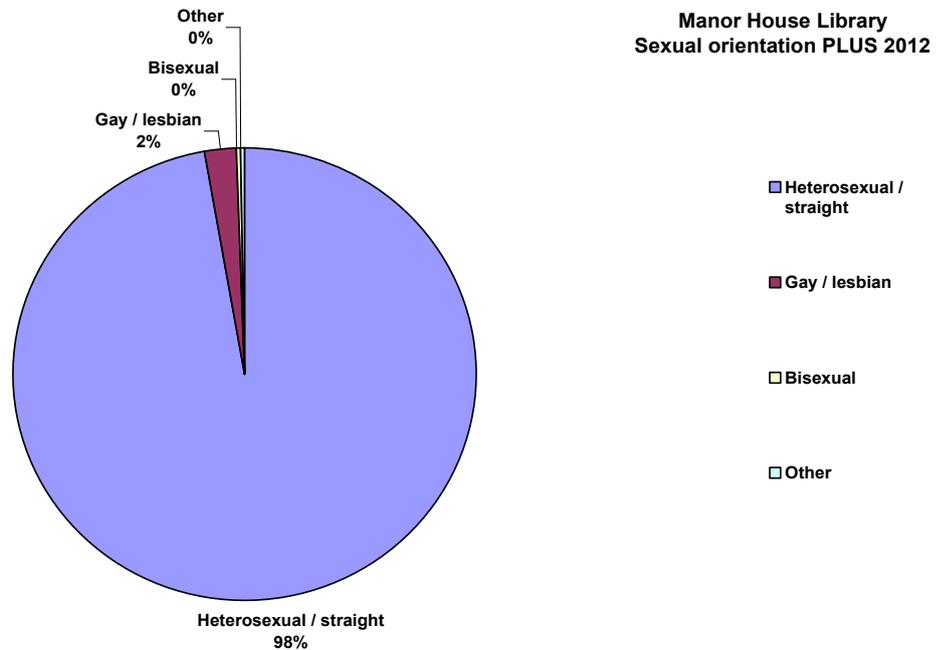
Manor House Library
Religion PLUS 2012



Employment – PLUS 2012

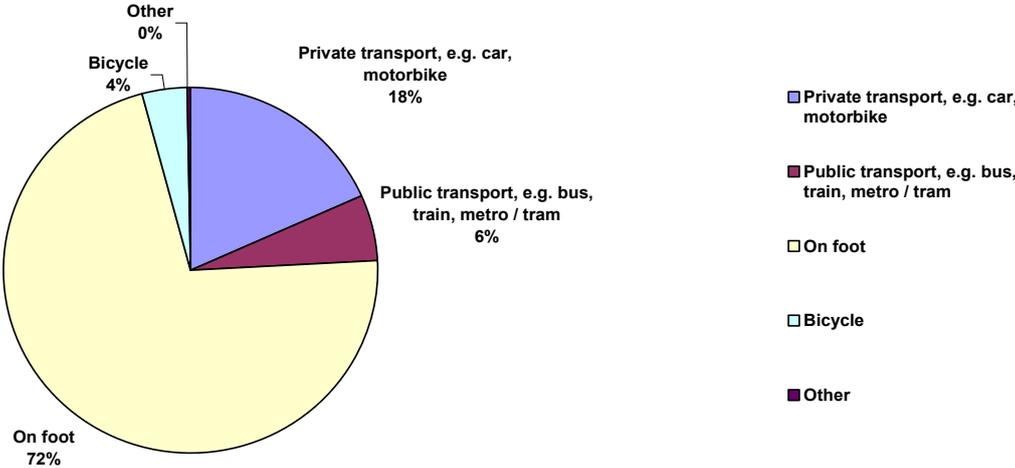


Sexual orientation – PLUS 2012



Mode of Travel – PLUS 2012

Manor House Library
How did you travel to the library PLUS 2012



6. Torricon Road Library

- 6.1. Torricon Road Library is a Carnegie, red brick library. Originally built in 1907, it was renovated and re-furnished in September 2010 – June 2011 with new carpet, decoration, new furniture, self-service and new book stock. Part of the re-development of Torricon Road was to co-locate it with a Children's Centre. This has enabled the library to engage with local families and run activities jointly. There are links with local schools and nurseries meaning children in the local community have the opportunity to engage with reading and library activities.
- 6.2. Situated on a large housing estate, Torricon Road Library is close to bus links to Catford and Lewisham and within walking distance of a train station. 58% of users come from Catford South ward, 16% from Whitefoot and 9% from Lewisham Central wards. Torricon Road Library reverses the trend of declining visits, demonstrating an increase in visitor numbers during the last 5 years.
- 6.3. A regular programme of activities takes place during the 36 hours of opening. There is a community room at Torricon Road which the Children's Centre use to run sessions and can be used to host events. Regular organisations using the library space to engage with customers include Torricon Writers, The Archibald Corbett Society and Inspired Word. Torricon Road Library is also part of the annual Hither Green Festival.

Libraries data and user profile

- 6.4. Active users profile – 58% from Catford South, 16% from Whitefoot, 9% from Lewisham Central wards.
- 6.5. Active Users – Please see the attached charts showing statistics for active users as at 1 April 2015 and results from the 2012 Public Library User Survey
- 6.6. Age range – The age profile for Torricon Road library users is younger than that of the service average with 44% of users aged under 18 compared with 38% for Lewisham as a whole. There are also slightly more over 55s – 16% compared with a service average of 14%.
- 6.7. Gender – Torricon Road has a higher proportion of female users – 63% compared with a service average of 59%
- 6.8. Ethnicity - 44% of Torricon Road library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black Caribbean – 18%, Black African – 12% and Black Other - 10%.
- 6.9. Disability - The number of users identifying themselves as having a disability is lower for Torricon Road Library than for the service as a whole – 18% compared with 20%
- 6.10. Ward Profiles (Torricon Road library users) – Please see the attached charts showing statistics for the wards in the library catchment area
- 6.11. 38% of active library users in Catford South ward use Torricon Road Library, while 31% use Catford and 13% use Downham and 12% use Lewisham. 51% of active library users in Whitefoot ward use Downham Library, 21% use Catford, 9% use Torricon Road and 9% use Lewisham libraries.

Equalities Context

- 6.12. Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of any decision-making processes. The Act sets out that public bodies must have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic; and
 - foster good relationships between those who share a protected characteristic and those who do not share that characteristic.
- 6.13. The following equalities characteristics are 'protected' from unlawful discrimination in service provision under the Equality Act 2010: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion and belief; gender; and sexual orientation.
- 6.14. The Human Rights Act came into effect in the UK in October 2000. It means that people in the UK can take cases about their human rights as defined in the European convention on Human Rights to a UK court. At least 11 Articles of the European Convention on Human Rights have implications for the provision of public services and functions. This EIA assesses whether the proposed recommendations are in line with duties established by this Act.

Scoping grid

- 6.15. The key questions to be considered in scoping the assessment are:
- Could this service - and the way we deliver it - affect some groups in society differently?
 - Will /can this service - and the way we deliver it - promote equal opportunities?

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Age	Negative / Medium	The age profile for Torridon Road library users is younger than that of the service average with 44% of users aged under 18 compared with 38% for Lewisham as a whole. There are also slightly more over 55s – 16% compared with a service average of 14%. The library is co-located with a children's centre which has encouraged use by families and works closely with Sandhurst infants
Disability	Negative / Low	The number of users identifying themselves as having a disability is lower for Torridon Road Library than for the service as a whole – 18% compared with 20%

Equalities category	Assessment of Potential Impact – positive AND negative High, Medium, Low, Nil	Reason for this assessment
Gender	Negative / Medium	Torridon Road has a higher proportion of female users – 63% compared with a service average of 59%
Gender Re-assignment	Negative / Low	
Marriage and Civil Partnership	Negative / Low	51% of Torridon Road Library users identify themselves as Married and 2% as Civil-partnered compared with 36% and 2% as the service average
Pregnancy and Maternity	Negative / Low	
Race	Negative / Low	44% of Torridon Road library users are White: British or White: Other, compared with a service average of 48%. The largest BME populations are Black Caribbean – 18%, Black African – 12% and Black Other - 10%.
Religion or Belief	Negative / Low	29% of Torridon Road Library users report themselves as having No religion, 57% as Christian, compared with Lewisham library average of 31% No religion, 55% Christian
Sexual Orientation	Negative / Low	0% of Torridon Road Library users identify themselves as Gay / Lesbian compared with the service average of 2% and 1% as Bisexual compared with the Lewisham average of 2%

Suggestions as to potential mitigation actions

6.16. The preferred option proposes an expanded Community Engagement Team which would

- take on the role of developing and delivering activities for families.
- meet regularly with staff and volunteers in the anchor organisation to share ideas on events and activities
- develop and deliver training for staff and volunteers in the anchor organisation on developing knowledge on choosing and sharing books together.
- broker relationships between the anchor organisation and the family organisations such as Children’s Centres. To provide advice and guidance on working with external organisations where needed.

6.17. Stock being regularly moved between branches using stock management tools and staff expertise. Stock being regularly maintained by library staff to ensure collections are of good quality and relevance.

Socio-Economic specific to Torridon Road Library catchment

6.18. Active users profile – 58% from Catford South, 16% from Whitefoot, 9% from Lewisham Central wards.

Catford South ward – 12 % of users

- 6.19. There are higher levels of younger and older people in Catford South ward compared with the Lewisham average - 27.5% 0-19 year olds compared with 25.4%, 16.7% 50-64 year olds compared with 13.4% and 11.3% over 65s compared with 9.5%. The mean age of the Catford South ward population is 36 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Catford South is Age 45 to 59 which represents 22.10% of the population.
- 6.20. BME residents represent 56.2% of the population compared with 46.5% for Lewisham.
- 6.21. Median household income for Catford South is higher than that for the borough as a whole. The number of economically active residents is close to the Lewisham average – 73% compared with 73.6%. The percentage of people with level 4 or higher qualifications is 34.2% compared with 38% for the borough as a whole.
- 6.22. A breakdown of the Catford South ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 24.1% of the ward's population
- 6.23. The crime rate is lower than the Lewisham average across all indicators.
- 6.24. Disability rates reflect the Lewisham average – 7% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Catford South has 3.6% residents that report being in bad health and 1.1% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 3 (out of 18 Wards) within Lewisham.
- 6.25. Catford South Ward has 5,712 households, which represents 4.92% of Lewisham's 116,091 households.
- 6.26. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 43.0% of the ward's households. That compares with 27.5% for the borough as a whole.
- 6.27. The second largest number of households lives in 'Owned outright' accommodation with 22.8% of the ward's households. That compares with 14.9% for the borough as a whole.
- 6.28. Catford South has 14.7% of households with dependent children aged 0 to 4 and 36.2% of households have 'Dependent children in household: All ages'.

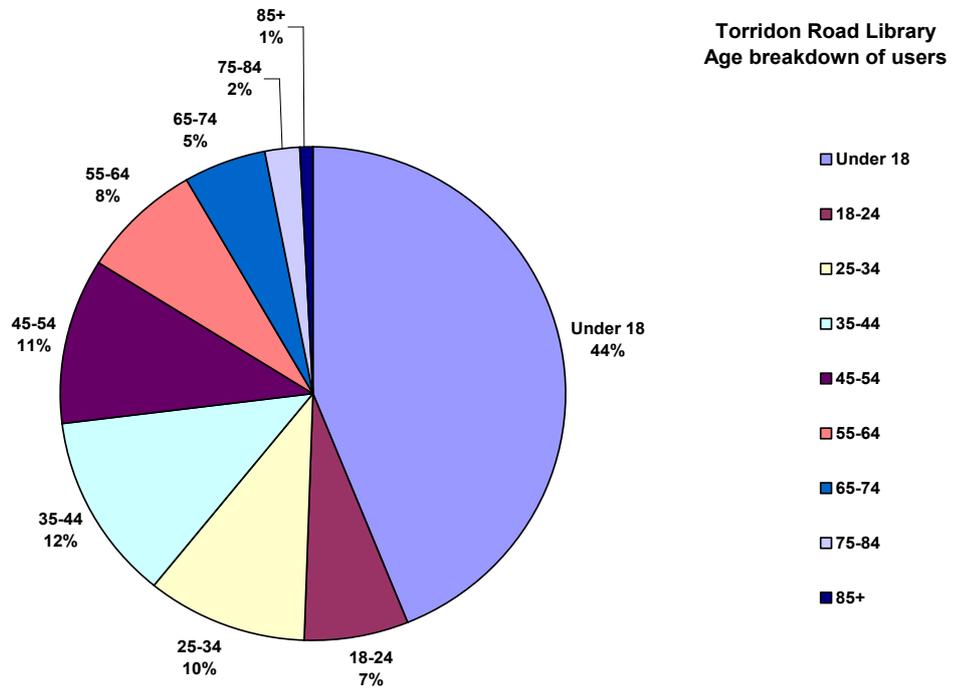
Whitefoot ward – 16% of users

- 6.29. There are higher levels of younger people in Whitefoot ward compared with the Lewisham average – 31.3% 0-19 year olds compared with 25.4%, but lower levels of 20-34 year olds with 20.0% compared with a borough average of 27.6%. The mean age of the Whitefoot ward population is 35 years compared to a mean age of 35 years for residents in the whole of Lewisham. The predominant age band in Whitefoot is Age 30 to 44 which represents 22.20% of the population.

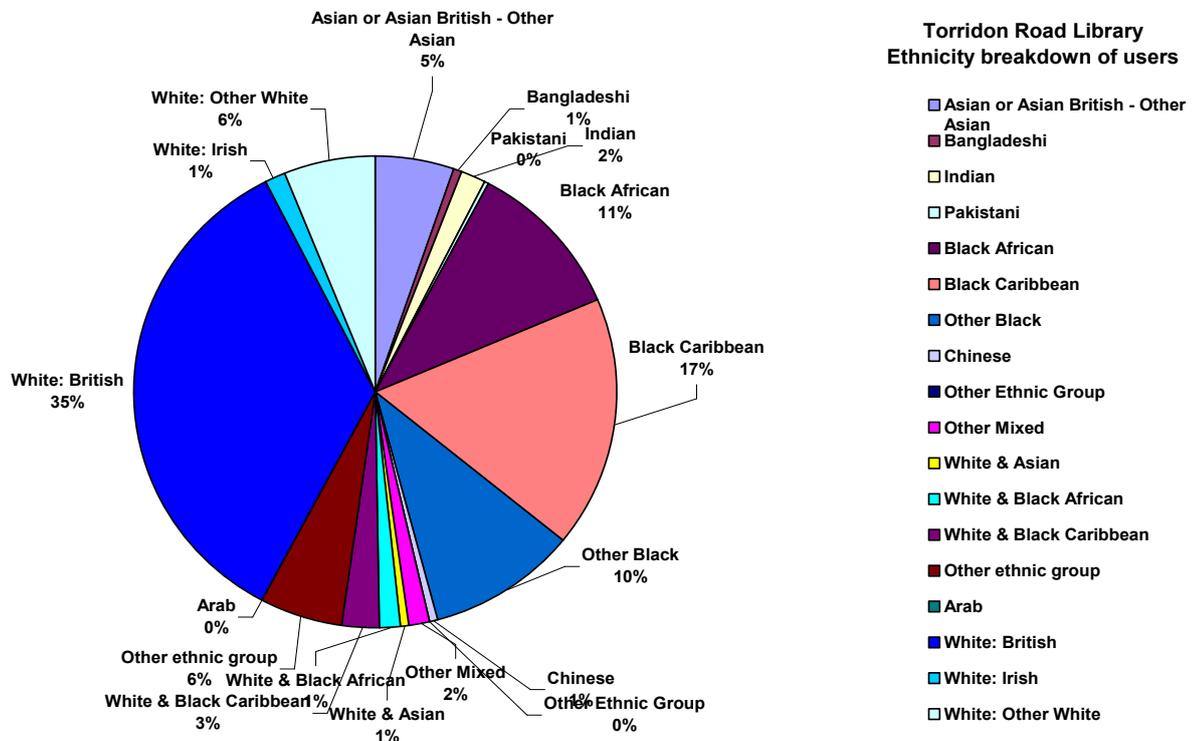
- 6.30. BME residents represent 50.5% of the population compared with 46.5% for Lewisham.
- 6.31. Median household income for Whitefoot is lower than that for the borough as a whole. The number of economically active residents is lower than the Lewisham average – 69.3% compared with 73.6%. The percentage of people with level 4 or higher qualifications is 22.7% compared with 38% for the borough as a whole.
- 6.32. A breakdown of the Catford South ward by socio-economic classification for all residents aged 16 – 74 shows that the largest group is 'National Statistics Socio-Economic Classification - 2. Lower managerial, administrative and professional occupations' representing 18.1% of the ward's population
- 6.33. The crime rate is higher than the Lewisham average for several indicators –
- 6.34. Criminal Damage is 11.6 per 1,000 population compared with 9.7 and Fraud or Forgery is 9.4 compared with 5.4.
- 6.35. Disability rates are higher than the Lewisham average – 8.5% of residents state that their day-to-day activities are limited a lot compared with 7.1%. Whitefoot has 4.5% residents that report being in bad health and 1.7% residents that report being in very bad health. Its ranking for the number of residents in very bad health is 16 (out of 18 Wards) within Lewisham..
- 6.36. The largest number of households lives in 'Owned with a mortgage or loan' accommodation with 30.7% of the ward's households. That compares with 27.5% for the borough as a whole.
- 6.37. The second largest number of households lives in 'Social rented: Other ' accommodation with 23.1% of the ward's households. That compares with 15.5% for the borough as a whole.
- 6.38. Whitefoot has 16.1% of households with dependent children aged 0 to 4 and 41.1% of households have 'Dependent children in household: All ages'.

Active user statistics April 2015 – Torrington Road Library

Age range – April 2015

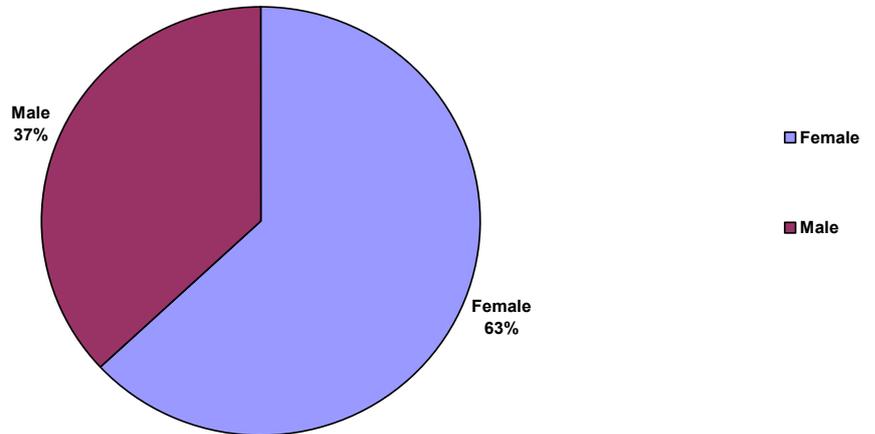


Ethnicity – April 2015



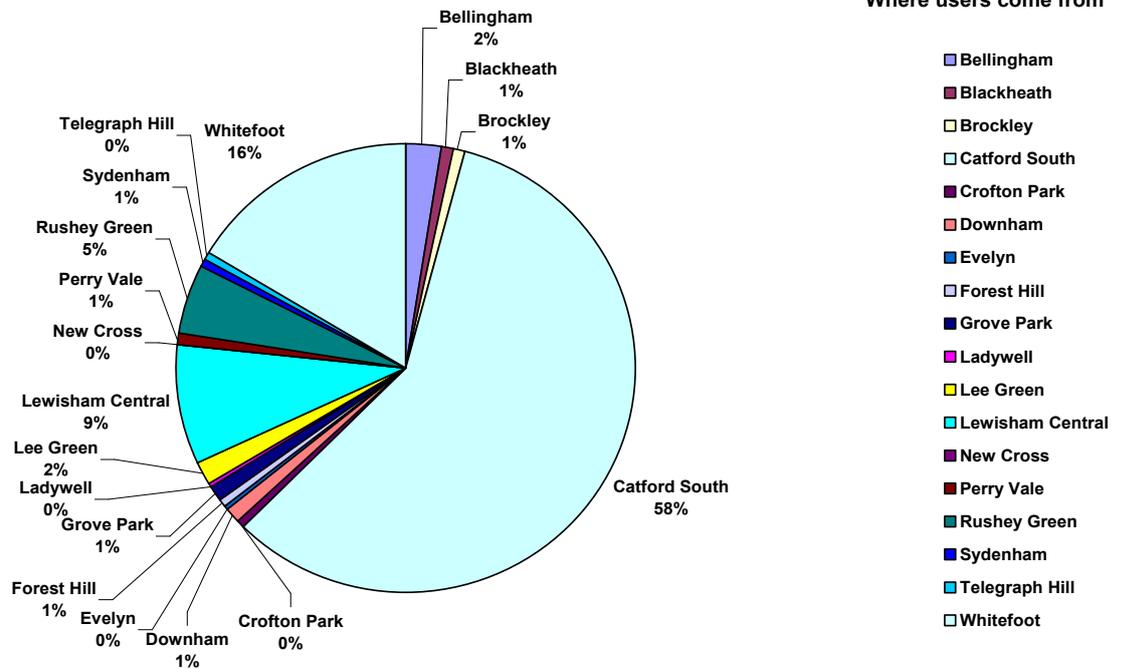
Gender – April 2015

Torridon Road Library
Gender breakdown of users



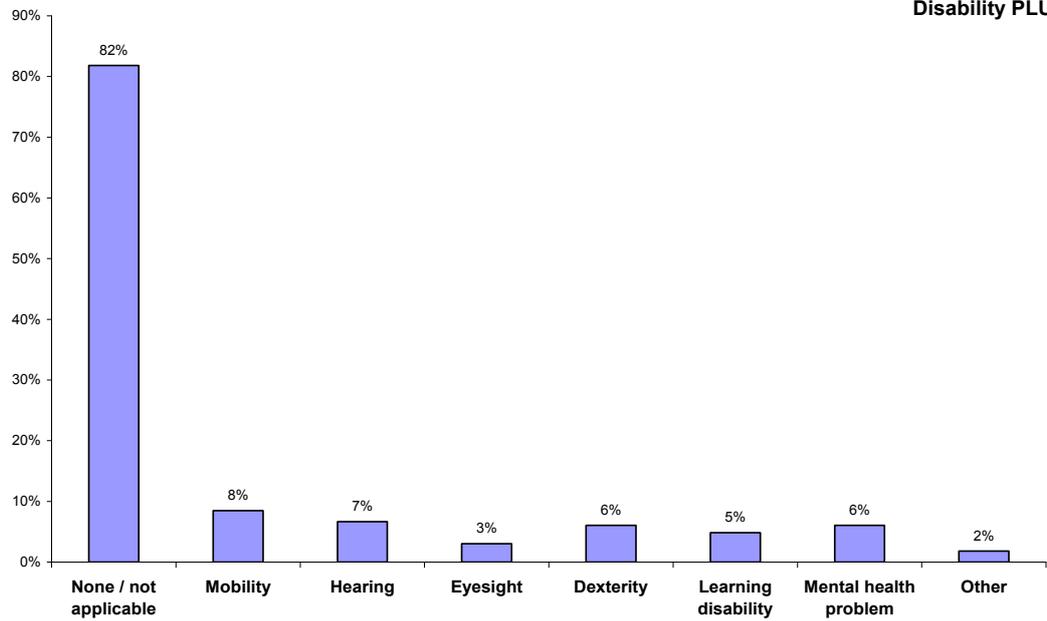
Which wards do users come from – April 2015

Torriron Road Library
Where users come from



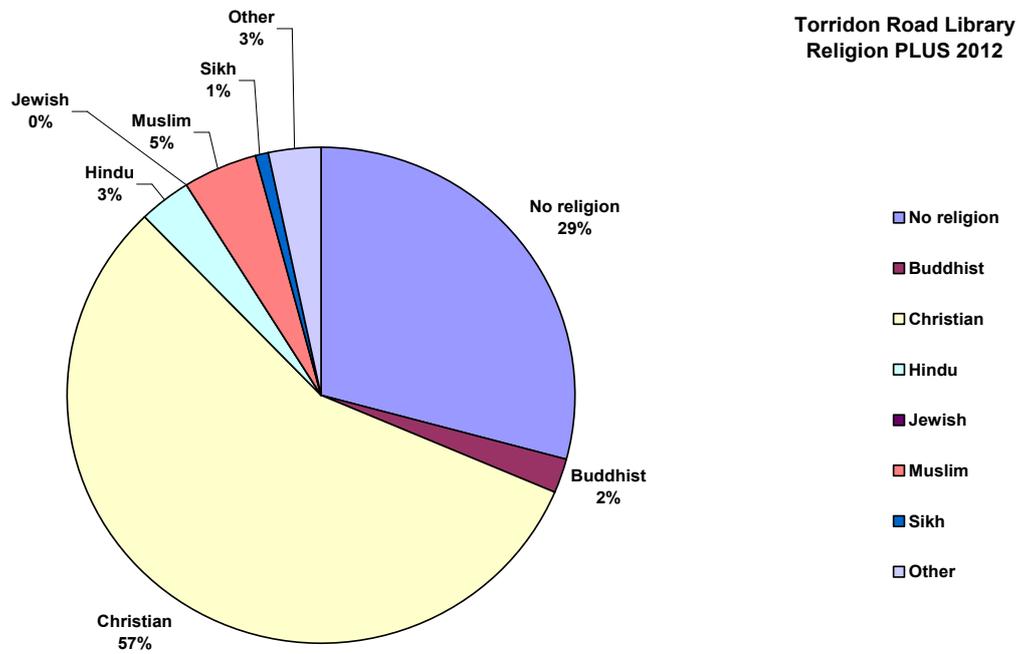
Disability – PLUS 2012

Torricon Road Library
Disability PLUS 2012

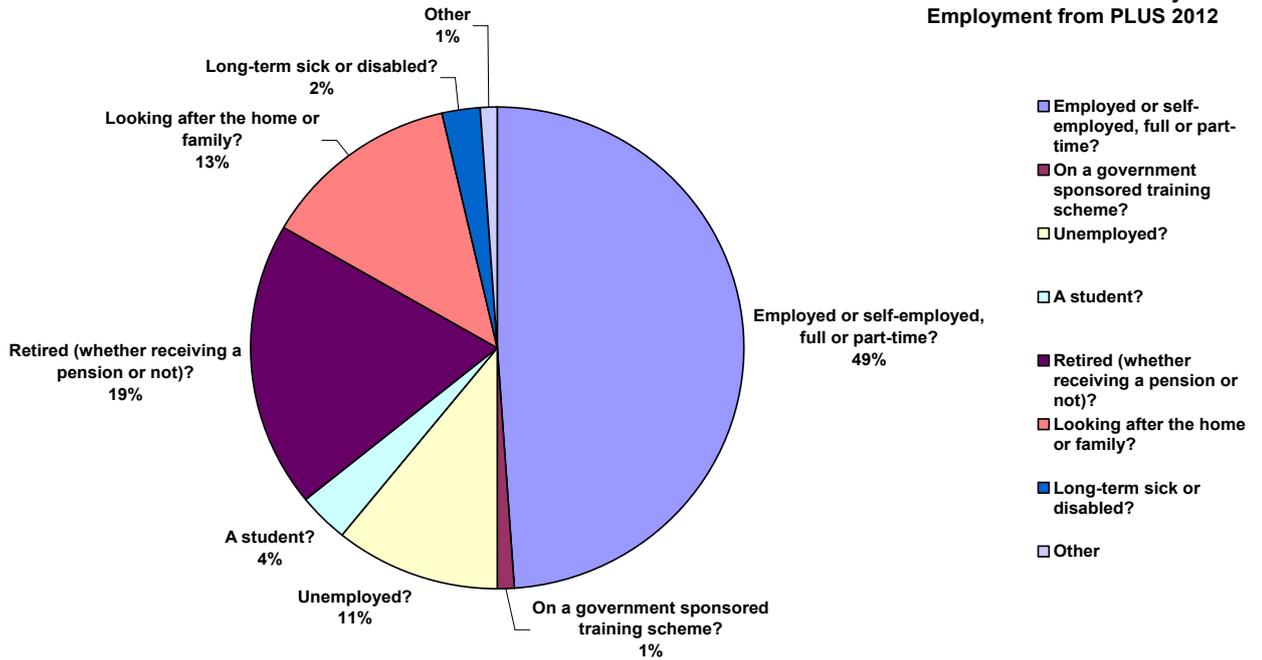


Religion – PLUS 2012

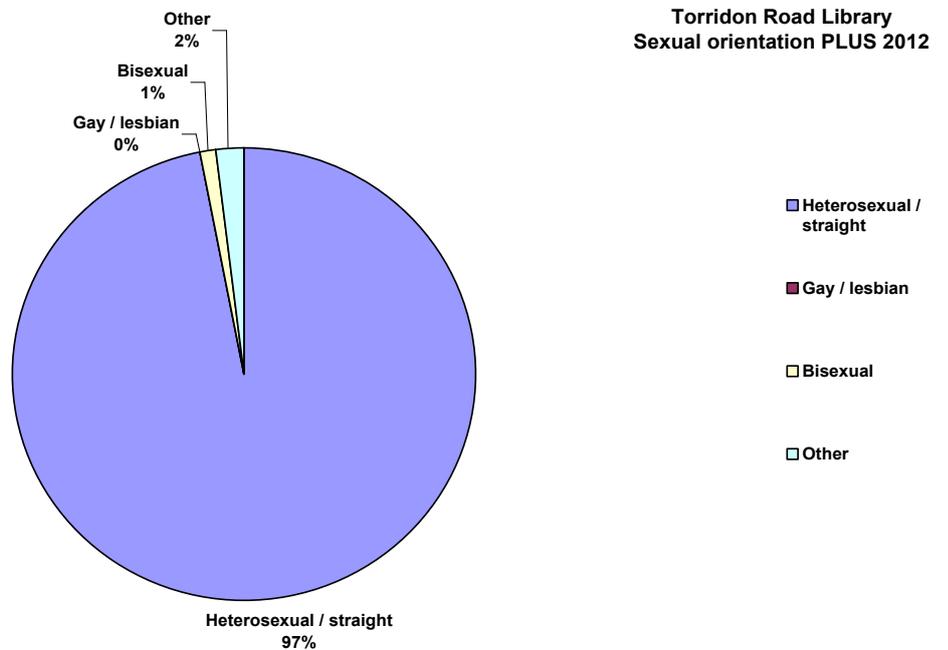
Torricon Road Library
Religion PLUS 2012



Employment – PLUS 2012

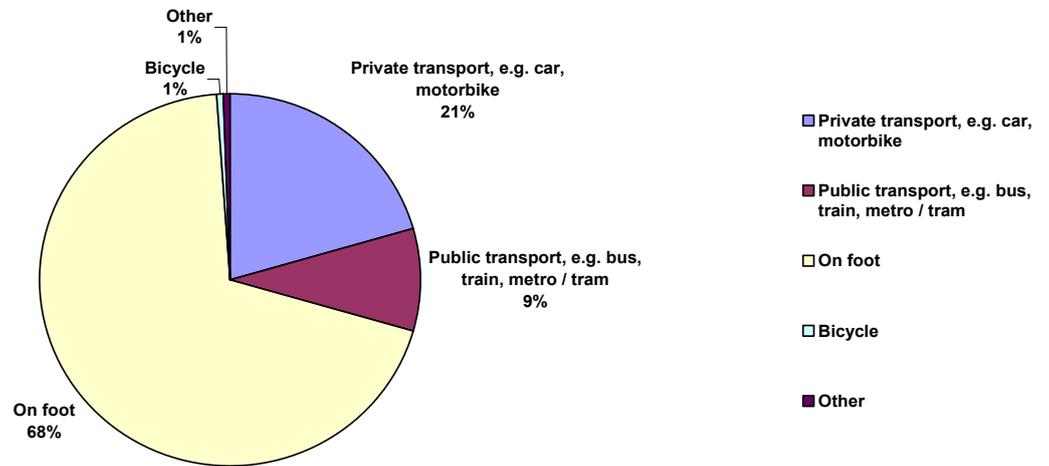


Sexual orientation – PLUS 2012



Mode of Travel – PLUS 2012

Torridon Road Library How did you travel to the library PLUS 2012



Sources

Indices of Deprivation 2015 - DCLG
Active users statistics – 1 April 2015 Lewisham Library Management System
Public Library User Survey (PLUS) 2012 (CIPFA)
Census 2011
Lewisham London Borough Ward Profiles 2014

Mayor and Cabinet			
Title	Comments of the Safer Stronger Communities Select Committee on the Library Consultation 2015 Update		
Contributors	Safer Stronger Communities Select Committee	Item No.	
Class	Part 1	Date	9 December 2015

1. Summary

- 1.1 This report informs the Mayor and Cabinet meeting of the comments and views of the Safer Stronger Communities Select Committee, arising from discussions held on the officer report entitled Library Consultation 2015 Update at the meeting on 30 November 2015.

2. Recommendation

- 2.1 Mayor and Cabinet are recommended to note the views of the Safer Stronger Communities Select Committee as set out in this referral.

3. Safer Stronger Communities Select Committee views

- 3.1 On 30 November 2015, the Safer Stronger Communities Select Committee considered a report entitled Library Consultation 2015 Update. The Committee resolved to advise Mayor and Cabinet of the following:
- 3.2 The Committee welcomed the contributions from residents, and acknowledges the dedication to and passion for local libraries displayed by the members of the public present at the meeting.
- 3.3 The Committee noted the petition presented by a representative of Defend Torridon Road Library, and noted officers' assurance this would be presented to Mayor and Cabinet as part of their consideration of the outcome of the Library Consultation 2015.
- 3.4 The Committee is aware of the Council's difficult financial situation due to central government cuts to the local government central grant, and is aware of the Council's need to make savings in many areas including the library service. The Committee recommends with reluctance that the proposals for changes to the library service are presented to Mayor and Cabinet unchanged.
- 3.5 The Committee feels that, while these proposals should go ahead, further work needs to be done on the integration of the library provision in Catford into the repurposed ground floor space within Laurence House.
- 3.6 The Committee also strongly recommends that officers engage with the public including via the relevant Local Assemblies to ensure the public's contributions and its commitment to libraries are included in the development of more detailed plans for the libraries.

4. Financial Implications

- 4.1 There are no financial implications arising out of this report per se; but there may financial implications arising from carrying out the action proposed by the Committee.

5. Legal Implications

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

Background papers

[Library Consultation 2015 Update](#) at the meeting of the Safer Stronger Communities Select Committee on 30 November 2015.

If you have any queries on this report, please contact Simone van Elk, Scrutiny Manager (ext. 46441).

Appendix ii – Q3 a, b, c, & e saving proforma

1. Savings proposal	
Proposal title:	Targeted Services Savings
Reference:	Q3 a, b, c, & e
LFP work strand:	Safeguarding and Early Intervention
Directorate:	Children & Young People
Head of Service:	Warwick Tomsett
Service/Team area:	Children & Young People
Cabinet portfolio:	Children & Young People
Scrutiny Cttee(s):	Children & Young People

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
a) Sensory Teachers: A Reduction in the Equipment Budget	NO	NO	NO
b) Sensory Teachers: The DSG regulations indicate that any individual support would be from DSG resources so costs can be recharged to DSG.	NO	NO	NO
c) Educational Psychologists: Further reduction in staffing through not replacing staff	NO	NO	YES
e) Reduce Carers funding	NO	NO	NO

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
<p>Children with Complex Needs</p> <p>The Children with Complex Needs Service provides the following services to enable Children and Young People with Special Educational Needs and Disabilities to achieve better life outcomes, they include:</p> <ul style="list-style-type: none"> • Multi-Agency Planning Pathway Service; • Portage Service; • Short Breaks Service; • Occupational Therapy Service; • Special Educational Needs Service; • Social Work Service for Children with Disabilities. <p>The overall budget is £2.9m excluding placement costs but including support and packages of care. In 2013/14 savings of c£200k were made following a service restructure. The service is involved in the implementation of the latest SEND reforms (Children & Families Act 2014) which has put a significant pressure on the service in</p>

3. Description of service area and proposal

terms of case work delivery.

The Short Breaks service:

- enables eligible parents/carers with disabled children and young people to have a short break from their caring responsibilities;
- ensures that while the parents/ carers are receiving a break from their caring responsibilities that their disabled child or young person additional needs are being met and that they benefiting as much as their parents/ carers from this short break.

Special Educational Needs Service:

The Special Educational Needs (SEN) team works closely with parents, young people, education settings, social care and health services on undertaking Education, Health and Care Needs assessments to ensure that children and young people with SEND have improved life outcomes and maximise their educational potential. They have a statutory role under the Children and families Act 2014.

Social Work Service for Children with Disabilities:

The Social Work Service for Children with Disabilities provides assessment and support to disabled children and young people and their families. The Social Work Team operates across the full spectrum of social work interventions this includes child protection, Children in Need, Looked After Children and Transition

STEPS – Specialist Teachers and Educational Psychology Service

STEPS is made up of three teams:

- Sensory Specialist Teachers Team
- Specific Learning Difficulties Specialist Teachers Team (SpLD)
- Educational Psychology Team (EP)

The SpLD and EP Teams provide assessments and consultations to settings and families to enable CYP to maximise their learning opportunities and for settings to increase their capacity to address the needs of CYP with special needs. Both teams provide training to settings and SENCOs. Both teams are involved in the implementation of the latest SEND reforms and have a statutory role in providing advice as part of the EHC assessments. The EP team provides psychological advice to every CYP who has an EHC assessment. This is a significant pressure on capacity.

The Sensory Team provides assessment, monitoring and specialist support for children and young people with a visual or hearing impairment, including direct teaching of visual/hearing impaired children and young people as appropriate. The team works with the young person/child, their families/carers and partner agencies to ensure the child can fully access education and make progress in order to fulfil their aspirations. The team carries out assessments as part of the SEND pathway, contributing to EHC assessments. The team provides training to settings and partner agencies as well as providing specialist equipment furniture and materials for CYP. The budget for these specialist resources is currently.

STEPS contribute to raising the achievement of all CYP and contribute to safeguarding, as well as being integral to the multidisciplinary work which is integral to the recent SEND reforms.

STEPS contribute to raising the achievement of all CYP and contribute to safeguarding, as well as being integral to the multidisciplinary work which is integral to

Appendix ii – Q3 a, b, c, & e saving proforma

3. Description of service area and proposal

the recent SEND reforms.

Saving proposal

a) Sensory Teachers: A reduction in the Equipment Budget to reflect actual levels of demand would provide a saving of **£60k**. This would amount to a reduction of 33% in the budget and could be achieved without impact on service delivery as the budget would support the level of past spending and the service can continue at its current level.

b) Sensory Teachers: The DSG regulations suggest assessment and monitoring should be funded through the General Fund but any individual support can be funded from DSG resources. An assessment of the time on activities provided by the team is that 2.5fte would count as support and can be charged to the DSG. This would provide a saving of **£190k** to the General Fund or 40% of the budget with no reduction in staffing levels.

c) Educational Psychologists: Further reduction in staffing through not replacing staff or replacing vacant roles on lower grades to save **£35k** or 10% of the budget. This would involve the employment of a Trainee EP rather than a qualified EP and the service would need to provide support to the appointee to achieve qualification. In terms of the provision of advice, support and statutory assessment the reduction in time available can be absorbed within the service to ensure the same level of support to schools and pupils is achieved

e) Reduce Carers Funding **£40k**

This saving is achieved through reducing the commissioning of Contact a Family to co-ordinate and deliver the provision of events to families with disabled children and young people (£14k). This is possible as there is a short breaks team that has responsibility for the coordination of access to short breaks activities. This can be achieved without significantly impacting on service delivery and makes a small impact on the overall commissioning from Contact a Family. The remainder of this saving (£26k) results from the non-renewal of a small contract with Carers Lewisham. Carers Lewisham has a larger contract with the council which will continue. These grants are funded from the Short Breaks Budget of £1.2m.

4. Impact and risks of proposal

Outline impact to service users, partners, other Council services and staff:

The proposals where there are risks are as follows:

It is considered that for (a) to (c) and (g) can be achieved without impact to families and any actual risk.

e) The Children with Complex Needs service established a new targeted Short Breaks service in 2013. The new service enables eligible parents/carers with disabled children and young people to have a short break from their caring responsibilities. This service is now well established and as a result we no longer require Contact a Family to provide short breaks. We will be continuing to work with Contact a Family to ensure that we continue to support the families that were known to them. The budget provision for this continuing work is £48k. On the ending of the contract with Carers Lewisham the organization will continue to be supported for work with children and

Appendix ii – Q3 a, b, c, & e saving proforma

4. Impact and risks of proposal

young people through their Community Sector Grants award.

Outline risks associated with proposal and mitigating actions:

TBC

5. Financial information

Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
	3,540	(682)	2,858
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000
a) Sensory Teachers	60		60
b) Sensory Teachers	190		190
c) Educational Psychologists	35		35
e) Reduce Carers Funding	40		40
Total	325		325
% of Net Budget	11%	0%	11%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	YES	YES	NO
If impact on DSG or HRA describe:	Increased pressure on central expenditure budgets of DSG that will need to be agreed by Schools Forum. The DSG provides £100k support for two social workers to work with schools.		

6. Impact on Corporate priorities

Main priority	Second priority	Corporate priorities
7	2	<ol style="list-style-type: none"> 1. Community leadership and empowerment 2. Young people's achievement and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people 9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	
NEUTRAL	NEUTRAL	
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	
LOW	LOW	

7. Ward impact

Geographical impact by ward:	No specific impact / Specific impact in one or more
	No Specific Impact
	If impacting one or more wards specifically – which?

Appendix ii – Q3 a, b, c, & e saving proforma

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:	N/A	Pregnancy / Maternity:	N/A
Gender:	N/A	Marriage & Civil Partnerships:	N/A
Age:	N/A	Sexual orientation:	N/A
Disability:	LOW	Gender reassignment:	N/A
Religion / Belief:	N/A	Overall:	N/A
For any High impact service equality areas please explain why and what mitigations are proposed:			
Is a full service equalities impact assessment required: Yes / No			NO

9. Human Resources impact					
Will this saving proposal have an impact on employees: Yes / No					YES (OT Service)
Workforce profile:					
Posts	Headcount in post	FTE in post	Establishment posts	Vacant	
				Agency / Interim cover	Not covered
Scale 1 – 2					
Scale 3 – 5					
Sc 6 – SO2					
PO1 – PO5	3	2.6	2.6		
PO6 – PO8					
SMG 1 – 3					
JNC					
Total					
Gender	Female	Male			
	3				
Ethnicity	BME	White	Other	Not Known	
	1	2			
Disability	Yes	No			
		x			
Sexual orientation	Straight / Heterosex.	Gay / Lesbian	Bisexual	Not disclosed	

10. Legal implications
State any specific legal implications relating to this proposal:
As these services are provided to vulnerable young people, to the extent that there is a change to the provision, then consultation will be required and a report setting out the outcome of such consultation placed before the decision maker. The recipients of the service have protected characteristics under the Equality Act 2010 and the Council must comply with its statutory duty under this Act

Appendix ii – Q3 a, b, c, & e saving proforma

11. Summary timetable	
Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc..), implementation:	
Month	Activity
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September
October 2015	Consultations ongoing
November 2015	Consultations ongoing and (full decision) reports returned to Scrutiny for review
December 2015	Consultations returned to Scrutiny for review leading to M&C for decision on 9 December
January 2016	Transition work ongoing
February 2016	Transition work ongoing and budget set 24 February
March 2016	Savings implemented

Appendix iii – Q5 saving proposal Nov 15

1. Savings proposal	
Proposal title:	Youth Service
Reference:	Q5
LFP work strand:	Safeguarding and Early Intervention
Directorate:	Children & Young People
Head of Service:	Warwick Tomsett
Service/Team area:	Children & Young People
Cabinet portfolio:	Children & Young People
Scrutiny Ctte(s):	Children & Young People

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
a) Youth Service tapering of financial support	YES	NO	No

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
<p>Lewisham Council's Youth Service budget covers a two-pronged statutory obligation: facilitate access to positive activities for young people to build life skills, and track young people's current education and employment statuses in order to report to Central Government the number of young people not in education, employment or training (NEET) and then ensure these young people receive appropriate support.</p> <p>The Youth Service provides and facilitates access to a range of activities for young people through a combination of direct delivery, support to access delivery provided by other organisations, and commissioning and partnering with the voluntary sector. The activities are now focused on developing young people's life skills as agreed in the previous reorganisation of the service.</p> <p>Provision includes positive activities for young people, offering them places to go and things to do, including social and cultural activities, sports and play, and early intervention services. The Youth Service also offers informal education, advice and guidance on career choices and healthier lifestyles, and information concerning the dangers of substance misuse.</p>
Saving proposal
<p>Youth Service (£1.7m)</p> <p>The service is currently developing proposals for the creation of a staff and young people led mutual for the youth service. A separate report on this, outlining the business plan and demonstrating the viability, will be presented to Scrutiny and Mayor and Cabinet in the late autumn, including the potential savings that will be achieved. If officers are not recommending in that report that the mutual proceeds, the report will set out further options.</p> <p>This proposal is to include an initial financial tapering for the mutual at £150k per annum, to a total of £300k by the end of 2017/18. If the mutual is established this is</p>

Appendix iii – Q5 saving proposal Nov 15

3. Description of service area and proposal

expected to reflect the level of leveraged in resources that are anticipated in years 1 and 2 of the mutual's existence. This will be included in the financial modelling as part of the business plan.

4. Impact and risks of proposal

Outline impact to service users, partners, other Council services and staff:

Outline risks associated with proposal and mitigating actions:

The proposal to taper the financial support to the mutual, if it is established, increases the challenge in establishing the mutual successfully. However, it is anticipated this will be mitigated through the detailed business planning process. It may be that the delivery of the £300k is not split as evenly across the two years as shown here, but will be factored in for the full delivery by the end of 2017/18.

The expectation that if a mutual is established it will achieve further savings that will be addressed in the business plan and report to be presented firstly to CYP Select Committee, then Mayor & Cabinet. (see separate report on December M&C agenda)

5. Financial information

Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
	2,000	(300)	1,700
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000
a)	150	150	300
Total	150	150	300
% of Net Budget	9%	9%	18%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	YES	NO	NO
If impact on DSG or HRA describe:			

6. Impact on Corporate priorities

Main priority	Second priority	Corporate priorities
2		<ol style="list-style-type: none"> 1. Community leadership and empowerment 2. Young people's achievement and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	
Neutral		
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	

Appendix iii – Q5 saving proposal Nov 15

6. Impact on Corporate priorities		
Low		9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity

7. Ward impact	
Geographical impact by ward:	No specific impact / Specific impact in one or more
	No Specific Impact
	If impacting one or more wards specifically – which?

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:	N/A	Pregnancy / Maternity:	N/A
Gender:	N/A	Marriage & Civil Partnerships:	N/A
Age:	N/A	Sexual orientation:	N/A
Disability:	N/A	Gender reassignment:	N/A
Religion / Belief:	N/A	Overall:	N/A
For any High impact service equality areas please explain why and what mitigations are proposed:			
Is a full service equalities impact assessment required: Yes / No			Not for this proposal. A full EIA will be needed for the separate report covering the mutual proposal.

9. Human Resources impact	
Will this saving proposal have an impact on employees: Yes / No	NO

10. Legal implications
State any specific legal implications relating to this proposal:
<p>A full report will go to Mayor and Cabinet setting out the proposals for the development of a mutual to deliver the youth services. This report will contain detailed legal and financial implications. If the formation of a mutual is agreed, then the Lewisham mutual would have to compete in the market for a contract for the youth service for a period of up to three years although only mutuals will be permitted to tender. The Council will have to specify the nature of the services it requires the mutual to deliver although this can be in the form of an output specification to allow the bidders to come forward with their own proposals as to how to deliver the services and to offer, if they so wish, any innovative proposals. It is lawful to offer Initial financial or other support to the mutuals provided that it is fair to all bidders and not discriminatory. There will be employment implications which will be set out in the</p>

Appendix iii – Q5 saving proposal Nov 15

10. Legal implications

Report.

11. Summary timetable

Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc..), implementation:

Month	Activity
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September
October 2015	Consultations ongoing
November 2015	CYP Select 17 November 2015 with Draft Business Plan
December 2015	Consultations returned to Scrutiny for review leading to M&C for decision on 9 December
January 2016	Transition work ongoing
February 2016	Transition work ongoing and budget set 24 February
March 2016	Savings implemented

Appendix iv – A11 saving proposal

1. Savings proposal	
Proposal title:	Re-configuring support for young adults
Reference:	A11
LFP work strand:	Adult Social Care (incl. Public Health)
Directorate:	Adult and Community Services
Head of Service:	Joan Hutton
Service/Team area:	Adults with Learning Disabilities
Cabinet portfolio:	Health, Wellbeing and Older People
Scrutiny Ctte(s):	Healthier Communities

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
a) Transition planning	Yes	No	No

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
<p>A number of young adults aged 18 with disabilities will transfer to adult social care so that their eligible needs can continue to be met. Most of the young people who come through this transition process continue into tertiary education, we forecast that there will be 7 in 16/17 and 15 in 17/18 who will require support. At present there are limited facilities in Lewisham where specialist requirements can be met. Therefore many of these young people attend out of borough facilities and are often residents of colleges outside the for the majority of the year. These costs further increase when the young person comes home during college breaks as additional packages of care need to be provided whilst they are living in their parents' or carers' homes.</p>
Saving proposal
<p>The development of supported living arrangements for young people along with access to adult education and supported employment will reduce the need for high cost out of borough placements. Young adults will be able to attend college in the borough and either be supported to continue to live at home with their family or in supported living schemes within the borough.</p> <p>Adult Social Care will also be working with CYP to further develop local education offers for young people with challenging behaviour which will enable more young people to stay in the borough.</p>

4. Impact and risks of proposal
Outline impact to service users, partners, other Council services and staff:
<p>The impact on young people should be positive; they will stay within the borough and be near family, friends and local groups with whom they are familiar. The new supported living schemes will enable young people to gain independent living skills in their own homes.</p>
Outline risks associated with proposal and mitigating actions:

Appendix iv – A11 saving proposal

4. Impact and risks of proposal

There is a risk of a lack of suitable accommodation for young people with disabilities within the borough. In mitigation, existing housing provision can be reconfigured to support young people without a physical disability. Where people have a significant physical disability, officers from ASC will work with housing colleagues to consider medium term options.

CYP and ASC will work with the young person, their parents and carers at an early stage in the transition process and will ensure that the requirements of a young person's Health, Education and Care plan can be met by provision within the borough thus reducing the need for reliance on colleges out of borough.

5. Financial information

Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
	1,000	0	1,000
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000
a) Transition	200	300	500
Total	200	300	500
% of Net Budget	20%	30%	50%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	Yes	No	No
If impact on DSG or HRA describe:			

6. Impact on Corporate priorities

Main priority	Second priority	Corporate priorities
2	8	1. Community leadership and empowerment 2. Young people's achievement and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people 9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	
Positive	Positive	
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	
High	High	

7. Ward impact

Geographical impact by ward:	No specific impact / Specific impact in one or more
	No specific impact
	If impacting one or more wards specifically – which?

Appendix iv – A11 saving proposal

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:	M	Pregnancy / Maternity:	L
Gender:	M	Marriage & Civil Partnerships:	L
Age:	H	Sexual orientation:	L
Disability:	H	Gender reassignment:	L
Religion / Belief:	L	Overall:	M
For any High impact service equality areas please explain why and what mitigations are proposed:			
<p>The nature of these proposals are targeted at younger people with disabilities. However, the equalities impact is a positive one rather than detrimental and therefore no specific mitigation will be required.</p>			
Is a full service equalities impact assessment required: Yes / No			No
9. Human Resources impact			
Will this saving proposal have an impact on employees: Yes / No			No
10. Legal implications			
State any specific legal implications relating to this proposal:			
<p>The Children and families Act became law on the 1 September 2014. The new law makes it clear that children and young people with special educational needs and disabilities (SEND) should be supported on a consistent basis across Education, Health and Social Care from 0-25 years of age. Education Health and Care plans need to consider the needs of younger people in receipt of education. How those needs are met can be highly flexible.</p>			
11. Summary timetable			
Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc.), implementation:			
Month	Activity		
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)		
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September		
October 2015	Consultations ongoing		
November 2015	Consultations ongoing and (full decision) reports returned to Scrutiny for review		
December 2015	Consultations returned to Scrutiny for review leading to M&C for decision on 9 December		
January 2016	Transition work ongoing		
February 2016	Transition work ongoing and budget set 24 February		
March 2016			
April 2016			

Appendix iv – A11 saving proposal

11. Summary timetable	
May 2016	
June 2016	
July 2016	Savings implemented for new academic year

Appendix v – A14 saving proposal and supporting case studies

1. Savings proposal	
Proposal title:	Managing the demand for formal social care and achieving best value in the provision of care packages
Reference:	A14
LFP work strand:	Adult Social Care (incl. Public Health)
Directorate:	Adult and Community Services
Head of Service:	Joan Hutton
Service/Team area:	All adult social care areas
Cabinet portfolio:	Health, Wellbeing and Older People
Scrutiny Ctte(s):	Healthier Communities

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
a) Achieving best value in care packages	No	No	No

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
Approximately 87% of the Adult Social Care budget is spent on packages of care to support people to remain living at home and on placements in residential and nursing homes, both in and out of the borough.
Saving proposal
In accordance with the Care Act 2014 and the Council's political priority to strengthen community resilience, adult social care will continue with its approach to assessment and support planning. This encourages people to utilise their existing resources by linking them to the support available within their own families and communities, thus reducing the need for formal social care services.
The demand for services will continue to be managed more effectively by supporting people who meet the eligibility criteria to be as independent as possible with minimal interference from, or reliance on, the Council. Support for these residents will be focused on the provision of assistance at the time of crisis and by offering help in a way that reduces the need for the person to require long term support.
<i>Please see additional information regarding this proposal - Managing the demand for formal social care and achieving best value in the provision of care packages – appended to this proforma.</i>

4. Impact and risks of proposal
Outline impact to service users, partners, other Council services and staff:
Achievement of this proposal requires a different approach and relationship with residents so they do not rely on the Council for the provision of all support to meet their needs. It also requires a different approach from practitioners who undertake the

Appendix v – A14 saving proposal and supporting case studies

4. Impact and risks of proposal

assessment and support planning function to ensure they consider an individual's own resources before determining the package of care.

Outline risks associated with proposal and mitigating actions:

In accordance with the Care Act, training has been provided to practitioners to help them identify the potential risks to an individual in relation to their care and support needs and to determine what services are required to respond promptly and appropriately to those needs. This includes assisting people to access and utilise opportunities and support within their own families and communities.

5. Financial information

Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
	74,536	(17,750)	56,786
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000
a)	600	500	1,100
Total	600	500	1,100
% of Net Budget	1%	1%	2%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	Yes		
If impact on DSG or HRA describe:			

6. Impact on Corporate priorities

Main priority	Second priority	Corporate priorities
8	10	<ol style="list-style-type: none"> 1. Community leadership and empowerment 2. Young people's achievement and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people 9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	
Neutral	Positive	
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	
Medium	Low	

7. Ward impact

Geographical impact by ward:	No specific impact / Specific impact in one or more
	No specific impact
	If impacting one or more wards specifically – which?

8. Service equalities impact

Appendix v – A14 saving proposal and supporting case studies

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:	Low	Pregnancy / Maternity:	Low
Gender:	Low	Marriage & Civil Partnerships:	Low
Age:	High	Sexual orientation:	Low
Disability:	High	Gender reassignment:	Low
Religion / Belief:	Low	Overall:	Medium
For any High impact service equality areas please explain why and what mitigations are proposed:			
<p>Most people in receipt of care and support from adult social care will have a disability or a frailty that relates to older age or disability. However, the assessment and care planning process will ensure that eligible needs continue to be met, although not necessarily from Council resources.</p>			
Is a full service equalities impact assessment required: Yes / No			No

9. Human Resources impact	
Will this saving proposal have an impact on employees: Yes / No	No

10. Legal implications
State any specific legal implications relating to this proposal:
<p>When deciding how best to meet an individual's care needs, the Council is entitled to take into account its own resources as well as the client's stated preferences. In planning to meet an individual's needs, the Council may consider the most cost effective way in which this can be done and can take into account the individual's resources and contributions. This may include considering their family and support networks, their welfare benefits and the community resources available.</p>

11. Summary timetable	
Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc..), implementation:	
Month	Activity
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September
October 2015	
November 2015	Reports returned to Scrutiny for review
December 2015	M&C for decision on 9 December
January 2016	work ongoing
February 2016	work ongoing and budget set 24 February
March 2016	Savings implemented

Additional information regarding savings proposal A14

Managing the demand for formal social care and achieving best value in the provision of care packages

September 2015

Background

The Care Act 2014 requires local authorities to *‘consider the person’s own strengths and capabilities, and what support might be available from their wider support network or within the community to help’* in considering *‘what else other or alongside the provision of care and support might assist the person in meeting the outcomes they want to achieve’*. In order to do this the assessor *‘should look at the person’s life holistically, considering their needs and agreed outcomes in the context of their skills, ambitions and priorities’*.

The Care Act also states that *“Any suggestion that support could be available from family and friends should be considered in the light of their appropriateness, willingness and ability to provide any additional support and the impact on them of doing so”*.

Taking a person’s own strengths and capabilities, alongside their wider support, into account is referred to as using “asset-based approach”.

The objective of using an asset-based approach is to protect the individual’s independence and resilience and their ability to make choices and maintain their wellbeing. Supporting the person’s strengths can help address needs (whether or not they are eligible) for support in a way that allows the person to lead, and be in control of, an ordinary and independent day-to-day life as much as possible. It may also help delay the development of further needs.

How we are approaching the Savings

For 15/16, the identified savings are being achieved primarily through ensuring that an “asset based approach” is being taken in relation to packages of care, including residential and nursing home placements. These assessments are being undertaken within a clear framework and resource allocation system that enables the service to manage demands within a reduced budget.

Multi-disciplinary teams – which bring together social workers, district nurses and other therapies - have been formed and now work more closely together to problem solve and reduce duplication in any care package being delivered. Newly trained support planners, now work with the service user and their families/carers to create support plans that maximize resources available within their family network and in the community before calling upon resources available through Adult Social Care. The support planners also assist in market development.

Specialist Occupational Therapy (OT) resources are working with service users who have high cost double handed packages of care. These service users are often discharged from hospital with complex health conditions. Within 6 weeks of

Appendix v – A14 saving proposal and supporting case studies

discharge OT's work with the service user, families and care workers to reduce double handed visits by using specialist equipment and by providing training to care workers on moving and handling techniques. This more personalised support plan puts the service user back in control of their daily living and effectively reduces the care cost.

By working closer with specialist health services we are also delivering care in a different way. For example the Medicine Management Service reviews medication requirements and where possible prescribe medication that only needs to be administered once a day, and therefore reduces the number of care calls a person receives during the day.

We are re-tendering our Domiciliary Care Framework, so that providers will deliver assessed needs and agreed outcomes within the service user's personal budget in line with co-produced support plan.

Identifying and mitigating risk

Adult Social Care takes a structured approach to the identification, assessment and management of risk. In additional regular reviews of incidents take place as the total elimination of risk is unrealistic.

To ensure we identify and mitigate risk associated with providing the right levels of care, the following has been put in place:

- All staff continuously receive training in identifying and mitigating risk.
- Assessment and Support Planning tools identifying risks and mitigating actions are agreed and signed off with service users, families and carers.
- Neighbourhood co-ordinators work with GP's and multi- disciplinary staff to deal with urgent cases where care packages are no longer meeting needs due to declining health and wellbeing.
- All service users have a named Key Worker to contact should an emergency arise or care is no long sufficient.
- Dedicated duty desk take calls from service users, their families/friends or care providers and undertake emergency re-assessments should a need or risk be identified.
- Regular monitoring of pre-paid card accounts for those service users managing their personal budget via direct payments. This ensures expenditure within the accounts is aligned with the Service user's identified care needs.
- The vulnerable adults (VA) panel considers all applications for care packages to ensure the package meets client's needs, delivers agreed outcomes and deals with associated risks.

Appendix v – A14 saving proposal and supporting case studies

- Specialised risk assessments are carried out on manual handling and enablement care.
- Adult Safeguarding process and procedures have been put in place.
- Quality monitoring of Care providers is carried out in line with safeguarding and risk management procedures.

Work underway in 2015/16

We are currently undertaking a programme of service user reviews:

- Re-assessment of all care packages using the RAS (resource allocation system)
- Reviewing Independent Living Fund (ILF) cases as result of its discontinuation
- Reviewing all double-handed care packages
- Reviewing high cost residential packages
- Reviewing high cost nursing packages
- Review of CAT 1 funded care packages
- Review of the Laundry service
- Review of Meals on Wheels service

In any one year, there are approximately 4600 Lewisham adults receiving Adult Social Care.

From the reviewing programme above, in the first 4 months of 15/16 (April to July) we have completed 728 reviews achieving a £722k reduction in packages of care. The amount of savings relating to reviews that have taken place in August and the first half of September will be available shortly.

By 31st March 2016 we will have completed approximately 3000 reviews and anticipate achieving total full year savings of £2m.

In 2016/17 and 17/18 we will continue with the current reviewing regime, ensuring that any current service user and all new service users receive an “asset based” assessment approach as detailed above.

We therefore forecast that a further 600k saving can be achieved in 2016/17 and a further 500k in 2017/18.

Case Studies

Case Study One (Re-assessment of Independent Living Fund (ILF))

Mr J is a 61 year old Black Afro-Caribbean man, who resides with his father in a two storey maisonette which is on the 3rd floor of a council building.

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Mr J has been left with Brain injury as a result of having meningitis, followed by several strokes in 2001. He presents with difficulty in speech, understanding and communication, His mobility is affected with inability to balance, high risk of falls and difficulty negotiating stairs and needs assistance at all times for personal care.

Mr J currently receives a care package of £495 weekly from the independent living fund to meet his night time care needs, and £235.71 weekly from the local authority to meet his day-time care needs.

Analysis of the care package demonstrated that the Local Authority and ILF had been double funding part of the previous package for this Service user. Discussions with Mr J's sister resulted in her offering to order food on line for both Mr J and his Father; she also agreed to provide some support with some domestic tasks. Mr J's church through their volunteering scheme will now provide 2 weekly visits to church meetings and social events.

Mr J's package of care was re-assessed using the newly introduced assessment tool, which resulted in a reduced care by £213.78 weekly. This represented an accurate reflection of his care needs.

Case Study Two (Continuing Health Care)

Mr G was born in Scotland in 1966, he was involved in a Road Traffic Accident aged 27, when he was the passenger in a car hit by a drunk driver. The accident left him Paralysed from the neck down.

Mr G has been known to Lewisham Adult Social Care for nearly 20 years. He has complex health needs relating to the spinal injury which took place in the 90's.

He currently receives a care package of £507.59 weekly from the independent living fund to meet his night time care needs, and £923.59 weekly from the local authority to meet his day-time care needs.

A thorough examination and review of his existing care package clearly indicated that the service user may be eligible for Continuing Health Care funding as he would likely score high in Mobility, Continence and Breathing domains. A joint reassessment took place with District Nurse, and it was determined that Mr G has met the eligibility criteria for CAT1 funding due to the complex nature of his health needs. Funding responsibility has now moved from Adult Social Care budgets to NHS funding.

Case Study Three (Occupational Therapist Re-assessment of care package)

Mr X is a 107 year old gentleman that had been experiencing some decline in his abilities to mobilise and carry out activities independently. He requires a lot of

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prompting and encouragement to carry out his personal care and support with transfers and mobility.

He was admitted to hospital on in July 15 following a fall due to left leg weakness and confusion.

His previous care package before been admitted into hospital as a result of his fall was 1.5 hour care calls daily.

On discharge from hospital his care package was increased to two hours daily (double-handed) One hour in the morning, half an hour in the afternoon, and half an hour late evening to support Service user on discharge.

A re-assessment of his care package was carried out three weeks after discharge by an occupational therapist.

Despite his advanced age, Mr X showed a significant improvement and his care package was reduced to one hour daily.

Case Study Four (Re-assessment Adult with Learning Disability)

Mr Y is an adult with learning disabilities, who currently lives in a registered residential care home in Kent. Mr Y has no health problem although he is found to have a borderline level of cholesterol. He has been advised by his GP to manage his cholesterol with healthy diet and exercise; and to quit smoking.

Mr Y can independently manage his personal care needs including shaving he also independently manages his dressing and undressing needs.

Mr Y reported that he is able to manage some aspects of day to day living activities such as prepare his choice of cold breakfast, sandwich, and hot drinks He also reported that he is able to manage shopping for basic everyday items but needs support to manage large household shopping. He has no mobility issue and travels independently on local buses.

Mr Y participates in many community based activities and spends alternative weekends away from his residential home with his parents at their home.

Mr Y currently receives a residential care package at a cost of £1,309 weekly.

A re-assessment of his care needs was undertaken recently and it was identified that his care needs are best met within a supported accommodation environment rather than a residential placement. This was discussed and embraced by Mr Y and his care team, to enable him to live more independently. We are now working to find Mr Y a suitable Supported Living tenancy. His new care costs will be in the region of £470 per week.

Case Study Five (Re-assessment due to MDT request)

Community Nurse (CN) telephoned Neighbourhood Co-ordinator (NC) as she had visited service user and reported that service user had a blocked catheter and was

Appendix v – A14 saving proposal and supporting case studies

being conveyed to hospital. Concerns were also raised that service user was unable to cope at home, home was in disrepair and service user was eating takeaway food which was not good for his diabetes. The service user attended A&E and discharged home

The service user is housebound due to mobility issues, has a long term catheter and heart condition and is also a diabetic. He also has a visual impairment but this has been undiagnosed as yet. He is also has low mood and socially isolated.

The service user had Enablement input after a lengthy hospital admission at UHL and Enablement had recently ended their involvement. The service user seemed very upbeat and well when he was receiving input and support from the Enablement Team and therefore deemed to be able to cope without support but when the support was withdrawn Service user was unable to cope.

CN noticed on another visit that service user had a necrotic toe, the Nurse was concerned as it was so bad that she thought that the toe may need amputating, an ambulance was called and he was conveyed to St Thomas's Hospital.

Whilst the service user was in hospital, NC discussed the case with the Senior Social Worker and also with the Visual impairment team lead to discuss the best way forward for this Service user. As the case hadn't come over to the Community team at this stage so the Senior Social Worker discussed the case with the Enablement Support Planner and they put in an on-going package of care consisting of 1 x call a week to assist the service user with some light shopping and housework.

NC also discussed with the support planner some of the difficulties that the CN were facing and their concerns about the welfare of the service user, which were as follows:

- service user was having difficulty in reading letters due to his visual impairment and some hospital appointments had been missed, there were issues in regards to booking of transport to take him to medical appointments this was highlighted by the CN who managed to book the transport for some of his appointments when the service user asked her to read his letters but there were other times when it was too late to book transport and so appointments were not attended because of this, thus being detrimental to the health of the service user. NC contacted GP to see if there was a way that the surgery could notify the NC of any hospital appointments for the service user so that the NC could convey the information to the relevant people, but the GP stated that they were only information of non-attendance of appointments or information after the appointments.

NC contacted various departments within the hospitals that the service user had appointments with as it was deemed that the service user can read but can only read large, bold font. He requested that any appointment letters be sent out to service user in the appropriate font to allow him to read the letters and also requested that transport be booked at the time of sending the appointments where possible as service user was not able to book his own transport unaided.

Appendix v – A14 saving proposal and supporting case studies

- Concerns were raised by the CN in regards to the bedding and clothing of the service user was dirty and he seemed to be wearing the same clothes for most of the time, it came to light that service user was unable to operate his washer/drying machine. Support Planner set up temporary additional support via the Enablement Team to work with the Service user to enable him to complete his own washing tasks.
- Service user was unable to complete any shopping tasks due to his poor mobility. Service user had been given Wiltshire Farm Foods information but was unable to complete orders unaided; A regular order was placed on his behalf so that he could access nutritional food and heat the food himself.
- Staff referred service user to the Podiatrist who visited the service user at home and suggested some more suitable shoes/slippers be purchase to aid the healing process of the service user's toe. Support Planner liaised with the service user around the purchase of the items required and has arranged to purchase the items for him on his behalf.
- One Support have been assisting the service user with his housing and assisting him with his benefits, completing a benefits check to ensure service user is claiming all that they are entitled to. It came to light that the service user was in rent arrears as he had mislaid his rent card. Service user was supported to the post office via taxi to withdraw money and paid his rent and clear his arrears and also to put money on his gas and electric key and to have some money for shopping which was required. Due to his mobility issues service user is reluctant to venture out on his own at this current time. One Support have also been supporting the service user to open a bank account and join a credit union to enable the service user to pay his bills via direct debits.
- Service user also raised concerns in regards to his sash windows and felt that the window would fall on him and the windows do not stay open independently. The Support planner contacted his housing association and arranged for a site visit. It came to light that the property of the service user is in disrepair and seems to have missed the decent homes initiative, but they also found a substantial leak underneath the property which has occurred over a period of time which has contributed to the damp and overall condition of the property.

Service user has now been registered on the housing register and a possible property has been identified for him which is in an elderly block on the ground floor, also nearer to the shops. We are awaiting the outcome from Phoenix Housing.

Appendix v – A14 saving proposal and supporting case studies

- Visual Impairment Worker has been to visit the service user, service user has been referred to the hospital for a diabetes eye check and we are awaiting the outcome of his appointment.

This case study has not concluded as yet but to date the service user has benefited from MDT working as service user was socially isolated, has no family in this country or friends, and with input from the Community Nursing Team, Enablement Team and his regular Agency Worker, One Support, Visual Impairment Team, Pheonix Housing, GP and the NC we have worked together to achieve the following outcomes for the Service user.

- The Service user is now able to read his letters independently due to the larger and bold font.
- We have put in mechanisms for the hospital to arrange transport to permit him to attend appointments therefore saving the NHS money in missed appointments and unnecessary hospital admissions due to appointments being missed.
- Service user was ordering takeaways and pizzas to be delivered which was having an impact on his health as he is a diabetic and is now having a volunteer buy his shopping and also being supported to order Wiltshire Farm Foods therefore eating a proper balanced diet. Service user can also prepare light snacks and hot drinks independently.
- Service user is able to complete the following household chores independently after Enablement input – operate his washing machine and complete washing of clothes and bedding
- Service user to be more in control in regards to his finances and having bills paid via Direct Debits.
- Brought to the attention of the Housing Association problems with his accommodation, which highlighted the main leak under the property and that the house had been missed on the Decent Homes Initiative.
- Supported service user in a possible house move to more suitable accommodation so that Service user is not socially isolated.

The Service user is no longer in receipt of a care package from Adult Social Care, but is receiving support from other agencies.

Appendix vi – I9b saving proposal

1. Savings proposal	
Proposal title:	Reduction in Human Resources Support
Reference:	I9b
LFP work strand:	Corporate & Management Overheads
Directorate:	Resources & Regeneration
Head of Service:	Andreas Ghosh
Service/Team area:	Human Resources
Cabinet portfolio:	Resources
Scrutiny Ctte(s):	Public Accounts

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
b) TU Secondments	N	N	Y

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
<p>The Council's HR services are made up of a strategic core of staff providing industrial relations, organisation change and development and business partner support, as well as a recruitment and clearance function, reorganisation support and employee advice and learning and development provision.</p> <p>The division supports service to the schools in the production of people management policies, occupational health service, trade union secondments, DBS checks and industrial relations.</p> <p>A substantial part of the divisions learning resource also provides adult social care learning which in turn is substantially focussed on the private and voluntary sector.</p>
Saving proposal
<p>b) To review the trade union secondment arrangements to reflect a reduction in the number of Council employees and reduce funding support by £40k.</p>

4. Impact and risks of proposal
Outline impact to service users, partners, other Council services and staff:
Outline risks associated with proposal and mitigating actions:
<p>The proposals are a risk to effective employee relations and the Council's ability to act as a single employer</p>

5. Financial information			
Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000

Appendix vi – I9b saving proposal

5. Financial information			
b) Trade unions	40		40
Total	40	0	40
% of Net Budget	2%	0%	2%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	Yes	No	No
If impact on DSG or HRA describe:			

6. Impact on Corporate priorities		
Main priority	Second priority	Corporate priorities
10		<ol style="list-style-type: none"> 1. Community leadership and empowerment 2. Young people's achievement and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people 9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	
Negative		
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	
Medium		

7. Ward impact	
Geographical impact by ward:	No specific impact / Specific impact in one or more
	No specific impact
	If impacting one or more wards specifically – which?

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:	Low	Pregnancy / Maternity:	Low
Gender:	Low	Marriage & Civil Partnerships:	Low
Age:	Medium	Sexual orientation:	Low
Disability:	Low	Gender reassignment:	Low
Religion / Belief:	Low	Overall:	Low
For any High impact service equality areas please explain why and what mitigations are proposed:			
The reduction will have an overall impact on most characteristics as HR policies and practice relate to all these characteristics.			
Is a full service equalities impact assessment required: Yes / No			No

9. Human Resources impact	
Will this saving proposal have an impact on employees: Yes / No	Yes

Appendix vi – I9b saving proposal

9. Human Resources impact					
Workforce profile:					
Posts	Headcount in post	FTE in post	Establishment posts	Vacant	
				Agency / Interim cover	Not covered
Scale 1 – 2	1				
Scale 3 – 5	2	1.5	3		
Sc 6 – SO2	10	10	11		1
PO1 – PO5	17	15.3	19	1	3
PO6 – PO8	3	3	2		
SMG 1 – 3	4	3.2	5		1
JNC	1	1	1		
Total	38		41		
Gender	Female	Male			
	30	8			
Ethnicity	BME	White	Other	Not Known	
	14	23		1	
Disability	Yes	No			
	3	32		3	
Sexual orientation	Known	Not known			

10. Legal implications

State any specific legal implications relating to this proposal:

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11. Summary timetable

Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc..), implementation:

Month	Activity
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September
October 2015	Consultations ongoing
November 2015	Consultations ongoing and (full decision) reports returned to Scrutiny for review
December 2015	Consultations returned to Scrutiny for review leading to M&C for decision on 9 December
January 2016	Transition work ongoing
February 2016	Transition work ongoing and budget set 24 February
March 2016	Savings implemented

Appendix vii – J2b saving proposal

1. Savings proposal	
Proposal title:	Schools Related Services
Reference:	J2b
LFP work strand:	School Effectiveness
Directorate:	Children & Young People
Head of Service:	Alan Docksey
Service/Team area:	Standards and Achievement, Education Psychology, Attendance and Welfare, Estates Management, Pupil Support
Cabinet portfolio:	Children & Young People
Scrutiny Ctte(s):	Children & Young People

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
b) Attendance and Welfare: (£150k) The proposal is to focus council spend on meeting statutory duties and increase the range of services that schools can receive if they pay.	Yes	No	Yes

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
<p>The services and activities being reviewed all provide support to schools in support of their responsibilities.</p> <p>The Local Authority already charges for services provided to schools with an annual income of £3.3m (2015/16).</p>
Saving proposal
<p>b) This proposal is to increase the proportion of Attendance and Welfare services traded with schools and reduce the cost of the core service. The increased income is estimated at £150k. While the attendance of vulnerable pupils would continue to be the subject of attendance casework centrally, schools would be charged for routine casework currently undertaken as part of the core service. Under this proposal, the AWS would better reflect the statutory duties of the LA and there would be greater clarity about the responsibilities that schools must deliver either by doing the casework themselves or paying for the LA to undertake it. Primary schools will in the main be affected by this proposal as secondary schools already have the in-school resources to absorb the impact of this change.</p> <p>The current council funded budget of £498k represents a cost of £19 per pupil which benchmarks against average English spending of £12 per pupil. The budget has in last two years been reduced to move towards national and local comparators and this further saving would achieve the English average benchmark.</p>

Appendix vii – J2b saving proposal

4. Impact and risks of proposal

Outline impact to service users, partners, other Council services and staff:

General

School budgets and the dedicated schools grant have come under increasing pressure over the last few years. For 2015/16, funding allocated to schools in respect of children with special educational needs has been reduced by £2.1m to help balance the central DSG budget. The Schools Forum agreed to this change, recognising that schools had already been funded for some of these costs within their delegated budgets.

Recent publicity, nationally, has highlighted that real terms funding of schools budgets will reduce over the life of this parliament by at least 7% in real terms if the funding level per pupil stays cash frozen. Some forecasts suggest up to 12% (an analysis by the Institute of Fiscal Studies).

A 7% reduction would reduce schools' spending power across Lewisham by £17m. There are other budgetary pressures on the Dedicated Schools Grant that will need to be funded. The national rates revaluation which will take place in 2017 is expected to increase the rates bills falling to the DSG. Some of this pressure will however be eased by the continued increase in pupil numbers.

In respect of the individual proposals:

b) There is a risk that if schools do not buy in to this, that children who have some vulnerabilities and who are not in school may be missed. However the LA's 'missing from education' procedures should mitigate this. If the service is not successful in securing buy back from schools, there is a risk that up to 3 FTE staff may need to be made redundant.

Outline risks associated with proposal and mitigating actions:

General

It is likely that there will come a point when schools feel the increased charges through SLAs will result in them having to purchase fewer services, a reduced level of support or reducing expenditure on other services in support of pupils' education. This will make the traded services much more sensitive to price increases than has been the case in the past.

In order to mitigate the likelihood of the increased levels of income failing to be achieved there will be consultation with schools forum on the proposals with the opportunity to influence the final shape of the proposals for the services to be charged for and the value of charges. Other mitigation for each specific proposal is set out below:

b) There is a need to ensure that schools have robust systems in place to identify vulnerable children and refer to the appropriate agencies.

5. Financial information

Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
General Fund	5,844	(3,670)	2,174
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000

Appendix vii – J2b saving proposal

5. Financial information			
b) Attendance and Welfare	150		150
Total	150	0	150
% of Net GF Budget	7%	0%	7%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	Yes	Yes	No
If impact on DSG or HRA describe:	The DSG provides additional support to these services.		

6. Impact on Corporate priorities		
Main priority	Second priority	Corporate priorities 1. Community leadership and empowerment 2. Young people's achievement and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people 9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity
2	10	
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	
Neutral	Positive	
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	
Low	Low	

7. Ward impact	
Geographical impact by ward:	No specific impact / Specific impact in one or more
	No Specific Impact
	If impacting one or more wards specifically – which?
	N/A

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:		Pregnancy / Maternity:	N/A
Gender:		Marriage & Civil Partnerships:	N/A
Age:		Sexual orientation:	
Disability:		Gender reassignment:	
Religion / Belief:		Overall:	N/A
For any High impact service equality areas please explain why and what mitigations are proposed:			
Is a full service equalities impact assessment required: Yes / No			No

9. Human Resources impact	
Will this saving proposal have an impact on employees: Yes / No	Other than

Appendix vii – J2b saving proposal

9. Human Resources impact

deletion of
vacant
posts - No

10. Legal implications

State any specific legal implications relating to this proposal:

Section 443 of the Education Act 1996 requires local authorities to make arrangements to enable them to establish (as far as possible) the identity of children in their area who are not receiving a suitable education. Section 444 imposes a statutory responsibility of local authorities to ensure that parents fulfil their legal duty that children of compulsory school age receive suitable, efficient full-time education either by regularly attending school or otherwise. Section 446 of the Education Act 1996 requires that proceedings for offences under sections 443 or 444 can only be instituted by a local authority.

The local authority is statutorily required to ensure that its education and training functions are exercised with a view to promoting high standards, fulfilment of potential and fair access to opportunity for education and training. The proposals have to be consistent with the local authorities ability to meet its statutory responsibilities.

11. Summary timetable

Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc.), implementation:

Month	Activity
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September
October 2015	Consultations with Schools Forum 1 October 2015
November 2015	Consultations ongoing and (full decision) reports returned to Scrutiny for review
December 2015	Consultations returned to Scrutiny for review leading to M&C for decision on 9 December
January 2016	Transition work ongoing
February 2016	Transition work ongoing and budget set 24 February
March 2016	Savings implemented
April 2016	

Appendix viii – N5 saving proposal

1. Savings proposal	
Proposal title:	Review of Lewisham's Fleet and Passenger Transport Service
Reference:	N5
LFP work strand:	Environmental Services
Directorate:	Customer Services
Head of Service:	Nigel Tyrell
Service/Team area:	Fleet and Passenger Services
Cabinet portfolio:	Public Realm
Scrutiny Ctte(s):	Sustainable Development

2. Decision Route			
Saving proposed:	Key Decision Yes/No	Public Consultation Yes/No	Staff Consultation Yes/No
Review of Lewisham's Passenger Transport Service	Yes	Yes	Yes

3. Description of service area and proposal
Description of the service area (functions and activities) being reviewed:
<p>The council's Fleet management service and the Door to Door service sit within the Environment division. The fleet management service procure, run and maintain the council's owned fleet and procure specialist hired in vehicles when needed. The direct revenue cost of this service is in the region of £4.1m. The costs of the service are fully recharged to end service users such as Door to Door and Refuse collection.</p> <p>The Door to Door services provides home to school transport to children with special educational needs and also transports adult social care clients to and from day care provision. The council spends approx. £5.3m p/a operating passenger transport made up of direct staff and management costs and vehicle costs recharged from Fleet (fuel, staff costs, vehicle on the road costs and maintenance etc). In addition to this, the council (primarily CYP SEN and ASC) spends a further £2m p/a on taxi provision for clients that can't be accommodated on Door to Door vehicles (due to capacity of vehicles, the logistics of the routes etc.) The total spent on providing transport for this client group therefore equates to £7.3m p/a.</p>
Saving proposal
<p>A. Review of Lewisham's Fleet and Passenger Transport Service: The relationship with the transport provider (Environment) and the client services (primarily CYP and ASC) and the funding model for these services are interwoven and complex. As such a corporate approach is being taken in order to identify opportunities to reduce spend and demand whilst continuing to meet statutory duties and support the residents that rely on passenger transport. It is expected that the savings identified for this review will be achieved via the following approaches:</p> <ol style="list-style-type: none"> Operational efficiency

Appendix viii – N5 saving proposal

3. Description of service area and proposal

Identify opportunities within the current Door to Door operational model to reduce costs through more efficient use of resource and increasing operational efficiency.

2. Promoting Independence

Recent legislative changes (e.g. the Care Act and the Children and Families Bill) make the need to promote choice, independence and 'ordinary lives' essential in the delivery of services to both children and young people with SEN and clients accessing adult social care support. This extends to how we meet a client's transport needs. However the legislative changes also increase the age range applicable for travel assistance from 5-18 years to 0-25 years. Within CYP we will be exploring the potential to further embed and offer a wider range of alternative travel assistance options (such as direct payments and independent travel training) in order to better support independence and reduce reliance on local authority provided transport. Whilst direct transport provision will continue to be the most suitable option for some clients, we expect to be able to at least maintain, and possibly reduce, demand through growing and improving the range of travel assistance options we offer. It should be noted however, that there is currently an overspend on the CYP SEN budget (of approx. £700k) and as such any reduction to spend achieved as a result of this approach will be required to reduce the overspend in the first instance.

Adult Social Care will also continue to promote Direct Payments in line with the previously agreed saving for remodelling day services (A4).

The council's waste services account for a significant proportion of the costs attracted by the Fleet service. The influence of demand on those costs are being considered by the waste strategy review as a part of a separate savings strand.

3. Alternative delivery models

Explore opportunities to pursue alternative delivery models for local authority provided transport provision (e.g. via an outsourced contract).

4. Policy review

The council is required to provide transport for eligible young people of statutory school age. Other local authorities (e.g. Coventry) are now exploring removing or charging for discretionary travel for under 5s and over 16s. As part of this review we would like to explore the legal position of this approach to determine the extent to which this could be applied in Lewisham. This is a work in progress and any proposed changes to Policy would be returned to Mayor and Cabinet.

4. Impact and risks of proposal

Outline impact to service users, partners, other Council services and staff:

The impact of the approaches detailed in this proposal are as follows:

- Possible re-organisation within the Door to Door Service (to respond to a reduced demand from client services as a result of higher take up of direct payments/independent travel training, or as a result of operational efficiencies

Appendix viii – N5 saving proposal

4. Impact and risks of proposal

identified).

- Changes to process within the client service areas – to promote and embed a wider range of alternative travel assistance options.
- Market development – to ensure we have a suitable range of travel assistance options to offer to suitable clients (e.g. commission an independent travel training programme for SEN clients).
- Service users – Eligible clients within ASC will be offered Direct Payments as a matter of course. Within CYP, new and existing clients will be encouraged to take up travel assistance options with direct transport provision being seen as a last resort.

Outline risks associated with proposal and mitigating actions:

For any changes the current Door to Door operating model or a reduction in service requirements as a result of reduced demand from client services (due to an increased take up of direct payments/independent travel training) staff consultation would be required.

For CYP- Consultation with service users would be required prior to the introduction of new travel assistance options, or if changes to the processes for application or the transport policies were to be pursued.

For ASC Clients – Discussions about transport requirements will form part of an individual's care plan. For those who the service is changing – consultation has already taken place as part of the previously agreed saving.

5. Financial information

Controllable budget:	Spend £'000	Income £'000	Net Budget £'000
	7,884	(660)	7,224
Saving proposed:	2016/17 £'000	2017/18 £'000	Total £'000
Review of Lewisham's Fleet and Passenger Transport Service	500	500	1,000
Total	500	500	1,000
% of Net Budget	7%	7%	14%
Does proposal impact on: Yes / No	General Fund	DSG	HRA
	Yes	No	No
If impact on DSG or HRA describe:			

6. Impact on Corporate priorities

Main priority	Second priority	Corporate priorities
9	10	1. Community leadership and empowerment 2. Young people's achievement

Appendix viii – N5 saving proposal

6. Impact on Corporate priorities		
Impact on main priority – Positive / Neutral / Negative	Impact on second priority – Positive / Neutral / Negative	and involvement 3. Clean, green and liveable 4. Safety, security and a visible presence 5. Strengthening the local economy 6. Decent homes for all 7. Protection of children 8. Caring for adults and the older people 9. Active, healthy citizens 10. Inspiring efficiency, effectiveness and equity
Positive	Positive	
Level of impact on main priority – High / Medium / Low	Level of impact on second priority – High / Medium / Low	
Medium	Medium	

7. Ward impact	
Geographical impact by ward:	No specific impact / Specific impact in one or more
	No specific impact on a single ward.
	If impacting one or more wards specifically – which?

8. Service equalities impact			
Expected impact on service equalities for users – High / Medium / Low or N/A			
Ethnicity:	Low	Pregnancy / Maternity:	Low
Gender:	Low	Marriage & Civil Partnerships:	Low
Age:	Medium	Sexual orientation:	Low
Disability:	Medium	Gender reassignment:	Low
Religion / Belief:	Low	Overall:	Low
For any High impact service equality areas please explain why and what mitigations are proposed:			
Is a full service equalities impact assessment required: Yes / No			Yes

9. Human Resources impact					
Will this saving proposal have an impact on employees: Yes / No					Yes
Workforce profile:					
Posts	Headcount in post	FTE in post	Establishment posts	Vacant	
				Agency / Interim cover	Not covered
Scale 1 – 2	0	0	0	0	0
Scale 3 – 5	61	61	61	0	0
Sc 6 – SO2	48	48	51	0	3
PO1 – PO5	7	7	9	0	2
PO6 – PO8	2	2	2	0	0
SMG 1 – 3	1	1	1	0	0
JNC					
Total	119	119	124	0	5

Appendix viii – N5 saving proposal

9. Human Resources impact					
Gender	Female	Male			
	53	66			
Ethnicity	BME	White	Other	Not Known	
	52	64	3	0	
Disability	Yes	No			
Sexual orientation	Straight / Heterosex.	Gay / Lesbian	Bisexual	Not disclosed	

10. Legal implications

State any specific legal implications relating to this proposal:

TBC

11. Summary timetable

Outline timetable for main steps to be completed re decision and implementation of proposal – e.g. proposal, scrutiny, consultation (public/staff), decision, transition work (contracts, re-organisation etc..), implementation:

Month	Activity
August 2015	Proposals prepared (this template and supporting papers – e.g. draft public consultation)
September 2015	Proposals submitted to Scrutiny committees leading to M&C on 30 September
October 2015	Consultations ongoing
November 2015	Consultations ongoing and (full decision) reports returned to Scrutiny for review
December 2015	Consultations returned to Scrutiny for review leading to M&C for decision on 9 December
January 2016	Transition work ongoing
February 2016	Transition work ongoing and budget set 24 February
March 2016	Savings implemented
April 2016	
May 2016	
June 2016	
July 2016	
August 2016	
September 2016	
October 2016	

Appendix ix – Corporate and Savings Priorities

SUSTAINABLE COMMUNITY STRATEGY PRIORITIES

1. **Ambitious and achieving:** where people are inspired and supported to their potential.
2. **Safer:** where people feel safe and live free from crime, antisocial behaviour and abuse.
3. **Empowered and responsible:** where people are actively involved in their local area and contribute to supportive communities.
4. **Clean, green and liveable:** where people live in high quality housing and can care for and enjoy their environment.
5. **Healthy, active and enjoyable:** where people can actively participate in maintaining and improving their health and well-being.
6. **Dynamic and prosperous:** where people are part of vibrant communities and town centres, well connected to London and beyond.

COUNCIL CORPORATE PRIORITIES

1. **Community Leadership and Empowerment:** developing opportunities for the active participation and engagement of people in the life of the community.
2. **Young people's achievement and involvement:** raising educational attainment and improving facilities for young people through partnership working.
3. **Clean, green and liveable:** improving environmental management, the cleanliness and care for roads and pavements, and promoting a sustainable environment.
4. **Safety, security and a visible presence:** partnership working with the police and others to further reduce crime levels and using Council powers to combat anti-social behaviour.
5. **Strengthening the local economy:** gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
6. **Decent Homes for all:** investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing.
7. **Protection of children:** better safeguarding and joined up services for children at risk.

Appendix ix – Corporate and Savings Priorities

- 8. Caring for adults and older people:** working with health services to support older people and adults in need of care.
- 9. Active, healthy citizens:** leisure, sporting, learning and creative activities for everyone.
- 10. Inspiring efficiency, effectiveness and equity:** ensuring efficiency and equity in the delivery of excellent services to meet the needs of the community.

CORPORATE SAVINGS PRINCIPLES

1. Take account of the impact on service outcomes and social results for customers and citizens
2. Be prudent and sustainable for the longer term, we will not just opt for short term fixes
3. Reflect a coherent “one organisation” approach that avoids silo-based solutions
4. Encourage self-reliance, mutualism and cooperative endeavour
5. Mitigate potential harm in accordance with an appropriate assessment of needs
6. Be mindful of the impact on the geography of fairness across Lewisham (and our boundaries)
7. Involve service users, staff and other stakeholders in the redesign of services for the future
8. Consider the current or potential actions of other public agencies and the voluntary sector locally, including sharing and reshaping services (Total Place)
9. Consider the impact on the Lewisham approach where we listen to all voices, take account of all views and then we move forward to implement.



This guidance has been updated to reflect the new equality duty which came into force on 5 April 2011. It provides advice about the general equality duty.

0B Introduction

With major reductions in public spending, public authorities in Britain are being required to make difficult financial decisions. This guide sets out what is expected of you as a decision-maker or leader of a public authority responsible for delivering key services at a national, regional and/or local level, in order to make such decisions as fair as possible.

The new public sector equality duty (the equality duty) does not prevent you from making difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor does it stop you from making decisions which may affect one group more than another group. The equality duty enables you to demonstrate that you are making financial decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of your community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on different protected groups (or protected characteristics under the Equality Act 2010).

Assessing the impact on equality of proposed changes to policies, procedures and practices is not just something that the law requires, it is a positive opportunity for you as a public authority leader to ensure you make better decisions based on robust evidence.

1B What the law requires

Under the equality duty (set out in the Equality Act 2010), public authorities must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

The protected groups covered by the equality duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination.

The law requires that public authorities demonstrate that they have had 'due regard' to the aims of the equality duty in their decision-making. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had 'due regard'.

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It is also important to note that public authorities subject to the equality duty are also likely to be subject to the Human Rights Act. We would therefore recommend that public authorities consider the potential impact their decisions could have on human rights.

2B Aim of this guide

This guide aims to assist decision-makers in ensuring that:

- The process they follow to assess the impact on equality of financial proposals is robust, and
- The impact that financial proposals could have on protected groups is thoroughly considered before any decisions are arrived at.

We have also produced detailed guidance for those responsible for assessing the impact on equality of their policies, which is available on our website:

http://www.equalityhumanrights.com/uploaded_files/EqualityAct/PSED/equality_analysis_guidance.pdf

3B The benefits of assessing the impact on equality

By law, your assessments of impact on equality must:

- Contain enough information to enable a public authority to demonstrate it has had 'due regard' to the aims of the equality duty in its decision-making
- Consider ways of mitigating or avoiding any adverse impacts.

Such assessments do not have to take the form of a document called an equality impact assessment. If you choose not to develop a document of this type, then some alternative approach which systematically assesses any adverse impacts of a change in policy, procedure or practice will be required.

Assessing impact on equality is not an end in itself and it should be tailored to, and be proportionate to, the decision that is being made.

Whether it is proportionate for an authority to conduct an assessment of the impact on equality of a financial decision or not depends on its relevance to the authority's particular function and its likely impact on people from the protected groups.

We recommend that you document your assessment of the impact on equality when developing financial proposals. This will help you to:

- **Ensure you have a written record of the equality considerations** you have taken into account.
- **Ensure that your decision includes a consideration of the actions that would help to avoid or mitigate any impacts on particular protected groups.** Individual decisions should also be informed by the wider context of

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decisions in your own and other relevant public authorities, so that particular groups are not unduly affected by the cumulative effects of different decisions.

- **Make your decisions based on evidence:** a decision which is informed by relevant local and national information about equality is a better quality decision. Assessments of impact on equality provide a clear and systematic way to collect, assess and put forward relevant evidence.
- **Make the decision-making process more transparent:** a process which involves those likely to be affected by the policy, and which is based on evidence, is much more open and transparent. This should also help you secure better public understanding of the difficult decisions you will be making in the coming months.
- **Comply with the law:** a written record can be used to demonstrate that due regard has been had. Failure to meet the equality duty may result in authorities being exposed to costly, time-consuming and reputation-damaging legal challenges.

4B When should your assessments be carried out?

Assessments of the impact on equality must be carried out at a **formative stage** so that the assessment is an integral part of the development of a proposed policy, not a later justification of a policy that has already been adopted. Financial proposals which are relevant to equality, such as those likely to impact on equality in your workforce and/or for your community, should always be subject to a thorough assessment. This includes proposals to outsource or procure any of the functions of your organisation. The assessment should form part of the proposal, and you should consider it carefully **before** making your decision.

If you are presented with a proposal that has not been assessed for its impact on equality, you should question whether this enables you to consider fully the proposed changes and its likely impact. Decisions not to assess the impact on equality should be fully documented, along with the reasons and the evidence used to come to this conclusion. This is important as authorities may need to rely on this documentation if the decision is challenged.

It is also important to remember that the potential impact is not just about numbers. Evidence of a serious impact on a small number of individuals is just as important as something that will impact on many people.

5B What should I be looking for in my assessments?

Assessments of impact on equality need to be based on relevant information and enable the decision-maker to understand the equality implications of a decision and any alternative options or proposals.

As with everything, proportionality is a key principle. Assessing the impact on equality of a major financial proposal is likely to need significantly more effort

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and resources dedicated to ensuring effective engagement, than a simple assessment of a proposal to save money by changing staff travel arrangements.

There is no prescribed format for assessing the impact on equality, but the following questions and answers provide guidance to assist you in determining whether you consider that an assessment is robust enough to rely on:

- **Is the purpose of the financial proposal clearly set out?**

A robust assessment will set out the reasons for the change; how this change can impact on protected groups, as well as whom it is intended to benefit; and the intended outcome. You should also think about how individual financial proposals might relate to one another. This is because a series of changes to different policies or services could have a severe impact on particular protected groups.

Joint working with your public authority partners will also help you to consider thoroughly the impact of your joint decisions on the people you collectively serve.

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel. Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable. This combined impact would not be apparent if the decisions were considered in isolation.

- **Has the assessment considered available evidence?**

Public authorities should consider the information and research already available locally and nationally. The assessment of impact on equality should be underpinned by up-to-date and reliable information about the different protected groups that the proposal is likely to have an impact on. A lack of information is not a sufficient reason to conclude that there is no impact.

- **Have those likely to be affected by the proposal been engaged?**

Engagement is crucial to assessing the impact on equality. There is no explicit requirement to engage people under the equality duty, but it will help you to improve the equality information that you use to understand the possible impact on your policy on different protected groups. No-one can give you a better insight into how proposed changes will have an impact on, for example, disabled people, than disabled people themselves.

- **Have potential positive and negative impacts been identified?**

It is not enough to state simply that a policy will impact on everyone equally; there should be a more in-depth consideration of available evidence to see if particular protected groups are more likely to be affected than others. Equal treatment does not always produce equal outcomes; sometimes authorities

Appendix x - EHRC Making Fair Financial Decisions guidance

will have to take particular steps for certain groups to address an existing disadvantage or to meet differing needs.

• **What course of action does the assessment suggest that I take? Is it justifiable?**

The assessment should clearly identify the option(s) chosen, and their potential impacts, and document the reasons for this decision. There are four possible outcomes of an assessment of the impact on equality, and more than one may apply to a single proposal:

Outcome 1: No major change required when the assessment has not identified any potential for discrimination or adverse impact and all opportunities to advance equality have been taken.

Outcome 2: Adjustments to remove barriers identified by the assessment or to better advance equality. Are you satisfied that the proposed adjustments will remove the barriers identified?

Outcome 3: Continue despite having identified some potential for adverse impacts or missed opportunities to advance equality. In this case, the justification should be included in the assessment and should be in line with the duty to have 'due regard'. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact, as discussed below.

Outcome 4: Stop and rethink when an assessment shows actual or potential unlawful discrimination.

• **Are there plans to alleviate any negative impacts?**

Where the assessment indicates a potential negative impact, consideration should be given to means of reducing or mitigating this impact. This will in practice be supported by the development of an action plan to reduce impacts. This should identify the responsibility for delivering each action and the associated timescales for implementation. Considering what action you could take to avoid any negative impact is crucial, to reduce the likelihood that the difficult decisions you will have to take in the near future do not create or perpetuate inequality.

Example: A University decides to close down its childcare facility to save money, particularly given that it is currently being under-used. It identifies that doing so will have a negative impact on women and individuals from different racial groups, both staff and students.

In order to mitigate such impacts, the University designs an action plan to ensure relevant information on childcare facilities in the area is disseminated to staff and students in a timely manner. This will help to improve partnership working with the local authority and to ensure that sufficient and affordable childcare remains accessible to its students and staff.

• Are there plans to monitor the actual impact of the proposal?

Although assessments of impact on equality will help to anticipate a proposal's likely effect on different communities and groups, in reality the full impact of a decision will only be known once it is introduced. It is therefore important to set out arrangements for reviewing the actual impact of the proposals once they have been implemented.

6B What happens if you don't properly assess the impact on equality of relevant decisions?

If you have not carried out an assessment of impact on equality of the proposal, or have not done so thoroughly, you risk leaving yourself open to legal challenges, which are both costly and time-consuming. Recent legal cases have shown what can happen when authorities do not consider their equality duties when making decisions.

Example: A court recently overturned a decision by Haringey Council to consent to a large-scale building redevelopment in Wards Corner in Tottenham, on the basis that the council had not considered the impact of the proposal on different racial groups before granting planning permission.

However, the result can often be far more fundamental than a legal challenge. If people feel that an authority is acting high-handedly or without properly involving its service users or employees, or listening to their concerns, they are likely to become disillusioned with you.

Above all, authorities which fail to carry out robust assessments of the impact on equality risk making poor and unfair decisions that could discriminate against particular protected groups and perpetuate or worsen inequality.

As part of its regulatory role to ensure compliance with the equality duty, the Commission will monitor financial decisions with a view to ensuring that these have been taken in compliance with the equality duty and have taken into account the need to mitigate negative impacts where possible.

Appendix xi - Specific Legal Implications

Reference	Proposal Summary	Specific Legal Implications
Appendix i	Section L: Culture & Community Services	
L6	Libraries and information service Draft: Consultation: Proposed changes to Library and Information Service	<p>The Public Libraries and Museums Act 1964 makes provision for regulating and improving library services. Section 7(1) sets out the duty of every library authority to provide a “comprehensive and efficient library service for all persons desiring to make use thereof”. Section 7(2) provides that, in fulfilling its duties, a library authority should have regard to the desirability “of securingby any other appropriate means” that facilities are available for the borrowing of, or reference to, books and other printed matter, pictures, records, films and other materials in sufficient number, range and quality to meet the general requirements and any special requirements of adults and children. Section 9(1) provides that “a library authority may make contributions towards the expenses ofany person providing library facilities for members of the public”.</p> <p>Members are reminded that they must take into account the outcome of consultation before making a decision.</p>
Appendices ii & iii	Section Q: Early Intervention & Safeguarding	
Q3	Targeted Services Savings: - Sensory Teachers - Educational Psychologists - Reduce Carers funding	<p>Section 175 of the Education Act 2002 imposes a duty on local authorities (amongst others) to make arrangements in regard to the welfare of children. Local authorities must make arrangements to ensure that their education functions are exercised with a view to safeguarding and promoting the welfare of children.</p> <p>Section 321 of the Education Act 1996 sets out the basic duty on local authorities to identify and determine the special educational provision which should be made available for children for whom they are responsible . The proposals have to be consistent with the local authorities ability to meet its statutory responsibilities.</p> <p>There is a statutory framework for joint commissioning of social care and health services and each year the Council and the CCG agree their respective financial contribution towards the budget required to deliver the services and make decisions as to the letting of contracts to providers. Each partner can delegate its function to the other, if this is considered to be in the interests of stakeholders and the efficient</p>

Appendix xi - Specific Legal Implications

Reference	Proposal Summary	Specific Legal Implications
		<p>delivery of the services. Any reductions in budget will involve negotiation and agreement with the CCG. Where the Council holds the budget it must ensure this is managed to avoid any overspend.</p> <p>As these services are provided to vulnerable young people, to the extent that there is a change to the provision, then consultation will be required and a report setting out the outcome of such consultation placed before the decision maker. However, the appendix suggests that there will be no detriment to the service so the need to consult does not arise.</p> <p>The recipients of the service have protected characteristics under the Equality Act 2010 and the Council must comply with its statutory duty under this Act when making decisions of a strategic nature about how to exercise its functions, to have due regard to the desirability of exercising them in a way that is designed to reduce inequalities.</p>
Q5	Youth Service	<p>A full report is presented to Mayor and Cabinet setting out the proposals for the development of a mutual to deliver the youth services. This report contains detailed legal and financial implications. If the formation of a mutual is agreed, then the Lewisham mutual would have to compete in the market for a contract for the youth service for a period of up to three years although only mutuals will be permitted to tender. The Council will have to specify the nature of the services it requires the mutual to deliver although this can be in the form of an output specification to allow the bidders to come forward with their own proposals as to how to deliver the services and to offer, if they so wish, any innovative proposals. It is lawful to offer Initial financial or other support to the mutuals provided that it is fair to all bidders and not discriminatory. There will be employment implications which will be set out in the Report. General legal implications apply.</p>
Appendices iv & v	Section A – Smarter & Deeper Integration of Social Care & Health	
A11	Managing & improving transition planning	<p>The Children and Families Act became law on the 1 September 2014. The new law makes it clear that children and young people with special educational needs and disabilities (SEND) should be supported on a consistent basis across Education, Health and Social Care from 0-25 years of age. Education Health and Care plans need to consider the needs of younger people in receipt of education. How those needs are</p>

Appendix xi - Specific Legal Implications

Reference	Proposal Summary	Specific Legal Implications
		met can be highly flexible. Assessment duties are set out in the Care Act 2014 and associated guidance.
A14	Achieving best value in the provision of care packages	<p>The new general duty under the Care Act 2014 of a local authority, in the case of an adult, is to promote that adult's well-being. "Well-being", in relation to an adult, means that adult's well-being so far as relating to any of the following—</p> <ul style="list-style-type: none"> (a) physical and mental health and emotional well-being; (b) protection from abuse and neglect; (c) control by the adult over day-to-day life (including over the care and support provided to the adult and the way in which it is provided); (d) participation in work, education, training or recreation; (e) social and economic well-being; (f) domestic, family and personal relationships; <p>When deciding how best to meet an individual's care needs, the Council is entitled to take into account its own resources as well as the client's stated preferences. In planning to meet an individual's needs, the Council may consider the most cost effective way in which this can be done and can take into account the individual's resources and contributions. This may include considering their family and support networks, their welfare benefits and the community resources available. This has already been the subject of several reports. Commissioning issues and separate reports as services are re-commissioned.</p> <p>This has already been the subject of several reports. Commissioning issues and separate reports will be required as services are re-commissioned.</p>
Appendix vi	Section I: Management & Corporate Overheads	
I9b	HR: Reduction in Human Resources Support - Trade Union Secondments	There are employment implications arising out of this proposal and the Council's management of change policies will have to be followed and compliance with all relevant Employment legislation
	Section J: School Effectiveness	
J2b	Attendance and Welfare	Section 443 of the Education Act 1996 requires local authorities to make arrangements to enable them to establish (as far as possible) the identity of children in their area

Appendix xi - Specific Legal Implications

Reference	Proposal Summary	Specific Legal Implications
		<p>who are not receiving a suitable education. Section 444 imposes a statutory responsibility of local authorities to ensure that parents fulfil their legal duty that children of compulsory school age receive suitable, efficient full-time education either by regularly attending school or otherwise. Section 446 of the Education Act 1996 requires that proceedings for offences under sections 443 or 444 can only be instituted by a local authority.</p> <p>The local authority is statutorily required to ensure that its education and training functions are exercised with a view to promoting high standards, fulfilment of potential and fair access to opportunity for education and training. The proposals have to be consistent with the local authorities ability to meet its statutory responsibilities.</p>
Appendix viii	Section N: Environmental Services	
N5	Review of Lewisham's Fleet & Passenger Transport Service	Once the current proposal has been more particularised, then full legal implications will be provided.

2016/17 revenue budget savings report equalities summary

1. Context

- 1.1 The Lewisham Future Programme 2016/17 report sets out options for £12m of savings proposals for pre-decision scrutiny prior to Mayor and Cabinet on 30 September 2015. As part of the budget setting process, equality assessment analysis of selected budget savings is carried out to better understand the likely impact on protected groups and, where possible, to mitigate any negative effects.
- 1.2 An initial assessment of the likely impact of changes on protected groups is carried out during the development of each savings proposal. A determination is also made as to whether the proposal, should it be agreed, would require a full equalities analysis assessment. This information is presented in section eight of each proforma (appended to the budget savings report).
- 1.3 The Public Sector Equality Duty requires the Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.
- 1.4 Characteristics¹ covered by the Equality Duty are:
- Age
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
 - The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination within employment and training.
- 1.5 The Council is required to demonstrate that it has had 'due regard' to the aims of the Equality Duty in decision-making. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which the Council can demonstrate that it has had 'due regard'.
- 1.6 Lewisham's has a comprehensive equalities scheme (2012-16) which is based on the principles set out in the borough's sustainable communities' strategy. The scheme brings together information and intelligence about the Council's strategic approach to equality and states the Council's commitment to achieving these five objectives:

¹ See Equality and Human Rights Commission: <http://www.equalityhumanrights.com/private-and-public-sector-guidance/guidance-all/protected-characteristics> for additional information. 'Race' and 'ethnicity' as well as 'sex' and 'gender' have been used interchangeably in this report.

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- Tackling victimisation, harassment and discrimination
 - Improving access to services
 - Closing the gap in outcomes for citizens
 - Increasing understanding and mutual respect between communities
 - Increasing participation and engagement
- 1.7 Having due regard to the requirements of the public sector equality duty and having consideration of the objectives of the Comprehensive Equalities Scheme, it has been agreed that the assessment of the impact on equality should be focused on, and proportionate to, decisions being made.
- 1.8 Where proposals are anticipated to have an impact on staffing levels, they are subject to consultation as set out in the Council's employment policies, and services will be required to undertake an Equalities Analysis Assessment (EAA) as part of their restructuring process.

2. Equalities impact

Level of impact	Number of proposals	As a percentage of all proposals (rounded)
High impact	5	14%
Medium impact	4	11%
Low impact	8	22%
Not applicable/no initial assessment necessary	20	55%

- 2.1 Table 1 (above) provides a high-level summary of the anticipated equality impact of 2016/17 budget savings proposals. The table demonstrates that of the 36 proposals, a quarter is judged to have an overall high or medium level of impact and just over a fifth is judged as having a low level of impact. Equalities implications are judged not to be applicable (or assessment unnecessary) for half of the proposals.

Protected characteristics

- 2.2 Table 2 (below) sets out the potential impact of savings proposals on each of the nine protected characteristics. The table demonstrates that the majority of the impacts being reported for each of the protected characteristics will be low. Nonetheless, a quarter of the proposals are expected to have a high level of impact (positive and negative) on people protected by the legislation because of their age.

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2.3 Overall low levels of impact have been identified in relation to religion or belief; pregnancy and maternity; marriage and civil partnership; sexual orientation and gender reassignment.

	Ethnicity	Gender	Age	Disability	Religion or belief	Pregnancy & mtnty	Marriage & civil p	Sexual Orientation	Gender reassignment
High	5	4	8	5	0	0	0	1	0
Medium	2	3	4	4	0	1	0	0	0
Low	7	8	7	9	10	12	10	9	10

2.4 The table below provides details of the savings proposals, which have been identified as having a potential high equalities impact on protected characteristics.

Proposals	Ethnicity	Gender	Age	Disability	Sexual Orientation
A11: Managing and improving transition planning			Yes (positive)	Yes (positive)	
A13: Alternative Delivery Models for the provision of care and support services, including mental health			Yes (positive)	Yes (positive)	
A14: Achieving best value in care packages			Yes	Yes	
A15: New delivery models for extra care: provision of contracts	Yes		Yes	Yes	
A17: Sexual health transformation	Yes	Yes	Yes		Yes
B2: Supporting People- reduction in budget across all client groups	Yes	Yes	Yes	Yes	

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H2: Further reductions in Crime, Enforcement and Regulation and Environmental Health	Yes	Yes	Yes		
K4: Public Health – Drug and Alcohol Services	Yes	Yes	Yes		

- 2.5 Proposals relating to the smarter and deeper integration of health and social care are expected to have the greatest impact on the people protected under the characteristics of age and disability, as might be expected due to the nature of the service being provided. However, it is anticipated that the redesign of services will also have a positive impact for some service users: further detail is provided in the proformas for savings proposals A11 and A13.
- 2.6 Medium and low level impacts have also been identified in the savings proposals across the characteristics of religion or belief, pregnancy and maternity, marriage and civil partnership and gender reassignment. A third of the proposals are likely to have a low-level impact on people protected due to pregnancy and maternity. However, with the information provided at this stage, this does not appear to result in a higher level of cumulative impact across this group.

3. Geographical impact

- 3.1 Officers were also asked to consider the potential geographical impacts of the budget savings proposals. In the majority of cases, no specific ward impact has been identified. However, the proposals put forward for library and information services and leisure facilities would likely have an effect on the facilities in the affected wards.
- 3.2 The proposals relating to the main grants programme in 2017-18 would also be expected to have ward specific impacts – however, should these proposals be agreed, additional work would be required to determine impacts and mitigating actions for specific areas.

4. Implementation of proposals and equalities analysis

- 4.1 Officers have identified that full equalities analysis assessments would be required for 16 of the savings proposals. Each savings proforma sets out a timescale for the delivery, following the meeting of Mayor and Cabinet on 30 September.

Agenda Item 6

Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information	<input type="checkbox"/> Part 1	<input checked="" type="checkbox"/> Part 2
		<input type="checkbox"/> Key Decision

Date of Meeting	9 th December 2015
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Title of Report	Establishment of an Education Commission
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Originator of Report	Executive Director for Children and Young People	Ext. 48527
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	√	
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 30th November 2015

Signed:  Executive Director

Date: 30th November 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Report Title	Establishment of an Education Commission		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Children and Young People		
Class	Part 1	Date: 9 December 2015	

1. Purpose of the report

- 1.1 This report seeks agreement to the establishment of an 'education commission' to report in April 2016 as part of the council's strategy for school improvement in the borough.

2. Recommendations

- 2.1 That the Mayor approve the establishment of an education commission to support the development of a future vision for education in Lewisham to report in April 2016 as set out in paragraph 8 of this report.

3. Policy context

- 3.1 The national policy context is such that since the 1980s, schools have had increasing levels of autonomy. This has largely shifted the local authority's role from one of control to influence. The local authority does however still have statutory roles and responsibilities in relation to all schools and wider responsibilities for children – and still has powers to intervene in maintained schools. The statutory role of the local authority in relation to education can be summarised under four headings:

- ✓ Ensuring education excellence,
- ✓ Ensuring sufficient school places
- ✓ Ensuring that children are kept safe
- ✓ Championing the needs of our most vulnerable children and young people.

- 3.2 The general landscape for education is one of more diverse schools and settings, increasing a mixed economy of provision and a complex network of stakeholders, including the Regional Schools Commissioner, academy sponsors, free schools and independent providers. There is also an increasingly diverse marketplace for services to support school improvement and decreasing central local

authority funding and resources in this area – an issue for all local authorities. This means that local authorities need to forge a strong partnership with schools, settings and communities in order to work together to improve the educational outcomes of our children and young people.

- 3.3 There is currently an Education and Adoption Bill before parliament which gives the government new powers to intervene more rapidly in schools rated by [Ofsted](#) as "inadequate" or "coasting" and which speeds up the process of converting such schools into [academies](#). This is likely to receive Royal Assent in spring 2016. This reflects the government's strong commitment to academisation and is part of an approach to schools becoming multi-academy trusts. This has been further reemphasised in the recent CSR announcements.
- 3.4 Lewisham Council and its partner organisations have consulted during 2015 on the priorities for a new three year Children and Young People's Plan 2015 – 2018 entitled "It's Everybody's Business". The plan starts with the vision statement "Together with families, we will improve the lives and life chances of the children and young people in Lewisham".
- 3.5 A key priority within the plan is "Raising the attainment of all Lewisham children and young people" and this has a number of specific outcome areas:
- AA1:** Ensuring there are sufficient good quality school places for every Lewisham child
 - AA2:** Ensuring all our children are ready to participate fully in school
 - AA3:** Improving and maintaining attendance and engagement in school at all key stages, including at transition points
 - AA4:** Raising participation in education and training, reducing the number of young people who are not in education, employment or training (NEET) at 16-19
 - AA5:** Raising achievement and progress for all our children at Key Stages 1 – 4 and closing the gaps between under-achieving groups at primary and secondary school
 - AA6:** Raising achievement and progress for all our children and closing the gaps between under-achieving groups at Key Stage 5 and Post 16 so that all our young people are well prepared to access the best education and employment opportunities for them

AA7: Raising achievement and attainment for our Looked After Children at all key stages and Post 16

3.6 At the same time, the Council has also consulted with schools (headteachers and governors) and other stakeholders on a School Improvement Framework. This sets out clearly how the local authority will risk assess and then categorise schools so that our limited resources can be targeted to support and challenge those schools which need it most. It also outlines the circumstances, in line with legislation, under which the local authority may need to intervene formally in schools which are causing concern. The Framework sets out the 'rules of engagement' between schools and local authority and builds on the '3 Cs' which have been shared with headteachers, governors and other stakeholders. To deliver school improvement across Lewisham we need to have **clarity** about our roles, responsibilities and plans; we need to **collaborate** to ensure the best use of resources, knowledge, skills and experience; and have **courage** to do things differently to ensure a step-change in outcomes at KS4 and KS5.

4. The role of the local authority in School Improvement

4.1 Attached to this report as Appendix A is the final version of the Lewisham School Improvement Framework. This sets out, in Section 2, the relevant legislation and guidance which determines the role of the local authority in school improvement. These can be summarised as follows: A successful local authority will:

- 4.1.1 Have a good understanding of the performance of schools in its local area using data to identify those schools that require improvement and intervention
- 4.1.2 Take swift and effective action when failure occurs in a maintained school, using Warning Notices and Interim Executive Boards (IEBs) and any other actions necessary to ensure leadership quickly becomes good and standards improve.
- 4.1.3 Intervene early where performance of a maintained school is declining, ensuring that schools secure the support needed to improve to be judged at least good
- 4.1.4 Encourage good and outstanding schools to take responsibility for their own improvement and to support other schools
- 4.1.5 Build strong working relationships with education leaders in their areas and encourage high calibre leaders to support and challenge others
- 4.1.6 Delegate funding to frontline so that as much as possible reaches pupils

- 4.1.7 Enable maintained schools to purchase from a diverse market of excellent providers
- 4.1.8 Signpost where schools can access appropriate support
- 4.1.9 Secure strong and effective leadership and governance for maintained schools that are not providing a good enough education, by identifying and supporting successful sponsors and
- 4.1.10 Seek to work constructively with academies and alert the Regional Schools Commissioner when they have concerns about standards or leadership in an academy.

5. Lewisham Context for School Improvement

- 5.1 Lewisham has a rapidly growing population. There are currently two nursery schools, 65 primary schools, 10 secondary schools, seven all through schools, five special schools and one secondary age pupil referral unit which also has a sixth form. Additionally a number of schools have sixth forms, there is a stand-alone sixth form college and an FE college. The pressure on school places is acute especially in the primary age range, with many primary schools expanding temporarily or permanently to accommodate additional children. Pressure on secondary school places is projected in the near future and Lewisham, together with neighbouring local authorities, and our schools are planning to ensure sufficient places in the coming years. The population in Lewisham has increased by 16,000 since the 2011 census. Over the next 20 years, the population of Lewisham is forecast to be amongst the fastest growing in the London boroughs.
- 5.2 In terms of the population profile, children and young people aged 0 – 19 comprise 73,000, about 25% of the borough's overall population. The borough's ethnic profile shows that 54% are white and 46% are from Black and ethnic minority groups. By contrast Lewisham's school population is 76% black and ethnic minority. When considering children's health, obesity (year 6 pupils) and under 18 conceptions are two areas where outcomes for Lewisham are significantly worse than the England average.
- 5.3 In September 2015, no publicly maintained school in Lewisham, regardless of their governance arrangements, is judged to be inadequate by Ofsted, with the overwhelming majority judged to be good or outstanding. Only 8 are judged to require improvement (3 primary and 5 secondary / all through schools; both Nursery school are judged to be outstanding and 4 special schools are judged to be good, with one judged to be outstanding).
- 5.4 Achievement in the Early Years, Key Stage 1 and Key Stage 2 has been above the national and regional averages for the last few years, and provisional 2015 results suggest this will continue to be the case.

At Key Stages 4 and 5, young people's achievement overall is well below the regional and national averages. This is a key focus for Lewisham, as set out in the priorities in the Children and Young People's Plan and also in the work of the CYP Directorate.

- 5.5 Like other councils, Lewisham has had to find considerable savings year on year (since 2010) as a result of national funding changes and therefore the number of school improvement professionals employed by the council has been significantly reduced over the last few years. Lewisham, in common with other LAs, has moved from employing a team of School Improvement Officers directly, to engaging external experienced educational professionals for a number of days each to carry out the majority of the support and challenge work of the local authority.
- 5.6 Where formal intervention is required in a school, including sixth forms, to rapidly improve outcomes for pupils, the small core team of local authority officers co-ordinates and leads this intervention process.
- 5.7 The local authority, together with headteachers and governors, has promoted a range of organisational models to strengthen leadership in some schools and raise achievement. In the primary phase there have been a number of federations and partnerships established over the last five years. The local authority has formally intervened in a number of schools using its powers to change governance arrangements, and requiring partnership arrangements between schools. Overall this policy has had a positive outcome on the effectiveness of a number of primary schools resulting in improvement in levels of pupil achievement. Some of the soft federations have now ended but others have proceeded to a hard federation arrangement. The local authority has also established several all through schools, with some existing secondary schools opening a primary phase, or partnership working between schools led by an executive headteacher role, but the success of these new models has yet to be demonstrated in improving examination results at the end of Key Stage 4. Overall the brokering of school to school support has been successful in addressing particular areas of concern in primary schools but there is much more to be done within the secondary phase.
- 5.8 There are 4 Teaching School Alliances in the borough: STEEP, Endeavour, ETAL, ATLAS who between them cover Nursery, Primary and Secondary phases of education. Teaching Schools have 6 key roles:
 - 5.8.1 School-led initial teacher training
 - 5.8.2 Continuing professional development
 - 5.8.3 Supporting other schools

5.8.4 Identifying and developing leadership potential

5.8.5 Specialist leaders of education

5.8.6 Research and development

The LA has recently worked closely in partnership with the STEEP Teaching School to ensure a more school-led approach to the delivery of training for Early Years providers and officers are working to ensure a more strategic approach to the valuable contribution that Teaching School Alliances can make to school improvement and raising achievement in the borough. Teaching School Alliances are the new route for government funding of school improvement and will therefore be a source of funding for such work in the borough going forward. .

5.9 Partnership working beyond schools and settings is critically important to ensure schools can provide the early intervention and support that children, young people and families need and to ensure that we meet our safeguarding obligations. Schools are a key component of early help and therefore good partnership structures, relationships, systems and support regarding SEND, safeguarding are essential. Schools are also key players in ensuring that we protect children and young people who are at risk of sexual exploitation or radicalisation as well as those who may trigger social care thresholds. Schools cannot work effectively in isolation and there is still huge value to having a 'family of schools' in Lewisham.

6. Lewisham School Improvement Principles

6.1 To secure school improvement and school effectiveness, the School Improvement Framework establishes the following principles:

6.1.1. Taking a holistic and evidence based approach to school improvement

6.1.2. Demonstrating equity and a targeted approach – meaning that we target the limited school improvement resources to meet need

6.1.3. Being inclusive through championing the most vulnerable and disadvantaged children and young people including: looked after children (LAC); young carers; those with special educational needs and disability (SEND); those who are underperforming; those at risk of child sexual exploitation (CSE); those at risk of becoming a young offender, those at risk of witnessing or being a victim of domestic violence or radicalisation, children missing education (CME), those at risk of exclusion and those at risk of becoming not in education, employment or training (NEET)

6.1.4. Being accountable and transparent by focusing on school leadership, management and governance

- 6.1.5. Collaborating and working towards a school-led system of self-improvement which is based on peer to peer support, partnership working and school autonomy

7. Strategy for School Improvement and Effectiveness

- 7.1 Our Strategy for School Improvement and Effectiveness (see Appendix B) describes how we will deliver the priorities which relate to raising attainment and achievement of children and young people as identified within Lewisham's Children and Young People's Plan 2015 – 2018
- 7.2 The Strategy is based on the 5 principles as outlined in section 6 above, and is organised into the following 4 key areas:
 - 7.2.1 To clarify roles and responsibilities
 - 7.2.2 To review provision to ensure we can meet need
 - 7.2.3 To improve school leadership, management and governance
 - 7.2.4 To provide targeted support to individual schools
- 7.3. Each area of the Strategy for School Improvement and Effectiveness has a number of key workstreams which have been identified. Additional workstreams have also been identified to address the poor outcomes in KS3, KS4 and KS5. These are outlined in some detail in sections 8 - 12 which follow.

8. Proposal for an Education Commission

- 8.1 A key workstream of the Strategy for School Improvement and Effectiveness is to clarify roles and responsibilities, making sure all our structures and partnership bodies are fit for purpose. National policy announcements on the role of local authorities in schools makes this increasingly important. This report therefore proposes setting up an Education Commission, learning from exercises carried out in other boroughs (including Haringey, Camden, Westminster) to make recommendations regarding a longer term vision for education in Lewisham by April 2016.
- 8.2 Through the council's procurement process, a small team of education experts will be appointed who will undertake in-depth desktop analysis of data, Ofsted reports and other available information. These will be independent experts with a national reputation and experience of education in London and beyond.
- 8.3 This small expert group will build upon the data analysis workstream through an extensive stakeholder engagement programme, mainly using a programme of visits and attendance at existing forum. Key stakeholders who the Commission would meet with would include:

- ✓ Councillors
- ✓ Headteachers
- ✓ School staff
- ✓ Governors
- ✓ Young people, including the Young Mayor and Advisors
- ✓ Parents
- ✓ Other key partners including trades unions, the voluntary sector and employers

8.4 The commission will look to answer the following questions:

- 8.4.1 Given the national and regional context, what is the best form of organisation for our schools going forward?
- 8.4.2 Is there a school-led model of school improvement which would put our work on a more sustainable footing, given the council's financial constraints?
- 8.4.3 We need additional secondary and SEND places. What is the best means to achieve this, alongside ensuring all our existing schools are schools of choice?
- 8.4.4 Given our strong commitment to improving outcomes at KS4 and KS5, are there any more radical or leading edge models or approaches we could adopt at borough or school level?

Underpinning all these questions is the central theme of how our system serves the most vulnerable.

8.5 We will aim to appoint experts to the Education Commission swiftly in accordance with procurement processes in order for them to be able to commence their inquiry in January with a view to reporting in April 2016. As part of the process, the provisional findings would be shared with stakeholders to refine and finalise the recommendations..

9. Conclusion

9.1 Improving educational outcomes is a top priority for Lewisham and therefore is a major focus of the council's work. An extensive work programme is already underway encompassing both support and challenge of individual schools and cross borough initiatives. The proposed Education Commission complements this by providing external expertise, support and challenge and taking a longer term view of the opportunities for the required improvement of outcomes to be delivered as quickly as possible in the current national context.

10. Financial implications

- 10.1 The cost of carrying out this exercise has been estimated at £40,000. This can be contained within the Children and Young People Directorate's budget for 2015/16.

11. Legal implications

- 11.1 Additional to those set out elsewhere in the report local authorities are required to provide primary, secondary and further education for 16 to 18 year and for people aged 19 or over who have an Education Health and Care Plan.(EHCPlan)
- 11.2 Section 13A of the Education Act 1996 specifically requires local authorities to exercise their education and training functions in relation to those young people for whom that have assumed responsibility so as to promote high standards, fulfilment of potential and fair access to opportunity for education and training. It applies in relation to persons aged 20 or over for whom an EHC Plan is maintained.
- 11.3 Section 14 of the Education Act 1996 requires local authorities to secure the provision of 'sufficient' schools (as amplified in sub-ss (2), (3) and (4)) for their areas. This function must be exercised with a view to securing diversity and parental choice. Local authorities must have regard to the need to secure primary and secondary education in separate schools, provision for children with special educational needs and boarding provision for those for whom it is desirable. The local authority is not itself obliged to provide all the schools required, but to secure that they are available. Section 18 enables an LEA to make arrangements for the provision of education at non-maintained schools.
- 11.4 The establishment of an education commission with specific term of references will assist the local authority in complying with its general statutory responsibilities especially so in the light of the changes to school improvement and education provision proposed in the Education and Adoptions Bill.

12. Crime and disorder implications

- 12.1 There are no specific crime and disorder implications arising from this report.

13. Equalities implications

- 13.1 Equalities is at the centre of the Children and Young People's Plan 2015-18 and also the Strategy for School Improvement and Effectiveness 2015 – 2017. Both documents have a strong focus on tackling the underachievement of disadvantaged groups. High quality education which recognises and values diversity is generally acknowledged as the intervention most likely to deliver social mobility.

14. Environmental implications

- 14.1 There are no specific environmental implications arising from this report.

15. Background documents and originator

- 15.1 Report to Children and Young People's Select Committee in September 2015.
<http://councilmeetings.lewisham.gov.uk/documents/s38206/05Allschoolsresults.pdf>

Appendix A: Strategy for School Improvement and Effectiveness 2015 – 2017

<http://councilmeetings.lewisham.gov.uk/documents/s39737/05AppendixAupdateonSchoolImprovementStrategy181115.pdf>

Appendix B: School Improvement Framework November 2015

<http://councilmeetings.lewisham.gov.uk/documents/s39729/05UpdateonSchoolImprovementAppendixB181115.pdf>

If there are any queries on this report please contact Kate Bond, Head of Standards and Achievement

Chief Officer Confirmation of Report Submission			
Cabinet Member Confirmation of Briefing			
Report for:	Mayor		<input type="checkbox"/>
	Mayor and Cabinet		<input checked="" type="checkbox"/>
	Mayor and Cabinet (Contracts)		<input type="checkbox"/>
	Executive Director		<input type="checkbox"/>
Information	<input type="checkbox"/>	Part 1	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	Part 2	<input type="checkbox"/>
		Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	9 th December 2015
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Title of Report	Section 75 arrangements for Children's Services
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Originator of Report	Head of Targeted Services and Joint Commissioning for Children & Young People	Ext. 48526
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	√	
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 30th November 2015

Signed:  Executive Director

Date: 30th November 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Report Title	Section 75 arrangements for Children's Services		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Head of Targeted Services and Joint Commissioning for Children and Young People		
Class	Part 1	Date:	9 December 2015

1. Summary

- 1.1 This report sets out proposals in relation to the agreements between the Council and Lewisham Clinical Commissioning Group (the CCG), under Section 75 (s75) of the National Health Service Act 2006.

2. Purpose

- 2.1 This report outlines the current arrangements in place for joint commissioning of maternity and children's services between the council and the CCG. It goes on to ask for the Mayor's approval for the proposed s75 agreement included in appendix 1 of this report.

3. Recommendations

- 3.1 The Mayor is recommended to:
- 3.1.1 Note the existing arrangements in place for joint commissioning maternity and children's services.
- 3.1.2 Approve the s75 agreement in appendix 1 of this report.

4. Policy context

- 4.1 The Council has a duty under the National Health Service Act 2006 ("the Act") as amended by the Health and Social Care Act 2012 to take such steps as it considers appropriate for improving the health of the people in its area and is responsible for commissioning public health services in its area.
- 4.2 Section 75 of the Act and the Regulations under it allow Local Authorities and Primary Care Trusts to integrate their respective functions.
- 4.3 The flexible arrangements under the Act enable health and local authority partners to delegate commissioning of a service to one lead

organisation. Responsibility is retained by each partner to ensure that their respective legislative duties are met.

- 4.4 A S75 Agreement for Children & Young People's Services would provide that where appropriate, the Council is the lead commissioner for services on behalf of itself and Lewisham CCG.
- 4.5 The S75 attached to this report supports one of the key principles underpinning our Sustainable Community Strategy to ensure that we are 'delivering together efficiently, effectively and equitably' and contributes to the delivery of the strategy's priority to create communities which are healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and wellbeing. It also links to the corporate priorities: Young people's achievement & involvement, Protection of children, Active, healthy citizens and Inspiring, efficiency; effectiveness & equity.
- 4.6 The approach is also critical to the delivery of the objectives outlined in our Children and Young People Plan 2015-18: Build child and family resilience, be healthy and active, raise achievement and attainment and stay safe.

5. Joint commissioning arrangements in Lewisham

- 5.1 Joint Commissioning arrangements across Children's Services are well established in Lewisham and were originally established via Lewisham's Primary Care Trust (PCT). The aim of the arrangement is to support the delivery of our partnership objectives for children and young people in the borough by increasing the alignment of commissioning activity across the partners to ensure that funding is used effectively across the borough to improve service delivery.
- 5.2 These joint commissioning arrangements have a strong track record of improving outcomes through joint working, service user empowerment and innovation for children's health and social care services in Lewisham. The recent transfer of maternity commissioning to the team is evidence of the continued confidence in and commitment to this way of working. The trajectory of increasing alignment between the commissioning activities of both partners is expected to continue.
- 5.3 Given the structural changes in health commissioning which established the CCG to replace the PCT and the increasing alignment of commissioning activity, particularly in relation to maternity commissioning, it is timely that our formal agreements for commissioning are updated. The establishment of this S75 agreement would bring the arrangements for children's commissioning in line with the arrangements already in place for adult services and clarify the financial and management arrangements which already exist.

5.4 A report outlining the proposal to put in place a S75 agreement was approved by the CCG governing body on 12th November 2015. The proposed agreement covers the following services for which the joint commissioning team is already acting as lead commissioner:

- Maternity Services
- Children’s Community Health Services
- CAMHS services including community, tier 4 outpatients and recent transformation funding
- Personalised Care in the home for children
- Sickle-cell and thalassemia
- Wheelchairs, Orthotics and Prosthetics
- Paediatric audiology services

6 Financial implications

6.1 Each of the sub agreements are approved individually via the CCG – the section 75 agreement is the “umbrella” trading agreement.

6.2 The value of CCG budgets associated with the agreement is approximately £30.25m of which £16m relates to maternity services. Each Party retains the right and responsibility to set its own budget, having regard to its available resources, statutory obligations, locally determined priorities and such other factors as it may consider necessary.

6.3 Contracts will be held by each party. The agreement ensures that the money flows to the Party holding each contract. All Existing Service Contracts that are solely for social care will be let by the Council and all Existing Service Contracts that are solely for health care will be let by the CCG, and in respect of such contracts payments will be made directly by the contracting organisation.

7 Legal implications

7.1 S75 of National Health Services Act 2006 provides the legal framework for local authorities and health bodies to work in a more integrated manner in the delivery of health and social services to those in their area. It provides the flexibility for funds to be aligned or pooled, functions to be delegated and resources and management structures to be integrated for greater efficiencies.

7.2 The legal framework for joint commissioning between local authorities and health bodies such as CCGs or NHS trusts is contained within s75 of the National Health Services Act 2006 as amended by the Health and Social Care Act 2012. This gives statutory powers to health bodies and local authorities to enter into partnering arrangements for the

integrated delivery of health and health related social care services. It provides for:

- Pooled funds – the ability for partners each to contribute agreed funds to a single pot, to be spent on agreed projects for designated services
- Lead commissioning – the partners can agree to delegate commissioning of a service to one lead organisation
- Integrated provision – the partners can join together their staff, resources and management structures to integrate the provision of a service from managerial level to the front line.

7.3 S75 (5) makes it clear that arrangements made by virtue of this Section do not affect the liability of NHS bodies for the exercise of any of their functions, nor the liability of local authorities for the exercise of any of their functions.

8. Crime and Disorder Implications

8.1 There are no adverse implications for crime and disorder within this paper or the planned actions.

9. Equalities Implications

9.1 Equality Analysis Assessments (EAAs) form an important part of planning for changes to services and these agreements provide a framework through which services are commissioned and provided. The Children and Young People Plan and the EAA which sits alongside it forms the foundation of these arrangements. Where funding is agreed through these agreements to support the development, redesign or commissioning of services, equalities analysis assessments will be undertaken to assess the impact of any changes.

9.2 Ensuring that services are commissioned from a better understanding of need will help to ensure that both existing and new inequalities are identified and tackled more effectively.

10. Environmental Implications

10.1 There are no adverse environmental implications within this paper or the planned actions.

Background Documents

Appendix 1: s75 agreement

If there are any queries on this report please contact:

Justine Roberts, Service Manager, Joint Commissioning team:
Justine.roberts@lewisham.gov.uk, ext 47051.

DATED 12th November 2015

- (1) THE LONDON BOROUGH OF LEWISHAM**
- (2) NHS LEWISHAM CLINICAL COMMISSIONING GROUP**

AGREEMENT

for the delegation of functions and alignment and pooling of funding in respect of children's services for community health services, nursing and domiciliary care and paediatric audiology

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NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1 INTERPRETATION AND GENERAL

1.1. The following definitions are used in this Agreement

2006 Act	the National Health Service Act 2006
2012 Act	means the Health and Social Care Act 2012
Aims and Outcomes	the objectives of the Parties, setting out how the Partnership Arrangements are likely to lead to an improvement in the way in which the functions are exercised as described in Schedule 1
Agreement	means this agreement including all Schedules
Aligned Budget(s)	means any aligned budget(s) in respect of the Services as may be agreed by the Partners from time to time in accordance with the provisions of Schedule 4 (Financial Matters)
Best Value	means the duty imposed on the Council by Section 3 of the Local Government Act 1999
Clinical Governance	a duty to continuously seek improvements to the quality of health services and safeguarding high standards of care by creating an environment in which excellence in clinical care will flourish
Commencement Date	the date hereof
Contract Procurement Requirements	procurement guidelines or requirements, contract standing orders, financial requirements, scheme of delegation and other relevant requirements set out in the Council Constitution and/or procurement requirements required by Law and/or required by the CCG and any other requirements made known to persons letting contracts from time to time
Contributions	the Partners' contributions to the Aligned Budget(s), any Pooled Fund or Non Pooled Fund as may be made and agreed from time to time in accordance with Clause 10 (Pooled Fund, Aligned Budget(s) and Contributions).

CCG Constitution	means the written constitution of the CCG as the same may be changed from time to time
Council Constitution	means the written constitution of the Council as the same may be changed from time to time
Eligibility Criteria	means the guidance set out in Schedule 6 providing guidance to (separately) the CCG and the Council about criteria to be met by Service Users in order to be eligible for the Services
Employment Liabilities	<p>means without limitation any and all costs, claims, fines, liabilities or expenses however arising from:</p> <ul style="list-style-type: none"> (a) the employment of any persons including any claim made by any third party arising out of or in connection with or in respect of the employment or engagement of any of the aforesaid persons; (b) the termination of such employment; (c) the termination of any collective agreement; (d) the obligations which may arise with respect to the transfer of such employment under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") as amended from time to time and any other statute or statutory provision which may from time to time implement or purport to implement the Acquired Rights Directive (2001/23/EC) as the same may be amended from time to time; (e) any dispute whether or not the subject of litigation in any court or tribunal which relates to such employment or collective agreement or their termination; <p>insofar as not included above those matters referred to in (b) and (d) of "Liabilities"</p>
Existing Service Contract	any contract in place before the Commencement Date with a Service Provider in respect of the Services entered into by an individual Partner

Financial Year	means 1st April in any year to 31st March in the subsequent year (inclusive) save for the First Financial Year which runs for the period referred to in the definition of that term
First Financial Year	means the period from the Commencement Date to 31st March 2015 (inclusive)
FOIA	means the Freedom of Information Act 2000 and any subordinate legislation made under this Act from time to time together with any guidance and/or codes of practice issued by the Information Commissioner or relevant government department in relation to such legislation provided that such guidance shall not contravene such legislation
Future Service Contract	any contract entered into on or after the Commencement Date in respect of the Services entered into by the Council.
Head of Joint Commissioning	means the person responsible for day to day management of the Joint Commissioning Unit and for carrying out the role ascribed to it hereunder (and the role of the Head of Joint Commissioning is set out in Schedule 9 hereto) or such other agreement as may be agreed to replace or amend the aforementioned agreement from time to time, the Head of Joint Commissioning being, as at the date of this Agreement, Warwick Tomsett.
Host Partner	the Council
Joint Commissioning Unit	has the description given to it in Schedule 7
Joint Health and Wellbeing Strategy	A strategy under Section 116A of the Local Government and Public involvement in Health Act 2007 which is published by the Health and Wellbeing Board under section 195 of the Health and Social Care Act
Joint Strategic Needs Assessment	The assessment undertaken by (Parties) to identify the current and future health and wellbeing needs of the Parties' local population as set out in the Local Government and Public Involvement in Health Act 2007
Lead Commissioner	the Council
Law	means:

- (a) any Act of Parliament or subordinate legislation within the meaning of Section 21(1) of the Interpretation Act 1978, and any exercise of the Royal Prerogative, any enforceable 2006 community right within the meaning of Section 2 of the European Communities Act 1972;
- (b) any applicable guidance (including NHS Guidance and (where this is accepted by the Department of Health) BMA guidance), direction or determination with which the CCG or the Council is bound to comply to the extent that the same is published and publicly available or the existence or contents of them have been notified to the CCG or the Council (as relevant);
- (c) any applicable judgment of a relevant court of law which is binding precedent,

in each case in the United Kingdom

Liabilities

any costs, claims, liabilities, expenses and demands made against or suffered or incurred either directly or indirectly by any Partner including (but not limited to) the following matters:

- (a) public liability;
- (b) employer's liability;
- (c) professional indemnity (including but not limited to officers liability and clinical negligence);
- (d) employment claims including (but not limited to) claims for:
 - damages, costs and expenditure including (but not limited to) claims for wrongful and unfair dismissal and under TUPE
 - damages, costs and expenditure in relation to sex, race or disability discrimination and equal pay claims;

- other claims for breach of employment contract;

(e) Ombudsman awards;

(f) claims for breach of the Human Rights Act 1998 and claims in public law,

and "Liability" shall be construed accordingly

Maladministration

means the dishonest administration of the Aligned Budget(s) and/or the Services, or the administration of the Aligned Budget(s) and/or the Services and/or any other obligation hereunder otherwise than in accordance with the terms of this Agreement

Management and Support Services

such accommodation, communications, financial, property, transport, information technology, human resources, legal, administrative services and senior management oversight and similar services as are required to support the proper delivery of the Services and the effective and efficient management of Partnership Arrangements pursuant to this Agreement

NHS Act 2006

the National Health Service 2006

NHS Body/Bodies

shall have the meaning set out in Section 28 (6) of the Act

NHS Commissioning Board Authority

The body established under section 1H of the Act

NHS Functions

The functions of the CCG for the purposes of this Agreement set out at Schedule 2 which fall within the NHS functions of the NHS bodies prescribed under Regulation 5 of the Partnership Regulations 2000

Partner each of the CCG and the Council, and references to "Partners" shall be

Partnership/Partnership Arrangements

the arrangements detailed in this Agreement

Partnership Board

the partnership board responsible for review of performance and oversight of this Agreement as set out in Schedule 7.

Partnership Regulations

the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (SI 2000/617)

Partnership Resources

the Management and Support Services and the Service Contracts made available and entered into in accordance with the terms of this Agreement

Prohibited Act the following constitute Prohibited Acts:

- a) to directly or indirectly offer, promise or give any person working for or engaged by the Authority or the CCG a financial or other advantage to
 - i) induce that person to perform improperly a relevant function or activity or
 - ii) reward that person for improper performance of a relevant function or activity;
- (b) to directly or indirectly request, agree to receive or accept any financial or other advantage as an inducement or a reward for improper performance of a relevant function or activity in connection with this agreement
- (c) committing any offence
 - (i) under the Bribery Act;
 - (ii) under legislation creating offences concerning fraudulent acts;
 - (iii) at common law concerning fraudulent acts relating to this Agreement or any other contract with the Authority; or
 - (iv) defrauding, attempting to defraud or conspiring to defraud the Authority.

Quarter

means each of the following periods in any Financial Year:

- 1st April to 30th June
 - 1st July to 30th September
 - 1st October to 31st December
 - 1st January to 31st March
- and "**Quarterly**" shall be construed accordingly

Regulatory Bodies

means those government departments and regulatory statutory or other entities committees or ombudsmen and bodies which whether under statute, rules, regulations, codes of practice or otherwise are entitled to regulate or investigate the Services or the operation of this Agreement

Regulations

the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (S1 2000/617) (as amended)

Relevant Functions

the functions of NHS bodies and local authorities prescribed under section 75 of the 2006 Act which are set out in Part 1 of Schedule 2

Section 75 Agreement
Management Group

for the Council, the Executive Director for Children and Young People, the Executive Director For Resources; and for the CCG the Chief Officer and the Chief Financial Officer

Service Specification

the services specification set out at Schedule 3 for delivery of the Services, or any part, by reference to services carried out under Existing Service Contracts or a description of the relevant services or contracting arrangement, and any changes thereto as may be agreed from time to time between the Partners in accordance with this Agreement.

Services

(a) For the CCG those specialist health services for children's services in respect of mental health (subject to Clause 7.1), community health services, nursing and domiciliary care and paediatric audiology as referred to in the services specification.

(b) For the Council those social services for children for Services in respect of mental health (subject to clause 7.1), duty to provide or has a power to provide pursuant to Acts of Parliament, Statutory Instruments or other delegated powers referred to in the Services Specification;

and which fall within the definition of Relevant Functions together with such other services as may fall within the definition of Relevant Functions that the Partners may agree from time to time should be included as part of this Agreement under and pursuant to Clause 16 (Changes and Review).

Service Contracts	contracts with third parties for or in connection with the provision of the Services
Service Provider(s)	third parties providing goods or services under Service Contracts
Service User	A child who is assessed as eligible in accordance with Clause 10 of this Agreement for and/or provided with Services under this Agreement
Staff	the persons from time to time employed, contracted, engaged or seconded by either of the Partners to carry out the Services
Standing Orders	the Standing Orders, Contract Standing Orders, the Constitution and Financial Regulations of the Host Partner
Term	means the period from the Commencement Date until termination of this Agreement in accordance with Clause 3.1 (Duration) and Clause 22 (Termination)
TUPE	the transfer of undertakings(Protection of Employment)Regulations 2006 (SI 2006/246)
VAT Guidance	the guidance published by the Department of Health entitled "VAT arrangements for Joint NHS and Local Authority Initiatives including Disability Equipment Stores and Welfare – Section 31 health Act 1999", {DN: In entering into any Section 75 Arrangements, the Parties will need to take their own financial and VAT advice}
Working Day	any day other than Saturday, Sunday, a public or bank holiday in England.

- 1.2 References to any Act or Regulations include reference to any amendment or re-enactment thereof.
- 1.3 References to:
- 1.3.1 masculine include the feminine;
 - 1.3.2 singular include the plural;
 - 1.3.3 persons include companies and corporations,
 - 1.3.4 and vice versa where the context so admits.
- 1.4 The headings of the Clauses of this Agreement are for reference only and shall not be construed as part of this Agreement or deemed to indicate the meaning of the relevant clauses to which they relate.
- 1.5 References made to Clauses Sub-clauses Schedules and Annexes are to clauses schedules and annexes of this Agreement.
- 1.6 Any decision or act or thing which any Partner is required or authorised to take or do under this Agreement may be taken or done by any person authorised generally or specially by the Partner to take or do that decision act or thing provided that each Partner shall provide any other with the name of any person so authorised upon receipt from any other Partner of a written request for the same.
- 1.7 The Schedules to this Agreement shall be deemed to be incorporated into the body of this Agreement and shall have full force and effect.

2 AIMS AND OUTCOMES OF THE PARTNERSHIP

- 2.1 The aims and intended outcomes of this Agreement are set out in Schedule 1.
- 2.2 The Partners hereby agree that fulfilment of the aims and outcomes referred to in Clause 2.1 will lead to improvements in quality and cost and time efficiencies in relation to the way their Relevant Functions are provided.
- 2.3 The Partners hereby confirm that they are committed to co-operating with one another under the Partnership Arrangements and agree to keep one another informed, to liaise effectively and to work together in good faith and agree to act in such a way as to achieve the aims set out in Clause 2.1 wherever possible and are committed to the principles set out in this Agreement in relation to governance and financial management.
- 2.4 For the avoidance of doubt, the Partners shall act in accordance with Clause 2.3 in so far as it is reasonably practicable to do so, taking account of the best interests of Service Users, statutory obligations and availability of resources.

Standards of Conduct

- 2.5 The Partners will:
- 2.5.1 comply with all relevant Law, any other national and local and other guidance on conduct and probity and good corporate governance (including the Council Constitution and the CCG Constitution); and

2.5.2 Ensure that the Staff of each Partner responsible for the day to day management of the Services shall carry out their responsibilities in such a manner as to ensure fulfilment of the Relevant Functions and to ensure compliance with the Partner's obligations hereunder.

3 DURATION, LEGAL STATUS AND GOVERNANCE OF THE PARTNERSHIP AND DELIVERY OF FUNCTIONS

Duration

3.1 The Partners agree that the Partnership Arrangements and this Agreement shall commence on the Commencement Date and shall continue until terminated in accordance with the provisions of Clause 22 (Termination).

Legal Status

3.2 The Partnership is established by this Agreement pursuant to section 75 of the 2006 Act and the Regulations.

3.3 The Partners have agreed that the Partnership shall or may embrace the following flexibilities pursuant to section 75 of the 2006 Act:

3.3.1 the alignment of budgets in relation to commissioning of the Services and potentially the pooling of budgets as may be agreed by the Partners from time to time in accordance with the terms of this Agreement; and

3.3.2 lead commissioning by the Council of the Services in accordance with the terms of this Agreement.

and such other actions as are incidental or conducive to the achievement of the same.

3.4 Before the Commencement Date the Partners carried out the consultation required by Regulation 4(2) of the Regulations or any Consultation required pursuant to Section 242 of the 2006 Act and will continue to carry out any consultation that may be required (under Law) during the Term or upon termination of this Agreement for any reason.

3.5 The CCG hereby delegates to the Council with immediate effect any of the CCG's Relevant Functions in so far as the same are or shall be reasonably required, if any, and not further or otherwise, to enable the Council to fulfil its duties as Lead Commissioner and/or Host Partner as set out in this Agreement, and the CCG hereby further agrees that where any of its Relevant Functions are required to be delegated to enable the Council to fulfil its duties where changes are agreed hereunder from time to time, such Relevant Functions shall be deemed to be so delegated.

Governance and Partnership Arrangements

3.6 The Partnership Arrangements comprise as at the date hereof (and the same may be subject to change from time to time):

3.6.1 the formalisation of lead commissioning arrangements so that the Services may be jointly commissioned by the Partners so as to achieve the aims and objectives set out in Schedule 1 and in fulfilment of the Relevant Functions;

- 3.6.2 the Council taking the role of lead commissioner and as such:
- (i) the management of any Existing Service Contracts and Future Service Contracts on behalf of the relevant Partner (in accordance with the terms hereof); and
 - (ii) that any proposed Future Service Contract shall be entered into by the Council unless the Partners agree to act otherwise in connection with any specific contracts, based on the relevant facts;
- 3.6.3 the formal established Joint Commissioning Unit for Children's Services comprising officers and commissioning staff from the Council to commission and procure contracts in respect of the Services.
- 3.6.4 the formal established role of the Head of Joint Commissioning to head up the Joint Commissioning Unit and such other roles as shall be necessary for the satisfactory performance of the Relevant Functions hereunder.
- 3.7 The Partners shall comply with their relevant obligations and duties hereunder.
- 3.8 Without prejudice to the generality of Clause 3.4, the Partners agree to comply with the financial protocols set out in Schedule 4 and the governance and permitted delegation arrangements set out herein as the same may be changed from time to time in accordance with this Agreement.
- 3.9 The Partners agree to be jointly responsible for ensuring that any changes to the Partnership Arrangements or this Agreement are recorded accurately and in accordance with Clause 16 (Variation).
- 3.10 In the event that either Partner intends to or is required to change the way any Services in respect of its Relevant Functions are to be provided, and such change will affect the Partnership Arrangements, they shall inform and consult with the other as soon as reasonably practicable, so as to prevent disruption or costs being incurred unnecessarily.
- 3.11 The Partners shall notify each other wherever consultation is required from time to time in accordance with Law and for the avoidance of doubt neither Partner shall make any relevant decisions unless and until due consideration has been given to the outcome of such consultation process.

Partners' liability to third parties

- 3.12 The Partnership Arrangements under this Agreement shall not affect:
- 3.12.1 The liabilities of the Partners to any third parties for the exercise of their respective functions; or
 - 3.12.2 Powers or duties to recover or set charges for the provision of any services in the exercise of any local authority functions.

4 WORKFORCE ARRANGEMENTS

- 4.1 Pursuant to Section 75 of the 2006 Act and Regulation 10(1) of the Regulations the Partners agree to resource the Partnership in accordance with Schedule 8 of this Agreement, and in addition will make available various staff resources in order to facilitate the Partnership as set out in Schedule 8.
- 4.2 The overall day to day management of the commissioning function hereunder will

be carried out by the Head of Joint Commissioning.

4.3 The process of recruiting and appointing any replacement Head of Joint Commissioning and any changes to management of joint commissioning on a day to day basis shall be subject to the approval of both Partners.

4.4 Subject to clause 4.3, recruitment, changes to staff terms and conditions and any dismissal shall be in accordance with the Joint Protocol on Recruitment and Staffing set out in Schedule 8, provided always that:

4.4.1 the human resources policies and procedures of each Partner in force from time to time and all relevant Law shall be fully complied with; and

4.4.2 any significant increases or decrease in staffing levels in relation to the Partnership Arrangements shall be agreed in advance between the Partners.

5 ACCOMMODATION SERVICES AND GOODS

5.1 the Partners shall provide such accommodation and services as are referred to in Schedule 5 and such other Management and Support Services as are deemed necessary for the needs of the Partnership Arrangements.

5.2 The Partners will so far as is necessary and appropriate to the achievement of the purposes of the Partnership cooperate in respect of what is to be provided under Clause 5.1 and to utilise the accommodation goods and services in an integrated and cooperative manner.

5.3 The Partners will periodically review the needs of the Partnership and by agreement withdraw accommodation goods or services and/or make additional or substituted accommodation goods or services available.

5.4 The Partners will each provide or make available those Management and Support Services which includes any commissioning support provided to the organisation as are reasonably necessary to support the Partnership Arrangements.

5.5 For the avoidance of doubt, the Partners will continue to provide any corporate services in the same way as prior to the Commencement Date except where it has been agreed that the Partnership Arrangements will change the way in which these services will be provided.

5.6 As at the date hereof neither Partner will make any charge for the services referred to in this Clause 5.

5.7 Each partner shall record and report to the other as required the costs of providing any of the services referred to in this Clause 5.

5.8 Where either Partner seek to make changes to the services to be provided under this Clause 5 and such changes are deemed by the other to materially affect the Partnering Arrangements, then any such changes must be:

5.8.1 agreed by both Partners; and

5.8.2 the Partners may also seek an appropriate change to their financial contributions arising from such change.

6 COMMISSIONING AND CONTRACTING FRAMEWORK – BEST VALUE

CLINICAL GOVERNANCE AND EQUAL OPPORTUNITIES

- 6.1 All Services directly commissioned pursuant to this Agreement shall be subject to the requirements of Best Value principles and Clinical Governance.
- 6.2 The Contract Procurement Requirements shall be complied with in relation to any Service Contracts.
- 6.3 The Partners agree that pursuant to the Partnership Arrangements the Council may enter into Service Contracts pursuant to which there will be areas of service relating to clinical care for which the CCG will have statutory responsibility for discharging and areas of service relating to social care for which the Council will have statutory responsibility for discharging ("**Mixed Care Service Contracts**") and the Partners have agreed the following so as to clarify so far as possible the responsibility of the Partners under Mixed Care Service Contracts:
- (a) As between the Council and the CCG under this Agreement, the CCG shall retain risk and responsibility for all aspects of clinical care, clinical practice, clinical risk (including professional negligence) and clinical governance for which it is statutorily responsible ("**Clinical Care**"), subject always to the other provisions of this Clause 6.3.
 - (b) In relation to Mixed Care Service Contracts (in relation to which the CCG is not a contracting party but have responsibility as aforesaid in this Clause 6.3 above), the CCG shall:
 - (i) indemnify the Council against any claims, losses or damages in relation to Clinical Care (except for the avoidance of doubt to the extent that the same has been caused or contributed to by the Council failing to comply with or being in breach of its obligations in Clause 6.3(c) and to such extent the Council shall indemnify the CCG against any resulting claims, losses or damages) and PROVIDED ALWAYS THAT
 - (A) The liability of one Partner to indemnify the other Partner shall be determined on a just and equitable basis;
 - (B) Each Partner shall mitigate its losses;
 - (C) Neither Partner shall be entitled to recover indirect losses or loss of income; and
 - (ii) provide such monitoring, supervision or other controls in relation to Clinical Care being provided in accordance with the relevant terms of the relevant Mixed Care Service Contract(s) (in so far as such terms are relevant to the CCG's responsibilities under this Clause 6.3); and
 - (iii) in relation to commissioning, be responsible for checking the terms and conditions and the specification of the Mixed Care Service Contracts in so far as they relate to Clinical Care.
 - (c) The Council shall:
 - (i) ensure and procure that its employees do not undertake any services which fall within the definition of Clinical Care;
 - (ii) ensure and procure that its employees do not (by act or omission) prevent the CCG from complying with its obligations under Clause 6.3(b);

- (iii) enforce any relevant provisions of any Mixed Care Service Contract to which it is a party where necessary (and for the avoidance of doubt the CCG will inform the Council if it considers the same is necessary) if a Service Provider is preventing the CCG from complying with its obligations under this Clause 6.3;
 - (iv) authorise the CCG to take conduct of any issue where the Partners agree that the facts are such that matter would be more effectively managed by the CCG, and the provisions of clause 19 will apply;
 - (v) not enter into a Mixed Care Service Contract unless the CCG is aware of the same (and for the purposes of this clause 6.3(c)(v) the CCG shall be deemed to be aware of the same where the contract is being commissioned by the Joint Commissioning Unit (in relation to which the Head of Joint Commissioning is responsible for reporting to both the CCG and the Council)); and
 - (vi) where it is assessing a person's needs (whether or not potential eligibility for Clinical Care has been identified) and the assessment indicates a potential need which may constitute Clinical Care, it will invite the CCG to assist in making the assessment in accordance with section 47 of the National Health Service and Community Care Act 1990.
- (e) It is hereby stated that for the avoidance of doubt the Partners do not intend that the Council will be responsible for Clinical Care only as a result of entering into a Mixed Care Services Contract (but that the foregoing does not affect the obligations of the Council under any other provision herein) and/or only by virtue of being the lead commissioner under the terms of this Agreement (but again that the foregoing does not affect the obligations of the Council under any other provision herein).
 - (f) If and to the extent that the Partner's respective responsibilities referred to in paragraph (a) change, then the Partners shall agree changes to this clause to reflect the change in responsibility.
 - (g) Any liability arising pursuant to this Clause 6.3 shall also be considered in accordance with the liability provisions detailed in Clause 18.6.

6.4 The Partners agree that pursuant to the Partnership Arrangements the CCG may enter into Mixed Care Service Contracts (as defined in clause 6.3 above) and the Partners have agreed the following so as to clarify so far as possible the responsibility of the Partners under Mixed Care Service Contracts:

- (a) As between the Council and the CCG under this Agreement, the Council shall retain risk and responsibility for all aspects of social care for which it is statutorily responsible ("**Social Care**"), subject always to the other provisions of this Clause 6.4.
- (b) In relation to Mixed Care Service Contracts (in relation to which the Council is not a contracting party but have responsibility as aforesaid in this Clause 6.4 above), the Council shall:
 - (i) indemnify the CCG against any claims, losses or damages in relation to Social Care (except for the avoidance of doubt to the extent that the same has been caused or contributed to by the CCG failing to comply with or being in breach of its obligations in Clause 6.4(c) and to such extent the Council shall indemnify the CCG against any resulting claims, losses or damages) and PROVIDED ALWAYS THAT

- (A) The liability of one Partner to indemnify the other Partner shall be determined on a just and equitable basis;
 - (B) Each Partner shall mitigate its losses;
 - (C) Neither Partner shall be entitled to recover indirect losses or loss of income; and
- (ii) provide such monitoring, supervision or other controls in relation to Social Care being provided in accordance with the relevant terms of the relevant Mixed Care Service Contract(s) (in so far as such terms are relevant to the Council's responsibilities under this Clause 6.4); and
 - (iii) in relation to commissioning, be responsible for checking the terms and conditions and the specification of the Mixed Care Service Contracts in so far as they relate to Social Care.
- (c) The CCG shall:
- (I) ensure and procure that its employees do not (by act or omission) prevent the Council from complying with its obligations under Clause 6.4(b);
 - (ii) enforce any relevant provisions of any Mixed Care Service Contract to which it is a party where necessary (and for the avoidance of doubt the Council will inform the CCG if it considers the same is necessary) if a Service Provider is preventing the Council from complying with its obligations under this Clause 6.4;
 - (iii) authorise the Council to take conduct of any issue where the Partners agree that the facts are such that matter would be more effectively managed by the Council, and the provisions of clause 19 will apply;
 - (iv) not enter into a Mixed Care Service Contract unless the Council is aware of the same (and for the purposes of this clause 6.4(c)(v) the Council shall be deemed to be aware of the same where the contract is being commissioned by the Joint Commissioning Unit (in relation to which the Head of Joint Commissioning is responsible for reporting to both the Council and the CCG)); and
 - (v) where it is assessing a person's needs (whether or not potential eligibility for Social Care has been identified) and the assessment indicates a potential need which may constitute Social Care, it will invite the Council to assist in making the assessment.
- (e) It is hereby stated that for the avoidance of doubt the Partners do not intend that the CCG will be responsible for Social Care only as a result of entering into a Mixed Care Services Contract (but that the foregoing does not affect the obligations of the CCG under any other provision herein).
- (f) If and to the extent that the Partner's respective responsibilities referred to in paragraph (a) change, then the Partners shall agree changes to this clause to reflect the change in responsibility.
- (g) Any liability arising pursuant to this Clause 6.3 shall also be considered in accordance with the liability provisions detailed in Clause 18.6.

6.5 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 the Services with the aim of developing a joint strategy for all elements of the Services.

7 CONFIDENTIALITY AND DATA PROTECTION

- 7.1 Except as required by Law, each Partner agrees at all times during the continuance of this Agreement and after its termination to keep confidential all documents or papers which it receives or otherwise acquires in connection with the other and which are marked "Confidential" or similar or information which a reasonable person would be expected to treat as confidential.
- 7.2 The Partners shall ensure that all Staff (including temporary employees), agents or contractors of the Partners working within the Partnership Arrangements observe the provisions of Clause 7.1; where Staff or an agent or contractor of a Partner discloses confidential information the relevant Partner shall take such action as is necessary and appropriate, and where possible, to the satisfaction of the Partner affected by such disclosure.
- 7.3 Each Partner shall comply with its statutory obligations under the Data Protection Acts.
- 7.4 The Council and the CCG shall in relation to information sharing between agencies, having proper regard to the principles of client confidentiality and the Data Protection Act 1998 and any policies or protocols that the Partners may agree from time to time should apply to the provision of information and sharing of data for the purposes of this Agreement.
- 7.5 Each Partner (the "**First Partner**") acknowledges that in responding to a request received by any Partner (the "**Other Partner**") under the FOIA 2000 or the Environmental Information Regulations 2004 (the "**EIR**") the Other Partner will be entitled to provide information held by it relating to this Agreement or which otherwise relates to the First Partner.
- 7.6 The Other Partner shall use reasonable endeavours to notify the First Partner of any request under the FOIA or the EIR and the intention to disclose the information within 10 Working Days (as defined in the FOIA) of receipt of such request. Before disclosing any information, the Other Partner shall consider any representations made by the First Partner within 4 Working Days (as defined in the FOIA) of notification from the Other Partner to the First Partner in accordance with this Clause 7.6.
- 7.7 The First Partner acknowledges that, if it does not revert to the Other Partner within the period set out in Clause 7.3, or if its representations do not alter the view of the Other Partner that the information should be disclosed, the Other Partner is under a duty to disclose such information provided that the Other Partner shall not disclose any information that is subject to an FOIA Exemption.
- 7.8 The First Partner shall co-operate with the Other Partner in connection with any request received by the Other Partner under the FOIA or the EIR and such co-operation shall be at no cost to the Other Partner.

8 THE LEAD COMMISSIONER

- 8.1 The Partners agree that the Lead Commissioner will have the following responsibilities:

8.1.1 To apply the relevant parts of the Standing Orders and other relevant regulations to the management of any Fund where the same is established in accordance with Clause 9 (Aligned Budget(s) and Contributions) as may be relevant to the Services, subject to Schedule 4;

8.1.2 To lead on the commissioning and implementation of the delivery of the Services in accordance with the terms of this Agreement (subject to the rights and responsibilities of each Partner set out hereunder) and utilise the Partnership Resources (where and to the extent the Lead Commissioner holds or controls the same) in the way best designed to promote the purposes of the Partnership efficiently and cost effectively;

provided always that this Clause 8 is subject to Clauses 6.3 and 6.4.

8.2 In exercising their functions under this Agreement the Partners shall have regard to other functions in respect of Service Users so as to ensure that services are provided effectively and efficiently.

8.3 In relation to Service Contracts entered into by the Council in respect of the Relevant Functions of the CCG, the Council does not guarantee that it will stay within relevant health service budgets due to placements being made based on assessed clinical need, but the Council agrees that (where it is in control of the same) it will regularly provide accurate and up to date information to the CCG on such placements and shall put in place appropriate budgetary control and reporting measures where required and practicable as requested by the CCG.

8.4 The role of the Lead Commissioner in relation to entering into Contracts will not diminish or transfer the CCG's statutory obligations and responsibilities in relation to health care services.

8.5 Each Partner shall use reasonable endeavours to ensure that any Future Service Contract in respect of Relevant Functions of both Partners are able to be freely assigned (without obligation on either Partner to take such assignment and/or without affecting any decision to novate).

9 **ALIGNED BUDGET(S) AND CONTRIBUTIONS**

9.1 The Partners agree that due to the nature of the Services included within the Partnership Arrangements it will be necessary for the expenditure plans of the Partners to be made on the basis of:

9.1.1 An Aligned Budget (being the arrangement agreed between the Partners as the Commencement Date); or

9.1.2 .

9.2 The Partners agree that the provisions of Schedule 4 shall be the financial protocols at the outset of this agreement, and any changes shall be made in accordance with Clause 15 (Changes and Review) and Clause 16 (Variation).

9.3 Any agreement between the Partners (following the procedures set out in the Agreement relating to change in Clause 15 (Changes and Review)) to establish a Pooled Fund or make changes in relation to the Aligned Budget at any time are subject to compliance with:

9.3.1 Such consultation and notification to NHS England and the Health and Social Care Joint Unit of the Department of Health as is required in relation to the exercise of the flexibilities under the 2006 Act and Regulations;

9.3.2 Compliance with audit commission recommendations; and

9.3.3 Any other applicable Law.

9.4 In relation to financial management, each Partner shall:

9.4.1 provide such information as any of the Partners may require to enable the effective management of the Services and the Aligned Budget(s);

9.4.2 where necessary take account of comply with each others audit requirements;

9.4.3 operate effective audit arrangements which take account of relevant guidance from the Audit Commission retain responsibility for maintaining a clearly identifiable accounting structure to ensure effective monitoring and reporting of the Partnership;

9.4.4 keep full and proper records in relation to accounting and financial matters and information will be supplied between the Partners on an "open book" basis; and

9.4.5 comply with all HM Revenue and Customs directions and to have due regard to all guidance issued by HM Revenue and Customs regarding the VAT aspects of the Partnership.

9.5 It is agreed that the Aligned Budget(s) and shall only be used for the procurement and commissioning of the Services and in accordance with this Agreement.

9.6 The Partners agree to make such payments to each other as are agreed to reflect their contributions in accordance with the provisions of Schedule 4 (Financial Matters).

Capital Expenditure and other Flexibilities

9.7 All capital expenditure shall be made by one of the Partners and where appropriate funding support may be transferred between the CCG and the Council under Sections 256 and 76 of the 2006 Act as appropriate, but the same shall not absolve either Partner from having to comply with their respective obligations pursuant to the 2006 Act, including entering into separate agreements and ensuring voucher returns and audit arrangements are in place as is appropriate or required by law.

9.8 The following matters shall be agreed in writing between the relevant partners before any Capital Expenditure is incurred in relation to the Partnership Arrangements:

(a) The capital requirement

(b) The proportions in which it is to be met by the Partners

(c) Which of the Partners is to make the Capital expenditure

(d) The transfers of funding (if any) to made between the CCG and the Council using sections 256 and 76 of the 2006 Act as appropriate and both Partners shall ensure compliance with the aforementioned sections; and

(e) Ownership of any newly acquired asset and any arrangements for use by the Partners or third parties

- 9.9 Each partner shall give reasonable consideration to any proposals that it shall incur any Capital Expenditure but shall not be obliged to provide such funding

10 ASSESSMENT, ELIGIBILITY CRITERIA AND CONSULTATION

- 10.1 The Council shall have the right and responsibility to determine the Service Users who are eligible to receive services hereunder relating to social care for which the Council has (from time to time) statutory responsibility for discharging and the CCG shall have the right and responsibility to determine the Services Users who are eligible to receive services hereunder relating to any clinical care for which the CCG has (from time to time) statutory responsibility for discharging; and any challenges made by any third party to this agreement in relation to decisions made and Services provided or to be provided shall be the responsibility of the Partner which made or should have made the decision as aforesaid.
- 10.2 The Partners shall have reference to the relevant Eligibility Criteria, without affecting the rights and responsibilities set out in clause 10.1.
- 10.3 For the avoidance of doubt, Service Users may fall into eligibility criteria for other services funded by the Partners, such as housing and generic health, in addition to the Services and nothing in this Agreement shall prevent any Service User from using such services if they meet the relevant criteria.
- 10.4 Any joint local policies that impact on this Agreement shall not be incorporated into this Agreement without the prior consent of both Partners.
- 10.5 Subject always to clause 10.1, no decision shall be made to make changes to the Services or the way in which they are delivered without prior consultation in accordance with the other Partner and with reference to the other Partner's statutory and other obligations.

11 CHARGES

- 11.1 Nothing in this Agreement shall detract from the principle that NHS services are free at the point of delivery and may not be charged for.
- 11.2 The Council shall be at liberty to levy (and shall be responsible for levying) charges for such elements of the Services for which legislation requires or permits it to charge.
- 11.3 Where the distinction might be blurred between charged for and non-charged for services in Services Users' minds, whether through the operation of assessment arrangements or arrangements for the delivery of jointly commissioned Services under this Agreement, then the Lead Commissioner will be responsible for identifying the Partner levying the charges and the nature of the Services charged for making it clear to Service Users in respect of which element of the Services a charge is being levied (and the CCG shall provide such assistance to the Lead Commissioner as is required).

12 PERFORMANCE MANAGEMENT, REPORTS AND REPORTING

- 12.1 The Partners shall ensure that full and proper records for accounting and all other purposes are kept in respect of the obligations under this Agreement.
- 12.2 Without prejudice to the generality of Clause 12.1, the Partners shall be responsible for auditing the areas pertaining to their individual organisation and will work together in areas where an overlap of interest occurs.

- 12.3 Each Partner shall be permitted full access to the other's internal audit reports and records at any time on an open book basis (in addition to the financial audit rights under Clause 10).
- 12.4 The Partners will supply all information reasonably required by:
- 12.4.1 persons exercising a statutory function in relation to either Partner including the external auditor of either Partner and/or any statutory agencies referred to at clause (b) below;
 - 12.4.2 other persons or bodies with an authorised monitoring or scrutiny function, including a Council Overview and Scrutiny Committee, having regard to the Partner's obligations of confidentiality, and such information sharing protocols as shall be agreed between the Partners from time to time;
 - 12.4.3 the CCG to comply with its duty of Clinical Governance,
 - 12.4.4 the Council to comply with its duty of Best Value.
- 12.5 The Head of Joint Commissioning shall at the end of each Quarter in each Financial Year (or such other times as the Partners agree) carry out a review of:
- 12.5.1 the Partnership Arrangements; and
 - 12.5.2 the statutory functions of each Partner which have been carried out by the other Partner using the flexibilities under the 2006 Act and the Regulations;
- After conferring with and procuring relevant information from such personnel of the Partners as shall be necessary, and shall within 10 days of the review report to the Section 75 Agreement Management Group summarising the review. Individual members of the Partnership Board shall provide copies to the relevant persons and groups within their organisation as shall be appropriate. The Section 75 Agreement Management Group may meet after such reviews to discuss any outcomes as they consider necessary.
- 12.6 The report referred to in Clause 12.5 shall include but not be limited to:
- 12.6.1 financial report(s) linked to performance against the anticipated expenditure for the relevant period;
 - 12.6.2 a service report linked to the objectives set out at Schedule 1 and the Services and the performance management framework and any agreed key performance indicators, strategic planning objectives and any statutory reporting requirements and quality standards;
 - 12.6.3 details of all Future Services Contracts entered into since the previous report (or the date of this Agreement in respect of the first report)
 - 12.6.4 any changes to the Partnership Arrangements and/or this Agreement pursuant to Clause 15 (Changes and Review); and
 - 12.6.5 such other information as shall be required by the Partners or the or the CYP Section 75 Agreement Management Group from time to time.
- 12.7 Without prejudice to the review and reporting requirements of Clauses 12.5 and 12.6, the reporting and other functions of the Head of Joint Commissioning in relation to the Partnership Arrangements are as set out in Schedule 9

12.8 The Partners shall carry out an annual review at the end of each Financial Year of the operation of this Agreement including:

12.8.1 a financial report linked to performance against the anticipated expenditure for that Financial Year;

12.8.2 an evaluation of performance against agreed performance measures targets and priorities including objectives set out at Schedule 1, the Services and any agreed performance management framework and key performance indicators referred to at Clause 12.6 above and Clause 12.10 below;

12.8.3 review of the targets and priorities for the forthcoming year;

12.8.4 shared learning and apportionments for joint training;

12.8.5 an evaluation of any statistics or information required to be kept by the Department of Health from time to time;

12.8.6 the statutory functions of each Partner which have been carried out by the other Partner using the flexibilities in Section 75 of the 2006 Act and the Regulations;

12.8.7 such other information as shall be required by the Partners or the CYP Section 75 Agreement Management Group from time to time

and within 6 weeks of the end of each Financial Year the Head of Joint Commissioning shall prepare and submit an annual report documenting the matters referred to and submit to the Partnership Board

12.9 The Partners will work to develop a performance management framework based upon the Services for the Partnership with relevant key performance indicators by reference to Best Value and Clinical Governance for measuring its effectiveness and shall review and update this as relevant.

12.10 In the event that either Partner shall have any concerns about the operation of the Partnership or the standards achieved in connection with the carrying out of the Functions it may convene a review with the other Partner with a view to agreeing a course of action to resolve such concerns at any time.

13 INSPECTION ARRANGEMENTS

13.1 The Partners recognise the potential interest of the various agencies whose names appear below in inspecting different aspects of the Commissioning and Provision of Services and agree to cooperate with each other to facilitate any such inspections:

13.1.1 Care Quality Commission;

13.1.2 The Department of Health;

13.1.3 The Health and Safety Executive;

13.1.4 Ofsted;

13.1.5 Any other Regulatory Bodies;

13.1.6 or their respective successors and similar statutory monitoring bodies.

- 13.2 Each Partner will report to the next due meeting of the CYP Section 75 Agreement Management Group the key findings of any inspection in respect of the Services to which it has been subject.

14 COMPLAINTS

- 14.1 Each Partner and all Service Providers will be required to maintain or adopt, as the case may be, complaints procedures internal to their organisation which enable Service Users to be heard in respect of any complaint concerning any element of the Services which are commissioned or provided by or on behalf of a particular Partner and in accordance with each Partner's statutory obligations in this regard.
- 14.2 Clause 14.1 is without prejudice to any complainant's right to use the Partners' respective statutory complaints procedures where applicable.
- 14.3 The Partners will co-operate with investigations undertaken by their respective Ombudsman.
- 14.4 The Partners will agree a protocol for resolving complaints where there are cross service issues.
- 14.5

15 CHANGES AND REVIEW

- 15.1 By agreement of both Partners and in accordance with Clause 16 (Variations) below any aspect of this Agreement may be changed by addition or otherwise including but not limited to:
- 15.1.1 the Services;
 - 15.1.2 the Partnership Arrangements;
 - 15.1.3 the financial arrangements detailed in Schedule 4 (Financial Matters); and
 - 15.1.4 the clinical governance arrangements clinical director functions; and
 - 15.1.5 this Agreement and any ancillary documentation.
- 15.2 The Partners shall review the operation of the Partnership at appropriate intervals and not less than annually to ensure that this Agreement is operating in the most satisfactory manner.
- 15.3 **Changes in Legislation etc.**
- The Partners shall in any event review the operation of the Partnership Arrangements and all or any procedures or requirements of this Agreement on the coming into force of any relevant statutory or other legislation, directions or guidance affecting the Partnership Arrangements and/or the delivery of the Services so as to ensure that the Partnership Arrangements comply with such legislation.

16 VARIATION

- 16.1 Changes and variations to this Agreement (whether made under Clause 15 (Changes and Review) or otherwise) shall be in writing and signed by both Partners.

- 16.2 The Partners agree that changes agreed via the reporting process or meeting arrangements under Clause 12 will be considered to be variations hereunder provided that the relevant report or meeting note is sufficiently certain (and includes amendments to other terms of the Agreement where necessary to give effect to the agreed variation), and is signed by both Partners.

17 INDEMNITIES LIABILITY AND INSURANCE

- 18.1 The following shall apply to insurance:

- (a) The Partners shall, so far as is possible at reasonable cost and allowable by law or guidance, agree and effect appropriate insurance arrangements in respect of all potential liabilities arising from the Partnership Arrangements.
- (b) In the case of the CCG it may effect, through the National Health Service Litigation Authority, alternative arrangements in respect of NHS schemes in lieu of commercial insurance including maintaining membership of the Liabilities to Third Parties Scheme or equivalent and the Clinical Negligence Scheme for Trusts or such other scheme as may be operated from time to time by the National Health Service Litigation Authority.
- (c) In the case of the Council, the Council shall maintain such insurance as it considers appropriate, including self-insurance where applicable or relevant.
- (d) The obligations in this Clause shall apply to insurance (or equivalent) arrangements during the Term and after the date of determination of this Agreement in respect of any events acts or omissions arising prior to such determination.
- (e) The Partners in consultation with their insurers (or the National Health Service Litigation Authority as appropriate) may agree from time to time common policies and protocols for the handling of claims covered by the Partners' insurance arrangements (or equivalent) in respect of the Partnership Arrangements and in such event such policies and protocols shall be followed by the Partners.

Indemnities

Events prior to the Commencement Date:

- 18.2 Each Partner (the "**First Partner**") will notify the other in the event that they are or become aware of any potential Liabilities whether arising directly or indirectly from any events acts or omissions in relation to the First Partner's Relevant Functions or not, occurring prior to the Commencement Date.

Events Post Commencement Date:

- 18.4 Subject to Clause 18.8 and Clauses 6.3 and 6.4, and without prejudice to the primary liability of each Partner for its Relevant Functions, preserved by Section 75 (5)(a) and (b) of the 2006 Act, each Partner (the "Indemnifying Partner") hereby agrees to indemnify the other against any Liabilities and Employment Liabilities arising as a result of any breach of contract, act or omission by the Indemnifying Partner or its/their employees, contractors or agents save to the extent that such liability shall arise out of any breach of contract act or omission of the other Partner or its employees, contractors or agents in accordance with the following provisions:

- (a) The liability of one Partner to indemnify the other Partner shall be determined on a just and equitable basis;
 - (b) Each Partner shall mitigate its losses;
 - (c) Neither Partner shall be entitled to recover indirect losses or loss of income.
- 18.5 The Partners may agree alternative insurance and indemnity arrangements from time to time in accordance with Clause 15 (Changes and Review) and Clause 16 (Variation).

Liability

- 18.6 In this agreement, the Council shall be responsible for any act omission or breach by any employee, agent and/or contractor of the Council and the CCG shall be responsible for any act omission or breach by any employee, agent and/or contractor of the CCG, except where there is express wording or intention to the contrary and further subject to the provisions of clauses 6.3 and 6.4; and provided further that under clauses 6.3 and 6.4 the responsibility of the Council or the CCG for any act, omission or breach of any Service Provider (being a "contractor" for the purposes of this clause) appointed under a Mixed Care Service Contract, whether by the Council or the CCG, will be determined in accordance with the relevant facts, with regard to the statutory and contractual responsibilities of each of the Council and the CCG in relation to the carrying out their Relevant Functions and their obligations under this Agreement.
- 18.7 Where a liability arises as a result of Maladministration or negligence by one Partner, that liability shall in any event be met by that Partner.
- 18.8 For the avoidance of doubt, any claims arising in relation to the terms or operation of the Secondment Agreement shall be dealt with in accordance with the terms of the Secondment Agreement.

19. CONDUCT OF CLAIMS

- 19.1 If the Council or the CCG (the "Indemnified Party") becomes aware of any matter that may give rise to a claim under clause 18 against the other (the "Indemnifying Party"), notice of that fact shall be given as soon as possible to the Indemnifying Party.
- 19.2 The Indemnified Party shall give the Indemnifying Party the opportunity to have conduct of any relevant claim, and accordingly to defend or enact settlement of any such claim avoid, dispute, deny, defend, resist, appeal, compromise or contest any such claim or liability (including, without limitation, making counterclaims or other claims against third parties) in the name of and on behalf of the Indemnifying Party and to have the conduct of any related proceedings, negotiations or appeals, and in such circumstances it is agreed that no admission of liability shall be made by or on behalf of the Indemnified Party and any claim shall not be compromised, disposed of or settled without the consent of the Indemnifying Party. The Indemnifying Party may elect not to have conduct as aforesaid.
- 19.3 Without prejudice to the validity of the claim or alleged claim in question, and whether or not the Indemnifying Party has elected not to defend any such claim, each party shall allow the other and its professional advisors to investigate the matter or circumstance alleged to give rise to such claim and whether and to what extent any amount is payable in respect of such claim, and for such purpose shall

give, subject to being paid all reasonable costs and expenses, all such information and assistance, including access to premises and personnel, and the right to examine and copy or photograph any assets, accounts, documents and records, as the other party or its professional advisors may reasonably request PROVIDED THAT nothing in this clause 19.3 shall be construed as requiring either party to disclose any document or thing which is the subject of any privilege. The party receiving the same agrees to keep all such information confidential and only to use it for such purpose.

20 DISPUTE RESOLUTION

- 20.1 Any dispute shall in the first instance be referred to the Section 75 Agreement Management Group
- 20.2 In relation to any dispute that the Partners jointly agree may be assisted by obtaining advice and guidance from and/or resolution by an independent expert (for example in relation to accounting disputes) then the Partners may jointly agree to obtain such advice and guidance from and/or resolution by an independent expert to enable them to agree how the dispute may be resolved, provided that neither Partner shall be bound by such advice, guidance or resolution.
- 20.3 Any dispute not able to be resolved under this Clause (or otherwise in the spirit of Partnership) may be referred to the courts of England and Wales.

21 STATUTORY COMPLIANCE

- 21.1 The Partners shall comply with all Law relating to the Partnership Arrangements and the Services.
- 21.2 Each Partner in relation to its own Existing Service Contracts and the Host Partner in respect of Partnership Contracts and Future Service Contracts shall wherever applicable require the acceptance by Service Providers of their status as public authorities when exercising functions of a public nature and shall require such Service Providers to enter into appropriate indemnities in respect of any elements of any claims which arise under any provision of the Human Rights Act 1998.

22 TERMINATION

- 22.1 This Agreement shall terminate (subject always to Clause 22.2):
- 22.1.1 Where one Partner gives at least twelve months' written notice to the other Partner (or such shorter period as the Partners may agree in writing) that they wish to terminate this Agreement such notice to expire on 31 March in the relevant Financial Year;
- 22.1.2 Within such timeframe as is reasonable, where any Partner considers that as a result of legislation or policy requirements of Central Government all or any of the terms of this Agreement are no longer tenable and the Partners have been unable to agree changes that would enable that Partner to fulfil its obligations hereunder and that Partner gives the other Partner reasonable written notice;
- 22.1.3 Where there has been service failure as a consequence of which the continuation of the Agreement would be detrimental to the Services, a Service User or a Partner and at least three month's written notice is given;

- 22.1.4 Where the Partners are unable to agree the resourcing of this Agreement either in respect of the Contributions or the Services or the accommodation services and goods made available under Clause 5 and/or if an overspend has arisen and the Partners are unable to agree a recovery plan and/or budget revisions in accordance with the terms of this Agreement. Where such a situation arises and on request by either Partner the Partners will fully discuss the implications and agree on a joint strategy for the dissolution of this Agreement. In the event that a joint strategy cannot be agreed within 28 days of such a request then either Partner may terminate this Agreement by giving at least three months written notice;
- 22.1.5 Immediately on written notice where a dispute remains unresolved despite the relevant Partners having followed the procedure in Clause 20 (Dispute Resolution);
- 22.1.6 Immediately on written notice if one Partner commits a material breach of any of the obligations under this Agreement which is not capable of remedy or which is capable of remedy but has not been remedied within the reasonable time specified in the written notice from the Partner serving notice requiring remedy of the breach;
- 22.1.7 Immediately on notice by either Partner if fulfilment of the obligations pursuant to this Agreement would be Ultra Vires;
- 22.1.8 In part in respect of a particular Service, immediately where the Partners jointly agree in writing, or in part where one Partner gives at least twelve months' written notice to the other Partner (or such shorter period as the Partners may agree in writing) that they wish to terminate this Agreement in respect of a particular Service.
- 22.2 Upon termination in whole or part for any reason, the Partners shall work together to:
- 22.2.1 Ensure relevant Services are decommissioned without harm to the remaining Services or the Service Users; and
- 22.2.2 Where appropriate (so as to avoid penalties or breakage costs or where of benefit to either Partner or Service Users) Service Contracts shall remain in place notwithstanding the termination, and the Partners shall agree the survival of or variations to any terms and conditions hereunder as are required to give efficacy to the foregoing; and
- 22.2.3 Ensure that there is an orderly transition to the arrangements that are to supersede this Agreement or the relevant Services.
- 22.3 In the event that any liabilities shall arise post-termination in relation to the Partnership or there are any contingent liabilities in the final reconciliation account which when crystallised have been over or under provided for in the reconciliation account and, had the Agreement still been in existence, would have been a charge on the Aligned Budget(s) as may be relevant from time to time then the Partners shall revise the final reconciliation account to take account of the change within 30 days of becoming aware of that change.
- 22.4 The provisions of Schedule 4 (Financial Matters) as appropriate shall apply in respect of any overspends or underspends in the final reconciliation account. The Partners shall make such payments to each other as shall give effect to the final reconciliation account and/or to reflect such apportionment of liabilities as may be

agreed or determined within 30 days of receipt from the Council of the final reconciliation account or any revised version thereof.

- 22.5 The Partners shall act in good faith and in a reasonable manner in reaching agreement on the matters referred to in Clauses 22.2 and 22.4 and in default of agreement within the Section 75 Agreement Management Group the Partners may refer the matter to be determined in accordance with the disputes procedure in Clause 20 (Dispute Resolution).
- 22.6 Any costs resulting from the termination of the Agreement or from the termination of any part of the Services may be paid for out of the Aligned Budget(s) as agreed by the Partners from time to time.
- 22.7 Ongoing costs which arise as a consequence of the termination of the Agreement and its replacement with new arrangements shall be borne separately by the Partners or as agreed between the Partners.
- 22.8 Termination of this Agreement shall be without prejudice to the Partners' rights in respect of any antecedent breach and survival of clauses as are required to give effect to this Clause.

23 ASSIGNMENT AND SUB-CONTRACTING

- 23.1 This Agreement and all rights under it may not be assigned or transferred by any Partner without the prior written consent of the other Partners PROVIDED THAT no such consent shall be necessary for an assignment or novation by the CCG or the Council to a statutory successor in respect of their respective functions relevant to this Agreement.
- 23.2 Upon such assignment or transfer the assignor or transferor shall ensure that the assignee or transferee enters into a written undertaking to comply with the terms and conditions of this Agreement in consideration of which the other parties agree to release the assignor or transferor from further liability except in respect of liability accrued up to the date of such assignment or transfer.

24 CONFLICTS OF INTEREST

- 24.1 The Partners shall be responsible for ensuring that its employees do not put themselves in a position whereby duty and private interest conflict.
- 24.2 Without prejudice to the generality of Clause 24.1, the Partners each have and shall comply with their own policies for identifying and managing conflicts of interest which include:
 - 24.2.1 any existing conflicts of interest or potential conflicts of interest;
 - 24.2.2 any conflict of interest or potential conflict of interest which may arise in the future;
 - 24.2.3 ensuring that additional employment (paid or voluntary) may not be undertaken by any staff working within the Partnership Arrangements which conflicts with or is detrimental to any of the Partners' interests, or which in any way weakens public confidence or affects the ability of the Partners to discharge their duties in or under the Partnership Arrangements;
 - 24.2.4 providing that in the event the Head of Joint Commissioning considers that a conflict of interest exists in relation to their own role or position in

connection with this Agreement they shall in the first instance request guidance from the CYP Section 75 Agreement Management Group; and

24.2.5 providing that each Partner shall require that any employee employed as part of the Partnership Arrangements considers that a conflict of interest exists in relation to their own role or position in connection with this Agreement they shall notify and request guidance initially from their line manager and ultimately from the Executive Director of Children and Young People Services and for the CCG, the Chief Officer (who shall inform the other members of CYP Section 75 Agreement Management Group where necessary).

24.3 The Partners shall ensure that their respective policies for managing and identifying conflicts of interest are maintained and, where possible, brought in to line with the highest ethical policy applying.

25 SEVERANCE

If any Clause of this Agreement not being of a fundamental nature shall be held to be illegal or un-enforceable the remainder of this Agreement shall not thereby be affected.

26 NOTIFICATION TO THE DEPARTMENT OF HEALTH

The Partners agree that they shall where required forthwith notify the Department of Health of the exercise of the flexibilities in Section 75 of the 2006 Act in this Agreement in accordance with the guidance issued by the Department of Health.

27 THIRD PARTY RIGHTS

No rights hereunder may be enforced by third parties pursuant to the Contracts (Rights of Third Parties) Act 1997.

28 AGENCY AND PARTNERSHIP

28.1 Unless agreed otherwise in writing no Partner can act as the agent of any other Partner.

28.2 The Partnership and arrangements hereunder has not created and is not intended to create a legal partnership for the purposes of the Partnership Acts but rather a statutory relationship between the Partners as provided for under the 2006 Act and supported in the Health and Social Care Act 2012.

28.3 Notwithstanding the commissioning of Services to benefit both Partners, where any Existing Service Contract and/or Future Service Contract having been made by one Partner only hereunder shall be enforceable only by that Partner and no other Partner shall, unless otherwise provided for in a particular Existing Service Contract and/or Future Service Contract, have any right to enforce such a Existing Service Contract or Future Service Contract (as relevant), provided that this Clause shall not for the avoidance of doubt :

28.3.1 prevent reference being made to the Partnership in any Existing Service Contract and/or Future Service Contract; nor

28.3.2 affect a Partner's statutory obligations.

29 NOTICES

- 29.1 Any notice or communication hereunder shall be in writing.
- 29.2 Any notice or communication to the Council hereunder shall be deemed effectively served if sent by registered post or delivered by hand to the Council at the address set out above and marked for the Executive Director of Community Services or to such other addressee and address notified from time to time by the Council to the other parties for service on the Council.
- 29.3 Any notice or communication to the CCG hereunder shall be deemed effectively served if sent by registered post or delivered by hand to the address set out above and marked for the attention of the Chief Executive or to such other addressee and address notified from time to time by the CCG to the parties for service on the CCG.
- 29.4 Any notice served by delivery shall be deemed to have been served on the date it is delivered to the addressee. Where notice is posted it shall be sufficient to prove that the notice was properly addressed and posted and the addressee shall be deemed to have been served with the notice 48 hours after the time it was posted.

30 GOVERNING LAW AND JURISDICTION

- 30.1 This Agreement and any disputes or claims arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) will be governed by and construed in accordance with the laws of England.
- 30.2 The Partners irrevocably agree that the courts of England have non-exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Agreement.

30 PREVENTION OF BRIBERY

- 30.1 Each Party:
- (a) shall not, and shall procure that any of its Representatives shall not, in connection with this Agreement commit a Prohibited Act;
- (b) warrants, represents and undertakes to the other Party that it is not aware of any financial or other advantage being given to any person working for or engaged by it, or that an agreement has been reached to that effect, in connection with the execution of this Agreement, excluding any arrangement of which full details have been disclosed in writing to it before execution of this Agreement.
- 30.2 Each Party shall:
- (a) if requested by the other Party, provide the other Party with any reasonable assistance, that the other Partner may reasonably request, to enable the other Party to perform any activity required by any relevant government or agency in any relevant jurisdiction for the purpose of compliance with the Bribery Act;
- (b) within [NUMBER] Working Days of the Commencement Date, and annually thereafter, certify to each other in writing compliance with this Clause 40 by the relevant Party and its Representatives and all persons associated with it or other persons who are supplying goods or services in connection with this Agreement.
- 30.3 The Host Partner shall include provisions in any future Service Contracts requiring compliance by Service Providers with the requirements of the Bribery Act.
- 30.4 If any breach of this Clause 40 is suspected or known, each Party must notify the other Party immediately.

- 30.5 If one Party notifies the other Party that it suspects or knows that there may be a breach of this clause 40, the Parties will respond promptly to any enquiries, co-operate with any investigation, and allow the other Party to audit books, records and any other relevant documentation.
- 30.6 Either Party may terminate this Agreement by written notice with immediate effect if the other Party or its Representatives (in all cases whether or not acting with the Party's knowledge) breaches clause 30.1. [In determining whether to exercise the right of termination under this clause 30.6, each Party shall give all due consideration, where appropriate, to action other than termination of this Agreement unless the Prohibited Act is committed by a senior officer of one the Parties or by an employee, Sub-Contractor or supplier not acting independently of the relevant Party. The expression "not acting independently of" (when used in relation to the Service Provider or a Sub-Contractor) means and shall be construed as acting:
- (a) with the authority; or,
 - (b) with the actual knowledge;
 - (c) of any one or more of the senior management of the relevant Party; or
 - (c) in circumstances where any one or more of the senior managers of the relevant Party ought reasonably to have had knowledge.

31 HEALTHWATCH

- 31.1 The Parties shall promote and facilitate the involvement of Service Users, carers and members of the public in decision-making concerning the Partnership Arrangements.
- 31.2 The Authority shall ensure the effective discharge of its obligations in the establishment of Local HealthWatch and, in the interim, with the Local Involvement Network.
- 31.3 The Authority shall ensure its contracts with Service Providers require co-operation with Local HealthWatch and, in the interim, the Local Involvement Network

IN WITNESS whereof the parties hereto have executed this Agreement as a deed the day and year first before written

The COMMON SEAL of The **LONDON BOROUGH OF**)
LEWISHAM was affixed hereto in the)
presence of:)

Authorised Signatory:

EXECUTED AS A DEED by **NHS LEWISHAM CLINICAL COMMISSIONING GROUP** whose
corporate Common Seal was)
hereunto affixed in the presence of)

Authorised Signatory:

Authorised Signatory:

SCHEDULE 1

OBJECTIVES

Aims, Outcomes, Objectives and General Principle

The aims, intended outcomes and objectives of the Partners in entering into this Agreement are to formalise and build on the significant track record of improving outcomes through joint working, Service User empowerment and innovation for children's health and social care services in Lewisham in order to further improve and develop local services and in particular to act so as to fulfil the Partners' respective statutory duties and to achieve:

- Improved service delivery resulting from more closely integrated joint commissioning structures;
- More robust and flexible joint commissioning structures, better placed to respond to the personalisation agenda or other policy shifts;
- Improved financial decision making and possible operational efficiencies;
- More robust governance structures underpinned by firm legal frameworks;
- A firm and enduring foundation for partnership working between the CCG and the Council, by establishing a fit for purpose commissioning contracting and brokerage capacity which is well placed to respond to future challenges
- Improved Services, responding to expert professional opinion, such as from the GP community and delivering the strategic objectives of each party;
- Easier integration of preventative services with intermediate and high dependency care packages across the health and social care spectrum to provide a more seamless service to users;
- A clearly integrated point of contact for other health and social care professionals, in order that they can influence strategic commissioning decisions;
- Greater local decision making about children's community services;
- General health services which are provided closer to where people live;
- Improved access to community services;
- More innovative ways of providing services;
- Ways of combating social exclusion, tackling inequalities and improving health and social wellbeing of local communities;
- Service users and their carers receiving coherent integrated packages of care so avoiding the anxiety of having to navigate a complicated bureaucracy;
- An ongoing local population needs assessment in accordance with Lewisham's Joint Strategic Needs Assessment
- The provision of high quality services which are safe, sound and comprehensive and supportive;

The aim is that the above will be achieved pursuant to this Agreement by:

- Using the statutory joint commissioning structure;
- Using the Partnership Arrangements as a basis for service planning and delivery and progressively model services to commission within and through them;
- Using evidence on the outcome for service users as the basis for improving standards and targeting resources;
- Considering the overall strategic direction of the Council's Community Strategy, Children and Young People's Plan (CYPP), and the CCG's Quality, Innovation, Productivity and Prevention (QIPP) Plan, the development of service based planning, implementation and evaluation processes.

SCHEDULE 2

RELEVANT FUNCTIONS

A. Council Functions

Any functions which are engaged in the delivery of the Services to the Service Users and which are conferred on or exercisable by the authority:

- as being mental health and domiciliary care functions which relate to children's services
- and which are health related functions of local authorities for the purposes of the Regulations as amended (so far as relevant) by:
 - The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (England) Order 2001 (SI 2001/2237);
 - The National Health Service Reform and Health Care Professions Act 2002 (Supplementary, Consequential etc. Provisions) Regulations 2002 (SI 2002/2469);
 - The NHS Bodies and Local Authorities Partnership Arrangements (Amendment) (England) Regulations 2003 (SI 2003/629);
 - The Health and Social Care (Community Health and Standards) Act 2003 (Supplementary and Consequential Provision) (NHS Foundation Trusts) Order 2004 (SI 2004/696).
 - Health and Social Care Act 2012

B. CCG Functions

The function of providing or making arrangements for the provision of services:

- under sections 2 and 3(1) of the National Health Services Act 1977, including rehabilitation services and services intended to avoid admission to hospital but excluding surgery , radiotherapy, termination of pregnancies , endoscopy, the use of Class 4 laser treatments and other invasive treatments and emergency ambulance services;
- under section 5 (1) of the National Health Services Act 1977.

SCHEDULE 3

SERVICES

CCG – LEAD COMMISSIONER CONTRACTS

Brief description of contract	Children's Community Health Services Hospital@ Home (18 months) Safeguarding LAC SLT Physiotherapy OT Children's Community Nursing Special Needs Nursing Community paediatric CQUIN Immunisation coordination
Principal client group receiving services under the contract	Children and Young People with universal, targeted and complex health needs
Name of provider	Lewisham & Greenwich NHS Trust
Who was the contract awarded by, LBL or CCG	CCG
Award date	Renewed annually April 2014
2015/16 contract value	£8,206,877
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	CCG budget covers full cost (commissioned by joint commissioning function placed within LBL)

Brief description of contract	Paediatric audiology services
Principal client group receiving services under the contract	All children born in borough Children and Young People with targeted and specialist hearing needs
Name of provider	Southwark Provider Services (GSTT)
Who was the contract awarded by, LBL or CCG	CCG
Award date	Renewed annually April 2015
2015/16 contract value	£245,988
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	CCG budget covers full cost £245,988 (commissioned by joint commissioning function placed within LBL)

Brief description of contract	Wheelchairs, Orthotics and Prosthetics
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Principal client group receiving services under the contract	Children and Young People and Adults receiving rehabilitation services
Name of provider	Southwark Provider Services (GSTT)
Who was the contract awarded by, LBL or CCG	CCG
Award date	Renewed annually April 2015
2015/16 contract value	CYP activity is bundled with Adults Total values for adults and children Wheelchairs (cost & volume) £1,208,353 Prosthetics (cost & volume) £385,691 Orthotics (cost & volume) £181,204
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	CCG budget covers full cost (commissioned by joint commissioning function placed within LBL)

Brief description of contract	Sickle-cell and thalassemia
Principal client group receiving services under the contract	0-19 CYP registered with Lewisham GP
Name of provider	Southwark Provider Services (GSTT)
Who was the contract awarded by, LBL or CCG	CCG
Award date	Renewed annually April 2015
2015/16 contract value	£180,765
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	CCG budget covers full (commissioned by joint commissioning function placed within LBL)

Brief description of contract	CAMHS Community Services
Principal client group receiving services under the contract	Children and Young People 0-18 with mental health needs (Tier 3)
Name of provider	SLaM
Who was the contract awarded by, LBL or CCG	CCG
Award date	Renewed annually April 2015
2015/16 contract value	£ 3,118,939
Expiry date of the contract	31/03/2016

Committed budget of LBL and the CCG	LBL - £910,439 CCG - £ 2,136,500 CCG - £72,000 for CAMHS provision in the Youth Offending Service
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Brief description of contract	CAMHS Community Services – Looked After Children Placed Out of Borough
Principal client group receiving services under the contract	Children and young people up to 18 years (21 for leaving care) with mental health needs
Name of provider	Various NHS providers – Non-Contracted Activity
Who was the contract awarded by, LBL or CCG	CCG
Award date	As required (non-contracted activity)
2015/16 contract value	£60,000 (allocated funds for non-contracted activity)
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	CCG - £60,000 (commissioned by joint commissioning function placed within LBL)

Brief description of contract	CAMHS Tier 4 Outpatient Services
Principal client group receiving services under the contract	Children and young people up to 19 with mental health needs (Tier 4)
Name of provider	SLaM
Who was the contract awarded by, LBL or CCG	CCG
Award date	Reviewed annually April 2015
2015/16 contract value	£306,000
Expiry date of the contract	31/03/16
Committed budget of LBL and the CCG	CCG - £306,000

Brief description of contract	Support for families with CYP who have a diagnosis of Autism Spectrum Disorder
Principal client group receiving services under the contract	Families of Children and Young People who have received a diagnosis of ASD
Name of provider	National Autistic Society
Who was the contract awarded by, LBL or CCG	CCG
Award date	April 2014

2015/16 contract value	£40,000
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	LBL- £26,500 CCG – 13,500

Brief description of contract	CAMHS transformation
Principal client group receiving services under the contract	Children and young people up to 18 years (21 for leaving care) with mental health needs
Name of provider	Various contracts to be awarded
Who was the contract awarded by, LBL or CCG	CCG
Award date	TBC – 2015/16
2015/16 contract value	TBC
Expiry date of the contract	TBC
Committed budget of LBL and the CCG	CCG – £608,772

London Borough of Lewisham – LEAD COMMISSIONER CONTRACTS

Brief description of contract	Care Coordination for children and young people 0-25 with complex needs
Principal client group receiving services under the contract	Children with complex needs and their families, including those in receipt of continuing care and/or Education Health and Care Plans
Name of provider	Multi Agency Pathway Planning (MAPP) Service
Who was the contract awarded by, LBL or CCG	LBL
Award date	01/04/2015
2015/16 contract value	£245,000
Expiry date of the contract	31/03/2016
Committed budget of LBL and the CCG	CCG - £72,000 LBL - £173,280

Brief description of contract	Community Equipment
Principal client group receiving services under the contract	CYP with disabilities
Name of provider	MEDIQUIP
Who was the contract awarded by, LBL or CCG	LBL
Award date	10/05/2012
2015/16 contract value	£ 169,531 (based on spend charged to CCG in 2014/15)
Expiry date of the contract	10/05/2016
Committed budget of LBL and the CCG	CCG funds - £197,692 rehabilitation and specialist beds, sleep systems and mattresses.

Brief description of contract	Personalised Care and Support in the Home Preferred Provider Framework
Principal client group receiving services under the contract	CYP with nursing needs CYP requiring personal care Families requiring short breaks
Name of provider	These providers have been awarded a place on the PPF: Advantage Healthcare Holding Limited Allied Healthcare Group Limited Ark Complex Care Limited Avenues London Bespoke Health and Social Care Bromley Mencap BUPA Home Healthcare Carewatch Lewisham & Southwark Greenwich Association of Disabled People Harmony Home AID Services Limited The Healthcare Professional Services Limited InVent Health Limited London Community Homecare Limited Medical Professional Personnel trading as Nursing Personnel Oasis Care & Training Agency Pulse Community Healthcare Rainbow Trust Children's Charity South Thames Crossroads – Caring for Carers Limited Spencer and Arlington Limited Supreme Care Services Limited Taystone Limited trading as Prestige Nursing + Care Thornbury Community Nursing Services
Who was the contract awarded by, LBL or CCG	LBL

Award date	06/01/2014
2015/16 contract value	Approx £680,000 (based on individual placements and packages awarded to a number of providers on the framework)
Expiry date of the contract	06/01/2016 (+ possible 2 year extension)
Committed budget of LBL and the CCG	CCG funds - £450,000 approx for continuing care packages for children with complex health needs (as necessary as these are needs driven budgets) SEN – Health recharges £230,000 Specialist equipment for children with disabilities £42,500

Brief description of contract	Maternity Services
Principal client group receiving services under the contract	Pregnant and postpartum women and their babies and families covering the period from conception to 4 weeks postpartum
Name of provider	Lewisham and Greenwich NHS Trust
Who was the contract awarded by, LBL or CCG	CCG
Award date	1 April 2015
2015/16 contract value	£16,024,182
Expiry date of the contract	31 March 2016
Committed budget of LBL and the CCG	CCG - £16,024,182

SCHEDULE 4
FINANCIAL MATTERS

This Schedule 4 contains protocols to cover the following areas:

1. How budgets will be set by either party for future years
2. How agreed budgets will be managed during any given year and how delegated authority will be exercisable to sign contracts and otherwise incur expenditure commitments
3. How financial transactions will be processed
4. Fees and charges

1. Setting budgets

- 1.1 The Partners agree the following principles in relation to setting budgets for the Services:
 - 1.1.1 Each Partner retains the right and responsibility to set its own budget, having regard to its available resources, statutory obligations, locally determined priorities and such other factors as it may consider necessary;
 - 1.1.2 Each Partner recognises that the services that it provides or does not provide, and the level to which it provides them, can materially affect the financial position and obligations of the other Partner;
 - 1.1.3 In recognition of this and in the spirit of the partnership between the Partners, each Partner agrees to consult the other on its budgetary proposals, and to have regard to the responses provided (subject to paragraph 1.1.1 above); and
 - 1.1.4 Each Partner acknowledges that its budget setting process is dependent on many other factors, including in particular the allocation of resources from central government agencies, and that the timing of the announcement of such allocations can vary from year to year and outside of the direct control of either Partner. Each Partner therefore recognises that it cannot provide the other with certainty over the timing of final decisions (or even proposals) within its own budget setting process, and therefore agrees to act in the spirit of this Schedule 4 (which for the reasons set out above cannot be wholly prescriptive)
- 1.2 The mechanisms shall apply to setting budgets from 2016/17 onwards subject to changes agreed and affordability::
 - 1.2.1 The previous year's budgets will form the baseline funding level for next year.
 - 1.2.2 Budgets will reflect changes to the overall funding allocation from the Department of Health (referred to as "ring fenced funding streams").
 - 1.2.3 New ring-fenced funding streams receivable by either Partner will be fully included in to the jointly commissioned budget where they relate to the Services.
 - 1.2.4 This baseline funding level will be adjusted to reflect changes in assessed need, for example to reflect demographic change, and to reflect the requirement for each Partner to be able to make efficiencies across its budgets.

1.3 The Partners will prepare a draft budget for the following financial year by no later than 31 January and inform one another of the draft budget. Final budgets should be agreed by the Partners by 31 March each year.

1.5 The Head of Joint Commissioning will each year provide each Partner with their best available estimate of the service pressures (e.g. arising from change in demographics, populations numbers, legislation, re-tendering of services) and opportunities (e.g. from efficiencies etc) within the total commissioned budget, in order to inform budget setting.

1.6

1.7 Each Partner will respond formally to the other's proposals within two months of receipt, although the mutual intention is that responses should be provided much sooner whenever possible.

1.9 In default of agreement either Partner has the right to terminate this Agreement in accordance with clause 22.

2. Managing budgets during any given year

2.1 General

Whilst Services will be commissioned jointly, with the Council acting as lead commissioner, the practical reality on the Commencement Date will be that each Partner may retain responsibility for contracts for its own statutory areas of responsibility. Each Partner will therefore retain responsibility for provision of relevant financial information to the other in relation to its own expenditure (and where relevant, income).

The principles to be followed in applying the above are as follows:

- (a) Each Partner commits to share regular financial management information with the other on an "open book" basis. This will include such monthly or other financial monitoring information as is normally produced, and each Partner commits to acceding to the others' reasonable requests for additional information.
- (b) The overarching purpose of sharing such information will be to enable the Partners to view total expenditure across the entire range of jointly commissioned services, in order that reasonable and timely management decisions can be made to react to circumstances that were not foreseen, or could not have been foreseen, at the time the budget for the year was set (for example, to respond to a forecast overspend).
- (c) Each Partner recognises that the services that it provides or does not provide, and the level to which it provides them, can materially affect the financial position and obligations of the other Partner, and therefore commits to alert the other promptly to any material circumstance (e.g. a forecast overspend) that will require management action to recover the position to budgeted levels.
- (d) Each Partner commits to inform the other in advance of decisions (or proposed decisions) to commit expenditure, for example in signing major contracts, that may have a material impact on either Partner, for example in terms of finances or risk.

- (e) Each Partner retains liability for its own areas of expenditure (in the absence of any agreement formally to pool budgets).

2.2 Letting contracts

The following apply:

All Existing Service Contracts that are solely for social care will be let by the Council and all Existing Service Contracts that are solely for health care will be let by the CCG, and in respect of such contracts payments will be made directly by the contracting organisation (see section 3 of this Schedule 4 for how these transactions will be processed)

- (a) Where contracts are for health and social care:
 - (i) The Partners will agree in each case, informed by the Head of Joint Commissioning as to which Partner shall be the contracting Partner (subject to paragraph 2.2(b) below) ; and
 - (ii) section 3 of this Schedule 4 covers how payments between the Partners for their respective share of such Existing Service Contracts and Future Service Contracts will be processed, and follows the principle that, where material, arrangements shall be such that neither Partner suffers (or gains) any material cash flow loss (or gain) on the timing of payments and reimbursements.
- (b) In letting contracts on behalf of the Council the Head of Joint Commissioning shall ensure that the Council's procurement guidelines, contract standing orders, scheme of delegation, applicable VAT regime and other relevant requirements and documents shall be complied with at all times. At the date of this Agreement a key term in respect of the foregoing is that authority must be sought from the Mayor & Cabinet (Contracts) for all contracts with a value over the full contract term of £500,000) exclusive of VAT.
- (c) In letting contracts on behalf of the CCG the Head of Joint Commissioning shall ensure that NHS Lewisham's procurement requirements, standing orders and standing financial instructions, scheme of delegation, applicable VAT regime and other relevant requirements and documents shall be complied with at all times. At the date of this agreement, the key terms in respect of the foregoing is that the Head of Joint Commissioning will ensure that authority is sought from the CCG in accordance with its SFIs or SOs or any other stated procurement requirements that shall be in place from time to time and notified to the Council
- (d) As regards paragraph (c), above, there will be instances where the Head of Joint Commissioning has authority to award contracts for the CCG on his/her own authority that, were they Council contracts, would require authorisation from either the Executive Director for Children and Young People (DCS) or the Mayor and Cabinet (Contracts). In relation to these contracts, notwithstanding the fact that the DCS will be the line manager of the Head of Joint Commissioning the Partners agree that in such circumstances the CCG will retain responsibility for all such decisions.

3. How financial transactions will be processed

- 3.1 Each Partner will retain responsibility for its own payments and income processes.
- 3.2 Each Partner will pay invoices for Existing Service Contracts for which it is the contracted party. Where one Partner has let contracts on behalf of the other (or on behalf of both Partners) it will pay the Service Provider and will raise invoices to the other Partner for its agreed share of the payment. Invoices will be raised quarterly (unless otherwise agreed by the Partners). Where possible invoices should be raised on the basis of actual spend. If this is not available when an invoice is raised then the following invoice should be adjusted for the difference between actual and invoiced sum for the preceding quarter.
- 3.3 The Partner receiving the invoice will pay the invoice within its normal terms but not later than 30 days after receipt.

4. Fees and Charges

It is recognised that many CCG services are free at the point of use and accordingly fees and charges may not be relevant for CCG services. Where the Council raises fees or charges for its services, the same will fall outside the ring fenced funding streams referred to in paragraph 1 above. Risk and benefit in connection with fees and charges raised by the Council in respect of the Services will rest with the Council.

SCHEDULE 5

ACCOMMODATION AND OTHER NON FINANCIAL CONTRIBUTIONS

The Partners shall make available to each other such rooms and hot desking facilities (including the use of desks, space, shelving, information technology and voice and data equipment and services and meeting rooms) as shall be reasonably required for the purposes of this Agreement at their respective premises as agreed by the Partners from time to time and the Partners hereby grant to each other non-exclusive licences for such purpose.

SCHEDULE 6

ELIGIBILITY CRITERIA

1. Guidance in relation to health and clinical care services for which the CCG is statutorily responsible, as the same may be applicable from time to time:
 - Responsible Commissioner Guidance from the Department of Health
 - CCG's Commissioning Policies
 - the Department of Health's Guidance *"Who Pays? Determining responsibility for payments to providers August 2013"*
 - NHS continuing Care Practice Guidance - Department of Health 2010
 - any of the CCG's Commissioning Policies or Commissioning Strategy Plan and any Ethical Frameworks
 - other continuing care and/or exceptional treatments guidance as may be issued from time to time
 - NICE guidance, at the discretion of the CCG

2. Guidance in relation to mental health social care services for which the Council is statutorily responsible, as the same may be applicable from time to time:

SCHEDULE 7

GOVERNANCE STRUCTURE

1. **General**

- (a) This Schedule will show how the Partners will retain proper influence and control over the joint commissioning function despite the Council assuming the lead commissioning role.
- (b) Governance will be in accordance with a framework, with boards made up of representatives of each Partners (as set out below) which together formulate proposals which eventually are put to each of the Council's and the CCG's decision making powers.
- (c) The decision making powers of the Council are vested in the Executive Management Team and then Mayor & Cabinet, taking into account the Council's formal "scrutiny" process and where appropriate full Council.
- (d) The decision making powers of the CCG are vested firstly at the Governing body and then as delegated to its Delivery Committee and the Senior Management Team. .

2. **Framework for decision making**

(a) The Health and Well Being Board ("HWB")

This is a partnership body at the head of the framework. On the HWB, the Council is represented by the Mayor and the CCG is represented by its Chair.

The Health and Wellbeing Board (HWB) is a statutory Board required by the Health and Social Care Act 2012. It operates as a committee of the local authority and as such is governed by the Council procedure rules as set out in the Council's constitution. A number of particular provisions apply to the HWB that distinguish it from other Council committees. The membership, for example, does not have to reflect the political composition of the Council.. The Council is represented by elected members and officers.

(b) Partnership Board (s75 Agreement Management Group)

The Partnership Board shall be known as the s75 Agreement Management Group. The s75. Agreement Management Group is made up of representatives of the Partners and its purpose is to oversee this Agreement. It will be responsible for the monitoring of expenditure and income against the Schemes; identifying any under or overspends. Membership includes the Chief Officer, Lewisham CCG; the Chief Financial Officer, Lewisham CCG; the Executive Director for Children and Young People, Lewisham Council; and the Executive Director for Resources and Regeneration, Lewisham Council.

(c) Children & Young People's Strategic Partnership Board ("CYPSPB")

The CYPSPB sits alongside the HWB. The CYPSPB is made up of key partners and users of children's services and its purpose is to ensure that the Children and Young People's plan is implemented and to help inform decisions at a strategic level about the future direction of children's services. It does not have formal decision making powers. It monitors for health outcomes for Children and Young People on behalf of the HWB.

(d) The Children's Joint Commissioning Group ("JCG")

The JCG sits immediately below the CYPSPB. The JCG will make recommendations proposals on behalf of the Partners into the Council and the CCG formal decision making process - see paragraphs 1(c) and 1(d) above. Accordingly the JCG will be the critical link

between the strategy partnership direction provided by the HWB and the CYPSPB and the Partners, so that key decisions will be made.

(e) Day to Day Management

Joint Commissioning Unit

The Joint Commissioning Unit is responsible for all joint commissioning arrangements. It is made up of staff from the Council, and is headed up by the Head of Joint Commissioning, the salary of which post is paid by the Council. The CCG makes a contribution to the salary costs of the Joint Commissioning Unit, including the Service Manager of the unit who, although employed by the Council, is funded equally by the Council and the CCG. The Head of Joint Commissioning has a key managing and reporting role as set out in this Agreement and as required by the post generally. The Head of Joint Commissioning and the other managers within the Joint Commissioning Unit be held accountable for their roles and the impact they have on spend against budgets. The managers will make decisions (within their limits of delegated authority – see below) and hold staff in different parts of the system to account for their actions, and the impact on budget.

The relevant managers within the Joint Commissioning Unit, including the Head of Joint Commissioning ensure compliance with clauses 6.3 and 6.4 of this Agreement.

(f) Split of responsibility and delegated authority

Care review groups ensure that assessments are being made in accordance with agreed eligibility criteria and care packages are therefore appropriate. Note the relationship with budget - unnecessarily high levels of care will lead to overspends

The brokerage function then purchases care services from the private and voluntary sector to meet agreed packages either against framework contracts or on a spot purchase basis. Note - rates agreed will affect budget overspends.

The commissioning function is responsible for assessing overall need in the short to long term, making sure that there is an appropriate blend of services to meet these across the spectrum from preventative services to high dependence care and advising on re-commissioning services as appropriate. Note - inaccurate assessments of need leading to wrong blend of services or letting overpriced frameworks will lead to budget overspends

Delegated Authority

The Head of Joint Commissioning reports (inter alia) to the CCG's Chief Officer and to the Executive Director for Children and Young People within the Council.

The Joint Commissioning Unit is able to take decisions to commission services and use budgets within delegated authority, and subject to the CCG and the Council's internal procedures existing from time to time, and the other provisions of this Agreement. Issues beyond that authority would be escalated to the CYPSPB and if appropriate in from there to the Council and the CCG as per the above. This structure will enable managers to ensure that services and budgets can be flexible to respond to changing needs.

(g) CCG Governance in relation to Clinical Safety and Performance

The Governing Body has agreed a Quality Assurance Framework for Clinical Governance ("FLAG") that requires it to report to the CCG Delivery Committee and Governing Body on clinical risks, to provide assurance on the quality of local services and where concerns have been identified seek assurance that there are mechanisms in place for recovery and improvement.

FLAG provides a monthly quality exception report to the CCG Delivery Committee and Governing Body.

SCHEDULE 8
WORKFORCE ARRANGEMENTS
Joint Protocol

Staffing the Services

1 Introduction

The establishment of the joint working arrangements between the CCG and the Council for the delivery of the Services makes it necessary to ensure appropriate arrangements are in place for the secondment and appointment of staff to the joint working arrangements for the Services.

It is vital to the success of the joint working arrangements for the Services that the skills and experience of staff working within the London Borough of Lewisham and NHS Lewisham CCG are fully utilised within the Services and that current staff do not feel that their employment position is adversely affected by the changes.

2 Scope

2.1 This protocol applies to:

(a) Those individuals who will work (or are as at the date hereof already working) within the new joint working arrangements for the Services, being employees of the Council. Joint Commissioning Team in the Children and Young People's Directorate.

These employees will remain employees of their respective Council organisation and their terms and conditions of employment will be unaffected.

(b) The recruitment of new staff

3 Staffing the Joint Working Arrangements for the Services from Existing Staff

3.1 Existing staff engaged in the direct delivery of services that fall within the remit of the joint working arrangements for the Services will be identified by their respective employer. This will include temporary staff, trainees or locums assigned to the service as well as staff in permanent positions.

3.2 Staff employed by the London Borough of Lewisham will be nominated to work within the joint working arrangements for the Services.

4 Management Posts Within the Services

4.1 A new senior management structure may be created subject to agreement between the Partners.

5. New Posts – Management and Other Vacancies

5.1 The Head of Joint Commissioning (or such other person as the Partners may decide from time to time) will draw up job descriptions and person specifications for all joint commissioning posts and shall be responsible for evaluating and reporting on the

recruitment processes (in consultation with the Human Resources heads for the London Borough of Lewisham and Lewisham CCG) subject to the other provisions of this protocol.

5.2 The grades and conditions for new posts will be determined in accordance with:

- (a) for Council posts, the Council's Job Evaluation Scheme for grades up to PO8 and for senior management posts above PO8; and
- (b) for CCG posts "Agenda for Change" Policy.

5.3 All new posts will be recruited to with regard to

- (a) the Council's Management for Change Guidelines and other recruitment policies for any appointment by/relating to employees within the Council; and
- the CCG's recruitment, HR and management of change policies for any appointment by/relating to employees within the CCG.

5.45.4 The recruitment process of that organisation who will be the employer will be used in relation to recruitment outside of re-organisation.

5.5 Vacancies will be advertised, as a minimum, to all staff employed within the Council and the CCG (unless the post is agreed to be either a CCG or a Council post in which case posts will be advertised to all staff employed with the Council or the CCG as appropriate).

5.6 Any appointment above grade PO6 or Band 8a need to be approved by the Executive Director for Children and Young People's Services and the Chief Officer respectively.

5.7 In relation to internal appointments successful candidates from the National Health Service will be appointed on Lewisham CCG's terms and conditions of employment and successful candidates from Local Government will be appointed on the Council's terms and conditions of employment.

6. Termination of the Agreement

6.3 In the event of the termination, at any time, of the Agreement, staff:

- (a) whose principal employer is the Council will return to the direct management of the London Borough of Lewisham; and
- (b) seconded by the CCG, will return to the CCG or its succeeding body.

Chief Officer Confirmation of Report Submission

Cabinet Member Confirmation of Briefing

Report for:	Mayor	<input type="checkbox"/>	
	Mayor and Cabinet	<input checked="" type="checkbox"/>	
	Mayor and Cabinet (Contracts)	<input type="checkbox"/>	
	Executive Director	<input type="checkbox"/>	
Information	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>	Key Decision <input checked="" type="checkbox"/>

Date of Meeting	9 th December 2015
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Title of Report	Greyhound Public House – Progress report
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Originator of Report	Geoff Whittington	Ext.49530
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	Yes	
Legal Comments from the Head of Law	Yes	
Crime & Disorder Implications	Yes	
Environmental Implications	Yes	
Equality Implications/Impact Assessment (as appropriate)	Yes	
Confirmed Adherence to Budget & Policy Framework	Yes	
Risk Assessment Comments (as appropriate)	n/a	
Reason for Urgency (as appropriate)	n/a	

Signed:  Executive Member

Date: 30/11/15

Signed:  Director/Head of Service

Date: 30/11/15

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

Mayor and Cabinet		
Report Title	Greyhound Public House – response to Sydenham Local Assembly	
Key Decision	No	Item No.
Ward	Sydenham	
Contributors	Executive Director of Resources & Regeneration	
Class	Part 1	Date: 9 December 2015

1. Summary

- 1.1.1 This report sets out the processes that have been undertaken to seek the rebuilding of the Greyhound Public House following Mayor and Cabinet on 22 October 2014.

2. Purpose

- 2.1.1 To update progress reached with the rebuilding of the Greyhound Public House.

3. Recommendation

- 3.1.1 The Mayor is recommended:

To note the content of the report and to acknowledge the works undertaken in accordance with Schedule 10 of the S106 Agreement dated 24 May 2010 and the S96a application granted 10 February 2015.

4. Policy Context

- 4.1.1 The content of this report is consistent with the Council's policy framework. Planning decisions are made on the basis of compliance with the development plan. The development plan for the borough consists of the London Plan and adopted Lewisham local plans including the Core Strategy, Lewisham Town Centre local plan, and the Site Allocation local plan. The Development Management local plan was formally adopted by the Council in November 2014. The development plan for Lewisham is part of the Council's policy framework and is the spatial implementation mechanism for the Sustainable Community Strategy (SCS). It has a central role in implementing the six strategic objectives of the SCS.

5. Background

- 5.1.1 Planning permission and Conservation Area Consent were granted in May 2010 for the partial demolition of the Greyhound Public House with full restoration to provide pub/restaurant use, a new public square, residential and commercial units with parking and access provision. This was part of a wider scheme affecting not only the pub but also adjoining land. The S106 Agreement was signed on 24 May 2010 by those with an interest in the land in the development site.
- 5.1.2 The development group Purelake then purchased the pub after the planning permission was granted in late 2010.
- 5.1.3 Between January and March 2012, the pub was substantially demolished, apart from the front elevation. This was in contravention of the consents and a criminal act. The Council then prosecuted, and in March 2013, Purelake were subsequently convicted and fined.
- 5.1.4 A planning application was submitted in September 2012 for the rebuilding of the public house. In April 2013 Planning Committee (C) granted permission subject to the variation of the original Section 106 Agreement, which required the consent of the signatories to the original agreement, or their successors in title.
- 5.1.5 Subsequent to negotiations between Purelake, Hexagon's solicitors, and the legal representatives of both the commercial and residential owners, no agreement was reached to enable the Deed to be signed. The Council was not in a position to influence this process as it was a matter for the relevant potential signatories to resolve.
- 5.1.6 In response to the significant delays encountered in redeveloping the Greyhound, and the signing by all interested parties regarding the Deed of Variation, the Council sought advice from Counsel to agree upon an effective approach to progress matters.
- 5.1.7 The advice received was that the Council should consider commencing proceedings against the proprietors for breach of the original S106 Agreement relating to the 2010 consent, namely the Restoration and Refurbishment Works referred to in the provisions of Schedule 10 of the S106 Agreement.
- 5.1.8 Permission was granted on 10 February 2015 in respect of a S96a Non-Material Amendment application that addressed reinstatement and public realm works, in addition to alterations to the building that were not proposed within the 2010 consented scheme, including:
- The construction of a replacement roof;
 - The retention of an enlarged basement;
 - The omission of a rear elevation window;
 - Amendment to the west elevation regarding the proposed sliding door and the omission of a ground floor window;
 - Provision of replacement railings and door to the existing first floor balcony;
 - The formation of a chimney to accommodate internal ventilation ducting;
 - The provision of new timber window openings;
 - A rooflight to the rear slope;

- Stone plinths with replica greyhounds.

- 5.1.9 Schedule 10 of the S106 dated 24 May 2010 required the applicant to submit a comprehensive account of the proposed restoration and refurbishment works. Subsequently, in March 2015, the applicants submitted a formal Building Regulations application to the Council, and on 11 March, Building Control officers formally approved the submission.
- 5.1.10 On 20 March, the Council wrote to confirm the submission relating to Schedule 10 was acceptable. The Council response also set a reasonable date of week beginning 13 April 2015 for rebuilding works to commence after the Easter break. In mid April 2015, Purelake advised the Council that works were unable to commence during week beginning 13 April due to matters that had arisen with their insurers. Once this matter was resolved, Purelake commenced building works on 11 May 2015.

6. Current Position

- 6.1.1 Officers advised at Mayor and Cabinet on 30 September 2015 that works up to that time had concentrated upon the reconstruction of the timber frame of the new roof, and the rebuilding of chimneys. This had taken longer than expected due to the complex nature of the rebuild, and the various delays encountered. The tiling of the roof was finally completed in early October, allowing for works to commence on the lower levels.
- 6.1.2 The original lintels to the front elevation of the building were cracked beyond repair, therefore the applicants sourced a suitable replacement of a similar appearance and colour. These were installed in late September, and officers are satisfied with their appearance.
- 6.1.3 The installation of all windows and external door openings were due for completion in late November.
- 6.1.4 Repair works to the first floor balcony to the front of the building and the formation of replacement railings were completed in mid November.
- 6.1.5 The unauthorised timber mezzanine floor that could be seen from the public realm was removed during week beginning 23rd November.
- 6.1.6 Officers have inspected the site regularly to ensure the redevelopment is compliant with details formally approved by the Council. It is considered the works undertaken are of a high quality, and that the appearance of the Greyhound building has been restored to a standard befitting of this prominent corner location.

Schedule 10 Compliance

- 6.1.7 Schedule 10 of the S106 Agreement required that the Owner notify the Council two months prior to the date of Practical Completion of the 'Restoration and Refurbishment Works', the 'Reinstatement Works' and the New Public Realm Works.

- Restoration and Refurbishment Works

6.1.8 The new and repaired 'drinking corridor' tiles and panelling have been in storage at Purelake's offices, and are due to be located to the internal western bay of the Greyhound.

6.1.9 At the time of writing this report, the owners had advised the installation works would be undertaken during week beginning 23 November.

6.1.10 Tiling works to the rear elevation of the building were undertaken in 2014, in accordance with Schedule 10.

- Reinstatement Works

6.1.11 The two greyhound plinths were being held in storage at the time of writing this report and were due to be positioned in the fourth week of November. The original stone greyhound statues were removed by the previous owner but replacements have been procured. These will be mounted on the concrete plinths and bedded on with a cement based mortar to prevent theft.

- New Public Realm Works

6.1.12 In respect of the New Public Realm Works the approved S96a application proposed the following;

- Bradstone Panache concrete paviors - silver grey and black finish;
- The planting of Silver Birch trees;
- Victorian style lamp-posts painted black;
- Seating area;
- Secure cycle parking.

6.1.13 At the time of writing this report, the landscaping works to the front of the building were largely complete, however the seating area and cycle parking are to be implemented when the premises are occupied.

6.1.14 Officers inspected the landscaping works that had been undertaken, and are satisfied they are in compliance with the S96a permission.

6.1.15 Schedule 10 paragraph 1.3.1 requires the Owner to submit a Maintenance Plan in respect of the New Public Realm Works, to the Council two months prior to the date of Practical Completion. The Maintenance Plan is defined in the S106 as a plan to secure the maintenance of the New Public Realm Works and which also ensures public access at all times.

6.1.16 In October 2015, the Maintenance Plan was submitted to the Council. The document included appropriate maintenance measures relating to landscaping, including confirmation of two visits per year by the maintenance contractor to inspect the Birch trees and to undertake any repair works.

Planning Application

6.1.17 In May 2015, a planning application was submitted by Purelake proposing the construction of a single-storey extension to the western side of the building to provide additional floorspace for the future use and an internal area for refuse bins. The application also proposed the formation of external stairs down to the basement located at the rear of the building.

6.1.18 This was granted permission under delegated powers on 24 November 2015.

7. Legal Implications

7.1.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.1.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

7.1.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.1.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

7.1.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

7.1.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

7.1.7 The Section 106 Agreement dated the 24 May 2010 and referred to in more detail in paragraph 6.1.7 - 6.1.16 of this report imposed obligations on the owner of the land of which the Greyhound public house forms a part. Those obligations included the requirement to construct and complete the "Restoration and Refurbishment Works", in accordance with the details that have been approved by the Council.

7.1.8 The Restoration and Refurbishment works are defined in the Agreement as "the works to the Greyhound Public House including the reinstatement of the former drinking corridor tiles within the building in a scheme to be agreed with the Council and the design and implementation of a new ceramic rear elevation to the building in accordance with the plans and Design and Access Statement submitted as part of the Application.

7.1.9 Paragraph 6 of this report sets out those steps that the Owner has taken so far to comply with the provisions of Schedule 10 of the S106 Agreement in relation to the Restoration and Refurbishment Works, Reinstatement Works and New Public Realm Works.

7.1.10 Should the Owner fail in due course to complete the Restoration and Refurbishment Works or the Reinstatement Works or the New Public Realm Works in accordance with the details that have been approved by the Council, then the Council can consider whether or not to commence proceedings against the owner for breach of the provisions of the Section 106 Agreement and to seek an order for compliance with the relevant provisions of the Agreement and/or such other remedy as may be appropriate.

8. Financial Implications

- 8.1.1 There are no specific financial implications arising from this report although there are costs being incurred by the Council in terms of officer time and external legal opinions on the matters raised, however these are currently being contained within existing budgets. These costs and any future costs arising may need to be considered in light of any enforcement action should it be required.

9. Crime and disorder implications

- 9.1.1 There are no specific crime and disorder implications in this case.

10. Equalities implications

- 10.1.1 *Shaping our future*, Lewisham's Sustainable Community Strategy for 2008-2020, sets out a vision for Lewisham;-

“Together we will make Lewisham the best place in London to live work and learn.”

This is underpinned by hard-edged principles for:

- **reducing inequality** – narrowing the gap in outcomes for citizens
- **delivering together efficiently, effectively and equitably** - ensuring that all citizens have appropriate access to and choice of high quality local services

- 10.1.2 The Council's Comprehensive Equality Scheme for 2012-16 provides an overarching framework and focus for the Council's work on equalities to support the Sustainable Community Strategy and to ensure compliance with the Equality Act 2010.

- 10.1.3 A full Equality Analysis Assessment (EAA) (previously known as Equality Impact Assessment) was carried out for the policies in the Council's Core Strategy in February 2009. The overall assessment was that the policies in the Core Strategy would not discriminate and that most policies have a positive impact. Three potential adverse impacts were identified: protection of employment land; designation of mixed use employment locations; and concerns of community groups about the amount of new housing development putting undue stress on the existing network of facilities (shops, transport, health facilities, community facilities and other services) particularly in the Deptford/New Cross area.

- 10.1.4 The Site Allocations DPD followed on from the Core Strategy and identifies sites, usually 0.25 hectares and above which area likely to be developed during the lifetime of the LDF (2011 – 2026). The Core Strategy sets out the policy context and principles for the development of the allocated sites.

- 10.1.5 An EAA of the Site Allocations DPD was undertaken in 2011 to identify the positive and negative impacts of the Core Strategy DPD and as a consequence the Site Allocations DPD, on three protected characteristics that

were not included in the earlier EIA as it pre-dated the Equality Act 2010. This EAA also provided an update on the Core Strategy EIA.

10.1.6 The Development Management Local Plan proposes specific objectives and policies to help ensure that new development complies with inclusive design principles to ensure that the town centres are safe, attractive and inclusive places. Planning applications for development will need to demonstrate how proposals meet these objectives and policies. The DMLP was the subject of an EAA in 2012.

11. Environmental implications

11.1.1 There are no specific environmental implications from this report.

12. Conclusion

12.1.1 The Greyhound site had deteriorated significantly since the stalling of development in 2013, resulting in an adverse and unacceptable impact upon the character of the Cobbs Corner Conservation Area and the streetscene generally.

12.1.2 Building works recommenced in May 2015, and were completed in late November. Planning, Conservation and Building Control officers had inspected the site regularly during the course of works, and are satisfied that the structural integrity and external appearance of the Greyhound has been restored to a quality befitting of this prominent location.

12.1.3 At the time of writing this report, the premises were continuing to be marketed for future commercial use.

Background documents

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Development Management Local Plan	2014	Laurence House	Planning Policy	Brian Regan	No
				Geoff Whittington	No

If you have any queries on this report, please contact Geoff Whittington, Planning, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 9530.

Agenda Item 9

Chief Officer Confirmation of Report Submission

Cabinet Member Confirmation of Briefing

Report for: Mayor

Mayor and Cabinet

Mayor and Cabinet (Contracts)

Executive Director

Information Part 1 Part 2 Key Decision

Date of Meeting	9th December 2015
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Title of Report	Planning Service Annual Monitoring Report 2014 - 15
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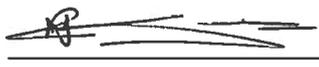
Originator of Report	Angela Steward	Ext.43885
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)	N/A	
Reason for Urgency (as appropriate)	N/A	

Signed:  Executive Member

Date: 30/11/15

Signed:  Director/Head of Service

Date: 30/11/15

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Planning Service: Annual Monitoring Report 2014-15	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director of Resources and Regeneration	
Class	Part 1	Date: 9 December 2015

1. Summary

- 1.1 The Planning Service is required by law to prepare and publish a report each year reviewing the performance of planning in the borough. The Planning Service does this on an annual basis in the Annual Monitoring Report (AMR) and includes matters such as the extent to which the Council's planning policies are being implemented as well as performance in decision making on planning applications and in preparing new planning documents.
- 1.2 The AMR reports on the last financial year, that is, the period from 1st April 2014 up to 31st March 2015. A summary of the AMR is set out in section 6 of this report and the AMR 2014-15 is attached at Annex 1.

2. Purpose

- 2.1 This report advises the Mayor and Cabinet of the Planning Service activities for the monitoring year 2014-15, as required by law.

3. Recommendations

- 3.1 The Mayor is recommended to note the content of the AMR 2014-15 and approve its publication and placement on the Council's website.

4. Policy Context

- 4.1 The content of this report is consistent with the Council's policy framework, namely the Core Strategy and the Sustainable Community Strategy (SCS). The Core Strategy is closely related to the SCS, as it sets out the physical implementation of the SCS. This report supports the following SCS objectives:
- *Empowered and responsible*: where people can be actively involved in their local area and contribute to tolerant, caring and supportive local communities.
 - *Clean, green and liveable*: where people live in affordable, high quality and adaptable housing, have access to green spaces and take responsibility for their impact on the environment.
 - *Healthy, active and enjoyable*: where people can actively participate in maintaining and improving their health and well-being, supported by

high quality health and care services, leisure, culture and recreational activities.

- *Safer*: where people feel safe throughout the borough and are able to live lives free from crime, anti-social behaviour and abuse.
- *Dynamic and prosperous*: where people are part of vibrant and creative localities and town centres, well-connected to London and beyond.

4.2 The AMR is particularly relevant to two of the Council's policy objectives - strengthening the local economy and providing decent homes for all.

4.3 The Planning & Compulsory Purchase Act 2004 and the Localism Act 2011 require every Local Planning Authority to publish an annual report reviewing the performance of planning in the borough. Local Planning Authorities are required to produce a monitoring report, having collected information during the monitoring year, and to make it available to the public via the Council's website. The AMR should report on the progress of local plan preparation against the timetable set out in the Local Development Scheme and monitor activities relating to the Community Infrastructure Levy (CIL), neighbourhood planning, the Duty to Co-operate and prior approvals.

5. Background

5.1 The Council has produced an AMR annually for the last 10 years and this one, like past years, will also be placed on the Council's website. This year's AMR is divided into six chapters:

Chapter 1: Introduction and Context explains the preparation of the AMR, relevant legislation and trends relating to population, housing, the economy and deprivation.

Chapter 2: Development in 2014-15 provides an overview of the type and amount of development that has taken place during 2014-2015. It also assesses whether Core Strategy and London Plan targets have been met.

Chapter 3: Future Development provides an overview of the type and amount of development approved for the future. It gives an overview of the Regeneration and Growth Areas and the progress made on the strategic sites. It also considers the likely housing land supply for the future, based on a housing trajectory.

Chapter 4: The Value of Planning highlights the funding secured through Section 106 Agreements (S106), Community Infrastructure Levy (CIL) and the Government's New Homes Bonus.

Chapter 5: Planning Service Performance discusses plan preparation as measured against the Local Development Scheme, neighbourhood planning activities and the Duty to Co-operate with other councils. It assesses the performance of the planning service in terms of planning applications, planning appeals and enforcement action. It also highlights conservation, urban design and economic development initiatives.

Chapter 6: Conclusions provides a summary of the main achievements in 2014-15 and raises a number of concerns.

6. Overview of the AMR 2014-15

6.1 It is important to remember the context within which the AMR sits. The borough will experience significant population and household growth by the

end of the Plan period in 2033. Therefore new development and infrastructure will be needed to accommodate this growth and to contribute to the regeneration of the borough.

- 6.2 The AMR acknowledges a number of main achievements in 2014-15 but also highlights some concerns. Both are summarised below in three sections relating to: A housing, B non residential development and C Planning Service performance.

A Housing

- 6.3 Overall a good supply of housing and affordable housing has been completed and approved during 2014-15, progress has been made on strategic sites and there is a resilient supply of housing in the next 15 years but more housing sites will need to be found.

- 6.4 With a net 1,468 dwellings completed during 2014-15, completions were double that of the previous year and were the second highest in the last 11 years. Completions exceeded the current London Plan target of 1,105 dwellings per annum by 33%. This is primarily due to the building out of some of the phases at Cannon Wharf, Marine Wharf West, the former Catford Greyhound Stadium and renewal at Kender estate. The total new dwellings approved during 2014-15 amounted to 5,440. 3,500 units (65%) relate to the Convoys Wharf site, which was approved in March 2015, having previously been called in by the Mayor of London in October 2013. 1,426 net units (26%) were planning applications that have been approved by the Council during 2014-15. A further 514 units (9%) relate to prior approvals (which since 2013 allow offices to be converted to residential use without the need for planning permission but instead requires a “prior approval” from a Local Planning Authority).

- 6.5 The majority of housing completions (84%) and housing approvals (48%) continue to be concentrated in the Regeneration and Growth Areas and this is key in helping to regenerate the borough. The type of housing reflects the modern day housing market in that the majority of housing completions and approvals are flats, purpose built new dwellings and smaller one and two bedroom units. However, choice has been provided with some houses, conversions, change of use and larger 3+ bedroom properties completed during 2014-15.

- 6.6 46% of the residential units permitted over the last five years will be provided at densities above the London Plan’s Sustainable Residential Quality Matrix. This is occurring in all wards in the borough, not just in the Regeneration and Growth Areas. It will be worthwhile monitoring densities in the future to see if this trend continues.

- 6.7 The 418 net new affordable homes completed during 2014-15 is considerably higher than the previous year. 525 affordable housing units have been approved at Convoys Wharf and 343 net affordable housing units were also approved by the Council during 2014-15, of which 76 are Local Authority affordable housing units. 24 temporary affordable housing units have also been approved at Ladywell. 52% of the affordable housing completions and

82% of the affordable housing approvals will be located within the Regeneration and Growth Areas, helping to regenerate the borough. The social rent: intermediate ratio of 64:35 is similar to the 70:30 target identified in the Core Strategy.

- 6.8 For the first time in more than 20 years, new affordable homes were delivered directly by the Council on public land at Mercator Road and the future pipeline shows a significant increase in the scale of this source of new affordable homes over the coming three years.
- 6.9 Despite affordable housing being completed, it represents 28% of the total net completions, which is below the 50% target identified in the Core Strategy. The Council will continue to negotiate for the highest amount of affordable housing possible on appropriate sites, taking account of development viability. This will need to be monitored in future AMRs.
- 6.10 Good progress is being made on the five strategic sites allocated in the Core Strategy. Two sites, Plough Way (encompassing Cannon Wharf, Marine Wharf West and Marine Wharf East) and Lewisham Gateway are already under construction. The remaining three sites all have planning permission: Convoys Wharf is awaiting the submission of detailed proposals for the first phase of development, Surrey Canal Triangle was designated as a Housing Zone in February 2015, which will facilitate an accelerated delivery and the Council resolved to approve the planning application for Oxestalls Road in October 2015.
- 6.11 The borough has a supply of 14,983 dwellings for the next 15 years, with 58% of the units being developed in the first five years. This equates to a 25% over supply in the first five years compared to the London Plan target. Despite this and the good housing performance in the past, the supply will fall short of the cumulative London Plan target by 2028-29, towards the end of the Plan period. This is due to the increased annual target of 1,385 that was adopted as part of the Further Alterations to the London Plan (FALP) in March 2015.
- 6.12 In the future, it is likely that the target will need to be increased further to 1,650 per annum, in line with the South East London Strategic Housing Market Assessment (SHMA), to meet future housing needs. The SHMA was jointly commissioned by the South East London Planning Authorities (boroughs of Lewisham, Bexley, Bromley, Greenwich and Southwark) and completed by consultants in June 2014. To help reduce the longer term shortfall and meet the increased target the Council will prepare a Strategic Housing Land Availability Assessment (SHLAA) which will identify potential additional housing sites to be included in the 15 year supply.

B Non residential development

- 6.11 Despite gains in non residential floorspace and the protection of designated sites, prior approvals and the loss of office floorspace in general is a concern.

- 6.12 Despite a large scale gain of 57,623m² of non residential floorspace from completions and approvals during 2014-15, there have been large scale losses of business and retail floorspace (including a loss of 17,576m² of business floorspace from approvals). However, none were located within defined employment areas (MEL, SIL, LEL) and only one is located within a district centre. Large scale losses at first seem alarming, but it will help to reconfigure employment floorspace to make way for new business units more suited to the modern day economy, as part of mixed use schemes. The trend of losing non residential floorspace to housing continues from previous years, with 28 out of 37 non residential sites being solely redeveloped for housing. This should continue to be monitored in future AMRs.
- 6.13 Of the 514 dwellings created from prior approvals, 79% will be small units consisting of studios and 1 bedroom flats, with a very small proportion (1%) of larger 3 and 4 bedroom properties, which will not be able to cater for the needs of local families. A significant amount of non residential development will be lost, including at least 24,786m² of office floorspace. The aim of facilitating the re-use of vacant office floorspace is not being met. Instead the stock of purpose built, modern office floorspace, the majority of which is still in use, is being lost. Prior approvals in inappropriate locations could adversely impact on the viability of commercial centres, especially Lewisham town centre given that 71% of the prior approvals housing units will be located on two major sites at Lewisham House and Riverdale House. Protection of scarce employment land could also be undermined in the future, especially now that the Government has made prior approvals permanent. Monitoring of prior approvals will need to continue in future AMRs.

C Planning Service performance

- 6.14 Overall the Planning Service has performed well during 2014-15, and in many instances better than the previous year.
- 6.15 Some of the highlights for 2014-15 include:
- £7.6 million and 623 affordable units were secured through Section 106 Agreements, double the amount secured in the previous year.
 - Three plans have been progressed including the Development Management Local Plan that was adopted by the Council in November 2014, the Issues and Options Document for the new Lewisham Local Plan that was published for public consultation in October 2015 and the Gypsy and Traveller needs assessment that was completed by consultants in June 2015.
 - Neighbourhood planning is gathering pace as the Council has formally designated three neighbourhood forums and areas at Crofton Park and Honor Oak Park, Grove Park and Corbett Estate; and three have submitted their applications at Upper Norwood and Crystal Palace, Deptford Neighbourhood Action Community Group and Lee Community Group.
 - 2,747 applications were lodged with the Council, an 11% increase from the previous year; and the performance for determining major and minor applications was above the target levels.
 - The majority (68%) of appeals were dismissed and 22% were upheld, which is better than the national average. However the number of appeals is increasing from 72 in 2012-13 to 96 in 2014-15. Monitoring of appeals in

future AMRs will be needed to ensure the Council's planning policies are robust at appeal.

- 408 reports of alleged breaches of planning control were received and 119 formal enforcement procedures also took place. 291 cases were closed, 20 more cases than the previous year.
- The Planning Service has also helped to protect and enhance the borough's heritage, assisted developers to achieve and deliver high quality design in their development proposals and provided a range of business advice and support too.

7. Financial Implications

- 7.1 There are no direct financial implications arising from this report. The AMR will be published electronically on the Council's website and only limited hard copies will be produced, these being funded from within the agreed Planning Service budget.

8. Legal Implications

- 8.1 Section 35 of the Planning and Compulsory Purchase Act 2004 (as amended) requires that every Local Planning Authority must prepare reports containing such information as is prescribed as to:
- (a) the implementation of the local development scheme;
 - (b) the extent to which the policies set out in the local development documents are being achieved.
- 8.2 This report must be made available to the public and must (a) be in respect of a period:
- (i) which the authority considers appropriate in the interests of transparency,
 - (ii) which begins with the end of the period covered by the authority's most recent report, and which is not longer than 12 months or such shorter period as is prescribed.
- 8.3 The report must be in the form prescribed by statutory instruments and contain such other matters as is prescribed. The report must be made available to the public. The applicable Regulations are the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 8.4 Regulation 34 of the applicable regulations requires that the report contain:
- (a) the title of the local plans or supplementary planning documents specified in the Local Planning Authority's local development scheme;
 - (b) in relation to each of those documents:
 - (i) the timetable specified in the Local Planning Authority's local development scheme for the document's preparation;
 - (ii) the stage the document has reached in its preparation; and
 - (iii) if the document's preparation is behind the timetable mentioned in paragraph (i) the reasons for this; and
 - (c) where any local plan or supplementary planning document specified in the Local Planning Authority's local development scheme has been

adopted or approved within the period in respect of which the report is made, a statement of that fact and of the date of adoption or approval.

- 8.5 Where a policy specified in a local plan specifies an annual number, or a number relating to any other period of net additional dwellings or net additional affordable dwellings in any part of the Local Planning Authority's area, the report must specify the relevant number for the part of the Local Planning Authority's area concerned:
- (a) in the period in respect of which the report is made, and
 - (b) since the policy was first published, adopted or approved.
- 8.6 Where a Local Planning Authority have made a neighbourhood development order or a neighbourhood development plan, the report must contain details of these documents.
- 8.7 Where a Local Planning Authority have prepared a report pursuant to regulation 62 of the Community Infrastructure Levy Regulations 2010 (being a report for the reported period setting the total CIL receipts for the year and the total CIL expenditure, with a summary of details), the Local Planning Authority's monitoring report must contain the information specified in regulation 62(4) of those Regulations.
- 8.8 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 8.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 8.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not

have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

- 8.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty

- 8.12 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9. Crime and Disorder Implications

- 9.1 There are no direct implications relating to crime and disorder issues.

10. Equalities Implications

- 10.1 The Council's Comprehensive Equality Scheme for 2012-16 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.

- 10.2 Although the AMR does not have any direct equalities implications, the information and data reported, along with known and emerging data from the Census 2011 and other sources will highlight and inform equalities impacts and implications for services provided by the Council.

11. Environmental Implications

- 11.1 There are no direct environmental impacts arising from this report.

12. Conclusion

- 12.1 The AMR sets out a great deal of information about both the borough and the Planning Service, and the overall performance has been good for the monitoring year 2014 -15. The concerns raised in this AMR relating to affordable housing, housing density, non residential floorspace losses, prior approvals and increasing number of appeals will need to be further monitored in future AMRs.

- 12.2 It is recommended that the Mayor notes the content of the AMR 2014-15 and approves its publication on the Council's website.

15. Background documents and originator

Short Title Document	Date	File Location	File Reference	Contact Officer	Exempt
Planning & Compulsory Purchase Act	2004	Laurence House	Planning Policy	Brian Regan	No
Localism Act	2011	Laurence House	Planning Policy	Brian Regan	No
National Planning Policy Framework (NPPF)	2012	Laurence House	Planning Policy	Brian Regan	No
Town and Country Planning (Local Planning) (England) Regulations	2012	Laurence House	Planning Policy	Brian Regan	No
Community Infrastructure Levy Regulations http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents	2010	Laurence House	Planning Policy	Brian Regan	No
Amendments to the General Permitted development Order (GDPO) http://www.legislation.gov.uk/uksi/2013/1101/made/data.pdf	2013	Laurence House	Planning Policy	Brian Regan	No

If you have any queries on this report, please contact Brian Regan, Planning Policy Manager, 3rd floor Laurence House, 1 Catford Road, Catford SE6 4RU – telephone 020 8314 8774, or Angela Steward, Senior Planning Policy Officer – telephone 020 8314 3885.

Annex 1: Planning Service Annual Monitoring Report 2014-15

Mayor and Cabinet		
Report Title	Work and Skills Strategy: Update on Progress and Refresh	
Key Decision	No	Item
Ward	All	
Contributors	Head of Strategy; Executive Director for Resources and Regeneration	
Class	PART 1	Date: 9/12/15

1. Purpose of the Report

This report updates Mayor and Cabinet on the delivery of the Work and Skills Strategy: Building Bridges to Work 2013 – 2015, the lessons learnt from its implementation and presents the draft of the updated Work and Skills Strategy: 2015-2017 for approval.

2. Recommendations

- 2.1 That the Mayor notes the delivery and achievements of the Work and Skills Strategy 2013 - 2015, and the lessons learned.
- 2.2 That the Mayor approves the Work and Skills Strategy 2015 – 2017 attached as Appendix Two.

3. Policy Context

- 3.1 The Mayor acknowledged his continued commitment to issues around employment and skills in his AGM speech in March 2015:

“[Lewisham] is a place where people want to live – somewhere that offers proximity to employment in Central London or Docklands, somewhere that has good links to the transport network within the city and beyond, somewhere that offers a great quality of life with good schools, parks and public services. Lewisham isn’t an employment hub but as technology makes it possible to work differently and the success of London creates new demands we can see our residents and local businesses seizing the opportunities which are opening up. Cultural and Media businesses are growing and the presence of a successful University with a worldwide profile furthers strengthens the offer that Lewisham has.”

- 3.2 This vision ties in *with Shaping Our Future: Lewisham’s Sustainable Community Strategy*, and in particular with two priorities:

- Dynamic and prosperous - where people are part of vibrant communities and town centres, well connected to London and beyond and

- Ambitious and achieving - where people are inspired and supported to fulfil their potential.

4. Delivery of the work and skills strategy 2013-15: Achievements

4.1 The 2013 – 2015 strategy was co-developed with our partners (Job Centre Plus, housing providers and Lewisham and Southwark College) following the Work and Skills Summit Meeting of 2013 and agreed by Mayor and Cabinet on 8th June 2013. The objectives of that strategy were:

- To enable more excluded residents to access and benefit from services;
- To enable more excluded residents into sustained employment;
- To increase opportunities for progression in employment;
- To derive greater value from existing employment-related expenditure and services.

Implementing the work and skills strategy 2013-15 has been a cross-partner enterprise involving our housing providers working jointly with our Job Centre Plus, and our Further Education (FE) provision. The main targets within the joint council / Department of Work and Pensions Work and Skills strategy were reduction in the claimant count by 5%.

4.2 The main achievements of the 2013-15 strategy have been:

- A 44% reduction in the levels of unemployment in the Borough over the last two years
- Reduction in the levels of unemployment in those with complex needs, and a 53% reduction of those on Job Seekers Allowance for more than 12 months
- A greater understanding of the increasing skills gap through a skills needs analysis, development of curricula plan with Lewisham and Southwark College, and cross partner and local authority development of a programme of specialist skills development (construction and English as a Second or Other Language (ESOL))
- Establishment of deep cross partner and cross local authority relationships, particularly with Lambeth and Southwark, but also with our colleagues in Central London boroughs, Central Government and the Greater London Authority (GLA).

4.3 The Work and Skills Strategy 2013 – 2015 set out how the Council and the Department for Work and Pensions (DWP) would work with partners to reduce the overall claimant count in Lewisham by 5 per cent from 9945 in April 2013 to 9476 in March 2014. This target was exceeded in 2014 (the number dropped to 7,390 a decrease of 26%) and the number stood at 5,560 (a decrease of 44%) in April 2015. The claimant count has of course been positively impacted by the improvement in economic conditions in London, and the decrease in Lewisham cannot be attributed solely to this strategy, but it should be noted that decreases in Lewisham are greater than similar Boroughs.

4.4 There is a similar trend with those who have been claiming for over 12 months with the figure dropping from 3,075 claimants in April 2013 to 2,245 in March 2015 and then further to 1,460 by April 2015. This represents a drop of 53% over a 2 year period however this figure is still above the London and national average and this will include some of our most vulnerable local residents.

4.5 A major focus for 2013-15 has been co-design of an employment programme for those with complex needs with Lewisham, Lambeth and Southwark (LLS) and the

South London Job Centre district. This work has been supported in its development by Transformation funding from the Department of Communities and Local Government (DCLG), and we have developed a three year programme of delivery based upon DCLG, council and JCP funding.

- 4.6 This employment work, praised by the Work and Pensions Select Committee in October 2015 as a model of how local integration of services could work, finished its first phase of operation in November 2015 and has achieved a success rate of 25% of participants entering employment. This can be compared to the Work Programme twelve month employment outcome rate of 11.9% with similar groups, this is a real achievement of local delivery.
- 4.7 The Lewisham, Lambeth and Southwark work built upon the Universal Services Delivered Locally pilot work that the councils have undertaken as part of the (DWP) testing framework, looking to identify the role local authorities in supporting vulnerable residents to transition to Universal Credit (UC) when it is introduced. A full evaluation of the pilot is being undertaken and the findings will feed into the final Universal Services Delivered Locally framework published by the DWP. The roll out for UC in Lewisham is expected to begin from early 2016.
- 4.8 English language skills are a key barrier to work in Lewisham. We secured DWP European Social Fund (ESF) money for a project aimed at those on benefits with English language difficulties. Understanding the Language of Work offered three strands of support – ESOL training, work placements and a pathfinder/ keyworker supporting each claimant. This programme has been very successful with 43% of the cohort of 54 finding employment. As a result, Job Centre Plus have given us Flexible Support Funding to deliver an additional programme in 2015/16.
- 4.9 We have run two projects targeted at groups we know have more challenges finding employment. One, *Families into Work* was based on a Future Jobs Fund model for members of families meeting the Troubled Families criteria. 24 individuals were successfully employed by the scheme, of these 21 sustained their employment for a period of at least 6 months allowing us to submit successful Troubled Families Outcome Claims to the Department of Communities and Local Government.
- 4.10 The *Over 50s Employment Support Fund* was modelled on the Youth Contract employer incentive offer. Employers who take on a Lewisham resident aged 50 or over may be eligible for a grant of up to £2,000 for each individual, which could be used for training and salary costs. The Fund supported 11 people who were each employed for at least 26 weeks over the course of 2 years. This scheme was impacted as at the time of delivery the over 50s were not a JCP priority group (they are now), and the changing nature of the labour market meant that non-standard employment contracts are increasingly common (zero hours, part time).
- 4.11 As London's labour market growth trends continue to cluster at the low and high skilled ends, the way that the council and its partners support our residents in achieving the skills they need to access jobs has become increasingly important. Skills are vital in developing our residents and enabling them to take advantage of the opportunities available in the challenging London Labour market. In 2013-15 we have continued developing our apprenticeship offer, created a new traineeship offer, and developed understanding of both the skills gap in London and the offer of our local FE and other skills providers. The council has a key role in shaping the skills market, and increasingly in London this will happen at a local level. Our

understanding of local skills gaps means that construction skills are a key focus of our work going forward.

- 4.12 The Lewisham Apprenticeship scheme is aimed at Lewisham residents aged 16-24 years old. It has employed a total of 145 apprentices between 2013 and 2015 which is up from 117 over the previous 2 years. However there was a noticeable drop in applications for the scheme in 2014/15 that has been attributed to the improving economic situation which has benefited those under 24. As a result we will be reviewing the eligibility criteria in the design of our new programme that is part funded by the European Social Fund.
- 4.13 We have attempted to stimulate the traineeship market in Lewisham. Traineeships are for young people who want to work, but who need extra help to gain an apprenticeship or job. Traineeships last from between six weeks to a maximum of six months with the content tailored to the individual needs, including work preparation; training including English and Maths support to help young people achieve the literacy and numeracy skills needed for the workplace; and a meaningful work experience placement which provides insight and experience of the world of work.
- 4.14 Locally we have run two models:
- a Programme Led Model which develops the NEET programme to incorporate English and Maths (with three cohorts per year of 15 young people)
 - an Employer Led Model (funded through the Skills Funding Agency) where employers lead the programme, and the Council brokers placements, and Adult Learning Lewisham (ALL) provide the training.
- Our success levels show how difficult it is to develop such schemes with 20 students starting traineeships in 2015, and 10 participants completing the employer led model with 50% moving into a job, an apprenticeship or into Higher Education. This compares to our Apprenticeship Programme success rate of 80% of participants getting into work. We will no longer run the Employer Led model but will work with other providers e.g. For Jimmy, Building Lives, Princes Trust, Street League, Capel Manor to publicise their programmes and help drive up referrals
- 4.15 Working with Lambeth and Southwark we have undertaken a skills mapping exercise to understand the gaps in skills delivery, and we are developing a programme of work focussed on improving skills required for employment and in work progression. Much of this work has focussed on construction skills with the Building Lives Construction Skills Centre opening in 2015. Working in partnership with Barking & Dagenham College the Building Lives Construction Skills Centre in Bellingham focuses on trades that are desperately needed by construction companies across London. The new Careership (enhanced traineeship) courses started on 5th October 2015.

5. Key learning from the 2013 – 2015 Work and Skills Strategy, and the changing labour market

5.1 Growth is creating new jobs but the labour market is changing, improving skills is the key

- 5.1.1. The number of unemployed residents has fallen sharply as London's economy has started to recover. This recovery has not benefited all residents and there are still a cohort of residents with complex needs that require help and support. The evidence

on the London Labour market shows an increasing hollowing with further drops off in intermediate skilled jobs and a growth in high and low skilled roles. This hourglass economy has profound implications for Lewisham residents and for London as an economic powerhouse.

- 5.1.2. For our residents, we need to ensure that they achieve the highest skill levels possible to enter the high skilled and professional roles on offer, and that they can access skills training whilst in work to ensure in work progression. As confidence returns and the number of job opportunities across London continues to rise, Lewisham needs an appropriately skilled labour force to compete for these opportunities. This is an area where we have seen some regression locally if we focus on the crude measure of those with qualifications equivalent to NVQ level 4 and above – this seems to have peaked at 56% of residents in 2012 and it has now dropped to 54%. Both these figures are above the London average but it should be noted that the trajectory of the London average continues to rise unlike the local figure.
- 5.1.3. These skills issues present a challenge to us across the partnership and especially to local training providers who currently provide a large quantity of entry level and level 1 and level 2 training courses, and to our local education services. This strategy is being published just before an area based review of Further Education Provision is carried out. The key aim of this review is to ensure that all providers in the local area are driving in the same direction, sharing data and systematically sharing best practice. Given the challenges presented by the raised participation age and the need to achieve higher skill levels to succeed in the changing jobs market FE providers are going to be very important in implementing this updated strategy and we will need to continue our high levels of engagement with partners in this area.
- 5.1.4. **A focus for the Work and Skills Strategy 2015-7 will be skills provision, skills gap mapping and upskilling to allow in work progression. A key skills gap we will address is construction skills**

5.2 Welfare reform continues to have a transformative and profound impact upon Lewisham residents

- 5.2.1 Universal Credit is currently due to roll out starting in December 2016 in Lewisham. The introduction of Universal credit changes the whole approach of in and out of work benefits. The reductions in the funding in the system, announced at Comprehensive Spending Review 2015, and the implementation issues means that our involvement in the system will be increasingly important to attempt to minimise the impact on our residents. Some of the welfare reform changes such as the reduction of the introduction of the benefit cap have a serious impact on some in our communities and access to work and increasing hours of work will be a primary means to alleviate the impact.
- 5.2.2 Key learning from our work in the 2013-15 strategy has been that the referral points are the key time when employability services can fail. Getting a claimant from the point when they are making a claim to ensuring that they get the right intervention at the right time is difficult. Ensuring that referrals and access into services are seamless and joined up from the customer point of view means that as a council we need to work with JCP and the voluntary sector to ensure that access and gateway points are seamless.

- 5.2.3 Welfare Reform will continue to impact and we need to be joined up in delivery - with the introduction of Universal Credit work will still be the most effective way out of poverty. The welfare system is in a state of perpetual flux and this is likely to remain the case. This presents a challenge to local employment and skills support providers and residents who need to aim for longer working hours and higher skilled roles. It also means that Housing Associations in particular have to look at in work progression to ensure their residents are able to earn enough to cover their rent.
- 5.2.4 A key role for the council is as an employer in the Borough. We are a Living Wage employer and are leading figures in encouraging employers in the Borough to follow suit and pay the London Living Wage. Our residents financial resilience will be improved if we can encourage more employers to pay the Living Wage, and the increasing hourglass economy means that upskilling of residents to ensure that they can access higher paid roles is going to be crucial in improving financial wellbeing.
- 5.2.5 **A focus of the Work and Skills Strategy will be to ensure that employability support is available for those impacted by welfare reform, and that we continue to focus on encouraging employers to pay the London Living Wage in the Borough.**
- 5.3 **Regeneration and development in the Borough is being driven by growth and is creating growth in the Borough but the benefits need to be shared**
- 5.3.1 Regeneration and private investment is happening in Lewisham, and will create local jobs not only in the development phase but in the development of new commercial space. We want good relationships with developers and private enterprise to encourage greater investment in our borough as this investment can deliver benefits to our residents through jobs and economic development. Our local labour and business scheme works with developers to ensure that local residents get into construction jobs, and that local employers recruit locally.
- 5.3.2 Through our planning system, provision has been made for 17,100 new homes and at least 66,000 m² of additional retail and leisure space. This will see economic growth that will provide opportunities for local residents and population growth that will increase the competitiveness of the local jobs market.
- 5.3.3 We have undertaken detailed mapping of the level of construction across Lewisham, Lambeth and Southwark to support the work we intend to do in relation to supporting the development of construction skills and getting local residents qualified to take up construction roles. It shows that nearly £2bn of construction activity and a high demand for specific construction roles over the next 5 years, see the graph below.
- 5.3.4 **This work and skills strategy needs to continue to focus on how Lewisham and our partners can work together to enable our residents to take advantage of the opportunities that come with this growth. Construction jobs and skills will be a clear focus in the next strategy.**
- 5.4 **Focussing on complex needs and real needs of individuals is more effective and efficient than targeting specific cohorts**
- 5.4.1 The updated strategy does not focus on any particular groups of residents but we want to provide a flexible support service to all residents who have complex needs.

This approach was endorsed by the Work and Pensions Select Committee in their enquiry into the next phase of the Work Programme in 2015.

- 5.4.2 The over 50s cohort has proved very difficult and it has not been a priority for Job Centre Plus through the life of this strategy. Experience has shown that high numbers of this cohort have skill levels that are either too low or too high for the jobs on offer and there are particular issues around digital skills. It is likely that we will have more success with this cohort in the next two years as our local JCP has now identified over 50s as a priority group and we will continue to work with the over 50s through projects such as Pathways to Employment.
- 5.4.3 The recruitment issues being experienced by the apprenticeship programme are a reflection of the improving jobs market. Very small number of under 24s are on the unemployment register, and those that are have particular complex needs. We are currently reviewing the Apprenticeship programme to deal with the needs of the under 24s remaining on the register, and explore apprenticeships for over 24s, many of whom will have complex needs.
- 5.4.4 In the design of new programmes and policies we need to focus on the characteristics of need rather than specific programmes for particular groups. In order to support identification of need we need to work with JCP to develop an entry point into employment services and this will be a focus of the Pathways to employment second phase, ensuring effective triage to ensure people get effective support at the right at the right time.**

6. Work and Skills Strategy 2015 – 2017

- 6.1 A draft work and skills strategy for 2015 – 2017 has been attached to this report as appendix Two.
- 6.2 The updated strategy includes an update of the evidence provided in the 2013 – 15 strategy and a number of actions under the following 6 headings:
- Develop strong partnerships across all sectors
 - Develop improved labour market intelligence
 - Maximise social value opportunities with employers and enterprise
 - Improving local skills training to equip adults for work opportunities
 - Deliver employment support for those with the most complex needs
 - Encourage residents in employment to progress
- 6.3 These actions will help build on the progress achieved through the 2013 – 15 Strategy while seeking to build on the opportunities provided by local growth and development. This strategy seeks to ensure that all our residents are equipped to take advantage of these opportunities.

7. Legal Implications

- 7.1 Under S1 of the Localism Act 2011 the Council has a general power of competence to do anything which an individual may do unless it is expressly prohibited.
- 7.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

7.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

7.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

7.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

8. Financial Implications

8.1 The projects outlined in section 6 of this report are being funded from the existing Revenue Budget or by the named partners. It is intended that the 2015-17 Work and Skills Strategy will also be funded in this way.

8.2 Where appropriate and possible, additional funding will be sought from the European Social Fund, the Job Centre’s Flexible Support Fund or other grant funding sources to implement the aims of the strategy.

9. Crime and Disorder Implications

9.1 There are no direct crime and disorder implications arising from this report.

10. Environmental Implications

10.1 There are no immediate environmental implications arising from this report.

11. Equalities Implications

11.1 Our vision and ambition for our borough is that:

“Together we will make Lewisham the best place in London to live work and learn.”

This is underpinned by hard-edged principles for:

- **reducing inequality** – narrowing the gap in outcomes for citizens
- **delivering together efficiently, effectively and equitably** - ensuring that all citizens have appropriate access to and choice of high quality local services

11.2 The Council’s Comprehensive Equality Scheme (CES) for 2012-16 provides an overarching framework and focus for the Council’s work on equalities and helps ensure compliance with the Equality Act 2010.

11.3 The Council equality objectives through the CES include:

- **improve access to services;** take reasonable steps to ensure that services are inclusive; esponsive to risk; physically accessible and provided through the most efficient and effective channels available.
- **close the gap in outcomes for citizens;** take reasonable steps to improve life chances for citizens by reducing outcome gaps that may exist within the borough as well as those that may exist between the borough and elsewhere.
- **increase participation and engagement.** take reasonable steps to remove barriers that may exist to engagement and help residents (especially those who are under-represented) to participate in local decision making and influence local decisions.

11.4 The strategy addresses the Council’s equality objectives as it includes measures to improve access to services for our most vulnerable residents particularly through the implementation of the Local Services Support Framework. The core aim of the strategy is to provide a framework for DWP/the Council and other partners to work to reduce the number of residents on the JSA register, this supports our equality objectives as increased number of residents will participating in work related activity.

12. Background Papers

Short Title of Document	Date	File Location	Contact Officer
Mayor’s Annual Report, 2013	20 th March 2013	Online at: http://councilmeetings.lewisham.gov.uk/documents/s23617/Work%20and%20Skills%20Strategy%20Appendix.pdf	Fenella Beckman

12.1 If you would like further information on this report please contact Robyn Fairman, Head of Strategy, on 020 314 6635.

Appendix One – **Projects developed from the 2013 – 15 Work and Skills strategy**

Project Title	Pathways to Employment (Lambeth, Lewisham and Southwark Partnership)
Summary	<i>Pathways to Employment</i> has been co-designed with residents and with Jobcentre Plus to test an integrated work and skills system with a single pathway for claimants with complex barriers to employment, by taking an individual from their universal credit/welfare application to employment using a key worker approach. The pilot focuses on the most complex cases, working with people who face multiple barriers to employment. It is currently being delivered across Lambeth, Lewisham and Southwark by the employment charity Tomorrow's People.
Results	As of 30 th November the pilot has registered 455 individuals and secured employment for 110 with 9 jobs due to start over the next month. Outcomes to date from Phase 1 - Referred: 675 - Starts on pilot: 455 - Jobs awaiting start (pipeline): 9 - Job starts: 110
Next Steps	An extended and redesigned phase of <i>Pathways to Employment</i> is currently being commissioned. This will use Transformation Challenge Award funding and European Social Fund match funding totalling £2m. To manage this and other work and skills projects over the tri-borough area, Lewisham, Lambeth and Southwark have set up a joint committee.

Project Title	Lewisham Apprenticeship Scheme
Summary	The Programme offers apprenticeship opportunities for Lewisham residents aged 16-24, a recruitment support service for employers and on-going support for apprentices and employers during the apprenticeship e.g. liaising with training providers, mentoring and pre-employment support at the end of the placement. Vacancies are advertised internally within the Council and across partner organisations including voluntary and community sector organisations. Vacancies are paid at National Minimum Wage (21 and over rate) or higher depending on employer.
Results	The Lewisham Apprenticeship programme employed a total of 145 apprentices in the period 2013 – 2015 which is up from 117 over the previous 2 years. However there was a noticeable drop in applications for the scheme in 2014/15 that has been attributed to the improving economic situation which has benefited those under 24, and we will be reviewing the eligibility criteria in the design of our new programme that is part funded by the European Social Fund
Next Steps	The apprenticeship scheme will be reviewed under the updated Work and Skills Strategy

Project Title	Lewisham Traineeship Scheme
Summary	<p>Lewisham are running 2 models of traineeships:</p> <p><i>Programme Led Model</i></p> <p>The programme led model develops the NEET programme to incorporate English and Maths. The programme runs over 12 weeks covering employability, team building and includes a number of professional qualifications such as Food Hygiene, First Aid and Health and Safety. Each participant concludes with a four week work placement. This scheme has 3 cohorts of 15 learners per year.</p> <p><i>Employer Led Model</i></p> <p>10 young people attended the 12 week traineeship programme in English, maths and employability. The employability element was accredited at level 1 together with 200 hours of work experience offered for each learner leading to a guaranteed interview and potential job at the end of the programme. The programme was structured so the learners attended 3 days training and 2 days work experience weekly with a full week work placement during the half term week. A reward scheme was offered to aid retention through an incentive of high street vouchers.</p>
Results	All 5 out of the 10 participants completed the employer led model and they all progressed into a job, an apprenticeship or into Higher Education.
Next Steps	The traineeship offer will be reviewed as per main report.

Project Title	Building Lives Construction Skills Centre
Summary	<p>Working in partnership with Barking & Dagenham College the Building Lives Construction Skills Centre in Bellingham focuses on trades that are desperately needed by construction companies across London. On the Careership Programme participants get the following offer:</p> <ul style="list-style-type: none"> - Working towards a Level 2 Diploma in either Dry-lining or Painting & Decorating - Functional skills (English & Maths) - Regular mentoring and one2one support from Building Lives staff - Self-employment workshops - Full PPE - Budget & Finance Workshops - Work experience in your chosen trade - CSCS training, testing and CSCS card obtainment - The opportunity to progress onto a paid apprenticeship and completion of a Level 2 Diploma
Results	The Centre opened in January 2015 offering Level 1 Multi-skills Traineeships. A total of 68 people took part in the programme.
Next Steps	The new Careership Programme offering Level 2 Diplomas in Dryling and Painting and Decorating started on 5th October 2015 with 39 young people enrolled on the programme.

Project Title	Understanding the Language of Work
Summary	Understanding the Language of Work provides a targeted cohort with three strands of support: - Work specific English for Speakers of Other Languages (ESOL) courses that focus on the type of English that is actually needed for work. - Work experience placements to get the cohort used to the work environment and ready for employment. - Crucially, 1 pathfinder allocated per cohort of 12 to provide 1-to-1 support for up to 5 months after the ESOL course to help the person into work. This support is holistic in its approach and individually adapted to the client's specific needs
Results	Phase One has now ended. Out of the 54 participants, 23 progressed into sustained employment. The remaining participants all had the opportunity to undertake work experience and are continuing to receive support to access employment from the pathfinders.
Next Steps	ESF and FSF money has been sourced and an ESOL offer will continue across the borough

Project Title	Families into Work
Summary	Creation of 25 x 6 month jobs paid at London Living Wage, specifically for members of families meeting the Troubled Families criteria.
Results	24 individuals were successfully employed by the scheme, of these 21 sustained their employment for a period of at least 6 months allowing us to submit successful Troubled Families Claims to the Department of Communities and Local Government.
Next Steps	Troubled Families funding has been cut and the remainder has been dedicated to Early Intervention services locally so this project will not continue.

Project Title	Troubled Families Phase 1 Programme
Summary	The Troubled Families Programme was launched by the Coalition Government in April 2012 with the aim of turning around the lives of 120,000 Troubled Families by 2015. To be eligible for help under the Troubled Families Programme, families had to meet three of the four criteria below: <ul style="list-style-type: none"> • Families who are involved in youth crime or anti-social behaviour • Families who have children who are regularly truanting or not in school • Families who have an adult on out of work benefits • Families who cause high costs to the taxpayer Local authorities could claim a Payment by Results (PbR) payment of up to £4,000 per family on the production of evidence of an outcome against all of these criteria or by getting an adult from the family back into full time work. Lewisham was given a local target of working with, and turning around, 910 families through phase 1 of the programme
Results	We achieved 100% of the 910 target by May 2015 resulting in an income of £2,809,100 for Lewisham. This was achieved working

	across our early help and early intervention services, working with our partners especially housing providers, the Police and the health service.
Next Steps	The Government's expanded Troubled Families Programme started on 1 st January 2015 and continues to support vulnerable residents locally.

Project Title	Over 50s Employment Support Fund
Summary	Officers worked with Jobcentre Plus to create an Over 50s Employment Support Fund for employers who recruit a Lewisham resident aged 50 or over who has been receiving Jobseekers' Allowance and is not on the Work Programme. Employers who take on a Lewisham resident aged 50 or over may be eligible for a grant of up to £2,000 for each individual, which could be used for training and salary costs.
Results	The Fund supported 11 people for the full 26 weeks over the course of 2 years.
Next Steps	This programme continues locally but we are also looking at other options for supporting over 50s.

Project Title	European Social Fund Families with Multiple Disadvantage
Summary	<p>The ESF Families programme launched in December 2011 ran until March 2015. It was designed to support disadvantaged families, facing multiple barriers to work, to move closer towards and into sustainable employment. In London Reed in Partnership delivered the programme in the East London contract package areas. It was a voluntary programme, with referrals coming from local authorities or Reed.</p> <p>Provision was open to any member of a family where one member of that family (not necessarily the programme participant) was on a working age benefit. The family of which they are a member must also be regarded as facing multiple problems (i.e. eligible for the Troubled Families Programme). The ESF Families programme operates on a Payment by Results basis, with payment triggers falling into two main categories:</p> <p>Progress was measured against a participant completing a specific, agreed activity to assist the individual or family to resolve or overcome particular problems (often relating to housing, managing money and debt, family communications and skills for work). Full job outcomes were due to be paid after 26 weeks' work (for a JSA claimant) or 13 weeks (for other benefit claimants).</p>
Results	There were a number of problems with the Reed contract and subcontracts that resulted in this provision not getting started in this area despite the efforts of Officers. The employment support through the Government's Troubled Families programme was delivered by a Troubled Families Employment Advisor seconded from Job Centre Plus.
Next Steps	This programme has now ended but there is likely to be further ESF funding for a Troubled Families project in the future.

Work and Skills Strategy 2015 - 2017

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Work and Skills Strategy

Aspirations

This document supports Lewisham's wider regeneration strategy - "People, Prosperity, Place" – and outlines how the Council is working to drive growth and transformation in the borough. It sets out to align these priorities with the skills and employment requirements of our residents in a changing borough. It is underpinned by three key themes :

- Inspiring and supporting the **ambition** of our residents
- Lewisham and London have seen a rapid economic and population **growth**
- Creating a **fair** society where the benefits of growth are felt by all

Ambition

London is changing – the city is experiencing rapid population and economic growth that is outstripping the rest of the UK. This is attracting people from all over the UK, and the world, to come to our city to live, work and learn. This Work and Skills strategy sets out how Lewisham and our partners plan to inspire and support our residents to fulfil their potential and ensure that Lewisham residents have access to new and future opportunities across the Capital.

Lewisham is changing. Large scale construction projects are underway across the borough focussing on the 'Regeneration and Growth areas' in Deptford, New Cross and Lewisham and Catford town centres. Provision has been made for 17,100 new homes and at least 66,000 m² of additional retail and leisure space. This will see economic growth providing opportunities for local residents, and population growth that will increase the competitiveness in the local jobs market. This Work and Skills strategy outlines how Lewisham and our partners will work together to enable our residents to take advantage of the opportunities that come with growth.

Growth

Fairness

Economic growth is key to generating opportunities, but the economy is changing with large scale public sector job losses, a hollowing out of the labour market and ongoing welfare reforms . This strategy describes how we can influence the market to allow our residents to share in the benefits that a burgeoning London economy can bring including accessing employment paid at the London Living Wage. This means upskilling all our residents and ensuring they are accessing the jobs market and/or are ready to progress in their current employment. This means providing dynamic employment support services that are focused on the wider London jobs market, constantly horizon scanning and offering the best possible return for local taxpayers. This means ensuring fair access to the opportunities on offer.

In practice this means working with partners from across the health, business, education and government sectors to ensure that our residents have fair access to the best possible opportunities and are supported to achieve their ambitions. Our key partners in the delivery of this strategy will be:

- Job Centre Plus
- Local Housing Partners including Lewisham Homes and Phoenix Community Housing
- Local skills training providers including Lewisham and Southwark College
- Adult Learning Lewisham
- Lewisham businesses and third sector organisations
- Our neighbouring boroughs of Lambeth and Southwark

Sustainable Community Strategy

Shaping our future is based upon a thorough analysis of the borough and its needs. It outlines 6 strategic priorities for the Council going forward to 2020:

Ambitious and achieving – where people are inspired and supported to fulfil their potential.

Safer – where people feel safe and live free from crime, antisocial behaviour and abuse.

Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities.

Clean, green and liveable – where people live in high quality housing and can care for and enjoy their environment.

Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being.

Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond.

This Work and Skills Strategy will draw on these themes and focus in particular on helping build an ambitious and achieving borough and take advantage of the opportunities on offer through the on-going investment in the Borough.

Lewisham Regeneration Strategy: People, Prosperity, Place

The updated regeneration strategy outlines the ongoing and upcoming investment in the borough and the opportunities that this presents. The Delivery Programme includes new and improved Housing, additional school places and improved transport infrastructure. This Work and Skills Strategy will aim to ensure our residents are suitably equipped to take full advantage of this investment.

Lewisham Business Growth Strategy 2013 - 2023

Lewisham's Business Growth Strategy outlines three aims:

-To boost Lewisham's contribution to the London economy by enhancing the ability of new and existing businesses to thrive and grow.

-To accelerate the expansion of the Lewisham economy by capitalising on major physical regeneration in the borough to create the right environment for business growth.

-To diversify and expand the Lewisham economy by inspiring, nurturing and promoting the creativity and entrepreneurship of Lewisham residents.

Regeneration in the borough will support the aims of the business growth strategy and this Work and Skills Strategy will outline how we will equip our residents to develop the skills required by employers in the borough.

Lewisham Job Centre District Priorities

Local Job Centre Plus flexible support fund priorities include the following three strands that are supported by the evidence presented in this strategy and the actions being taken across the partnership.

-reducing 50+ unemployment

-reducing unemployment rates for women and young people where they are disproportionately high

-continuing to address the Social Justice agenda including tackling Mental Health, Gangs, Drug & Alcohol

Achieving a healthier and happier future for all – Lewisham's Health and Wellbeing Strategy 2013

Health and Wellbeing has been defined by locally as:

“as a state of complete physical, mental and social wellbeing and chosen an approach to wellbeing as having the capability to do and be what you want in your life”

There are clear links with the Work and Skills agenda and given the importance of upskilling and employment in improving mental and physical wellbeing.

London Enterprise Panel (LEP)

The Jobs and Growth Plan for London (GLA, April 2013) sets out the LEP's approach to promoting growth and jobs. It outlines four priority areas:

- Skills and employment – to ensure Londoners have the skills to compete for and sustain London's jobs
- Micro, small and medium enterprises – to support and grow London's businesses
- Science and technology – for the capital to be recognised globally as a world-leading hub
- Infrastructure – to keep London moving and functioning.

These priority areas align with Lewisham's vision for growth in the borough.

Raising Participation Age

As of the 2015/15 academic year all young people born after 1st September 1997 will be required to stay in work or in training until the age of 18. These changes are designed to give all young people the opportunity to develop the skills they need for adult life and to achieve their full potential. The legislation places a duty on Local Authorities and Providers promote and measure local participation. The government have also announced a series of area reviews of post 16 education and training institutions that Lewisham will also be participating in.

London Devolution Proposition

Devolution is top of the political agenda at the moment nationally and in London. London Councils and the Greater London Authority have agreed a broad territory for negotiation in pursuit of a London devolution and public service reform agreement. This document sets out proposals for devolution and reform of which the following are key elements:

- Skills, business support and innovation
- Tackling structural long term unemployment in the capital
- A self-financing growth and reform model to help finance the transition costs and provide a mechanism for London to capture the upside of growth.

Lambeth, Lewisham and Southwark

Lewisham is working with our neighbouring boroughs of Lambeth and Southwark on a Community Budget pilot project. We have a range of projects, ranging from employment support through to construction skills development, and are leveraging in funding through a range of external sources.

The three councils' intention was always to explore, through the pilot, the possibilities for greater integration and joint commissioning in order to achieve savings to the public purse, better outcomes for priority residents and demonstrate to central government that devolving responsibility to local areas can achieve better results. It has been agreed that the boroughs' intention for joint working in the future are:

- The three boroughs have started a journey of transformation and want to see that continue;
- A section 101 joint committee provides the with sharper governance and leadership
- Lambeth, Lewisham and Southwark should be prepared to respond proactively to the devolution agenda;
- Joint work must be grounded in tangible and practical action.

This strategy will focus on Lewisham but it will also present evidence from our neighbouring boroughs to reflect this joined up approach.

London and the Changing Labour Market: summary

London has seen growth that has far outstripped the rest of the UK since the recession and the Lewisham economy needs to be considered in the context of its place within one of the worlds most competitive labour markets.

This section gives an overview of the wider London economy – key points to note are:

-London's economy continues to hollow out with concentrations of growth in opportunities for those with very high or very low skill levels and a paucity of intermediate level jobs. This means that we need to be ambitious for our residents in gaining the highest skill levels possible and entry into the professions.

-Growth in London, both population and economic, is outstripping growth across the rest of the UK. This creates opportunities but also increases competition for jobs. Lewisham and our partners need to ensure that our skills training offer is ambitious to enable our residents to take advantage o f these opportunities.

-London is an attractive destination for high skilled labour from across the UK and the world.

-Internal migration increases competition for higher skilled jobs in London

-Destitution and exploitation of migrants remains a key challenge for Local Authorities in London

-Unemployment is falling in London but it remains above the UK average.

-There is a high concentration of JSA claimants in the East and South East inner London boroughs

-Earnings in London outstrip the rest of the UK making it an attractive place to work for internal migrants despite the higher costs of living.

-The majority of Inner London residents are highly skilled

-The nature of employment is changing so our training offer and ambition for our residents must be flexible to reflect this. Residents who wish to enter self employment may require a different support offer.

Work and Skills Strategy

London and the Changing Labour Market: More jobs but an hourglass economy

Lewisham residents have access to one of the largest labour markets in the world with over three-quarters of a million enterprises (ranging from micro businesses to global companies) across London and the South East region. This strategy aims to support our residents in this competitive race labour market. The graph below shows that over the five years 2010-2014, London grew by nearly 12% and the UK excluding London grew by just over 4% – London jobs grew almost 3 times faster than the rest of the UK.

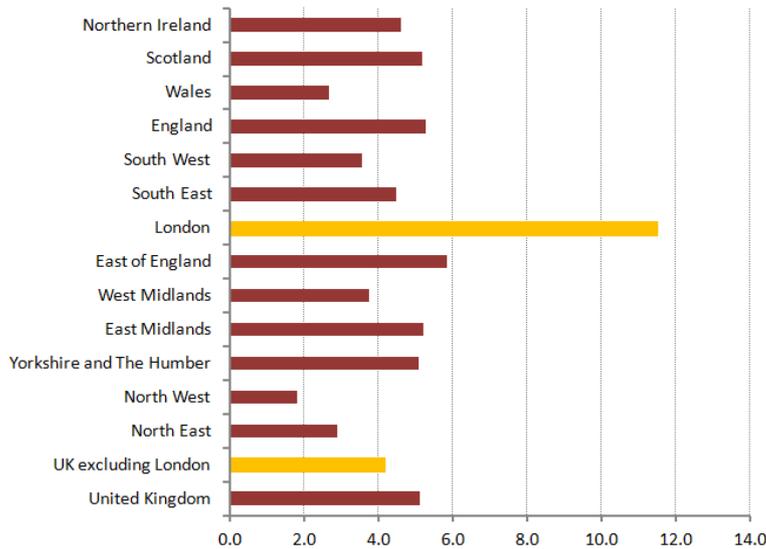
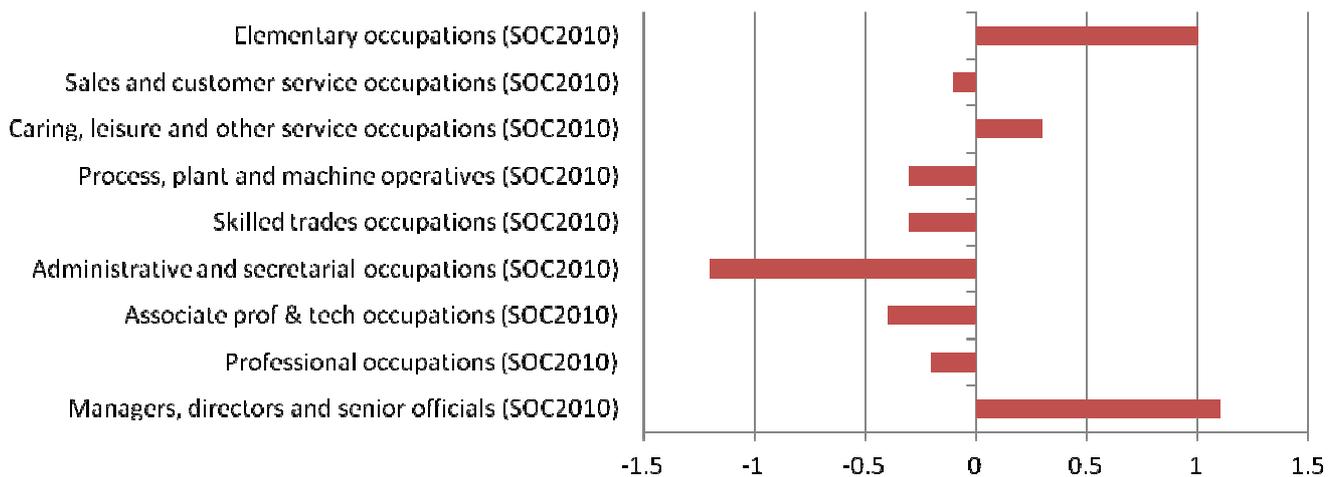


Chart 1 – Regional jobs growth growth, 2010-2014
Source: ONS

“Hourglass” Economy

The chart below shows the changing nature of the London Labour Market. It shows the percentage shift in the number of people working across the Office of National Statistics: Standard Occupational Classification groups between March 2010 and March 2015. This helps to evidence the hourglass economy that is continuing to take shape across the capital with an increase in senior and elementary roles (i.e. very high and very low skilled roles) and a drop off in administrative and secretarial roles (i.e. intermediate skilled roles).

Chart 2: Occupational Class Change - March 2010 - March 2015: London (Source: ONS)



Key Point

- London’s economy continues to hollow out with concentrations of growth in opportunities for those with very high or very low skill levels and a paucity of intermediate level jobs. This means that we need to be ambitious for our residents in gaining the highest skill levels possible and entry into the professions.

Work and Skills Strategy

London and the Changing Labour Market: London's growing workforce

London's Changing Workforce

The rapid population growth in London shows no signs of this slowing - current projections show it reaching 10 million by 2033. This rapid growth will mean increased competition for jobs across the capital. London draws skilled labour from across the UK, Europe and the world.

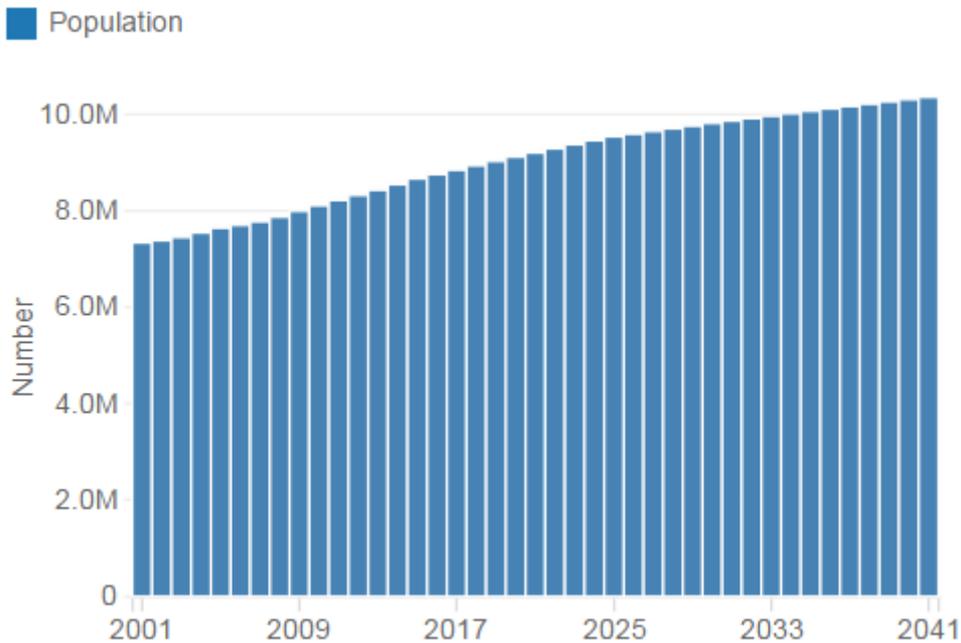


Chart 3: Projected population growth areas across London (Source: London Data Store)

Much of this projected growth is set to be concentrated in East and South East London presenting a particular challenge for Lewisham and neighbouring boroughs:

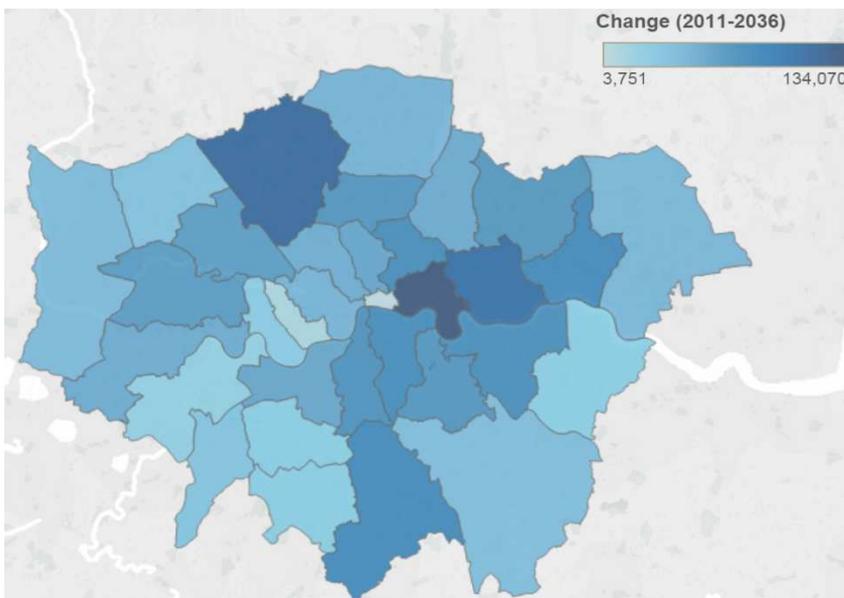


Chart 4: Projected population growth areas across London (Source: London Data Store)

Key Point

- Growth in London, both population and economic, is outstripping growth across the rest of the UK. This creates opportunities but also increases competition for jobs. Lewisham and our partners need to ensure that our skills training offer is ambitious to enable our residents to take advantage of these opportunities.

Work and Skills Strategy

London and the Changing Labour Market: London's economy is part of the attraction of London for international migrants and young people though internal migration

International Migration

London has a larger migrant population than the rest of the UK: 34 per cent of London's resident population. In general the overwhelming majority of these migrants are of working age and are both younger and longer established than the migrant population in the rest of the UK. Some of the most deprived migrants in the country reside in London, and some of the most privileged too. This partly reflects the polarity of London's hourglass labour market as a whole – as will be demonstrated later in this strategy.

At the top end of the scale, the skills level of London's working age population is higher than in other international cities and the availability of well qualified staff is a key factor in global businesses located here. This high-skilled workforce is produced by both internal and international migration to the capital, and London is a major destination for highly-skilled workers from within the UK and from abroad (GLA Economics 2010).

Construction, hospitality, retail, contract cleaning and residential care – all major sectors in London – have been identified as the main migrant labour sectors. These are also the sectors most vulnerable to poor working conditions and violations of employment law (Low Pay Commission 2009).

Internal Migration

Internal Migration and outward migration to the rest of the UK tends to even itself out – in 2014 Office of National Statistics (ONS) figures show a net outflow of 55,000. However the inward migration is young and working age:

- *Young people move out of London for education*

For people aged 19, outflow was 2,500 higher than inflow for females and 2,800 higher for males. This is likely to be driven by young adults moving in and out of London for higher education.

- *London is likely to be the top destination for graduates moving for work*

For most ages in the 20s the number of people moving into London outnumbered the number of people moving out of London for both sexes. The peak occurred at age 23 and is likely to be driven by young adults seeking work in London, potentially after they graduated from university.

In 2012, London had the highest concentration of graduates of any region in the UK. An estimated 60% of the residents of inner London were graduates and 45% of the residents of outer London were graduates (graduates is defined here as everyone with qualifications above A level standard), compared with a national average of only 38%. (Graduates in the UK Labour Market ONS, 2013)

London may be appealing to young adults following graduation due to more job opportunities, a higher salary and also the perception of a better social life when compared with the rest of the UK.

The concentration of young adults in London is demonstrated by ONS Regional Labour Market Statistics (2013: Table HI07, Tab 2), which shows that there were a total of 3.88 million people aged 16 and over in employment in London in June 2013, of whom 32% were in the 25 to 34 age group. This is a substantially higher proportion than in any other region or country within Great Britain (the statistics do not include equivalent data for Northern Ireland).

House prices do not appear to have had a dampening effect in the period reported upon, but then recent 30% increase in house prices in London are widely expected to dampen internal migration. The impact on international migration is not known.

Key Points

- London is an attractive destination for high skilled labour from across the UK and the world.
- Internal migration increases competition for higher skilled jobs in London
- Destitution and exploitation of migrants remains a key challenge for Local Authorities in London

Work and Skills Strategy

London and the Changing Labour Market: Unemployment in London

Unemployment Rate



Modelled unemployment rates (developed by the ONS) attempt to provide a more accurate unemployment rate than simply looking at Job Seekers Allowance claimants. This shows that the London average remains stubbornly above the national average. The map below demonstrates that JSA rates across East and South East London are still significantly above other London boroughs. This shows that we still have work to do in support of all our residents.

Chart 5 – ONS modelled unemployment rate (%)

All people claiming JSA (London)

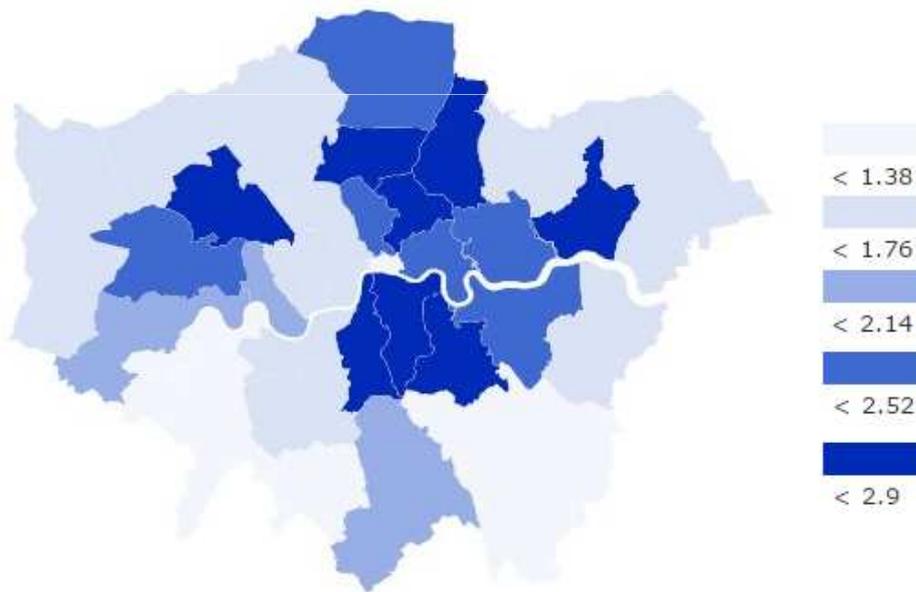


Chart 6 – All JSA claimants – London (%)

Key Points

- Unemployment is falling in London but it remains above the UK average.
- There is a high concentration of JSA claimants in the East and South East inner London boroughs

Work and Skills Strategy

London and the Changing Labour Market : Earnings and skills in London

Earnings

Average earnings for full-time workers have increased by 2% in London between 2010 and 2014. The London average remains well above the wider UK average despite a slight convergence with in 2013. This will ensure that London remains an attractive place to work, despite the higher cost of living.

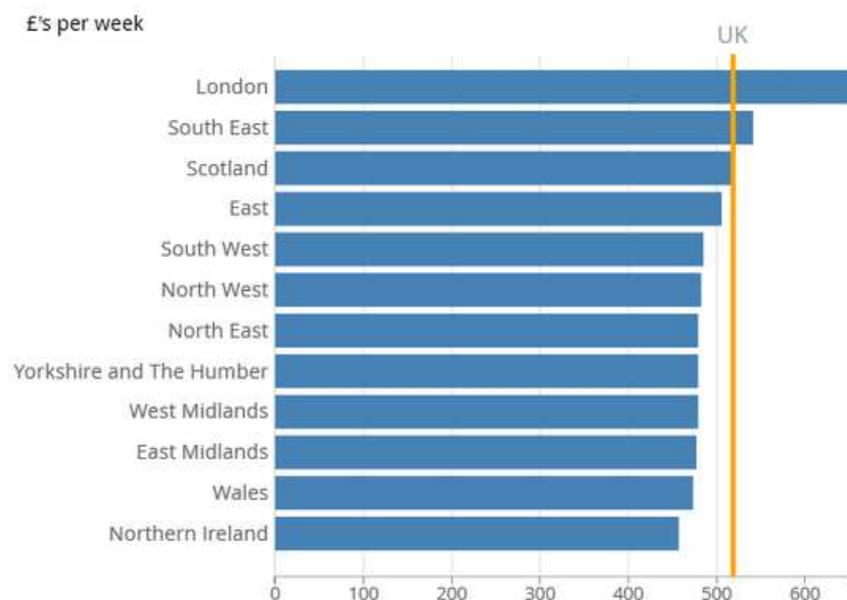


Chart 7. Average earnings by region 2014 (ONS)

Key Point

- Earnings in London outstrip the rest of the UK making it an attractive place to work for internal migrants despite the higher costs of living.

Skills Base

The skills base across inner London broadly reflects the “hourglass” economy with concentrations at both the top end (level 4 and above) and the lower end (no qualifications). This pattern is broadly similar in Inner London although it is notable that there are a higher percentage of residents with qualifications at level 4 and above.

Qualification	Inner London	London
No qualifications	15.8%	17.6%
Level 1	8.5%	10.7%
Level 2	9.4%	11.8%
Apprenticeship	1.0%	1.6%
Level 3	10.1%	10.5%
Level 4 and above	44.7%	37.7%
Other	10.5%	10.0%

Table 1. Qualifications in Lewisham (NOMIS)

Key Point

- The majority of Inner London residents are highly skilled

Work and Skills Strategy

London and the Changing Labour Market: Self employment in London

Self Employment

Region	Growth in self-employment
North East	10%
North West	14%
Yorkshire and The Humber	3%
East Midlands	3%
West Midlands	12%
East	7%
London	22%
South East	16%
South West	11%

Table 2. Growth in Self Employment between 2011 and 2014 (ONS)

There has been a 22% rise in self employees across London between 2011 and 2014. This is part of a general trend across all regions but the growth in London has been particularly dramatic and we must consider this in along with the areas identified by Centre for Economic and Social Inclusion later in this strategy are areas where there will be low number of employment opportunities in 2020 - many of these are in industries with a high prevalence of self employment (i.e. construction). However the data below does show a trend towards self employment is evident across all major occupational groups:

Major Occupation Group	2009 ⁴		2014		Change from 2009 to 2014	
	Thousands	Per Cent	Thousands	Per Cent	Thousands	Per Cent
Managers, Directors And Senior Officials	502	13.3	739	16.1	237	47.2
Professional Occupations	627	16.6	748	16.3	121	19.2
Associate Professional And Technical Occupations	570	15.0	674	14.8	104	18.3
Administrative And Secretarial Occupations	122	3.2	143	3.1	20	16.7
Skilled Trades Occupations	1,111	29.3	1,221	26.7	110	9.9
Caring, Leisure And Other Service Occupations	243	6.4	311	6.8	68	28.1
Sales And Customer Service Occupations	81	2.1	105	2.3	24	29.3
Process, Plant And Machine Operatives	326	8.6	342	7.5	16	5.0
Elementary Occupations	206	5.4	286	6.3	80	38.6
Total	3,790	100.0	4,573	100.0	783	20.7

Table 3. Number of people self-employed by major occupational group in 2009 and 2014 and the change from 2009 to 2014 (ONS)

Key Point

- The nature of employment is changing so our training offer and ambition for our residents must be flexible to reflect this. Residents who wish to enter self employment may require a different support offer.

Lewisham, Lambeth and Southwark and the Changing Labour Market

Lewisham, Lambeth and Southwark are three Boroughs with very similar demographics and populations. We are very different in relation to the strength of our local economies. As can be seen on page 8, the percentages of people receiving JSA are similar in the three Boroughs and higher than the rest of London. Our residents do not recognise the Borough boundaries. In the South of the Borough residents might be dealt with by the Bromley Job Centre, in the North by the London Bridge or Peckham Job centres. The devolution proposition and the increasing role of the Greater London Authority make it sensible for Lewisham to work with Lambeth and Southwark councils in order to be more efficient and effective in commissioning employment and skills support work, and have a larger geographical base to conduct work and skills activity.

Key points:

- We need to work across Lambeth, Lewisham and Southwark to ensure we are in the strongest possible position to influence and shape the local skills training offer and meet labour market demand.
- The jobs market in South East London is set to change rapidly and we need to ensure that we future proof our skills and support offer through the use of quality Labour Market Intelligence
- There are a high number of "Preparation for work and foundations for learning and life" courses on offer across the 3 boroughs. While these courses are important we need to question whether they are providing the right preparation for our residents i.e. are they a stepping stone to higher level qualifications because they will not get people into jobs in the present job market. We need to ensure they are giving residents basic English levels, customer and public interaction skills and some initial confidence to begin their career journey.
- Outside these there is a mismatch with subjects needed for a better chance of job outcomes meaning we may be failing to meet future demand.
- There is a dissonance between the supply of skills in the region and those sought by the employer base. Improving and adapting the local skills training offer is vital to close this gap.

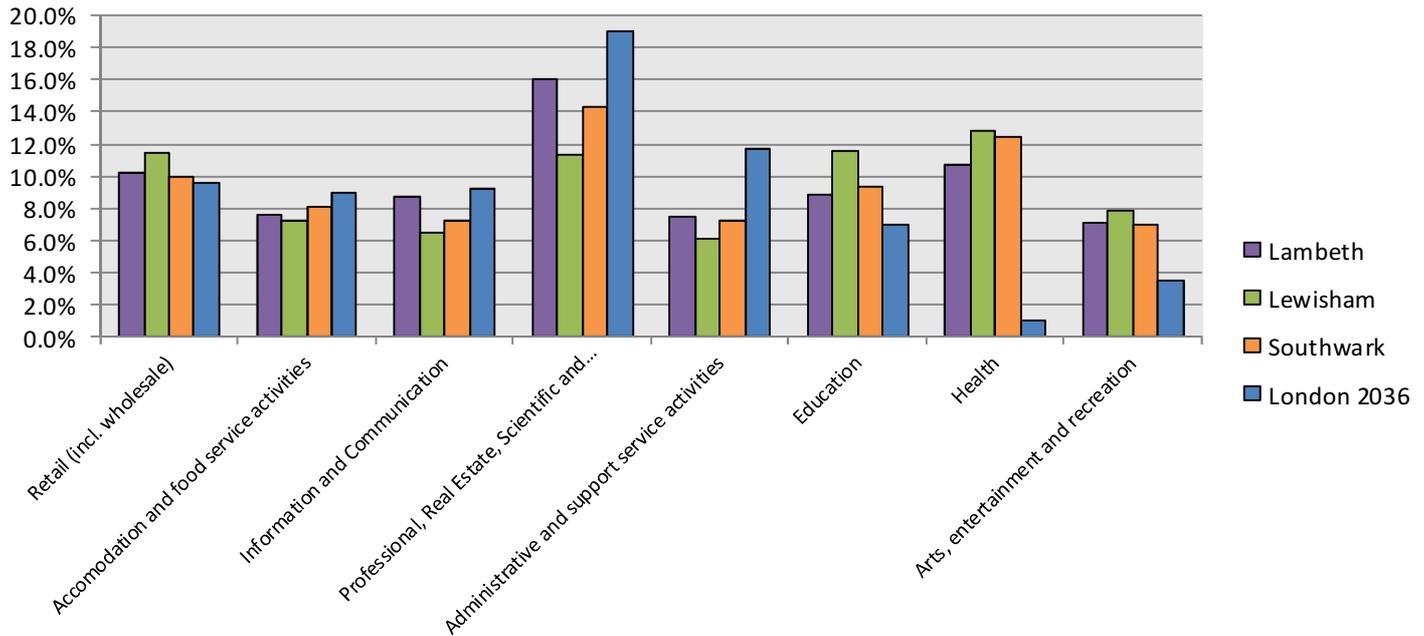
Work and Skills Strategy

Lewisham, Lambeth and Southwark and employment

Lewisham, Lambeth and Southwark

Our cross borough work with Lambeth and Southwark was a key achievement of the 2013-15 Work and Skills Strategy. The three boroughs came together as they had remarkably similar residents, similar levels of unemployment, shared work programme providers, issues with youth employment and residents needing better skills to access employment.

Chart 8: Employment by sector in Lambeth / Lewisham / Southwark (2011) vs projected growth sectors across London (2036)



GLA Economics have forecast that by 2036 the predominant sectors in London will be: professional, real estate, scientific and technical activities; administrative and support service activities; information and communication; and accommodation and food service activities. Conversely, the sectors set to experience the greatest decline are: manufacturing; wholesale; transportation and storage; and public administration and defence. Whilst construction as a whole is projected to undergo a small decline London-wide, the scale of current and upcoming major works in and around Lewisham and neighbouring boroughs (£10.7bn worth of construction works to be completed across Southwark, Lambeth and Lewisham between 2014 and 2017) underscores an urgent need to supply skilled local labour.

Comparing these growth sectors against the sectors in which Lambeth, Lewisham and Southwark residents were employed in (as at the 2011 Census) shows that the proportion of residents working in health, education and the arts far outstrips the projected proportion these sectors are expected to comprise of 2036 London economy. The proportion working in professional/scientific/technical activities, administrative/support, accommodation/food service and information/communication all lag behind the levels of the projected 2036 London economy – highlighting the need to equip and upskill residents in order to enable them to adequately compete for the jobs being created in these sectors. It also needs to be noted that the figures above relate to proportions- Lewisham has a very low job density so we have low numbers of predominately public sector and lower skilled jobs within the Borough.

Work and Skills Strategy

Lewisham, Lambeth and Southwark and employment

Description (3 digit SOC)	Volume 2020 (000)	Change to 2020
Teaching And Educational Professionals	205.1	30.1
Functional Managers And Directors	195.4	28.4
Business, Research And Administrative Professionals	161.7	23.7
Sales, Marketing And Related Associate Professionals	164.7	22.7
Information Technology And Telecommunications Professionals	127.7	18.7
Business, Finance And Related Associate Professionals	132.2	18.2
Nursing And Midwifery Professionals	113.7	16.7
Production Managers And Directors	83.1	12.1
Caring Personal Services	95.8	11.8
Protective Service Occupations	83.5	11.5
Childcare And Related Personal Services	85.6	10.6
Public Services And Other Associate Professionals	70.8	9.8
Health Professionals	57.4	8.4
Leisure And Travel Services	58.2	7.2
Legal Professionals	48.1	7.1
Media Professionals	45.7	6.7
Managers And Directors In Retail And Wholesale	45.6	6.6
Managers And Proprietors In Other Services	45.6	6.6
Information Technology Technicians	45.2	6.2
Chief Executives And Senior Officials	42.1	6.1
Engineering Professionals	38.7	5.7
Financial Institution Managers And Directors	37.4	5.4
Welfare And Housing Associate Professionals	38.3	5.3
Artistic, Literary And Media Occupations	30.2	4.2
Managers And Directors In Transport And Logistics	22.2	3.2
Managers And Proprietors In Hospitality And Leisure Services	22.2	3.2
Natural And Social Science Professionals	21.1	3.1
Quality And Regulatory Professionals	17.6	2.6
Therapy Professionals	16.4	2.4
Legal Associate Professionals	15.1	2.1

Employee jobs growth across Lewisham, Lambeth and Southwark

As mentioned above Lewisham are working with Lambeth and Southwark to develop integrated pathways into work across the three boroughs where there is significant crossover in the barriers faced by residents. In 2012 - 2013 the fastest growing sector in terms of employee jobs across the 3 boroughs was the Information and Communication Sector which grew by 28.6% (from 1400 to 1800 jobs). This was followed by, 'Other Services' (which includes creative, arts and entertainment jobs as well as gambling and betting) which grew by 20.8% (2400 to 2900 jobs). Third largest growth was the Accommodation and Food Sector which grew by 12.5% (from 3200 to 3600 jobs). In the same period Information and Communication was the largest growing sector in Inner London (9.6%).

In the 2009 – 2013 period three of Lewisham's top five fastest growing sectors in terms of employee jobs matched three of the top 5 fastest growing sectors in Inner London. These sectors were Information and Communication, Accommodation and Food Services, and Financial and Other Business Services. The similar growth in job sectors suggest that Lewisham's economy is closely linked to the wider London economy.

The analysis in table 4 shows the growth sectors across Lewisham, Lambeth and Southwark by 2020 – the trend is towards growth in high skilled jobs (teachers, managers, IT professionals) and sectors that require high levels of customer interaction (sales, caring).

Table 4: Centre for Economic and Social Inclusion (CESI) growth sectors in Lewisham, Lambeth and Southwark

Key Points

- We need to work across Lambeth, Lewisham and Southwark to ensure we are in the strongest possible position to influence and shape the local skills training offer and meet labour market demand.
- The jobs market in South East London is set to change rapidly and we need to ensure that we future proof our skills and support offer through the use of quality Labour Market Intelligence

Work and Skills Strategy

Lewisham, Lambeth and Southwark: Matching skills and work

Skills and Work

The table below links shows subjects on offer in colleges across Lewisham, Lambeth and Southwark matched to occupations in 2013 and against projections for 2020 that have been highlighted earlier in this strategy. Further work on Construction skills gaps across the three boroughs carried out by MACE show specific trade skills gaps in wood trades and interior fit out; bricklaying and building envelope specialists.

Subject area	Occupations matched to subjects by volume 2013 %	Occupations matched to subjects by volume 2020 %	No of college courses	%	No of starters	%
Business Management	16%	17%	53	6%	1,470	5%
Administration	11%	9%	48	5%	630	2%
Preparation for Work/Foundation for Learning and Life	10%	10%	213	23%	15,510	51%
Health and Social Care	8%	9%	55	6%	2,380	8%
Accounting and Finance	5%	5%	27	3%	910	3%
Media and Communication	5%	5%	16	2%	70	0%
Nursing & medical Subjects/Vocations	4%	5%	2	0%	60	0%
Teaching and Lecturing	4%	4%	13	1%	140	0%
Retailing and Wholesaling	4%	3%	3	0%	130	0%
IT for Users	3%	4%	33	4%	1,310	4%
IT Practitioners	3%	4%	22	2%	620	2%
Marketing and Sales	3%	3%	3	0%	30	0%
Manufacturing Technologies	3%	3%	2	0%	0	0%
Public Services	3%	3%	14	2%	570	2%
Hospitality and Catering	3%	2%	31	3%	220	1%
Transportation Operations/Maintenance	2%	2%	7	1%	60	0%
Child Development and Well Being	2%	2%	70	7%	710	1%
Sport, Leisure and Recreation	2%	2%	30	3%	1,140	4%
Law and Legal Services	2%	2%	4	0%	0	0%
Travel and Tourism	1%	1%	14	2%	80	0%
Medicine and Dentistry	1%	1%	1	0%	130	0%
Other Languages, Literature and Culture	1%	1%	23	3%	150	0%
Crafts, Creative Arts, and Design	1%	1%	20	2%	110	0%
Engineering	1%	1%	31	3%	1,080	4%
Science	0%	0%	17	2%	300	1%
Sociology and Social Policy	0%	0%	7	0%	40	0%
Building and Construction	0%	0%	99	11%	1,650	5%
Urban, Rural and Regional Planning	0%	0%	1	0%	40	0%
Horticulture and Forestry	0%	0%	2	0%	30	0%
Performing Arts	0%	0%	26	3%	180	1%

Table 5. Occupations matched to subjects (CESI)

Key Points

- There are a high number of "Preparation for work and foundations for learning and life" courses on offer across the 3 boroughs. While these courses are important we need to question whether they are providing the right preparation for our residents i.e. are they a stepping stone to higher level qualifications because they will not get people into jobs in the present job market. We need to ensure they are giving residents basic English levels, customer and public interaction skills and some initial confidence to begin their career journey.
- Outside these there is a mismatch with subjects needed for a better chance of job outcomes meaning we may be failing to meet future demand.

Work and Skills Strategy

Lewisham, Lambeth and Southwark: Matching skills and work

Course Count

Course type	Level						Total	%
	Entry	Level 1	Level 2	Level 3	Level 4+	Unknown		
A, AS, A2 Levels	0	0	0	38	0	0	38	4%
Advanced Apprenticeships	0	0	0	12	0	0	12	1%
FE long courses	52	86	144	118	6	2	408	45%
FE short courses	54	95	70	15	8	2	244	27%
FE very short courses	21	38	16	0	2	0	77	8%
Intermediate Apprenticeships	0	0	27	0	0	0	27	3%
Workplace Learning	0	0	68	34	0	0	102	11%
Total	127	219	325	217	16	4	908	100%
%	14%	24%	36%	24%	2%	0%	100%	

Table 6. Count of courses by level (CESI)

Sum of starters

Course type	Level						Total	%
	Entry	Level 1	Level 2	Level 3	Level 4+	Unknown		
A, AS, A2 Levels	0	0	0	130	0	0	130	0%
Advanced Apprenticeships	0	0	0	0	0	0	0	0%
FE long courses	2,880	2,970	3,910	1,850	50	260	11,920	39%
FE short courses	4,990	3,360	3,350	400	140	0	12,240	40%
FE very short courses	400	2,720	700	0	0	0	3,820	13%
Intermediate Apprenticeships	0	0	100	0	0	0	100	0%
Workplace Learning	0	0	1,910	420	0	0	2,330	8%
Total	8,270	9,050	9,970	2,800	190	260	30,540	100%
%	27%	30%	33%	9%	1%	1%	100%	

Table 7. Count of course starters by level (CESI)

As part of a research project undertaken for the *South London Construction Training Network* QTS Ltd gathered data pertaining to the number and types of workers required to complete the construction projects up to November 2018 across Lewisham, Lambeth and Southwark (and including nearby Nine Elms, Vauxhall). This data determined that the labour requirement for the entire area is 32,579. The training requirement (those who need to be in competency-based training) would be 6,515 (5% of the 32,579). The current number needed to be in training is 1,629. The competency-based training deficit (the numbers of workers who should be in training but are not) is therefore 4,889 workers or, calculated as a percentage of the deficit, 75%. This deficit demonstrates that there is a particular problem in Lewisham, Lambeth and Southwark, compared to the London region deficit of 51%.

Research commissioned by Lewisham, Lambeth and Southwark, and delivered by the Centre for Economic and Social Inclusion (CESI) in 2013 on the supply and demand of skills across the three boroughs (as shown in the tables above) highlighted a proliferation of short courses at Level 1 and a number of courses covering subjects that did not match those needed for current and future occupations. Furthermore, there was a paucity of starters for the types of higher level courses employers look to for workers.

Key Point

- There is a dissonance between the supply of skills in the region and those sought by the employer base. Improving and adapting the local skills training offer is vital to close this gap.

Lewisham and the Changing Labour Market

This section applies the learning from the changing London Labour Market to the local Lewisham context and highlights some of the key differences and opportunities that exist:

- Lewisham's labour market needs to be viewed in the context of the London labour market given the number of residents who already travel outside the borough to work
- An improving London economy means better opportunities for Lewisham residents who are able, and can afford, to travel to work
- There is a need to ensure that more of our residents are in the position to compete for higher level roles if they are to take advantage of the opportunities available across London.
- Employment is not the only route into work and we need to ensure our local support offer is flexible enough to support residents who wish to become self – employed
- JSA numbers are dropping but the rate is not even across all age groups – young people have seen a much quicker improvement than the over 50s.
- There is a need to ensure that we are providing support to those furthest from the jobs market
- Despite improvements across the borough significant areas of deprivation remain and there is still a significant amount of work to do in order to support our residents into employment
- Earnings in Lewisham remain below the London average and there is a need to focus on upskilling residents in work so they can compete for higher skilled roles as well as those not currently in work
- Significant income inequality remains across the borough
- A continuing focus on the London Living Wage across the borough is required to help tackle income inequality across all sectors
- The Lewisham skills base does not match the needs of the wider London economy with a concentration of residents with intermediate level skills
- There are a growing number of residents who lack basic English language and digital skills – this highlights specific areas of need going forward

Work and Skills Strategy

Lewisham and the Changing Labour Market

Transient workforce

The 2011 Census shows that a large majority of Lewisham residents (85%) travel out of the borough for work. Whilst Lewisham provides employment for only 1.2% of London's 4 million strong workforce. This means we need to view the Lewisham labour market in the context of the wider London labour market.

Place of Work (by borough)	% of workforce from LB Lewisham
Westminster & City of London	16.7%
Lewisham	15.1%
No fixed place	10.5%
Southwark	8.6%
Mainly work at or from home	8.4%
Bromley	4.7%
Tower Hamlets	4.6%
Camden	4.4%
Lambeth	4.4%
Greenwich	3.9%
Islington	2.5%
South East of England Region	2.2%
Croydon	1.6%
Wandsworth	1.4%
Kensington and Chelsea	1.4%
Hackney	1.2%
Hammersmith and Fulham	1.2%
Bexley	0.9%
Newham	0.9%
East of England Region	0.7%

Table 8. Workplace of LB Lewisham Residents (ONS: 2011 Census)

Place of Residence (by borough)	% of Lewisham Workforce
Lewisham	43.03%
Greenwich	12.04%
Bromley	11.32%
Southwark	7.09%
Bexley	6.44%
Croydon	4.01%
Lambeth	3.14%
Newham	1.44%
Wandsworth	1.36%
Tower Hamlets	1.15%

Table 9. Residence of LB Lewisham Workforce (ONS: 2011 Census)

Table 9 above shows where Lewisham residents are travelling to for work – it is unsurprising that the majority of residents who leave the borough go either to Central London or toward the East and South East. Conversely table X shows that the those who travel into the borough come overwhelmingly from South East London.

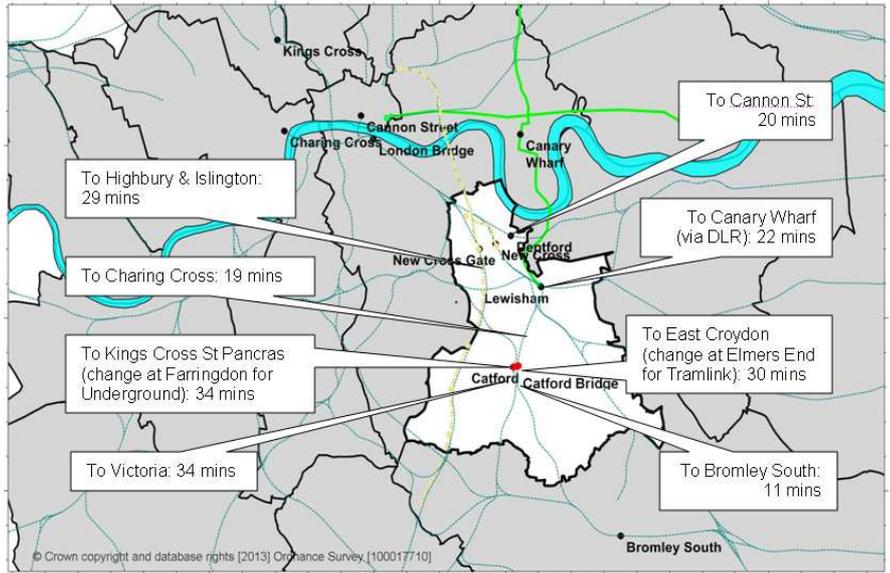
Work and Skills Strategy

Lewisham and the Changing Labour Market

Access to Greater London

Lewisham has 20 mainline stations, 3 DLR Stations, and 42 bus routes. The borough's location makes it attractive to people working in central London and other financial and commercial centres such as Canary Wharf. This connectivity drives the net daily migration of residents working outside the borough but also, through London's transport infrastructure, links Lewisham to the rest of the UK and beyond.

The proposed extension of the Bakerloo Line through the borough will enhance these links still further and increases the imperative to equip our residents to work across the Capital.



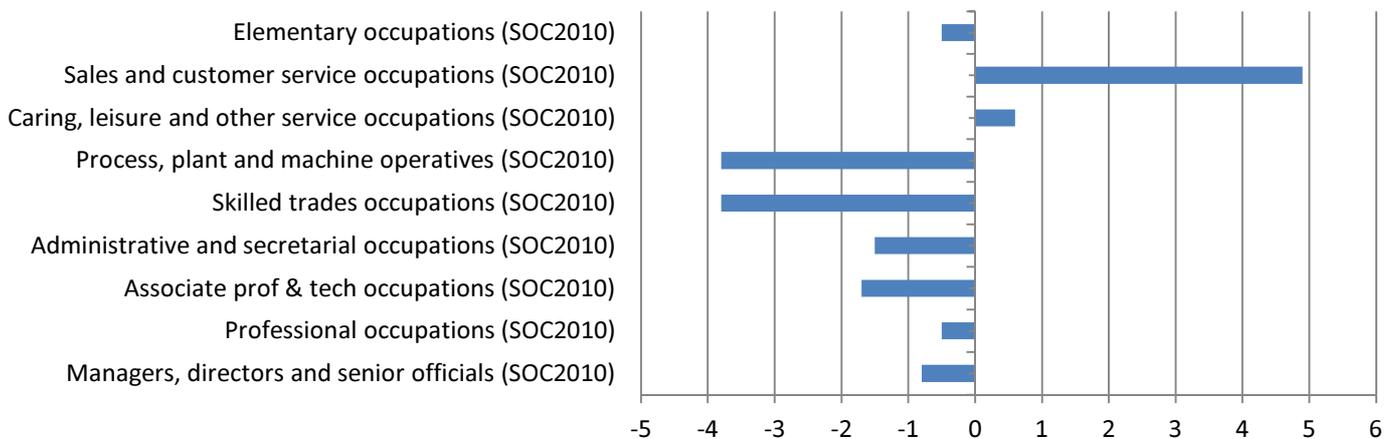
Key Points

- Lewisham's labour market should be viewed in the context of the London labour market given the number of residents who already travel outside the borough to work
- An improving London economy means better opportunities for Lewisham residents who are able, and can afford, to travel to work

Lewisham Labour Market

As detailed earlier in this strategy the growing London is hollowing out but this is not a pattern that is repeated in Lewisham. The chart below demonstrates a drop in those employed in both elementary and senior roles and a significant increase in sales and customer service occupations in Lewisham – this is likely to be lower skilled and lower paid employment. Residents with experience in these roles are unlikely to be those who can afford to travel.

Chart 9: Occupational Class Change - March 2010 - March 2015: Lewisham (Source: ONS)



Key Point

- There is a need to ensure that more of our residents are in the position to compete for higher level roles if they are to take advantage of the opportunities available across London.

Work and Skills Strategy

Lewisham and the Changing Labour Market: Unemployment in Lewisham

JSA claimant rates

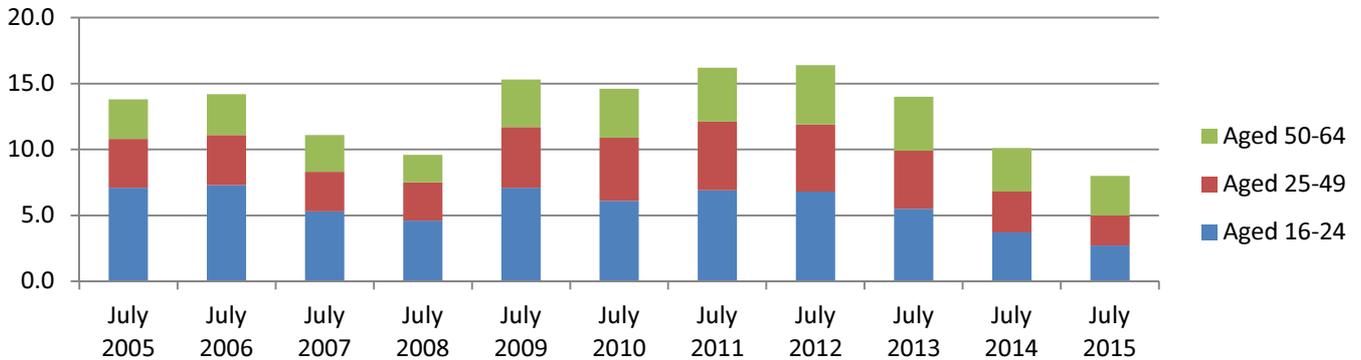


Chart 10 – JSA claimant rates by age in Lewisham (%)

The chart above demonstrates a significant drop in total JSA claimant rates across all age ranges from a peak in 2012. However, as demonstrated in the table below, the drop has been higher amongst 16 – 24 year olds than the over 50s. This demonstrates that there is still work to do across all cohorts however our support needs to be flexible to ensure we are meeting a wide range of needs.

Date	Aged 16-24	Aged 25-49	Aged 50-64
July 2013	5.5	4.4	4.1
July 2015	2.7	2.3	3.0
Difference	-2.8	-2.1	-1.1

Table 10 – Drop in JSA claimant rates by age (2013 – 2015) in Lewisham (%)

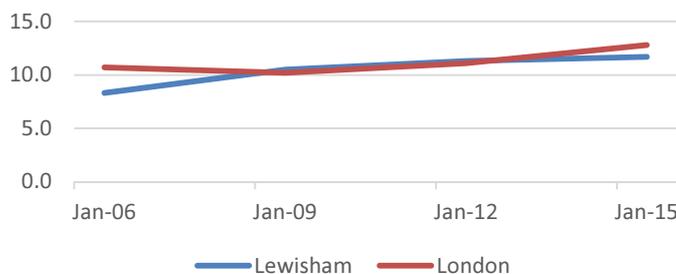
Key Point

- JSA numbers are dropping but the rate is not even across all age groups – young people have seen a much quicker improvement than the over 50s.

Self Employment

Self employment levels in Lewisham have begun to fall behind the London levels again having been slightly higher in 2009 and 2012. The increasing availability of employment is likely to have made self employment a less attractive option for many residents. However the fact remains that self employment is a growing employment norm across all industries and this is a challenge for Lewisham and our partners as it means providing a different type of support to residents who are seeking to enter growth industries or take the next step in their career.

Chart 11: total % aged 16-64 who are self employed



Key Point

- Employment is not the only route into work and we need to ensure our local support offer is flexible enough to support residents who wish to become self - employed

Work and Skills Strategy

Lewisham and the Changing Labour Market: Unemployment in Lewisham

Employment Support Allowance / Income Support claimant rates

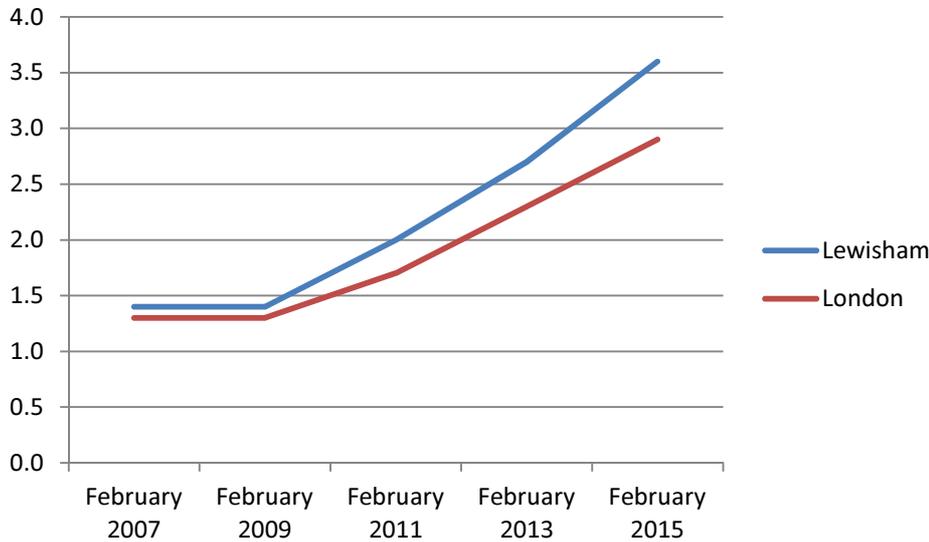


Chart 12 – ESA and IB claimant rates in Lewisham and London

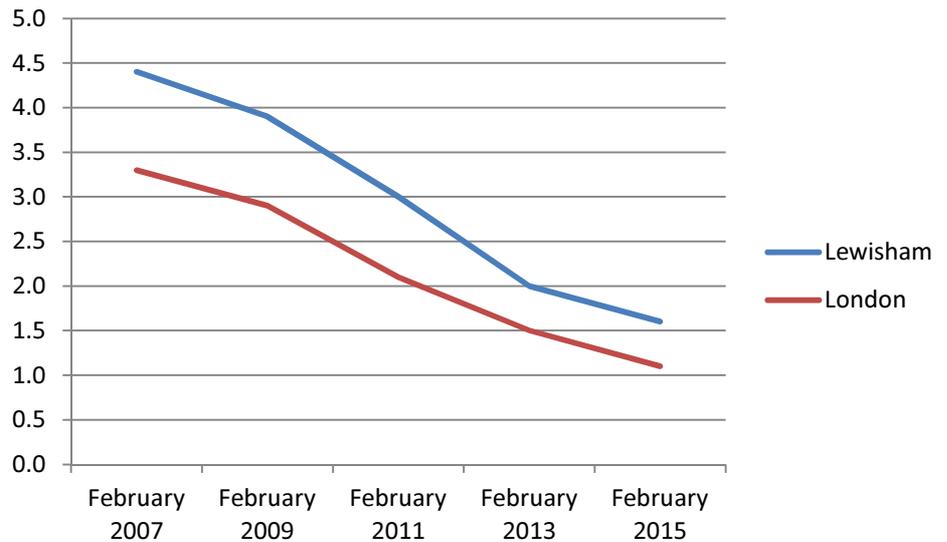


Chart 13 – Income Support and Pension Credit claimant rates in Lewisham and London

The charts above show a sharp increase in the Employment Support Allowance claimant rates in Lewisham and London with the Lewisham rate worryingly diverging upwards away from the London average. This represents some of the most hard to reach unemployed residents in the Borough and it is vital that we try to reach out and offer support to those with the most complex needs.

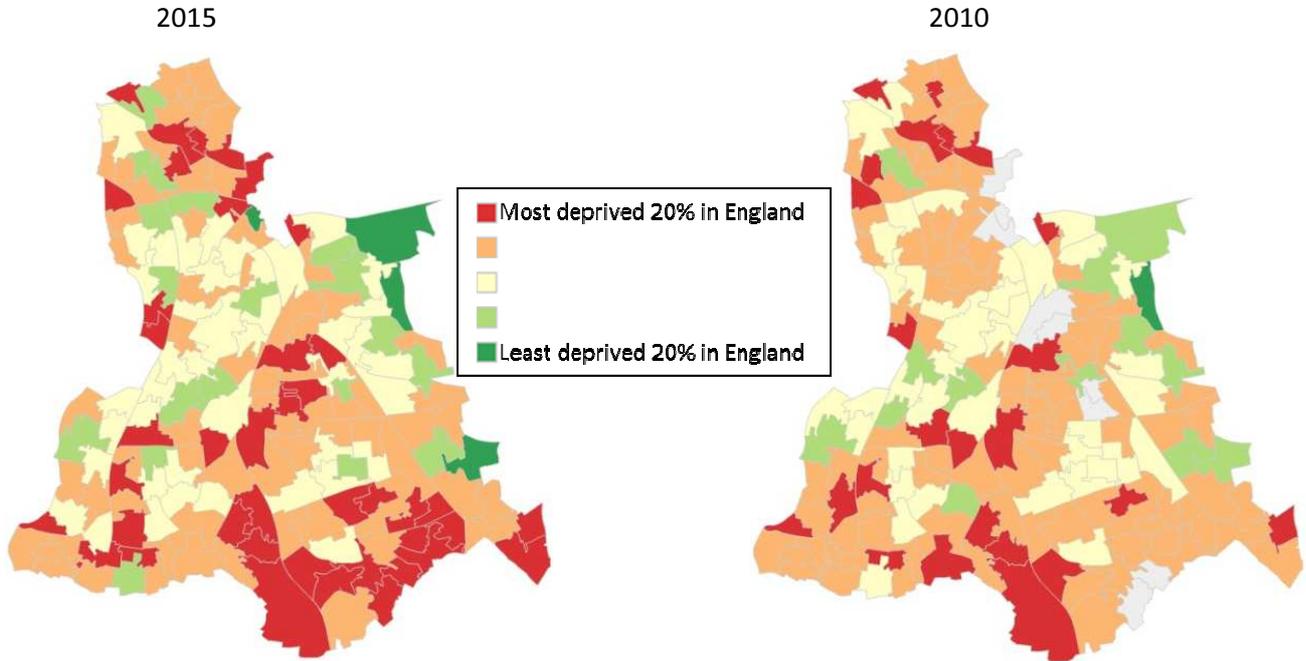
Key Point

- There is a need to ensure that we are providing support to those furthest from the jobs market often with the

Work and Skills Strategy

Lewisham and the Changing Labour Market: Deprivation and earnings in Lewisham

The maps below use indices of multiple deprivation (IMD) employment data to show that the number of we have more of the most deprived areas in England in 2015 than 2010 despite the improvements that have been made. This will be a reflection of the impact of continuing welfare reforms and the benefits cap on our inner city borough and it indicates that there is a significant amount of work to do – especially in the South of the borough.



Key Point

- Despite improvements across the borough significant areas of deprivation remain and there is still a significant amount of work to do in order to support our residents into employment

Work and Skills Strategy

Lewisham and the Changing Labour Market: Earnings in Lewisham

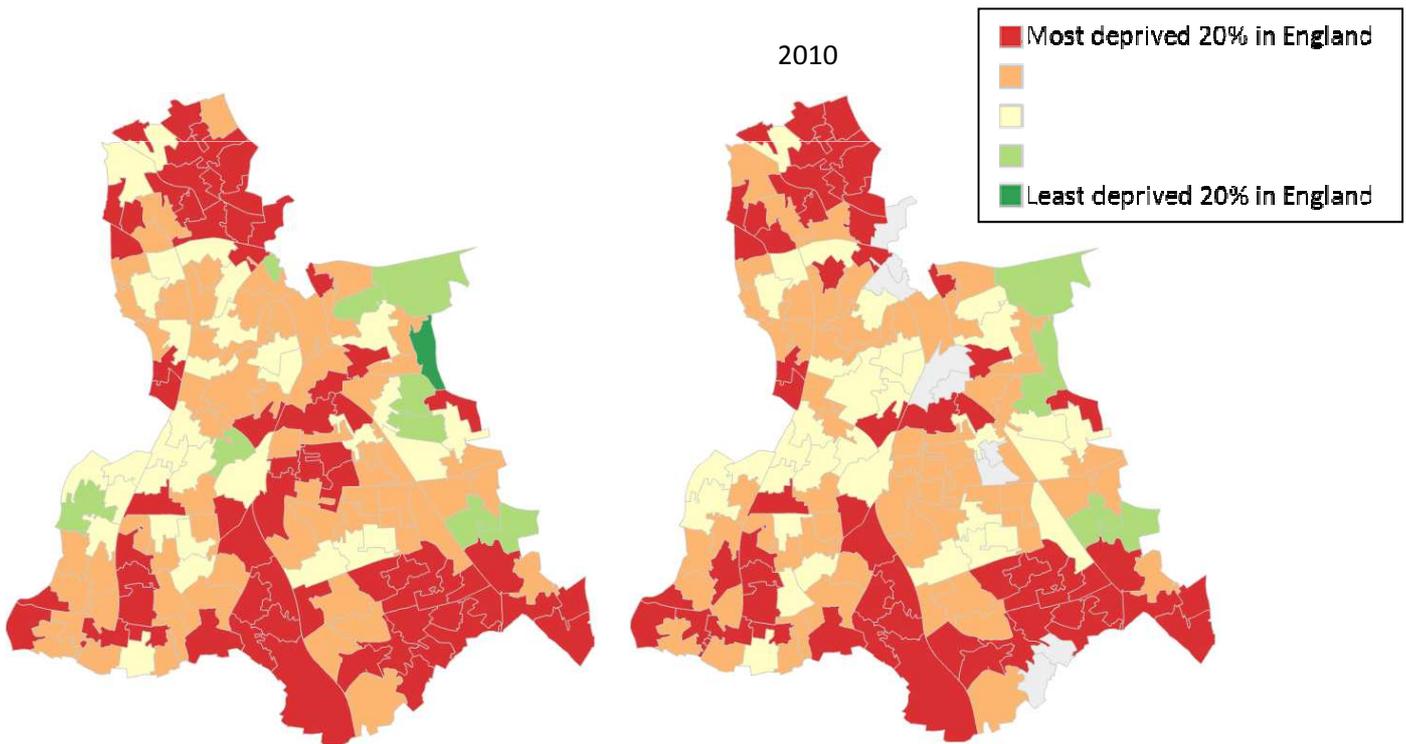
Earnings

	Lewisham	London	Great Britain
2010	£564	£606	£502
2011	£561	£608	£500
2012	£594	£613	£508
2013	£619	£613	£518
2014	£604	£618	£521

Table 11. Earnings from 2010-2014, £ (gross weekly pay, all full-time workers) Source: ONS Annual Survey of Hours and Earnings

Earnings for full-time workers have increased by 6% in Lewisham from 2010 to 2014, eclipsing the growth of 2% in London over the same period. Full-time earnings are now just £14 below the London average, having been £42 below in 2010, and are well above the national average of £521. A gender pay gap remains with male full-time workers paid an average of £632 a week in 2014, whilst female full-time workers were paid £579 – equating to a gap of 8%. The gender pay gap is higher in London where male full-time workers are paid £661, whilst females are paid £575 – a gap of 13%. Closing this gap will be key in ensuring that the benefits of growth are shared fairly across all Lewisham residents.

However median hourly wage (excluding overtime) did decrease by 2.8% to £14.67 in 2014 having risen by 7.1% to £15.09 in 2013. (ONS: Annual Survey of Hours and Earnings, 2014).



The IMD maps showing income deprivation show that significant areas of the borough remaining in the bottom 20% in England despite the growing signs of an economic recovery in London.

Work and Skills Strategy

Lewisham and the Changing Labour Market: Earnings in Lewisham

The two Lewisham wards of Evelyn and Downham are in the bottom decile of median household income in London, and are ranked 45th and 53rd respectively out of London's 625 wards. There are no Lewisham wards in the top two deciles, Blackheath is the highest at 500th in the 70-80% decile.

Lewisham Ward	Median Household Income (2012/13)	London Ward Ranking 1 = lowest, 625 = highest	London Ward Deciles
Evelyn	£30,560	45	0-10%
Downham	£30,880	53	0-10%
Bellingham	£31,340	70	11-20%
New Cross	£31,520	74	11-20%
Whitefoot	£32,840	126	21-30%
Rushey Green	£34,670	193	31-40%
Lewisham Central	£35,760	235	31-40%
Grove Park	£36,150	248	31-40%
Sydenham	£37,060	278	41-50%
Telegraph Hill	£37,230	284	41-50%
Brockley	£38,100	310	41-50%
Catford South	£39,070	343	51-60%
Perry Vale	£39,130	346	51-60%
Ladywell	£40,290	388	61-70%
Forest Hill	£40,960	407	61-70%
Crofton Park	£42,560	449	71-80%
Lee Green	£42,760	454	71-80%
Blackheath	£44,870	500	71-80%

Table 12. Median income by ward (source GLA)

Neighbouring Southwark and Lambeth have greater levels of income inequality than Lewisham, with four wards in the bottom decile, three in the top two, and a ranking range of 17-615. Lambeth has a concentration of wards around the mid income deciles (11 from 40-60% out of 21, and 18 from 30-70%). Notably there is only one Lambeth ward in the lowest two deciles, whereas there are four in Lewisham.

Key Points

- Earnings in Lewisham remain below the London average and there is a need to focus on upskilling residents in work so they can compete for higher skilled roles as well as those not currently in work
- Significant income inequality remains across the borough

Work and Skills Strategy

Lewisham and the Changing Labour Market: Earnings in Lewisham

London Living Wage

	2012	2013
London	17.5%	18.8 %
Lewisham	22.3 %	24.5 %

Table 12. Jobs in Lewisham paying less than the London Living Wage, 2012-2013 (workplace based)

	2012	2013
London	20.8 %	22.3 %
Lewisham	19.6 %	20.9 %

Table 13. Residents of Lewisham earning less than the London Living Wage, 2012-2013 (residence based)

London Living Wage stood at £8.80 in 2014 - rising to £9.40 in 2015. The percentage of jobs in Lewisham paying below the London Living Wage (LLW) is below the London average - almost a quarter of the jobs in Lewisham pay less than the LLW, increasing from 22.3% in 2012, to 24.5% in 2013. (ONS: Annual Survey of Hours and Earnings, 2013).

In contrast the percentage of Lewisham resident's earning the LLW or more, is higher than the London average but the percentage of Lewisham residents who are earning less than the LLW has increased slightly from 19.6% to 20.9%.

The difference between the workplace and residence measure suggests that a large proportion of Lewisham's higher earning residents work outside of borough.

Research by the Joseph Rowntree Foundation (The effect of occupation on poverty among ethnic minority groups, Joseph Rowntree Foundation, 2015) has found that ethnic minorities are less likely to be earning the living wage than their white counterparts. Ethnic minorities in low-paying jobs were also paid less compared to white employees.

The jobs with the highest percentage of employees not receiving the LLW are mainly in the Accommodation and Food, and Retail sectors – for example a report published by KPMG found that 90% of bar staff were paid less than the Living wage. (Living Wage Research 2014, KPMG, 2014) Other jobs in the accommodation and food, and retail sectors also have similar percentages of their workforce being paid below the Living Wage. Whilst other sectors do not have as high proportion of its workforce earning below the living wage, professions such as care workers and home carers, as well as teaching assistants contribute large numbers of people who are paid below the London Living Wage nationally.

Key Point

- A continuing focus on the London Living Wage across the borough is required to help tackle income inequality across all sectors

Work and Skills Strategy

Lewisham and the Changing Labour Market: Skills

Lewisham Skills Base

Lewisham has a significant number of residents with level 1, 2 or 3 qualifications however if we refer back to the evidence above it is clear that the growth areas in the labour market are not at these intermediate level jobs. The challenge presented by this data is to support the ambition of our residents and ensure they have access to higher level skills training that will lead to sustainable work outcomes in the changing London jobs market.

Qualification	Lewisham	Inner London
No qualifications	17.7%	15.8%
Level 1	11.1%	8.5%
Level 2	12.5%	9.4%
Apprenticeship	1.4%	1.0%
Level 3	10.8%	10.1%
Level 4 and above	38.0%	44.7%
Other	8.5%	10.5%

Table 14. Qualifications in Lewisham (NOMIS)

A ward-level analysis highlights the impact of geographical location upon attainment; the majority of the wards with the highest proportion of 16-24 year olds with no qualifications are towards the south of the borough – a situation that is reversed when looking at those level 4 or above. It is crucial to ensure the further education (FE) offer across Lewisham takes these place-based factors into account, so that those furthest away from the jobs market – both in terms of attainment and geography – are not at risk of further disenfranchisement. With large-scale local developments in the pipeline, the reshaping of the local FE offer must focus on ensuring a consistent flow of talented, skilled local labour towards these opportunities.

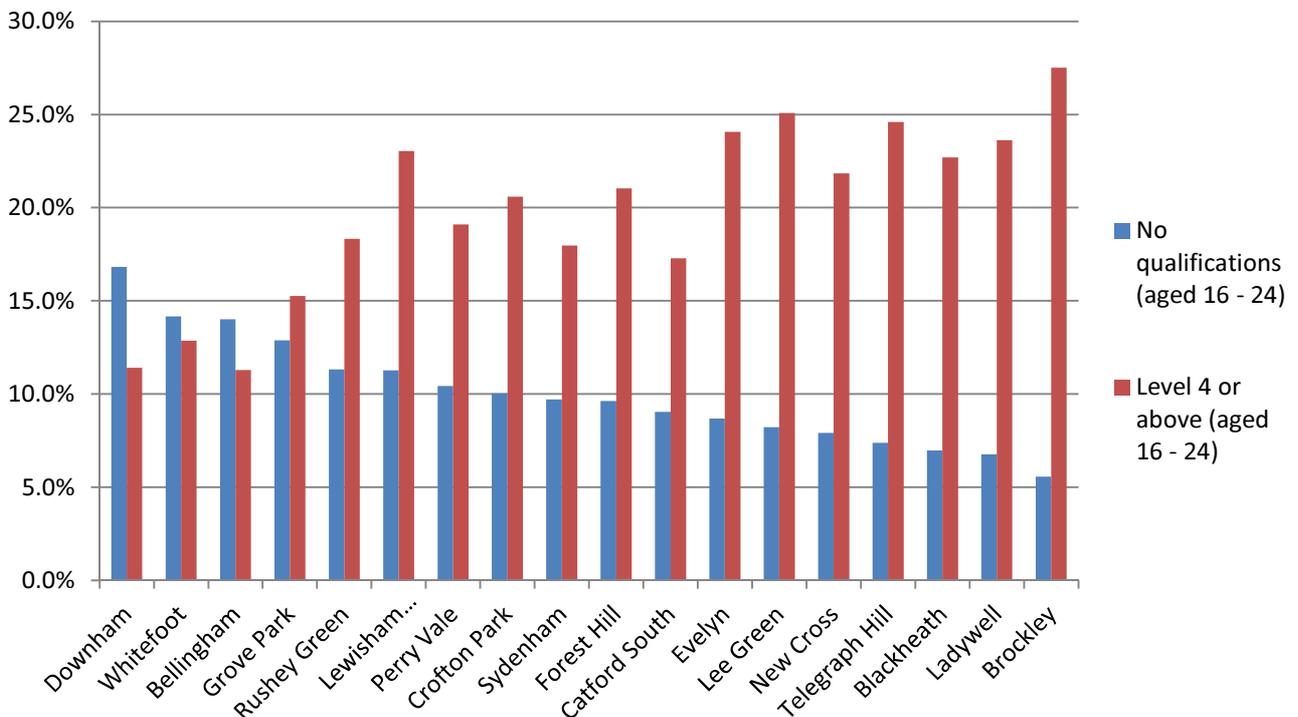


Chart 14. Level 4 or above and No Qualifications by ward (Nomis)

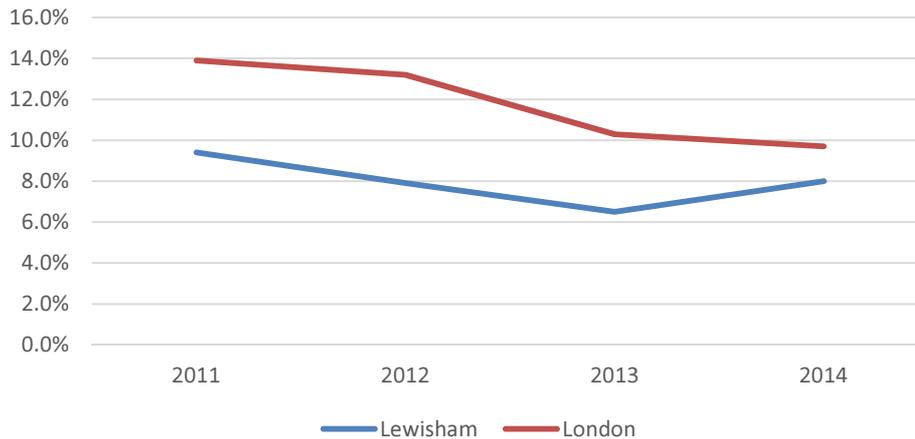
Work and Skills Strategy

Lewisham and the Changing Labour Market: Skills

Digital Skills

A lack of digital skills have been identified as a key barrier to employment by partners as one of the key barriers to employment locally and the most recent data on internet usage from the ONS Annual Population Survey shows a worrying increase in the number of residents who have never used the internet:

Chart 15: % or residents who have never used the internet
(Source: ONS APS)



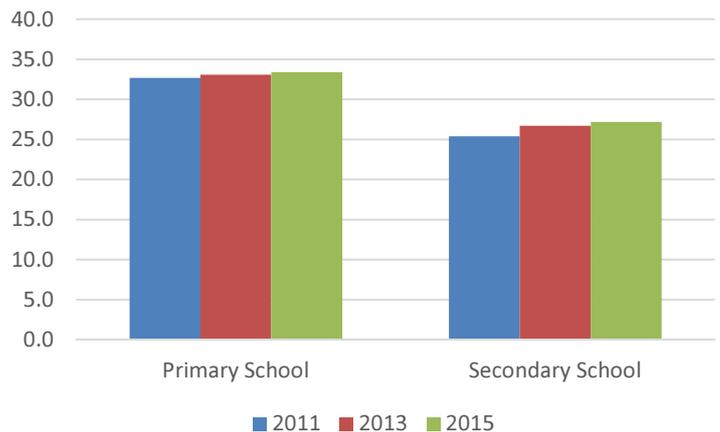
English Language Skills

The table below shows that London lags well behind the rest of England in terms of households where the main language spoken is not English. Lewisham compares relatively favourably to London neighbours but the graph below shows a rising prevalence amongst both primary and secondary school pupils.

Region	% of households where main language spoken is English
North East	97%
North West	95%
Yorkshire and The Humber	94%
East Midlands	94%
West Midlands	93%
East	94%
London	78%
South East	94%
South West	97%

Table 15. % of households where main language spoken is English (ONS in 2011)

Chart 16: Lewisham school pupils whose first language is known or believed to be other than English (Source ONS)



Key Points

- The Lewisham skills base does not match the needs of the wider London economy with a concentration of residents with intermediate level skills
- There are a growing number of residents who lack basic English language and digital skills – this highlights specific areas of need going forward

Work and Skills Strategy

Work strands

This strategy will deliver against six key work strands designed to ensure that we are:

- Inspiring and supporting the **ambition** of our residents
- Lewisham and London have seen a rapid economic and population **growth**
- Creating a **fair** society where the benefits of growth are felt by all

1. Develop strong partnerships across all sectors

2. Improving local skills training to equip adults for work opportunities and self employment

3. Deliver employment support for those with the most complex needs

4. Encourage residents in employment to progress

5. Maximise social value opportunities with employers and enterprise

6. Develop improved Labour market Intelligence

1. Develop strong partnerships across all sectors

The evidence at the front of this document presents a strong challenge to Lewisham and our partners around the support required to help our most vulnerable residents to upskill and get into work. This cannot be achieved in silos and we will need to continue to develop our partnerships with neighbouring boroughs, schools, central government, further and higher education providers, training providers, housing associations, employers, trade bodies and third sector organisations. Notably this will include a Memorandum of Understanding with Goldsmiths, University of London.

What we will do:

- Develop links with partners across London to ensure our residents have access to the best possible employment opportunities
- Work with regional partners to ensure we are maximising our ability to leverage funding and influence the work and skills agenda as it develops in London.
- Build on links with training and skills providers across London to ensure residents are accessing a training and skills offer meets employer demand.
- Work with the Local Labour and Business Scheme to develop links with employers across all sectors – particularly in the construction industry

2. Improving local skills training to equip adults for work opportunities and self employment

The CESI data on skills presented in this strategy presents a challenge to Lewisham and to local skills training providers across the borough. The local authority will need to work with partners to ensure their curricula is aligned with the needs of the local jobs market and/or the needs of the local economy. Where there are gaps the local authority will need to consider how these can be filled and where possible devise solutions.

What we will do:

- Local colleges and training providers will have a curricula and training offer that fits with the needs of the London labour market.
- Identify skills training gaps and work to fill these through targeted spending and joint funding opportunities such as the Understanding the Language of Work pilot and the Building Lives Construction Skills Centre.
- Devise a Digital Skills & Inclusion Strategy for tenants to provide access, build confidence and ignite an interest in emerging technologies.

3. Deliver employment support for those with the most complex needs

This strategy wants to move away from identifying specific groups who may require employment support but we do recognise that there are still a significant amount of residents who with complex needs who are far from the jobs market. The data around employment deprivation evidences the need to continue to offer employment support for those with the most complex needs.

What we will do:

- Work with Lambeth and Southwark to deliver the expanded Pathways to Employment programme to deliver employment support to those with the most complex needs
- Through the Support for Families Programme we will deliver, in partnership with the JCP, employment support to our most vulnerable residents.
- Maximise the support on offer through the European Social Fund to deliver employment support to vulnerable residents – with a focus on ESOL provision and support around Mental Health.
- Maintain links with Housing Partners and Voluntary and Community Sector organisations and support them in their work with vulnerable residents

4. Encourage residents in employment to progress

Income inequality remains an issue in Lewisham and our average wage is below the London average. The local authority has taken a lead on talking this by becoming a flagship living wage employer but there is more that we can do to help promote this agenda and upskill our residents so they are able to progress in employment.

What we will do:

- Explore with partners how to widen access to upskilling opportunities
- Once Universal Credit is implemented, in and out of work benefits will be merged and we will explore how best to identify those who would benefit from support with upskilling.

5. Maximise social value opportunities with employers and enterprise

The world of work is changing rapidly and we cannot assume that all residents are looking for a traditional career. The rise in self employment across some of the key local growth industries is just one example of this change. In this context it is vital that Lewisham and our partners continue to use our supply chain and local labour initiatives. We also need to strengthen our support for enterprise, entrepreneurship and self employment opportunities in recognition of the changing local labour market.

What we will do:

- Continue to embed Social Value targets, including jobs, skills and business support, in all LBL procurement processes and monitor the Social Value Outcomes.
- Provide local small businesses with access to tailored professional business support
- Work with local businesses to support London Living Wage employment
- Support partner organisations to ensure they deliver social value outcomes through their procurement processes

6. Develop improved Labour Market Intelligence

The updated evidence at the front of this document presents a strong challenge to Lewisham and our partners around the support required to help our most vulnerable residents to upskill and get into work. This cannot be achieved in silos and we will need to continue to develop our partnerships with neighbouring boroughs, schools, central government, further and higher education providers, training providers, housing associations, employers, trade bodies and third sector organisations.

What we will do:

- Establish an intelligence product – prediction of labour demand on construction sites, and the requisite skills needs as part of the construction skills command centre.
- Create and share annual updates on business and labour market intelligence in Lewisham and London
- Sharing and promoting quality job opportunities in partner organisations with residents
- Work with the FE colleges to share labour market intelligence, and destination data to better shape curricula

Chief Officer Confirmation of Report Submission			
Cabinet Member Confirmation of Briefing			
Report for:	Mayor	<input type="checkbox"/>	
	Mayor and Cabinet	<input checked="" type="checkbox"/>	
	Mayor and Cabinet (Contracts)	<input type="checkbox"/>	
	Executive Director	<input type="checkbox"/>	
Information	<input type="checkbox"/>	Part 1	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	Part 2	<input type="checkbox"/>
		Key Decision	<input checked="" type="checkbox"/>

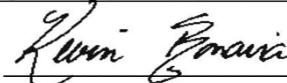
Date of Meeting	9 th December 2015
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Title of Report	Council Tax Reduction Scheme 2016/17
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Originator of Report	Ralph Wilkinson	Ext.	46040
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	x	
Legal Comments from the Head of Law	x	
Crime & Disorder Implications	x	
Environmental Implications	x	
Equality Implications/Impact Assessment (as appropriate)	x	
Confirmed Adherence to Budget & Policy Framework	x	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed:  Executive Member

Date: 1st December 2015

Signed:  Director/Head of Service

Date 1st December 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

Mayor and Cabinet			
Report Title	Council Tax Reduction Scheme 2016/17		
Ward	All	Item No.	
Contributors	Executive Director for Customer Services and Head of Public Services		
Class	Open	Date	9 December 2015

1. Purpose

- 1.1 To agree Lewisham's Council Tax Reduction Scheme (CTRS) for 2016/17.

2. Executive summary

- 2.1 On 1 April 2013 the Council implemented a local CTRS which passed on the government cut in grant of £3.28m in full to 24,648 working age households previously in receipt of Council Tax Benefit. Pensioners are protected from the changes under legislation maintaining their support at least in line with Council Tax Benefit levels.
- 2.2 The end of year Council Tax collection percentage for 2014/15 was 82.90% fractionally better than the previous financial year and substantially better than the original estimates of 50% when the scheme was introduced. Year to date collection for 2015/16 is 44.55%, 0.34% below the expected profile.
- 2.3 It is proposed that no changes are made to the CTRS for 2016/17 and that the Council continues to pass on the government cut in funding to working age claimants. Consultation was undertaken with local residents, stakeholders and preceptor during August and September 2015.
- 2.4 The consultation sought views on the proposal that the Council continues to pass on the shortfall in government funding in 2016/17.
- 2.5 The majority (72%) of those responding to the consultation agreed that the Council should continue to pass on the shortfall in government funding to deliver a CTRS for 2016/17.

3. Recommendations

It is recommended that the Mayor agrees to:

- 3.1 Note the outcomes of the consultation set out in appendices 1, 2 and 3.
- 3.2 Retain a local CTRS from 1 April 2016 that passes on any reduction in government funding, reflecting the Council's financial position following the announcement of the Comprehensive Spending Review (CSR) in November and the provisional Local Government Financial Settlement (LGFS) in December.
- 3.3 Continue to deliver additional support to the most vulnerable residents through use of the existing provision within Section 13A(1)(c) of the 1992 Local Government Finance Act.

4. Policy context

- 4.1 One of the primary functions of the Council is to promote the social, economic and environmental wellbeing of the borough and its people. In discharging this

important role the Council has a specific duty to safeguard the most vulnerable from harm and to regulate access to public services and to provide social protection for those that might otherwise be put at risk.

- 4.2 As Council funding is provided through public resources (grants from central Government; Business Rates and Council Tax) the local authority must also demonstrate both responsibility and accountability in the stewardship of public resources.
- 4.3 The overarching policy and decision making framework for the discharge of the Council's many functions and duties is Lewisham's Sustainable Community Strategy. The Strategy contains two overarching principles which are:
 - reducing inequality – narrowing the gap in outcomes; and
 - delivering together efficiently, effectively and equitably – ensuring that all citizens have appropriate access to and choice of high quality local services.
- 4.4 Also contained within this overarching policy framework are the Council's ten priorities. These priorities describe the specific contribution that the local authority will make to the delivery of the Sustainable Community Strategy.

5. Council Tax Reduction Scheme 2015/16

- 5.1 In 2013/14, the Government allocated a total of £25.8m for CTRS in Lewisham which was split between the Council of £19.9m and the GLA of £5.9m. The allocation was £3.28m less than the 2012/13 funding and the Council agreed to pass on this cut in Government funding to 24,648 working age claimants.
- 5.2 As a part of the local government finance settlement for 2014/15, the Government announced that the resources for the CTRS would be rolled into the Council's overall formula grant, commonly known as the SFA, from 2014/15 onwards. This means that it is no longer possible to establish individual authority allocations for CTRS. For 2014/15, it was assumed that the comparative shortfall would be at a similar level to the previous year. For 15/16, the budget available was reduced to reflect the SFA reduction for the Council for the previous year.
- 5.3 Consideration had been given to absorbing the cut in grant. The use of reserves was discounted as the majority of reserves are earmarked for other purposes with the remainder needed for any urgent one-off unavoidable expenditure. The alternative would have meant either making further savings from other services or raising Council Tax to all payers, the impact of which was likely to be in excess of the threshold set by the Secretary of State beyond which a binding Council Tax referendum would need to be held.
- 5.4 As in previous years, the scheme agreed for 2015/16 is based on the established Council Tax Benefit scheme which had been in use since 1993. However, there is one significant difference that enables the Council to continue to deliver a scheme that accounts for the cut in grant. This is that maximum awards of Council Tax Reduction do not meet the full Council Tax liability for working age households, who are expected to contribute a minimum 3.00% towards their Council Tax for 2014/15.
- 5.5 When Lewisham's 2013/14 CTRS was drafted, there were 33,875 households receiving Council Tax Benefit of which 24,648 were working age and 9,227 were pensioners.
- 5.6 The 2015/16 caseload (households receiving an award of Council Tax Reduction) has reduced to 28,294. However, the breakdown between working age and elderly

remains similar at 70% (19,717) and 30% (8,577) respectively when compared with the 72% and 28% in 2013/14.

- 5.7 Although there has been a reduction in the number of households receiving support and the amount of support they receive there has been a minimal impact on overall collection rates. In fact, the in year collection rate of 82.90% for 2014/15 was marginally more than 2013/14.
- 5.8 It should be noted that whilst collection rates give an indication of how well the CTRS has worked, they are not a totally reliable indicator as there will be elements of 'won't pay' as well as 'can't pay'. So far this year 10,500 reminder letters have been sent to customers in receipt of CTR because of non-payment.
- 5.9 Unlike some other authorities the Council received no challenges to the scheme in the Courts or appeals about decisions to the Tribunal. Nor did the Council receive any complaints about the scheme or requests from individuals or support groups about changes being made to the way it operated.
- 5.10 The Council worked with the voluntary sector in the creation of the CTRS and continues to work closely with them on specific cases and how we administer the scheme. An earlier meeting with the Citizens Advice Bureau identified their concerns about the use of Enforcement Agents (also known as bailiffs). As a result we consulted with them on the development of the new protocols for the Council's internal enforcement service.

6. Council Tax collection

- 6.1 At the commencement of the CTRS many local authorities had low expectations about the level of Council Tax that would be collected from claimants in receipt of Council Tax Reduction and were concerned about the impact it would have on the Council's overall budget position. Accordingly, many authorities set low in-year collection targets for this group, some in the region of 50-60% of the amount due for the year.
- 6.2 Outturn collection results for the majority of London authorities have been better than expected with many far exceeding the initial predicted levels. As we approach the fourth year of the scheme action to recover outstanding debt from CTRS recipients follows the same format as that of non CTRS residents, in line with the Local Government Finance Act 1992.
- 6.3 Lewisham's outturn collection results for 2014/15 for those households in receipt of Council Tax Reduction was 82.90%, having collected £5.8m of the £7m due for the year, a far better result than the 50% predicted at the commencement of the scheme. As at 30 September 2015 the Council has collected 44.55% against the profiled target of 44.88%, a shortfall of 0.33%.

7. Hardship Scheme

- 7.1 In the first two years of the scheme, a fund of £100k was made available to households suffering financial hardship as a result of the introduction of the CTRS. To ensure that funds were allocated to those most in need, Lewisham introduced criteria based on consultation outcomes. Applicants had to demonstrate that they were experiencing exceptional hardship and be in one of three categories:

- disabled or responsible for a disabled child;
- a lone-parent with a child under the age of 5;
- over the age of 50 and long-term unemployed i.e. out of work for a period of 12 months or more.

- 7.2 Other applications were considered where an applicant was able to demonstrate they had suffered exceptional financial hardship but did not fall under one of the three vulnerable groups identified above.
- 7.3 The availability of the additional funding was promoted through a number of channels, including:
- Housing Benefit and Revenues officers briefed to pro-actively identify potential applicants and encourage applications online or by telephone;
 - Member briefings in March and September 2013;
 - Presentation and circulation of information during the Advice Lewisham event held in October 2013, attended by representatives of local advocacy groups and supporters of vulnerable residents;
 - Briefings to housing providers and landlords in the borough.
- 7.4 Despite the steps taken to publicise the Discretionary Hardship Scheme, only 196 awards were made during 2013/14 from around 24,500 affected households and all applications were successful.
- 7.5 As part of the review of Lewisham's 2013/14 scheme, benchmarking was undertaken with other London boroughs and of the 20 that responded only 8 had created a hardship fund. The remaining majority (60%) were all reliant on using the current provision within Section 13A(1)(c) of the Local Government Finance Act (1992) which allows councils to provide support to any households encountering exceptional financial hardship.
- 7.6 Although there was a limited take-up of the current Discretionary Hardship Scheme it was considered that there was a need to protect households from extreme financial hardship. In 2015/16, instead of this continuing to be covered through a separate cash-limited pot, the decision was made to use the existing provision under Section 13A(1)(c) of the 1992 Local Government Finance Act.
- 7.7 To date, no applications have been made under Section 13A(1)(c) of the Local Government Finance Act (1992) on the grounds of severe financial hardship however, this provision will remain available irrespective of the Council Tax Reduction Scheme decided upon for 2016/17.

8. Consultation on the CTRS for 2016/17

- 8.1 A consultation exercise was undertaken between 3 August and 27 September 2015. Our approach was to engage with a sample of Council Tax payers as well as those currently in receipt of CTR. This provided all those with an interest in this matter an opportunity to share their feedback.
- 8.2 The consultation was intentionally proportionate in approach. The proposals for the 2016/17 scheme remain unchanged from the initial scheme that was introduced in 2013/14, for which a comprehensive consultation and Equalities Analysis Assessment were undertaken.
- 8.3 Responses to the consultation on the proposed CTRS for 2016/17 were promoted through the following methods:
- A self-completion survey was publicised across the Council's website
 - A hard copy format was made available upon request for those without access to the internet.

- A letter was sent out to 1,000 households inviting them to participate in the survey. This was done in proportion to whether people were in receipt of CTR - 25% to those in receipt of CTR and 75% to those not in receipt of CTR.
- Briefings were provided to Council Tax, Housing Benefits and Customer Service Centre staff to promote the survey during all relevant customer contacts.
- Paper surveys were made available to customers visiting the Customer Service Centre at Laurence House during the period of the consultation.
- The 'Homelessness Forum' hosted by King's Church in July 2015, promoted the consultation to almost 20 voluntary and community groups in attendance, including advocates for key vulnerable groups.
- The consultation was directly promoted to at least 20 housing associations, including Hyde, London and Quadrant, Hexagon, Pinnacle and Metropolitan with a request that they disseminate to their tenants.
- The consultation on the Council Tax Reduction Scheme was communicated in the following ways: article in autumn edition of Lewisham Life (distributed end August 2015), news story on the Council's website (5 August – 28 September 2015) and sent to South London Press and News Shopper on 5 August.

8.4 The principal focus of the survey sought to clarify:

- a) Whether or not the Council should maintain the current CTRS for 2016/17, where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding;
- b) If respondents disagreed with the proposal to maintain the current CTRS for 2016/17, what alternatives they thought the Council should use to deal with the shortfall in funding.

8.5 The headlines from the consultation were as follows:

- There were 74 respondents to the survey in total, of which 26 (35.1%) are currently receiving CTR in Lewisham.
- More than two thirds (71.6%) of all respondents agreed that the Council should maintain the current scheme where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding.
- There was a slightly lower level of support for the proposal from those currently in receipt of CTR than those that were not. Of those currently in receipt of CTR, 69.2% agreed that the Council should maintain the current scheme, compared to 72.9% of those not currently in receipt of CTR.
- Of the 21 respondents that answered the question about alternatives to maintaining the current CTRS, 42.9% proposed that all Council Tax bills were increased, 14.3% proposed that reserves were used to deal with the cut in government funding, 14.3% proposed that the Council spends less on other services and 28.6% proposed that something else is done.

8.6 In conclusion, the majority of consultation respondents agreed with the proposals that the Council should maintain the current CTRS scheme for 2016/17.

- 8.7 A more detailed analysis of the consultation results can be found within appendices 1 to 3.

9. Implementation timetable

Date	Action	Responsibility
9 December 2015	Mayor and Cabinet agree CTRS scheme for 2016/17	Customer Services
20 January 2016	Full council agree CTRS scheme for 2016/17	Customer Services/Capita
21 January 2016	CTRS scheme agreed as part of budget process and before 31 January 2016	Council
24 February 2016	Council sets its budget	Council
March 2016	Council Tax bills issued	Customer Services

10. Financial implications

- 10.1 The Council set aside £23.1m for the CTRS in 2015/6 and is currently projecting to spend £21.9m.
- 10.2 When setting the budget for 2016-17 and beyond, the Council will need to consider :
- Reductions in the council's budget resulting from the Comprehensive Spending Review (CSR) in November and the provisional Local Government Financial Settlement (LGFS) in December;
 - The impact of changes on demand brought about by changes to welfare regulations;
 - The use of any surplus balance from 2015/16 that may be available.
 - The longer term impact arising from the CSR in December.

11. Legal implications

- 11.1 Section 33 of the Welfare Reform Act 2012 abolished Council Tax Benefit. The Local Government Finance Act 2012 amends the Local Government Finance Act 1992 to make provision for council tax support through locally adopted CTRSs.
- 11.2 Section 13A of the 1992 Act requires every local authority to adopt a CTRS. Paragraph 2 of s. 13A sets out the two principal factors which are determined by the CTRS; namely, "eligibility" and "reductions". A CTRS therefore defines the amount of council tax paid by residents of a local authority by reference to i) those persons who are defined as eligible for a reduction in council tax liability and ii) the extent of that reduction.
- 11.3 Paragraph 5 of Schedule 1A sets out the obligations imposed on the Council in respect of revising and replacing a CTRS. Para 5(1) "For each financial year, each billing authority must consider whether to revise its scheme or to replace it with another scheme. Para 5(2) provides that "The authority must make any revision to

its scheme... no later than 31 January in the financial year preceding that for which the revision ...is to have effect.”

- 11.4 Paragraph 3 of Schedule 1 contains obligations in respect of consultation. It applies to an authority when revising a scheme as it applies to an authority when making a scheme. (para. 5(5). Para. 3 requires the authority, before [revising a] scheme to, “...a) consult any major precepting authority which has power to issue a precept to it, b) publish a draft scheme in such manner as it thinks fit, and c) consult such other persons as it considers are likely to have an interest in the operation of the scheme.”.
- 11.5 The Supreme Court Judgement *R –v- London Borough of Haringey* (29.10.14) is on point with the subject of this Report and it makes it clear that whilst consultation needs always to be proportionate, “even when the subject of the requisite consultation is limited to the preferred option, fairness may nevertheless require passing reference to be made to arguable yet discarded alternative options.” (Lord Wilson Para. 28,)
- 11.6 By way of explanation, it is stated within the said judgment (at para. 41 by Lady Hale and Lord Clarke) that while there need not be “...a detailed discussion of the alternatives or of the reasons for their rejection. The consultation required in the present context is in respect of the draft scheme, not the rejected alternatives; and it is important, not least in the context of a public consultation exercise, that the consultation documents should be clear and understandable, and therefore should not be unduly complex or lengthy. Nevertheless, enough must be said about realistic alternatives, and the reasons for the local authority’s preferred choice, to enable the consultees to make an intelligent response in respect of the scheme on which their views are sought.”
- 11.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.8 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 11.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 11.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling

reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

11.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

11.12 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

12. Crime and disorder implications

12.1 There are no direct crime and disorder implications arising from this report.

13. Equalities implications

13.1 In the discharge of their functions, the Equality Act 2010 places a Duty on public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- foster good relations between those who share a protected characteristic and those who do not share that characteristic; and
- advance equality of opportunity between those who share a protected characteristic and those who do not share that characteristic.

13.2 The Council's obligations under the Equality Duty have been considered as part of the overall consultation analysis on the CTRS for 2016/17. More specifically, appendices 2 and 3 include analysis of respondent characteristics.

13.3 A detailed Equalities Analysis Assessment was performed in 2012/13 for the current year's CTRS. As there is no evidence to date of particular groups being impacted by the scheme and no changes are proposed to the scheme for 2016/17, no further assessment is required at present.

14. Environmental implications

14.1 There are no environmental implications arising from this report.

15. Background papers and report author

Mayor and Cabinet Report 15 July 2015: Council Tax Reduction Scheme – consultation proposal for 2016/17.

15.1 If you require further information about this report, please contact Ralph Wilkinson, Head of Public Services, on 020 8314 6040.

Appendix 1 - Consultation report on CTRS 2016/17

Introduction

1. The Council Tax Reduction Scheme (CTRS) consultation ran from 3 August 2015 to 27 September 2015. This report outlines the responses to the consultation survey from individuals and also the Greater London Authority.

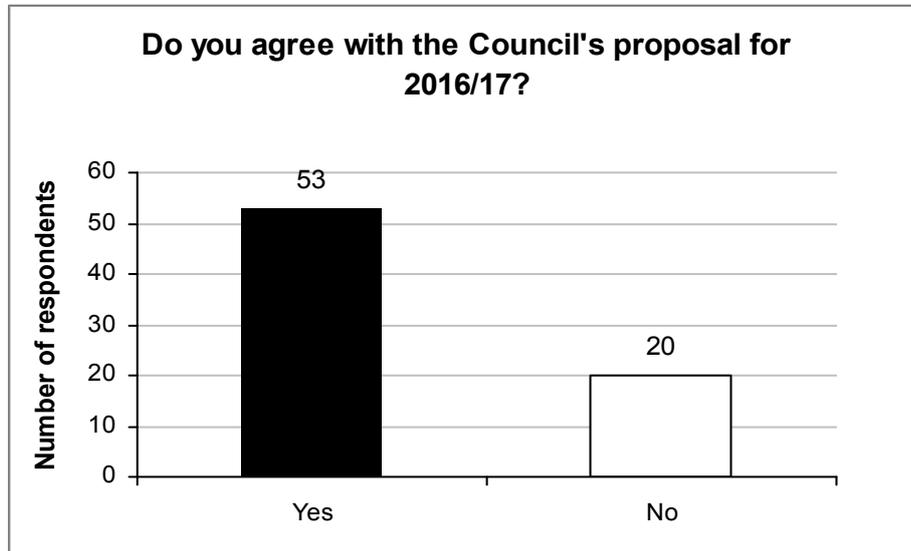
Summary of results

2. In total there were 74 responses to the local CTRS questionnaire. Of these, 53 (71.6%) of all respondents agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17, where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding.
3. The remaining 20 respondents (1 did not respond to this question) did not agree and were asked to indicate which of the following 4 options they thought the council should use to deal with the shortfall instead: Increase all Council Tax bills; Use reserves to deal with the cut in government funding; Spend less on other services; something else;
4. Of the total number of respondents 47 (63.5%) indicated that they were a Council Tax payer. Of these 85.1% were in support of the proposal.
5. Within most of the various sub-groups there was majority support for the proposal, with the exception of those that indicated that they were a student or lone parent or an unpaid carer in which case there was a 50:50 split in each category. In the 'other' category, 33.3% agreed with the proposal. It should be noted however, that many of these sub-groups are too small for their responses to be statistically robust.
6. Further details regarding the survey responses and the consultation more broadly are presented below.

Overall survey responses

7. A breakdown of responses to the questions contained within the survey on the proposed CTRS for 2016/17 can be found below:

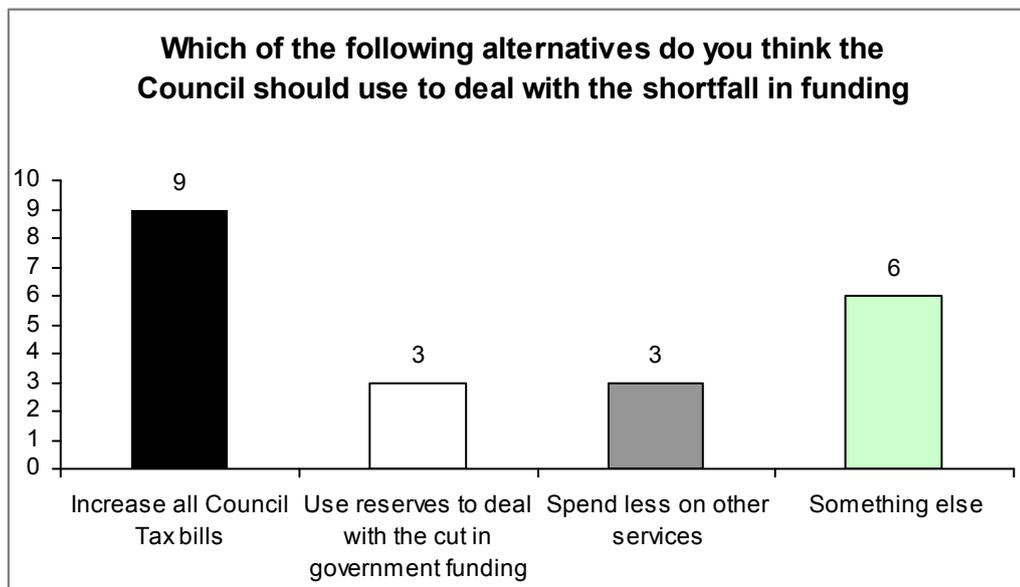
Q1) The Council's proposal is to continue to pass on the shortfall in government funding to all those of working age receiving council tax reduction. This will mean that everyone of working age will have to contribute towards their Council Tax. [Please tell us whether you agree with this approach by ticking one of the boxes below]



	Yes	No	No response	Total
% total	71.6	27.0	1.35	100
% answer	72.6	27.4	-	100
Count	53	20	1	74

8. A total of 53 respondents (71.6%) agreed that the Council should maintain the current scheme. A total of 20 respondents (27%) disagreed.

Q2) [For those that answered No to Question 1] Please tell us which of the following alternatives you think the Council should use to deal with the shortfall in funding? [Please tick 1 box only]



	% total	% answer	Count
Increase all Council Tax bills	12.2	42.9	9
Use reserves to deal with the cut in government funding	4.0	14.3	3
Spend less on other services	4.0	14.3	3
Something else	8.1	28.6	6
No Response	71.6	-	53
Total	100	100	74

9. Of those respondents that answered the question, nearly 43% thought the Council should Increase all Council Tax bills to deal with the shortfall in funding.

Q2b) If you chose Something Else in Q2 please give details

Comment theme	Number of comments
Local Authorities should make a greater stand against Central Government cuts	2
Use money raised from parking	2
Reduce money wasted, such as doing housing insulation less frequently	1
Reduce the use of long-term agency staff	1
Increase some Council Tax bills	1

Q3) Do you have any other comments about Lewisham's Council Tax Reduction Scheme for 2016/17?

10. Of the 74 respondents to the survey, 14 provided additional comments on the proposed CTRS for 2016/17. These comments can be summarised as suggesting the importance of continuing to provide support for vulnerable people, that higher earners should contribute more and that alternative ways of raising funds or making cuts should be found. Other respondents suggested that more information is required before they could express a view.

Response from the Greater London Authority

11. The Greater London Authority (GLA) – as the local preceptor - was invited to comment on the proposed CTRS for 2016/17 as part of the consultation process, and provided a formal written response dated 30 September 2015.
12. Whilst they acknowledged that the determination of CTR schemes is a local matter for each London borough (under the provisions of the Local Government Finance Act), they also recognised that the GLA shares in the risks and potential shortfalls arising from CTR schemes, in proportion to its share of the Council Tax.
13. The GLA considered that before finalising their schemes, local authorities should have regard to the challenges which they will face in collecting relatively small sums of money from claimants on low incomes who may not be in a position to pay by direct debit or other automatic payment mechanisms.
14. The GLA encourages the Council to consider the introduction of revised applicable amounts and personal allowances before finalising its 2016-17 scheme.

15. The GLA states that it would be helpful for its planning purposes if Lewisham could provide an updated forecast total cost of the council tax support scheme based on its forecast 2016-17 caseload, ideally apportioning all elements between the GLA and the Council having regard to 2015-16 council tax shares. This would allow the GLA to calculate its share of the cost of the proposed scheme.
16. The GLA further states that it considers that in formulating its council tax support scheme each billing authority should both consider and address the impact of the additional revenue it is expecting to raise from the technical reforms to council tax introduced in the Local Government Finance Act 2012, which provide greater flexibility in relation to discounts, exemptions and premiums for second and empty homes. The additional revenues from the technical reforms could be used to reduce any shortfalls and thus the sums which need to be recovered from working age claimants via any changes to council tax support.
17. The GLA understands that in 2015-16 Lewisham had the following policies in place:
- For properties requiring or undergoing major repairs or structural alterations (former class A): a 0% discount
 - For properties unoccupied and substantially unfurnished (former class C): exemption from Council Tax for up to four weeks since the property was last occupied and a 0% discount thereafter
 - For second homes: a 0% discount
 - For long-term empty properties: a 50% premium on properties that have been unoccupied and substantially unfurnished for a continuous period of two years.

The Council is encouraged to inform the GLA as soon as possible if any changes to its current second and empty homes discount policies are agreed in order to assist us in assessing the potential impact on the Mayor's funding and tax base for 2016-17 and future years.

18. The GLA encourages the Council to provide it with an indicative council tax base forecast as soon as options are presented to members for approval in December or January (if not before) in order that it can assess the potential implications for the Mayor's budget for police, fire and other services for 2016-17. This should ideally be accompanied by supporting calculations disclosing any assumptions around collection rates and discounts granted having regard to the final council tax support scheme design
19. By 25 January 2016 the Council is required to notify the GLA of its forecast collection fund surplus or deficit for 2015/16, which will reflect the impact of the first two years of the localisation of Council Tax support. The GLA is encouraging the Council to provide it with this information as soon as possible in order that it can assess the potential implications for the Mayor of London's budget for 2016/17.

Appendix 2 - Demographic breakdown of survey respondents

The demographic breakdown of the 74 survey respondents is presented below:

Age	% Total	% Answer	Count
Under 18	0.0	0.0	0
18-24	1.4	1.4	1
25-29	6.8	7.0	5
30-34	10.8	11.1	8
35-39	2.7	2.8	2
40-44	8.1	8.3	6
45-49	6.8	6.9	5
50-54	14.9	15.3	11
55-59	10.8	11.1	8
60-64	6.8	6.9	5
65+	21.6	22.2	16
Prefer not to say	6.8	6.9	5
No response	2.7	-	2
Total	100.0	100.0	74

Gender	% Total	% Answer	Count
Male	44.6	46.5	33
Female	47.3	49.3	35
Prefer not to say	4.1	4.2	3
No response	4.1	-	3
Total	100.0	100.0	74

Ethnic group	% Total	% Answer	Count
White	60.8	62.5	45
Mixed / multiple ethnic groups	2.7	2.8	2
Asian / Asian British	4.1	4.2	3
Black / African / Caribbean / Black British	18.9	19.4	14
Any other ethnic group	9.5	9.7	7
Prefer not to say	1.4	1.4	1
No response	2.7	-	2
Total	100.0	100.0	74

Disability	% Total	% Answer	Count
Yes	21.6	22.2	16
No	63.5	65.3	47
Prefer not to say	12.2	12.5	9
No response	2.7	-	2
Total	100.0	100.0	74

Relationship status	% Total	% Answer	Count
Married / Civil Partnership	28.4	29.2	21
Living as a couple	8.1	8.3	6
Single	50.0	51.4	37
Other	9.5	9.7	7
Prefer not to say	1.4	1.4	1
No response	2.7	-	2
Total	100.0	100.0	74

Respondent type	% Frequency	Count
A resident in the borough of Lewisham	81.1	60
A Council Tax payer in the borough of Lewisham	63.5	47
A resident that currently receives Council Tax Reduction	35.1	26
A resident who has received Council Tax Reduction or Council Tax Benefit in the past	21.6	16
A person receiving state pension credit	1.4	1
A person receiving state pension	17.6	13
A full-time student	2.7	2
A full-time employee	27.0	20
A part-time employee	6.8	5
Self-employed	4.1	3
Unemployed	10.8	8
A lone parent	5.4	4
An unpaid carer for children or adults	2.7	2
A paid carer for children or adults	0.0	0
A representative of a charity based in Lewisham	6.8	5
A representative of a community group based in Lewisham	0.0	0
A landlord for properties in Lewisham	0.0	0
Other	8.1	6
No Response	2.7	2

(Note: respondents may have selected multiple options from the above list)

Appendix 3 – Survey analysis by respondent type

NOTE: The following analysis provides a lower level of detail regarding particular respondent characteristics. However, the small sample sizes in most instances should be clearly noted, and the following results are not statistically representative of this respondent characteristic in the wider population.

Responses by lone parents

1. Of the total number of respondents to the survey, four identified themselves as being lone parents. Within this group, 50% agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17, where working age residents pay a contribution to their Council Tax bill to account for the cut in Government funding. This compares to 71.6% of total survey respondents.

Responses by disability

2. Of the total number of respondents to the survey, 16 identified themselves as being disabled. Within this category just over half (56.2%) agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17. This compares to 71.6% of total survey respondents.

Responses by age

3. Of the total number of respondents to the survey, 16 identified themselves as aged 65+ years. Within this group, all but one respondent (93.7%) agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17.
4. Of the total number of respondents to the survey, 24 identified themselves as aged between 50-64 years. Of these two thirds (66.6%) agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17.
5. Of the total number of respondents to the survey, 13 identified themselves as aged between 35-49 years. Of these just under two-thirds (61.5%) agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17
6. Of the total number of respondents to the survey, 14 identified themselves as between the ages of 18-34 years. Of these over two-thirds (71.4%) agreed with the proposal that the Council should maintain the current CTR scheme for 2016/17.

Responses by gender

7. Of the total number of respondents to the survey, 33 identified themselves as being male. Of all male respondents, two-thirds (66.6%) agreed that the Council should maintain the current CTRS scheme for 2016/17.

8. Of the total number of respondents to the survey, 35 identified themselves as being female. Of all female respondents, over three-quarters (80%) agreed that the Council should maintain the current CTRS scheme for 2016/17.

Responses by ethnicity

9. Of the total number of respondents to the survey, 45 identified their ethnicity as white. Just over three-quarters (77.7%) of white respondents agreed that the Council should maintain the current CTRS scheme for 2016/17.
10. Of the total number of respondents to the survey, 19 identified themselves as from other ethnic groups. Over half (52.6%) of these respondents agreed that the Council should maintain the current CTRS scheme for 2016/17.

Responses by employment status

11. Full-time employees (80.0%) and the Unemployed (62.5%) were most likely to agree that the Council should maintain the current CTRS. All of the 3 respondents that are Self-employed also agreed with this proposal.

Employment status (base)	% agree that the Council should maintain the current CTRS	% disagree that the Council should maintain the current CTRS	% did not respond to the question of whether the Council should maintain the current CTRS
Full-time employed (20)	80.0	20.0	0.0
Part-time employed (5)	60.0	40.0	0.0
Self-employed (3)	100.0	0.0	0.0
A person receiving state pension (13)	100.0	0.0	0.0
A person receiving state pension credit (1)	100.0	0.0	0.0
Full-time student (2)	50.0	50.0	0.0
Unemployed (7)	57.1	42.9	0.0
A paid carer for children or adults (0)	0.0	0.0	0.0
An unpaid carer for children or adults (2)	0.0	50.0	50.0

Responses by relationship status

12. Of the total number of respondents to the survey, 21 identified their relationship status as married/civil partnership. Over three-quarters of these (76.2%) agreed that the Council should maintain the current CTRS scheme for 2016/17.

13. Of the total number of respondents to the survey, 37 identified their relationship status as single. A little under two-thirds of these (64.9%) agreed that the Council should maintain the current CTRS scheme for 2016/17.

Responses by whether respondent is paying Council Tax and not currently in receipt of Council Tax Support.

14. Of the total number of respondents to the survey, 36 identified themselves as Council Tax payers, who are not currently in receipt of Council tax support in Lewisham (i.e. just less than one half (48.6.%) of respondents).
15. Over three-quarters (80.5%) of those respondents who pay Council Tax and are not currently in receipt of Council Tax Support agreed that the Council should maintain the current CTRS scheme for 2016/17.

Responses by current receipt of Council Tax Reduction (CTR)

16. Of the total number of respondents to the survey, 26 identified themselves as currently in receipt of Council Tax Reduction (i.e. just over one-third of all respondents).
17. Of those respondents currently receiving CTR, over two-thirds (69.2%) agreed that the Council should maintain the current CTRS scheme for 2016/17.

Agenda Item 12

Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information	<input type="checkbox"/> Part 1	<input checked="" type="checkbox"/> Part 2
		<input type="checkbox"/> Key Decision

Date of Meeting	9 th December 2015
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Title of Report	Instrument of Government – The Governing Body of The King Alfred Federation
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527 47648
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources		X
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: 

Executive Member

Date: 30th November 2015

Signed: 

Executive Director

Date: 30th November 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Report Title	Instrument of Government - The Governing Body of The King Alfred Federation.		
Key Decision	Yes	Item No.	
Ward	Bellingham		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	9 December 2015

1. Summary

- 1.1 A variation to the current Instrument of Government is required as a decision has been made by the Governing Body of the King Alfred Federation to revise the Instrument of Government.

2. Purpose

- 2.1 This report seeks approval to the variation of the Instrument of Government for The King Alfred Federation of schools.

3. Recommendations

The Mayor is recommended to:

- 3.1 Approve that the Instrument of Government for The King Alfred Federation of Schools be made by Local Authority order.

4. Policy Context

- 4.1 Each school has to have an Instrument of Government. The Local Authority must satisfy itself that the Instrument of Government for schools conform to the legislation. The Local Authority must also agree its content.
- 4.2 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. The main purpose of a governing body is to account for the achievement of children and young people in their schools.
- 4.3 The appointment of governors supports the broad priorities within Lewisham's Sustainable Community strategy, in particular those of being "ambitious and achieving" and "empowered and responsible". Governors help inspire our young people to achieve their full potential and they also promote volunteering which allows them to be involved in their local area.

4.4 Two specific corporate priorities that are relevant pertain to “community leadership and empowerment” and “young people’s achievement and involvement”.

5. Background

5.1 At the King Alfred Federation governing body meeting of 8 October 2015, governors noted that they had previously reconstituted under the School Governance (Federations) (England) Regulations 2012. However, having operated under the new constitution for two school years it was clear that the governing body required additional members to ensure that it could effectively deal with the range of requirements and business that it was expected to deal with.

5.2 Having duly considered the options available to them and having due regard to the best governance model suitable for The King Alfred Federation it was resolved that 3 additional co-opted governors be added to the current Instrument of Government to increase the size of the governing body from 11 to 14 governors.

5.3 As a consequence of the resolution of the Governing Body meeting held on the 8 October, it is now necessary for the Local Authority to consider and approve the Instrument of Government as drafted and submitted by the Governing Body.

5.4 The Governing Body of every federation must be constituted in accordance with the Regulations. The total membership of the Governing Board of a federation must be no fewer than seven governors.

5.5 The Governing Body of a federation must include the following:-

- a) one parent governor elected or appointed in accordance with regulation 14 in respect of each school in the federation;
- b) the headteacher of each federated school unless any such Headteacher resigns the office of governor in accordance with regulation 19 of the Constitution Regulations 2012;
- c) one staff governor; and
- d) one Local Authority governor.

5.7 The Governing Body may in addition appoint such number of co-opted governors as they consider necessary.

5.8 The total number of co-opted governors who are also eligible to be elected as staff governors under Schedule 3, must not exceed one-third of the total membership of the governing body.

5.9 The Executive Headteacher of the King Alfred Federation will take the place of the headteacher on the governing body.

5.10 Appendix 1 details the Instrument of Government the Local Authority is proposing to make by order.

6. Financial implications

6.1 There are no financial implications arising from this report.

7. Legal implications

7.1 Section 20 of the Education Act 2002 requires all maintained schools to have an Instrument of Government which determines the constitution of the school and other matters relating to the school.

7.2 Each school must have an Instrument of Government detailing the name of the school, the type of school and the membership of the Governing Body. The category of governor and the number in each category is specified in the Regulations.

7.3 The Instrument of Government proposed for the Governing Body of The King Alfred Federation conforms to The School Governance (Federations) (England) Regulations 2012.

Equalities Legislation

7.4 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

7.6 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.7 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

7.8 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
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4. Equality objectives and the equality duty
5. Equality information and the equality duty

7.9 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

8. Crime and Disorder Implications

8.1 There are no specific crime and disorder implications.

9. Equalities Implications

9.1 Governors will have enough flexibility in their choice of constitutional models to enable them to address issues of representation of stakeholder groups and to ensure that Governing Bodies reflect the communities they serve.

10. Environmental Implications

10.1 There are no specific environmental implications.

Background Documents

Short Title of Document	Date	File Location	Contact Officer
School Governance (Federations) (England) Regulations 2012	2012	http://www.legislation.gov.uk/uksi/2012/1035/introduction/made	Suhaib Saeed
The School Governance (Constitution and Federations) (England) (Amendment) Regulations	2014	http://www.legislation.gov.uk/uksi/2014/1257/contents/made	Suhaib Saeed

If there are any queries arising from this report, please contact Suhaib Saeed, Strategic Lead Governors' Services and School Leadership, 3rd Floor, Laurence House, telephone 020 8314 7670.

APPENDIX 1

INSTRUMENT OF GOVERNMENT FOR FEDERATED GOVERNING BODIES

1. The name of the federation is: **The King Alfred Federation**

2. The names and categories of the schools in the federation are:

Name	Category
1. Athelney Primary School	Community
2. Elfrida Primary School	Community

3. The name of the governing body is: **“The governing body of the King Alfred Federation”**.

4. The governing body shall consist of the following:

Category of governor (state where the term of office is less than four years)	No. of governors in each category	Name of school (For parent and foundation governors)	No. of governors for each school
Parent governors	2	Athelney School	1
		Elfrida School	1
Executive Headteacher	1		
Staff governor	1		
LA governor	1		
Co-opted governors	9		

5. Total number of governors: **14**

6. This instrument comes into effect on **11 February 2016**

7. This instrument was made by order of Lewisham Local Authority on **9 December 2015**

8. A copy of the instrument must be supplied to every member of the governing Body (and the head teacher if not a governor).

Agenda Item 13

Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information	<input type="checkbox"/> Part 1	<input checked="" type="checkbox"/> Part 2
		<input type="checkbox"/> Key Decision

Date of Meeting	9 th December 2015
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Title of Report	Local Authority Governor Nominations
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Originator of Report	Executive Director for Children and Young People Head of Law	Ext. 48527 47648
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources		X
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: 

Executive Member

Date: 30th November 2015

Signed: 

Executive Director

Date: 30th November 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Report Title	Local Authority Governor Nominations		
Key Decision	No	Item No.	
Ward	Lewisham Central, Evelyn, Forest Hill		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	9 December 2015

1. Summary

- 1.1 In May 2014, amendments to the School Governance (Constitution) (England) Regulations 2012 were made and laid before Parliament. The Department for Education (DfE) also published statutory guidance on the constitution of maintained schools which governing bodies and Local Authorities must have regard to. The most recent version of this Guidance was issued in August 2015.
- 1.2 The Constitution Regulations 2012 determine the size and membership of governing bodies. Previously the Local Authority was able to appoint Local Authority governors to governing bodies, however amendments to the Regulations now permit a Local Authority only to nominate such a person, it will be a matter for the governing body to appoint. For the Local Authority governor position, the Local Authority would nominate a governor for "appointment" by the governing body.

2. Purpose

- 2.1 This report seeks approval of the nomination of the Local Authority governors detailed in paragraph 6 below.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 agree to nominate the persons set out in paragraph 6 as Local Authority governors;
- 3.2 note the information concerning the recommended nominated governors in Appendix 1.

4. Policy Context

- 4.1 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. The main purpose of a governing body is to account for the achievement of children and young people in their schools.
- 4.2 The appointment of governors supports the broad priorities within Lewisham's Sustainable Community strategy, in particular those of being "ambitious and achieving" and "empowered and responsible". Governors help inspire our young people to achieve their full potential and they also promote volunteering which allows them to be involved in their local area.
- 4.3 Two specific corporate priorities that are relevant pertain to "community leadership and empowerment" and "young people's achievement and involvement".

5. Background

- 5.1 Under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007, every governing body is required to have one representative of the Local Authority as part of its membership. Governing bodies reconstituted under The School Governance (Constitution) (England) Regulations 2012 only allows for one Local Authority governor. Free schools and Academies are exempt from this requirement.
- 5.2 The Constitution Regulations 2012 and associated statutory Guidance highlight the importance of governors having the appropriate skills to contribute to the effective governance and success of the school.
- 5.3 The suggested nominees have the requisite skills and experience required to be effective in their role as a Local Authority nominated governor.
- 5.4 A Local Authority governor vacancy will arise on the governing body of the schools listed in paragraph 6. Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The individuals set out in paragraph 6 would serve the normal 4 years if appointed and are currently the Local Authority appointed governors. The governing body of each school would like to appoint them to the role of Local Authority governor at the next governing body meeting and thus a nomination is required to enable this to happen.
- 5.5 Appendix 1 highlights the skills and experience that the individuals possess which will enable them to be effective members of a governing body. The governing body of each school supports the nomination of the candidates.

6. Governors recommended for Nomination as Local Authority governor for governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012 .

Name	School
Tom Mutton	St. Mary's CE Primary
Karen Denyer	St. Joseph's RC Primary
Abigail Knipe	Horniman Primary School

7. Financial implications

7.1 There are no financial implications arising from this report.

8. Legal implications

8.1 Section 19 of the Education Act 2002 and the School Governance (Constitution) (England) Regulations 2012(as amended) requires every governing body of a maintained school to have one representative of the Local Authority as part of its membership.

8.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

8.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

- 8.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 8.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 8.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9 Crime and Disorder Implications

- 9.1 There are no specific crime and disorder implications arising from this report.

10. Equalities Implications

- 10.1 Lewisham Council’s policy is to encourage all sections of the community to be represented as Local Authority governors. In particular, we would encourage further representation from the black community and minority groups including disabled people, who are currently under-represented

as governors. The numbers of governors in these groups is kept under review

11. Environmental Implications

11.1 There are no specific environmental implications arising from this report.

12. Conclusion

12.1 The individuals detailed in Appendix 1 view being a governor as a way of utilising their skills and experience to make a difference to the lives of children and young people in Lewisham schools. Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007 made under it require every governing body to have at least one representative of the Local Authority as part of its membership. Governing bodies reconstituting under The School Governance (Constitution) (England) Regulations 2012 only require one Local Authority governor. Academies are exempt from this requirement. A vacancy will arise on the governing body of the schools listed in paragraph 6 and a nomination is required.

12.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The persons listed in paragraph 6 would serve the normal 4 years.

Background Documents

There are no background papers.

If there are any queries arising from this report, please contact Suhaib Saeed, Strategic Lead Governors' Services and School Leadership, Governors' Services, 3rd Floor, Laurence House, telephone 020 8314 767

LA Governor nominations

APPENDIX 1

Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Tom Mutton	St. Mary's CE Primary	Central Banker	SE14	<p>Mr. Mutton is Head of International Policy and Strategy at the Bank of England. He has strong financial skills and significant experience on formulating strategy and working with regulation.</p> <p>Mr. Mutton also has experience in project management, HR and employment issues. The school would value his skills on the governing body</p>	Male White
Karen Denyer	St. Joseph's RC Primary	Programme Support Officer	DA7	<p>Miss. Denyer works for the Local Government Association (LGA). She is responsible for maintaining and managing the finances for the team she supports. She has been a resident of Lewisham for 32 years and would like to give something back to the local community. The governing body would welcome her finance skills and commitment to making a positive difference to the life chances of children at the school.</p>	Female White

LA Governor nominations	APPENDIX 1
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Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
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Abigail Knipe	Horniman Primary School	Partnership Analyst	SE26	<p>Ms. Knipe has been a governor at Horniman Primary School for four years, in which time she has largely been involved in the Pay Committee, Headteacher Performance Review and other HR responsibilities. During this time she has also acted as link governor for literacy.</p> <p>She holds a broad professional understanding of UK education sector policy, having worked as a voluntary sector project manager, funder, and fundraiser with a focus on education and young people for seven years. In these roles she held budgetary and people management responsibilities, and worked closely with a range of committees, steering groups and boards. The governing body wish to have her nominated as the LA governor, for appointment by them.</p>	Female White
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Agenda Item 14

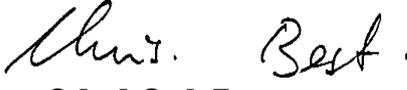
Chief Officer Confirmation of Report Submission	
Report for:	
Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information	<input type="checkbox"/>
Part 1	<input checked="" type="checkbox"/>
Part 2	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>

Date of Meeting	9 December 2015	
Title of Report	Response to Overview and Scrutiny Committee on the Care Act 2014	
Originator of Report	Joan Hutton, Head of Adult Social Care	Ext. 48364

At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed  Director / Head of Service
Date 30.11.15

Signed  Cabinet Member
Date 01.12.15

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Report Title	Response to the Overview and Scrutiny Committee on the Care Act 2014		
Key Decision	No	Item No.	
Ward	All		
Contributors	Executive Director for Community Services		
Class	Part 1	Date:	9 December 2015

1. Summary

- 1.1. On the 9 March 2015, the full Overview and Scrutiny Committee received a PowerPoint presentation on the Care Act. The Committee agreed to advise the Mayor and Cabinet that the impact of the Act should be monitored six months after implementation to include the effects on personal budgets, people with no recourse to public funds (NRPF) and the London Living Wage (LLW).
- 1.2. The Care Act 2014 is the single biggest change to adult social care legislation in the UK since the National Assistance Act 1948. It aims to simplify a diverse range of legislation that has developed since 1948; put best practice in social care on a statutory footing; and respond to the challenge of how people plan and pay the cost for their social care.
- 1.3. In Lewisham, a work programme is in place overseen by the Executive Director of Community services to ensure effective local delivery. In addition, officers are involved in the regional and national activity around the implementation of the Care Act 2014.

2. Purpose

To update the Overview and Scrutiny Committee on the progress of implementing the Care Act.

3. Recommendations

- 3.1 The Mayor is recommended to:
 - 3.1.1 Note the approach taken in Lewisham to the implementation of the Care Act.
 - 3.1.2 Note the progress made to date.
 - 3.1.3 Agree for the response to be forwarded to the Overview and Scrutiny Committee.

4. Policy Context

- 4.1 The priority area in Lewisham's sustainable community Strategy which the Care Act most aligns with is "Support people with long term conditions to live their lives in their communities and maintain their independence". There is also a clear opportunity to support further progress on the priorities with the priorities "Improve health outcomes and tackle the specific conditions that affect our citizens" and "Empower citizens to be involved in their local area and be responsive to the needs of those who live there".
- 4.2 The Care Act promotes the integration of health and social care, use of preventative and enablement services and the harnessing of stronger communities in meeting care and support needs. This links to the strategy of the Health and Well Being Board and the work that is being delivered by the Adult integration care programme.

5. Requirements of the Care Act 2014

- 5.1 The first phase of the Act, implemented in April 2015, introduced new duties for Councils to:
- Provide prevention, information and advice services.
 - Provide assessments and support services for carers, equal to those given to service users.
 - Provide advice and support planning to people who pay for their own care.
 - Follow national minimum eligibility threshold for both service users and carers.
 - Implement a universal service for deferred payments for residential care.
 - Implement new safeguarding duties.
 - Market shaping responsibilities (including market position statement and protocols regarding the duty around provider failure).
 - Managing transition from Children and Young Peoples' services to Adult Services, which includes a right to an "Adult" assessment prior to the 18th birthday.
 - Provision of an advocacy service.
 - Workforce trained and developed to meet the new operational requirements.
- 5.2 Phase 2 of the Care Act 2014 will introduce:
- A cap on the amount someone will pay towards eligible care and support to meet their eligible needs.

- A “Care Account” giving people with eligible social care needs an annual statement of their progress towards reaching the cap, whether their care is organised by the Council or not.
- Extension of the financial support provided by the Council by raising the means test threshold for people with eligible needs.
- These changes were scheduled to take effect in April 2016 but in July 2015 the government announced they would not be introduced until April 2020.

6. Progress

6.1 In many areas of work, Lewisham is already well placed to meet the legal requirements of the Care Act as the Act aims to ratify existing good practice and personalisation.

6.2 A task and Finish group with core representation from the Council has been established to oversee the implementation of the above requirements. The following work streams have been set in place to develop and implement the programme:

6.2.1 Assessment and eligibility: This is the area of most significant change. The four levels of eligibility under the Fair Access to Care criteria (FACs) High, Substantial, moderate & Low has been replaced with one eligibility threshold that is most comparable to the high to moderate level under FACs. Lewisham previously set the threshold for eligibility at substantial and has not seen significant growth in demand due to the new legislation. Increases for assessments have however come from those people who are discharged from hospital. The purpose of the assessment process is now to support people to identify their needs, understand the options available to them and to plan for meeting the identified needs by considering the assets the person has available to them.

6.2.2 Information, Advice, Prevention and Advocacy: The Act requires local authorities to provide information to people on how and where to access services and to ensure there is advocacy support.

6.2.2.1 The new Social Care and Health WebPages went live in August 2015. This website was co-designed and tested with service users to provide appropriate, up to date information and resources including: how to access adult social care, support to stay at home, employment, education, leisure and information to support self-care and self-help. In the last twelve months the number of people visiting the website increased by 20%.

6.2.2.2 We are keen to help local people make use of local services and events to help reduce social isolation and improve wellbeing. A comprehensive online Social Care and Health Directory of Services in Lewisham is now available. This section is increasingly popular and there were 18,000 visits to the directory last month.

- 6.2.2.3 Plans are in place to pilot health information and advice for people waiting for appointments at Advice Lewisham. This takes an integrated approach to delivery and focuses on prevention, self-care and self-management.
- 6.2.2.4 Work continues to develop the Single Point of Access, building on Phase I which brought together the Social Care Advice and Information Team (SCAIT) and District Nurse call service. This will improve the coordination and provision of health and social care information for Lewisham people.
- 6.2.2.5 Screening tools have been introduced to improve prevention and to facilitate referrals to other services such as the Handyperson Service. The screening tool is initially being used with people who have fallen and are known to Linkline (Community Alarm Service).
- 6.2.2.6 Despite its ever-growing use of technology and its potential to transform the way we do business to be of benefit to everyone, we need to be mindful that the Digital Inclusion Charity 'Go On' estimates that 23% of UK adults still don't possess the basic digital skills necessary to take advantage of it. For this reason Lewisham is now working with 'Go On', starting by undertaking a series of 'deep dives' or work with residents to understand more about the barriers and enablers to digital inclusion.
- 6.2.2.7 The project will launch in February 2016 and together with partners from across the public and private sector there will be initiatives such as 'Digital Zones' taking place in shops, banks and public buildings where people can discover the benefits that basic digital skills and being online can bring to their everyday life. Digital champions will be on hand to give top tips and advice or just show people how to use their Smartphone, tablet or laptop.
- 6.2.3 Deferred payments: The Act now requires all Local Authorities to provide a deferred payment scheme. As Lewisham already had a well-established scheme prior to the Act it was not expected that there would be a significant increase in demand for these arrangements and to date only 10 applications have been received.
- 6.2.3.1 The basis for these arrangements has changed however. Prior to Care Act 2014, Local Authorities were not allowed to recover the administration costs of running a deferred payment scheme from service users. Councils are now permitted, as part of the new legislation, to charge an upfront arrangement fee and interest on deferred payments to ensure that the deferred payment offer is cost neutral to the Council. They can also charge for any administration costs incurred in providing the deferred payment scheme.
- 6.2.3.2 Deferred payments have been processed to date on a pilot basis. A revised policy will be brought to Mayor and Cabinet in the New Year for formal agreement.

- 6.2.4 Safeguarding: The Care Act puts adult safeguarding on a statutory footing, and creates a Safeguarding Adults Board, which mirrors the arrangements for safeguarding children's boards. The Act also widens the breadth of the safeguarding remit including self-neglect and modern slavery into the remit of safeguarding concerns. Lewisham already has a well-established Safeguarding Adults Board and produces a Safeguarding Annual Report.
- 6.2.5 Carers: the Care Act widens the responsibility of local authorities for carers, and increases the rights of carers to assessments and services. Partnership work is in place with the voluntary sector to ensure there is a range of support services available to carers. There has been a slight increase in the demand for assessments and services which is consistent with the national feedback. The commissioning team have mapped existing support services and capacity is available to ensure support is readily available.
- 6.2.6 Market shaping: Work is in progress to develop a market position statement which will identify further priorities for market development. As part of the work that is in progress with the care market providers we are re-commissioning the domiciliary care framework to develop an outcome based approach to the delivery of care, and are working with strategic housing partners to ensure there are more opportunities within the borough for extra care housing. We recognise that there are challenges for the whole of the care market in terms of meeting new regulatory requirements and funding the London living wage.
- 6.2.6.1 The adult social care budget was awarded growth of £2.2m in 2015/16 to fund increases in pay to local carers to London Living Wage levels and paid travelling time for home carers employed by agencies. Delays in award of the new home contracts has delayed spend of the element awarded for travelling time; this will not now be spent until 2016/17. The element for residential and nursing homes will be used to fund fee increases requested to cover the introduction of the National Living Wage but there are, as yet, no plans to pay LLW to all homes.
- 6.2.7 People with no recourse to public funds: The Care Act states that those people who have no recourse to public funds may not have their care and support needs met if those needs have arisen solely because they are destitute or because of the physical effects of being destitute.
- 6.2.8 Transition: The Act requires local authorities to sufficiently plan for young people receiving services moving to adulthood. This coincides with the Children and families Act 2014 to develop co-ordinated education, health and care plans for people with special educational needs and disabilities (SEND) Work is in progress across Children's and young people's and Adult services to develop this further.

7. Financial implications

- 7.1 Funding for implementation of the Care Act and for pressures arising from it has come from two sources.
- 7.2 The Department of Health has paid a grant of £1.056m to cover three elements. Underspend against the element for the implementation of Dilnot reforms in particular has been noted in revenue monitoring reports. Spend on remaining elements of implementation of the Act will be contained within the other two elements of the grant.
- 7.3 There is also an allocation of £800k within the Better Care Fund to cover pressures arising from the Act. As demand for carers services has, to date, been lower than expected, there is likely to be an underspend against this allocation and proposals are being developed for alternative use of the funding released.

8. Legal Implications

- 8.1 The Care Act (The Act) sets out a modern and cohesive framework for adult social care in the form of a single statute. It implements the Government's commitment to reform social care legislation in the White paper 'Caring for our future: reforming care and support' (July 2012). The new legislation replaces much of the existing law and statutory guidance on adult social care.
- 8.2 The changes recommended by the Dilnot commission on the funding of care and support by introducing a cap on the costs that people will have to pay for their care will be delayed until 2020.
- 8.3 Lewisham has reviewed policies and procedures in light of the new legislation to ensure that these comply with the responsibilities of the Act.

9. Crime and Disorder Implications

- 9.1 There are no specific crime and disorder implications arising from this report.

10. Equality Implications

- 10.1 The Care Act introduces a new criterion that actively considers wellbeing, with a strong focus on enablement and promoting independence.
- 10.2 The Act is introduced to make care and support clearer and fairer, not only promoting people's wellbeing but also enabling people to prevent and delay the need for care and support, and to support carers to maintain their caring role. The reform is intended to put people in control of their lives, supporting them to pursue opportunities to realise their potential. Therefore, the Care Act will have a positive impact on our adult population. It is not expected to have any negative impacts on the younger population.

11. Environmental Implications

11.1 There are no specific environmental implications arising from this report.

If there are any queries on this report please contact Joan Hutton, Head of Adult Social Care on 020 8314 8634.

Agenda Item 16

Chief Officer Confirmation of Report Submission	
Cabinet Member Confirmation of Briefing	
Report for: Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input type="checkbox"/> Part 1 <input checked="" type="checkbox"/> Part 2 <input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	9 th December 2015
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Title of Report	The Future of the Youth Service – A Mutual Plan
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Originator of Report	Executive Director for Children and Young People Executive Director (Resources & Regeneration)	Ext. 48527 48013
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	√	X
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: 

Executive Member

Date: 30th November 2015

Signed: 

Executive Director

Date: 30th November 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

Mayor & Cabinet			
Report Title	The Future of the Youth Service – a Mutual Plan		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director (Children and Young People), Executive Director (Resources and Regeneration)		
Class	Part 1	Date: 09.12.15	

1. Summary

- 1.1. As part of the Council's budget strategy for 2015-2018, the Mayor and Cabinet, on 11 February 2015, agreed budget reductions to the youth service's direct budget totaling £1.4m. This included:
- Restructure of the service including withdrawal of direct delivery at 2 sites
 - Reshaping of youth re-engagement services,
 - Re-specification of the NEET Programme
 - Agreement to voluntary sector commissioning for 2015-16.
- 1.2. The budget reductions were put in place in April 2015.
- 1.3. The same report also set out options for consideration on the future of the Youth Service beyond these reductions. On consideration of these options Mayor and Cabinet instructed officers to develop a detailed plan for a youth and employee led mutual youth service. This was with the aim of developing a model for the future which could both sustain service and generate further savings to the council.
- 1.4. This report has previously been to Children and Young People's Select Committee on 18th November 2015. The Committee considered that;
1. the lines of accountability and governance structures outlined in the proposal were not sufficiently defined and a mechanism needed to be put in place to ensure that there would be sufficient future scrutiny of arrangements.
 2. additional information should be provided as to how the mutual would work in partnership with existing providers and voluntary sector organisations, prior to decision by Mayor and Cabinet.

- 1.5. A paper responding to these issues and others been raised by councillors outside of the select committee process was presented to Overview and Scrutiny Business panel on 24 November 2015.
- 1.6. Further detail in response to the issues raised are now included in this report. Specifically information re governance structures is at 19.4.2 and re partnership working is at 22.7.
- 1.7. Overview and Scrutiny also requested that should the recommendation to mutualise be accepted that regular progress be reported back to CYP Select committee.

2. Purpose

- 2.1. The purpose of this report is to outline for the Mayor the developed plan for a youth and employee led mutual (YELM), explaining the alternative options that have been considered and which remain open. The report also seeks agreement to the recommendations outlined below.

3. Recommendations

- 3.1. The Mayor is recommended to:
 - agree the plan to run a ‘mutuals only’ tender process under Regulation 77 of the Public Contracts Regulations 2015 for the services.
 - Agree that the current Lewisham youth services team would bid for this contract and, if successful in the process, would form a charitable community benefit society as its legal structure.
 - Note the outline timelines and resource requirements as set out in this report.

4. Policy context

4.1. Local Policy

- 4.1.1. The proposals within this report are consistent with the Council’s corporate priorities and its need to identify significant savings over the next two fiscal years. In particular, the proposals relate to the Council’s priorities regarding Young People’s Achievement and Involvement, Protection of Children, and Community Leadership and Empowerment, in line with the Children & Young People’s Plan of 2015 – 2018.

4.2. National Policy

- 4.2.1. Positive for Youth was launched in December 2011 as a broad-ranging strategy detailing the Government’s approach to youth provision. The strategy calls for ‘a new partnership approach’ in local areas – between businesses, charities, public services, the general public and young people – to provide more opportunities and better support to young people.

- 4.2.2. The priorities of last year's restructure were aligned with this strategy.
- 4.2.3. Positive for Youth promotes early and positive support to reduce the chances of public funds being wasted in holding young people in expensive secure provision or managing the remedial effects of inadequate support and assistance as they reach young adulthood.
- 4.2.4. The key strategic themes contained in Positive for Youth and Lewisham's Children and Young People's Plan are as follows:
- Helping young people to succeed
 - Promoting youth voice
 - Early intervention
 - Supporting stronger local partnerships
 - Strengthening communities and the voluntary sector

5. Background

- 5.1. Since May 2010, the Council has reduced its budget by c.£133m. In response to continuing reductions in Government grants, the Council is planning to make further savings of £45m by the close of 2017/2018.
- 5.2. Since 2013 the Youth Service, as a part of the wider Council savings, implemented a significant organisational restructure and then a secondary smaller round of cuts. In total this has reduced the service budget from core council funding by £2.43m. The total directly controlled service budget is now £2.6m, made up of £2.1m from the general fund and £500k grant substitution. A full breakdown is contained below in section 9.2.
- 5.3. The service, whilst reduced, is a leaner more efficient service which is still capable of responding to young people's needs including better performance management, income generation and contract management capabilities. Since the restructure, the service has seen an improvement in the sustained attendance across provision.
- 5.4. The statutory duty for youth provision as set out in the Education Act 1996 is to secure access to sufficient leisure time activities and facilities. This can be met as a minimum by providing information to young people.
- 5.5. In Lewisham, the youth service has a role in providing more than the statutory minimum, by delivering and commissioning provision across the borough as part of the Council's approach to early help - contributing to the early intervention and safeguarding approach as set out in our Children and Young People's Plan; reducing demand on children's social care and contributing to the safer communities agenda. The service has played a crucial role in supporting young people across the borough at a time of increasing youth population, increased

mobility and overcrowding due to London's housing situation, and continued deprivation in areas of the borough.

- 5.6. Due to continuing central government cuts the council still requires further savings and it was acknowledged that the Youth Service as a largely non-statutory service is therefore at risk of being reduced further in subsequent years. It was also suggested that further reductions to the youth service budget would result in reduced delivery, further efficiency whilst within the council structure was not possible.
- 5.7. Based on this risk the Mayor and Cabinet reports of 11 November 2014 and February 2015 proposed it was important strategically to establish alternatives for the future of the Youth Service.
- 5.8. Alternatives were presented as a set of possible future options and staff and the public were consulted on these at the same time as the consultation on the more immediate proposed savings. They also went through scrutiny both at CYP scrutiny and three special working groups. The latter's recommendations were incorporated into the February 2015 report and into the plans for a mutual.

6. Summary of options considered in February:

- 6.1. Two primary options for the future of the youth service, in the context of a further saving requirement, were presented, with four sub-options housed within the second of these, there were:
 - 1) Stop providing all but the statutory obligation. This would release a further £1.7m saving, result in the closure of all direct provision and leave only a NEET tracking team and promotion of activities delivered by others.
 - 2) Continue a level of funding for youth services through one of:
 - a) commissioning an alternative sole provider from current market
 - b) break up the service and commission a mix of providers
 - c) continue providing reduced direct provision at the reduced budget
 - d) commission a YELM
- 6.2. It was acknowledged that there is variable risk and reward inherent in every future option for the Youth Service, including one that retains the status quo.
- 6.3. A full options appraisal was included in the February Mayor and Cabinet paper. Detail of the options and the appraisal is included here at Appendix 1. On considering these options, the Mayor requested officers to develop a plan for a YELM. The full draft business plan for this mutual is available as a separate paper.

7. Summary of the current Youth service

- 7.1. Aims and Objectives:

7.1.1. Through changes the Youth Service continues to maintain the following vision and aims:

- 1) Encourage others, as well as the Council, to deliver a vibrant range of activities for all our young people to enjoy and benefit from, and to recognise that all activities for young people across Lewisham and London are an important part of our youth offer.
- 2) To support young people in Lewisham in need of extra help, to achieve the skills they need to become happy, healthy and successful adults.

7.1.2. These aims work to engender the following outcomes for young people:

- 1) Improved life skills
- 2) Increased involvement in education, employment or training
- 3) Staying safe and well, and preventing needs from escalating

7.2. Delivery locations:

7.2.1. All activities and support take place at 5 Council-run youth centres, 5 Council-run adventure playgrounds, via street based work, at Baseline (now within Lewisham Library) and at a variety of non-council run venues across the Borough.

7.2.2. The current Youth Service sites are:

1. Riverside Youth Centre, Deptford
2. Bellingham Gateway Youth & Community Centre, Bellingham
3. Honor Oak Youth Club, Brockley
4. The New Generation Youth Centre (TNG), Sydenham
5. Woodpecker Youth Centre, New Cross
6. Deptford Adventure Playground, Deptford
7. Dumps Adventure Playground, Bellingham
8. Home Park Adventure Playground, Sydenham
9. Ladywell Adventure Playground, Ladywell
10. Honor Oak Adventure Playground, Brockley
11. Baseline Drop in shop, Lewisham Library

A map of these is included at Appendix 2.

7.2.3. From its sites the Youth Service offers various activities, and hosts other activities provided by commissioned PVI sector providers and volunteers. Below is a summary of what is provided by whom and at which site during term time only. Non-term time hours and activities vary by holiday.

8. Current Youth Service elements:

8.1. Universal Youth clubs and Adventure play:

8.1.1. The Youth Service provides and facilitates access to a range of activities for young people through a combination of direct delivery, support to access delivery provided by other organisations, and commissioning and partnering with the private, voluntary and independent (PVI) sector. The activities are now focused on developing young people's life skills as agreed in the 2013 re-organisation of the service.

8.1.2. Provision includes positive activities for young people, offering them places to go and things to do, including social and cultural activities, sports and play, and early intervention services. The Youth Service also offers informal education, advice and guidance on career choices and healthier lifestyles, and information concerning the dangers of substance misuse.

8.1.3. This year the service is planned to commission c.£600k of services across positive activities and more targeted provision both in terms of targeted groups and more specialist activities.

8.1.4. A summary of service usage data is in Appendix 3.

8.2. NEET Traineeship (formerly Mayor's NEET programme):

8.2.1. The Service's specialist support for young people in relation to education, employment and training consists the NEET Traineeship Programme, a Government-recognised traineeship, in partnership with Bromley College, offers 3 programmes with school terms, each of 12 weeks. The programme works with cohorts of c15 young people who currently have no clear pathway to education, employment or training (EET). It allows them to achieve qualifications including accredited numeracy and literacy support. The scheme ensures pathways to EET post completion. The scheme also allows participants to continue to receive out of work benefits whilst on the scheme.

8.3. Youth re-engagement service

8.3.1. The service currently has 8 specialist one-to-one youth workers, each holding a caseload of c.15 cases at any one time, with an annual service reach of c.240 young people. The Service provides one-to-one youth work and information, advice and guidance for the Borough's most vulnerable including support to young fathers, young women and those considering their sexuality.

8.3.2. The one-to-one service also delivers a one-stop 'holistic support' shop, Baseline, in Lewisham Library. This allows self referral to support from youth workers as well as a variety of commissioned providers. These services are a particularly important part of the Council's early help offer.

8.3.3. As part of the February 2015 Mayoral paper it was agreed in order to release required savings that this service would be grant funded from the government's troubled families programme money and as this grant reduced it could be re-rendered as part of a re-specified Targeted Family Support service. Additional funds are still being sought and this work is in progress. The plan for the YELM has been developed without this element of service.

9. The current cost and income sources of the Youth Service

9.1. The service currently costs a total of £2,656k for service delivery plus £590k for property and on-costs.

9.2. This is made up of:

Amount £ '000s	Source	Allocated to	Detail where possible
2,051	General fund	Youth service direct budget:	<ul style="list-style-type: none"> • APG, Youth club and back office staffing costs including variable salary enhancements • Logistics not covered by corporate top slicing • Frontline prog. money • Commissioning
100	Income generation (mostly rentals)	As above	As above
505	Grant Substitution (Troubled Families and Bromley College)	Youth re-engagement services	<ul style="list-style-type: none"> • NEET Prog. £115k • 121 specialist team £390k
400	General fund	Top sliced for property maintenance across 11 sites	
c.190	General fund	Top sliced for corporate back office functions eg. This figure is based simply on a 7.5% top slicing formula applied to all council budgets and there is no available accurate figures for actual council spend on these back office/support functions.	IT and telephony Personnel Payroll, Laurence house desks Insurance Finance Corp. Health and Safety Corp. Information Etc...
TOTAL	£3,246,000		

10. Summary of the YELM plan

- 10.1. In order to make required savings and continue youth service delivery a model of delivery which enables alternative income generation is proposed.
- 10.2. A YELM is considered an option to achieve this as it has the potential to lower the cost of delivery, raise alternative income and keep the current level of service delivery. Alongside this, and in part because of, it also increases young people and employee participation and empowerment and encourages more creative and imaginative youth delivery.
- 10.3. It is not proposed to alter the general vision and aims as part of the mutual other than a slight rewording required to better suit a new form of delivery.
- 10.4. In essence the Council would be commissioning the service. Unlike standard tendering/commissioning we would be contracting with an entity that:
 - a) retained staff and young people's control of delivery and is supported by the current workforce
 - b) has embedded in its core purpose and design the aim of sustaining provision via both a continued drive for efficiency and development of new income streams.
- 10.5. The draft business plan (contained in a separate paper) suggests that running a 'mutuals only' procurement process under Regulation 77 of the Public Contracts Regulations 2015 will enable LBL to make overall savings of £300k by year 2 and £600k by year 4, whilst retaining the current level of provision the Youth Service currently directs and facilitates. Section 18.3 below details how this saving would accrue across current council budget areas.

11. The benefits of a Youth and Employee Led Mutual

- 11.1 The critical benefits from the Mutual model are that it:
 - Enables the preservation of a youth service for Lewisham, while acknowledging the financial climate in which the Council's ability to fund such services is reducing.
 - Helps preserve the public service ethos of the youth service while maintaining local focus, local partnerships and a local base.
 - Reduces the cost-base associated with being part of the Council (with regards the cost of support services, local government pensions and salary enhancements) while avoiding a 'race to the bottom' on staff reward.
 - Gives the YELM the freedom to innovate in order to improve and broaden our services, thus enabling the expansion of the organisation and ability to compete for other contracts, and therefore supporting cost reductions to the Council.

- Removes legal barriers to the Council providing services at a “profit”, thus maximising the income available to be generated from our assets.
- Opens new income, fundraising and investment streams, not presently accessible to the Council, through the development of a new vehicle, focussed on youth provision across the whole of Lewisham.

12. Steps to Mutualisation

- 12.1. As noted above, the first step would be for the Council to run a procurement process under Regulation 77. This is one that allows the Council to restrict bidders to those who satisfy the ‘mutuals’ criteria set out in that regulation. The Lewisham Youth Service would bid for this but, as with any competitive process, could not be guaranteed success.
- 12.2. To deliver the Youth Service as an independent entity ultimately requires the council to offer a contract based on a specification. This would then be managed internally by commissioners. An outcome focussed service specification is under development.
- 12.3. If the Lewisham team did win, then it would set up a legal structure and governance arrangements in the way proposed below; if another ‘mutual’ were to win, then under most circumstances existing staff would all transfer to that body under TUPE. Under the latter option, though the Lewisham YELM would not be running the service, another mutual would be and so the Council would still have achieved its overall objectives, although the Council would not be able to control the winning entity’s governance structure.
- 12.4. Further detail on the process regarding mutualisation and the necessary governance is given in the section on Transition and Implementation on Page 23 below.

13. Features of the Regulation 77 process

- 13.1. To qualify, the Council must be satisfied the services fall within the listed CPV procurement codes. Suggested relevant headings within the available codes are a contract which covers sports-related services (such as the adventure playgrounds), and services provided by youth associations, though there may be others too.
- 13.2. The contract cannot be for more than three years and the winning bidder cannot have been awarded a contract by the Council under Regulation 77 within the last three years. The Council must also expressly refer to Regulation 77 in the call for competition.
- 13.3. To qualify, a bidder must be able to show that:

- *“its objective is the pursuit of a public service mission linked to the delivery of services referred to above;*
- *profits are reinvested with a view to achieving the organisation’s objective, and any distribution of profits is based on participatory considerations; and*
- *the structures of management or ownership of the organisation are (or will be, if and when it performs the contract) —*
 - (i) based on employee ownership or participatory principles, or*
 - (ii) require the active participation of employees, users or stakeholders.”*

13.4. The proposed model for a Lewisham YELM as set out below would satisfy all of these criteria.

13.5. Under this tender process, the council would award an initial three year contract to the winning bidder for a first year total of £2,757k with an expectation that by the end of the first year this reduces to £2,607k. A saving over the first two years of £300k. A full breakdown of this is contained in section 17 below.

13.6. After the initial 3 years, then the Regulation 77 process could no longer be used and the Council would then run an open tender process at which point the incumbent YELM could face competition from any other legal entity.

14. Pump priming

14.1. In order to initiate new marketable operations and employ the necessary capacity to reap the benefits of these operations, a Lewisham YELM would look to the social investment market (i.e. Big Society Capital, CAN Invest, etc.) to obtain the necessary capital. In the event that it was unable to obtain the capital, it would ask the Council for a one-time add-on of £200k to the contract for the first year. This amount is projected to be repaid at the end of the first year.

15. Assets and lease

15.1. It is envisaged that any Employee Led Mutual occupying Council owned property will be on the basis of a lease. These leases should be co-terminous with the main service or contract agreement.

15.2. It is proposed that the properties will be let either at a peppercorn rent or at a market rent, or at some point between these two. Any rental cost would involve increasing the value of the core service contract commensurately or reducing the predicted savings. The business plan is predicated on a net zero impact of property rents (i.e. the Council will fund the mutual the same amount that it charges in rent) and based on the use of all 10 current sites. Regeneration and Asset Management has made an assessment of the market rental value of each site and these are set out in Appendix 4. It is important to note that the Council is required to use TNG for the delivery of youth provision, or make a substantial financial re-payment to the Government. No other premises have this constraint.

Comment [ad1]: Don't we need to update with figures as we have them now?

- 15.3. It is proposed the leases will grant full flexibility to sub-let to partners in line with the entity's core objectives and on the basis the properties are used for services dedicated to the residents of Lewisham.
- 15.4. Any leases should also contain termination and break clause provisions which mirror those set out in the main service or contract agreement. Furthermore, the Council should retain the right to relocate the occupier if required as part of a wider portfolio strategy.
- 15.5. The mutual will be responsible for all outgoings related to the properties, including internal and external maintenance, insurance, business rates, utilities and compliance costs. This will include being responsible for ensuring the properties are compliant with all legislation, including but not limited to health and safety.
- 15.6. The leases will all be contracted out of the Landlord and Tenant Act 1954 so there will be no Security of Tenure.
- 15.7. Should the council alter the number of sites available to the service, at any point during the life of the contract, alterations to the current business plan will be required. A reduction in sites is not necessarily a problem for a successful YELM, although there are economies of scale and implications for generating income. Although there is a cost to keeping the current number of sites, they are also assets that can be used to generate income as currently set out in the business plan.
- 15.8. It is recognised that changes to sites could occur either before the YELM's formation or at any point during its lifetime and might be to generate more savings or as part of wider regeneration or shared services strategies.

16. Pension and redundancy liabilities

- 16.1. Any organisation (whether a Lewisham mutual or a successful competitor) taking on a contract for delivering service would very likely be subject to TUPE which would protect staff terms and conditions including pensions and redundancy. The current total redundancy liability, for the part of the youth service which is proposed to move to a mutual, is £528k and the current total pension liability is £2.84m.
- 16.2. For most, if not all, independent entities, obtaining a bond to cover these would prove an insurmountable hurdle. A YELM is also only possible with staff agreement to set up and run the new entity. During development of the plan it has become clear staff are not prepared to do this without the protection of their current pensions and redundancy.
- 16.3. In order therefore to give the new entity a chance of success the Council would have to grant the new entity admitted body status with the fully funded 19.1% employer contribution.

- 16.4. The proposed plan requests the council to fund these for all transferrable staff for at least the initial contract period of 3 years.
- 16.5. New staff taken on by the YELM would not be covered by the council and the mutual would have to find ways to cover pensions and redundancies on different terms and conditions.

17. What will it cost Lewisham Council to deliver a YELM?

- 17.1. Assuming the contract is won by the YELM the contract value will be a reduction from current funding of £300k after 2017/18). This can all be taken from the general fund by the council, where exactly it comes from year on year is detailed below.
- 17.2. Year 1 (2016/17): Total contract value: £2,757k + 200k loan.
- £2,051k direct service delivery
 - £115k of grant substituted to the council for NTP
 - £400k is building/maintenance
 - £190k is for back off services
- 17.3. At the end of the first year the mutual would return any 'pump primed' money, estimated to be c.£200k, back to the lender, which may be required to be the council. This money would have been used to grow the required income generating elements of the service. See section 17.3 below.
- 17.4. Moving forward the contract with the council is shown below and broken down into where in the council it originates.
- 17.5. The cost of delivering the service is always more than this with the shortfall made up of a combination of income generation and efficiency savings.
- 17.6. Year 2 (2017/18): Total contract value: £2,607k
- £1,924k direct service delivery
 - £115k of grant substituted to the council for NTP
 - £400k is building/maintenance
 - £166k is for back office services
- 17.7. Year 3 (2018/19): Total contract value: £2,457k (cumulative £300k additional saving)
- £1,796k direct service delivery
 - £115k of grant substituted to the council for NTP
 - £400k is building/maintenance
 - £145k is for back office services

17.8. Year 4 (2019/20): Total contract value: £2,307k (cumulative £450k additional saving)

- £1,669k direct service delivery
- £115k of grant substituted to the council for NTP
- £400k is building/maintenance
- £123k is for back office services

17.9. Year 5 (2020/21): Mutual – post second tender: Total contract value: £2,157k (cumulative £600k additional saving)

17.10. It is expected that, after a second tendering process, should a contract be re-awarded to the mutual in year 5 at least a further £150k reduction could be achieved. This would take the additional saving to £600k.

- £1,541k direct service delivery
- £115k of grant substituted to the council for NTP
- £400k is building/maintenance
- £101k is for back office services

18. How the plan will generate savings/reduced delivery costs in the first 3 years.

18.1. The YELM would generate net income to allow further savings to the council of £300k by the start of year 3. Note that the £294k generated in year 1 would in most part pay off the initial pump priming. This also assumes the continuation of the £100k income already generated by the service.

18.2. The critical benefits from the Mutual model are outlined in paragraph 11 of this report.

18.3. These benefits translate directly into financial savings. These savings have calculated and are shown in the table below:

	Activity	Detail	Estimated Net saving/income per annum £ '000s <i>note this is the amount year on year not cumulative</i>		
			Yr 1	Yr 2	Yr 3
Reduced costs	Reducing the cost of logistic support currently provided by internal corporate council services.	Through a combination of direct provision of some functions – specifically minor site maintenance – and out sourcing other functions to cheaper providers than current corporate partners – specifically payroll and finance/accounting. This could also include IT.	49	49	49
	Reducing the cost of direct delivery through altering the terms and conditions of any new employees and enhanced rates of current employees	<p>This would include no longer offering enhanced rates for work currently defined as 'out of hours' and more granulated salary bands, new and more specific job descriptions to new employees and closing the LG pension scheme and offering alternative to new employees</p> <p>For current employees any changes would be a board (and therefore staff) decision to make. At present savings here have not been factored in.</p> <p>The YELM would always pay a minimum of London living wage and ensure that all posts were paid at market rates.</p>	10	28	38
Alternative income	Increased rental of sites	Up to a planned 65% of site capacity outside of the required youth provision hours up from a current 20% usage. c.£55k of this could come from provision, with a partner, of alternative education provision for 6-day exclusion. The latter would both support the delivery of youth services and meet a current gap required by the council.	130	158	180

	New business lines	Cycle tourism scheme. Birthday party packages at sites Zorbing Climbing wall use	18	28	41
	Acquisition of other contracts with partners to deliver additional youth provision outside of core contract	eg. Street based/detached work or summer schemes funded by housing providers, employability training funded by job centre plus, healthy eating and SRE courses funded by CCGs and/or schools and apprentice provision funded by DWP Figures are net of costs of additional staff and bid writers	60	75	40
	Charitable fund raising (via charitable arm)	A combination of fund raising methods including corporate sponsorship, local lottery, local business partnerships – eg. Voluntary bill supplements, individual giving drives – eg. Fund raising events, envelope giving, standing order requests, legacy requests, etc.	59	79	144
		TOTAL NEW INCOME and Cost savings	326	417	492

19. Governance structure of the YELM

19.1. Employee-ownership can take a variety of forms, in the proposed model it is intended to be ownership based primarily on involvement ie. Not for profit.

19.2. In order to gain the advantages of employee and young people ownership it is proposed, if the Lewisham mutual bid were successful in the process, to set up a charitable Community Benefit Society (CBS).

19.3. The Mutual CBS element

19.3.1. The choice of a CBS assumes that the Mayor's decision in February for officers to 'develop a plan for a mutual' referred to a plan for an incorporated legal structure (where the structure is considered to be a legal person in its own right) as opposed to an unincorporated structure where those who run the organisation are potentially directly and personally liable.

19.3.2. This could be fulfilled with either a CIC or CBS. The latter is preferred as, if established with purely charitable objects, it is recognised in law as an exempt charity and so able to obtain the tax benefits that come with charitable status and

also to raise income through mechanisms such as donations with Gift Aid and charitable grants. A CIC cannot also be a registered charity and so, to get the benefits of charitable status, a parallel charity or charity within the group structure of the CBS would be needed, a solution which brings additional setup costs and complexity.

19.3.3. The 'ownership' by both employees and young people would be divided 70% to employees and 30% to young people. With shares for the latter owned in trust rather than directly. The trustees could be the young people appointed as directors or others. Whilst the disadvantage of holding shares in trust is that young people would then not directly be members of the organisation the overriding principal benefit is that as young people come and go the organisation does not need to update its list of members (if a company) every time.

19.3.4. All shares will be non dividend paying with any surplus/profit being used to support the operations of the company and therefore ultimately savings to the council. There will be a requirement for the shares to be bought back at their nominal value if the person leaves the organisation for any reason.

19.3.5. Shares would give employees and young people, via elected representatives from these constituent groups, representation on the company's board and therefore say in strategic governance. These representatives would be voting members of the board. All employees would also be able to attend an annual AGM.

19.4. The Board

19.4.1. Whilst it would be feasible to have all stakeholders represented at board level, this is not seen as desirable since this could lead to a very large board all made up of people seen as representing in some way or other a stakeholder interest. In order to be successful the new organisation must ensure that it has people on the board who are able to direct the organisation's strategy and meet the key challenges of maintaining existing work and winning new work. The board must also be of a size to enable reasonably swift decision-making where this is required and to meet the requirements of being a charity must have a majority of votes held by members other than employees. For that reason, a mix of board and also sub advisory groups is proposed.

19.4.2. On consideration of Select Committee's recommendations the business plan will be amended to specify council representation on to the board of the new organisation as a non executive director. This will allow a reasonable balance between providing accountability to the Council and allowing the mutual to progress. To enable this without losing the ability to gain additional expertise from appointing from other sectors, the board will increase to 10 from the currently proposed 9.

19.4.3. In addition, the stakeholder groups outlined in the report will continue to allow for Council representation and influence.

19.4.4. The board will consist of 10 Directors:

- *4 Employee representatives: including the Managing Director [and x other senior management positions] with the remainder* elected annually by all permanent employees on a one share one vote basis.
- *2 young people representatives:* (Any young person acting as a director would legally be required to be aged 16 or over - Young people younger than this can still be involved and engaged in the work of the organisation in other ways). Selected from the Young Mayor and Advisors, who in turn are elected annually by young people across the borough. It is envisaged that the Young Mayor and Advisors select the representatives themselves.

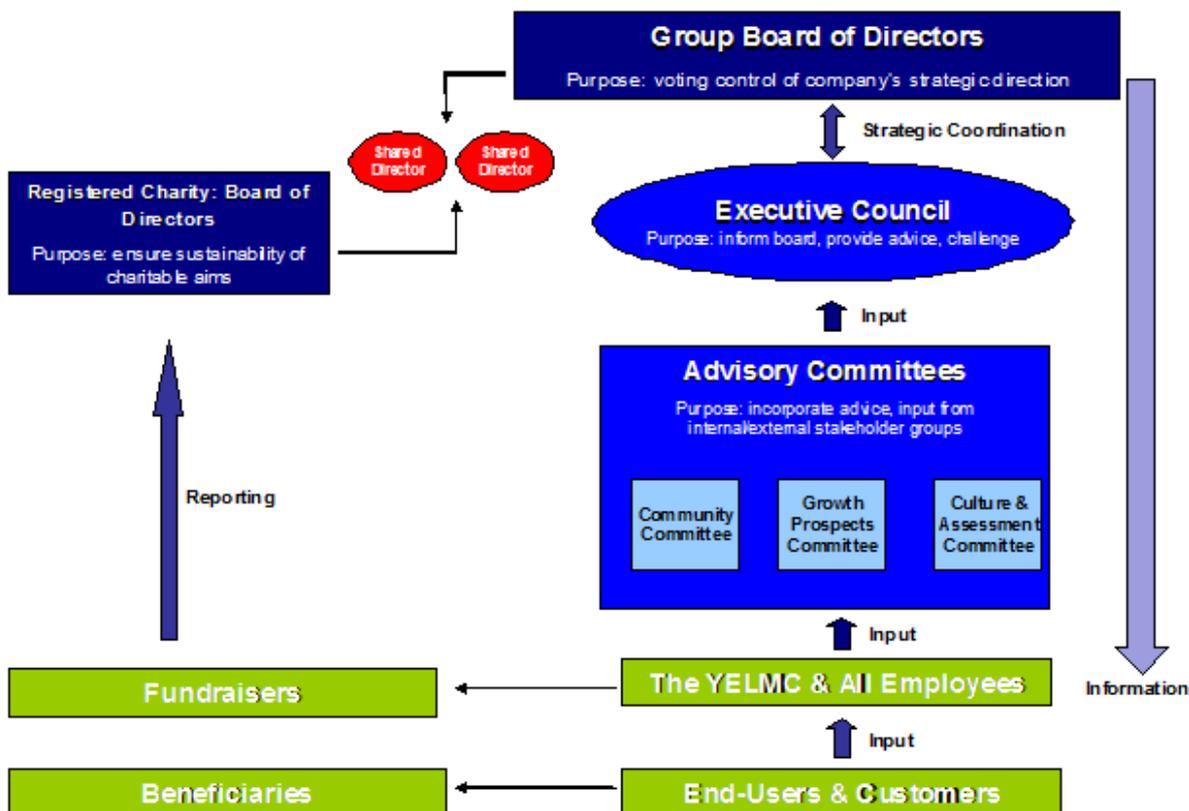
19.4.5. This system allows a transparent election system for young people and gets best value from the robust Young Mayor electoral process already in place. They would be supported both by the structure and youth workers in the Young Mayor's office and the YELM's own Engagement and participation youth worker.

- *4 non-executive directors:* appointed by the board to fill skills gaps identified and taken from stakeholders potentially including the council, the local VCS (potentially the CYP forum), and external experts – Non-executive Directors will be chosen from those with skills to support the YELM including legal, financial and entrepreneurial. This is not to say that a person appointed for skills could not also wear another 'hat' (such as by being a parent, a member of the VCS or a police officer, for instance) but that they would be appointed for their skills rather than due to representing a particular stakeholder. One of these posts will be reserved for a council representative.

19.4.6. The board will be chaired by an Independent Chairperson elected by the Executive Directors with a Vice Chair also elected annually. To ensure independence both of these posts will be drawn from the advisory element of the Board.

19.4.7. A Board will be constituted and operate in 'shadow' form during transition. A chair of the shadow board would be appointed to oversee development. See section on Implementation and Transition on page 23.

19.4.8. Corporate Governance: High level Structure



19.5. Roles of board members

19.5.1. The role of the board is to set the strategic direction of the organisation and to ensure it complies with all of its legal requirements, delegating to staff or others as necessary.

19.5.2. A skills audit process will be required to regularly be conducted across staff and the board itself to allow the Board to identify any training needs applicable to the whole Board (for instance in relation to Board meetings or codes of conduct) or any individual training needs, as well as the gaps to be filled by external appointments. This will also ensure the Board's make-up best supports the YELM.

19.6. Interaction with stakeholders

19.7. The board includes representation from stakeholders, including the council, but, as noted above, it would be too unwieldy to have all stakeholders on the board. Further interaction with key stakeholders is therefore necessary as set out in the table below. Essentially, each stakeholder can be put into one of the following four categories:

- monitor;
- keep informed;
- keep satisfied; and
- manage closely.

19.8. The table below considers stakeholders need to be involved against these categories:

	Staff	Young People	Council	Community	VCS	Other Partners
Owners / Members	✓	✓				
Directors	✓	✓	✓	?	?	
Formal advisory role (e.g. sub-committee or advisory council)	✓	✓	?	✓	✓	?
Keep engaged and informed	✓	✓	✓	✓	✓	✓
Other (specify)				Varies from stakeholder to stakeholder	Contracting / joint working	

19.9. Two advisory groups

19.9.1. It is proposed that below the main board three advisory groups would ensure maximum stakeholder involvement. These are:

Advisory Committee	Role/Focus	Stakeholder Group
Community	Advise on issues related Lewisham culture, voluntary groups, synergies among local orgs, improving well-being for YP in Borough, etc	<ul style="list-style-type: none"> • Young people • Parents • VAL & affiliates • Elected members • Staff • Schools
Growth Prospects	Advise on market opportunities, demand for services, cost-benefit analyses, service development, service specification, networking	<ul style="list-style-type: none"> • Elected members • Parents • Local business reps • Cabinet Office reps • Citizens in neighbouring boroughs
Internal Culture & Assessment	Advise on organisational culture/climate, management strategies, theory & best practice	<ul style="list-style-type: none"> • Staff • Pro-bono consultants

20. Support and Corporate Services

- 20.1. One means of cost reduction brought about by the transition to a mutual arises from the new organisation's ability to purchase support services from where it chooses. Part of this saving comes from the mutual no longer having to pay for functions of the local authority and centrally provided services that are not directly relevant to its service provision. Further savings are generated because the mutual can buy the service it requires at the levels it requires under market conditions rather than having to pay for given levels of given services at a given cost.
- 20.2. Whilst the ability for the mutual to make quick cost savings by procuring support services from elsewhere is undeniable, to do so, entirely and immediately, risks leaving the Council with a significant and predominantly fixed cost to be absorbed by the other council services. In recognition of this it is assumed that the mutual may continue to purchase a proportion of its support services from the Council for at least a year, albeit in reducing volumes.
- 20.3. This staggered reduction in demand provides the Council with sufficient time to transform these services as it sees fit without the need to take drastic action, whilst also allowing it to unwind itself from any third party contracts without incurring financial penalty. It is of course entirely possible that the social enterprise will continue to purchase services from the Council beyond the year suggested. However, the decision to do so will be a commercial decision rather than to support the Council's transformation process.
- 20.4. It should be noted that savings from support services are an important part of the savings plan for the Mutual, and any alteration by the Council on this proposal will risk the ability to deliver the £300k savings planning.

21. HR processes to move to a YELM

- 21.1. It is proposed that the workforce of the YELM will be established in the first instance through the transfer of staff from the Council. The transfer arrangements will fall within the scope of the TUPE Regulations. The Council remains liable for any loss arising from acts or omissions prior the transfer with the Mutual taking responsibility for salary and pension arrangements for staff post-transfer.
- 21.2. The staff who are 'within scope' of the transfer are those that are involved in.
- 21.3. the management and delivery of the Youth Service. In addition, there may be small numbers of staff in support services who would also be identified as 'in scope' during the transition planning stage.
- 21.4. The application of the TUPE regulations will mean that whilst the employer will change from the Council to the YELM, all other terms and conditions of employment will be unchanged at the point of transfer. The TUPE regulations effectively protect the terms and conditions of transferring staff unless, and until,

the new employer consults with staff appropriately to bring about changes. It should be noted that the financial plan is based on the assumption that terms and conditions for staff that transfer under TUPE will not be altered.

- 21.5. Prior to the transfer of staff taking place, a phase of formal consultation will take place to inform and consult Trade Unions, and transferring staff, about any 'measures' that the YELM may propose to take in relation to the transferring workforce post-transfer. This usually takes place for a period of 28 days.
- 21.6. Under TUPE regulations, the responsibility for proper consultation lies with the Council. The Council will also need to provide information and records on staff members to transfer. Therefore, there is a requirement for support from the Council's HR to ensure that the Council is discharging its duties under TUPE, completing proper consultation and providing data as necessary.
- 21.7. It is proposed that the organisation operate on the basis that any employees that the YELM recruits to employment will be on different terms and conditions to the staff that transferred under TUPE. There may be a concern that this effectively creates a two tier workforce. However, this will be necessary to enable the financial outcomes required in the Business Plan. The YELM would still strive to be an employer of choice and would therefore propose to pay at or above Living Wage and to provide a pension which is comparable within the market.
- 21.8. The Best Value Authorities Staff Transfers (Pensions) Direction 2007 applies to situations where services are contracted out and staff transferred from one employer to another under TUPE regulations. The Direction sets out that the employee has the right to acquire pension rights that are the same as, broadly comparable to, or better than those that he or she had as an employee of the Local Authority. The YELM will therefore apply for Admitted Body Status within the Local Government Pensions Scheme meaning that existing members can continue their membership of the scheme.
- 21.9. It is proposed to put in place a pooled arrangement with the Council and for the scheme to be closed to new entrants to the YELM. New members of staff will be offered a highly competitive workplace pension, on as good, or better, terms than they could secure with other similar providers.

22. Risk Analysis

- 22.1. A Mutual model is not without risk. A risk register has been completed as part of the business plan and provides a detailed account of the potential risks to the Council, to the Mutual, and also the risk attached to maintaining the status quo. The risk register will be regularly reviewed and updated during the transition phase of work. The key risks are noted below:
- 22.2. The Youth Service fails to win the initial service contract (due to the Regulation 77 route to procurement)

22.2.1. The principal risk is that the Lewisham YELM does not win in the initial procurement process. This is a risk with any proper competitive process. From the Council's point of view, since it would set the specification in the contract process, the winning bidder would still need to run the service in a way which met the Council's requirements. From staff point of view, they would TUPE transfer to the winning mutual. TUPE would protect their terms and conditions, other than pensions, and the new Fair Deal would apply to protect their pensions.

22.2.2. The only way to guarantee a contract to the Lewisham YELM is to follow the Teckal process (now contained in Regulation 12). Whilst this has a benefit in terms of contract award, it does have other disadvantages including the inability for the body to attract charitable funding, the inability to adopt a full mutual structure, the risk of the body having to bid for the contract anyway at the moment the Teckal requirements stop being fulfilled, and increased transaction costs due to setting up one model and then changing it later. For example, legal set up costs would potentially be doubled, given the cost of setting up one entity, incurring one set of costs, then setting up another, with a whole new set of costs.

22.2.3. For these reasons, the Teckal process has been ruled out. Competition for the contract has been assessed as likely to be low. However, to mitigate the risk, the service should be given the best chance of success by giving it access to professional support to put together a tender.

22.3. The YELM fails to win the 2nd tender after year 3

22.3.1. If the YELM is successfully delivering on its financial targets, whilst delivering positive outcomes for young people, then, as an incumbent provider, it would be in prime position to win the second tender and the risk of losing is low. If it is unsuccessful, then the second tender gives the Council the opportunity to reassess its options against the market. The risk to the Council in either scenario is low.

22.4. Speed of transition to new entity gets complicated by unforeseen factors

22.4.1. The transition and launch of the YELM is highly complex. The potential for delays are numerous and likely to happen without proper project planning and support. The 'untangling' of current delivery from council support services will require both the Council allocating the necessary internal support, for example, from finance, HR, and current senior CYP officers and also the YELM itself accessing external professional support with experience and skills in setting up similar enterprises.

22.4.2. To enable some additional support a bid to the Cabinet office for Delivering Differently funds has been successful, contingent on Mayoral decision to progress, to a current value of £20k. Alongside this the service has funding for a post allocated within its current budget and structure for a programme officer, a post merged with the fund raising officer. This post is currently vacant however

this funding, combined with the Cabinet office funds will allow the continued support of consultants with expertise in mutualisation.

22.4.3. It is crucial that this process meets the legal responsibilities connected to tendering and rules around state aid. To support and guide the process it is crucial that a shadow board is set up and a shadow chair is appointed asap. This board and chair will ideally offer directly, or allow access to, pro-bono expertise from outside the council. This will ideally include various legal, financial, promotional and planning expertise as well as access to additional funds and support networks.

22.4.4. Training for current staff in commercial and social enterprise expertise can be acquired both via funding and support detailed above but also via in kind support from central government and national voluntary sector organisations. Training itself is not prohibitively expensive with a current estimate of £5k.

22.5. The YELM fails to achieve its financial targets

22.5.1. There is a risk that the YELM would not be able to make the necessary savings and / or generate the necessary additional income to maintain the current service, as a result of one or more of the following:

- It cannot attract donors, and/or
- New business units are unsuccessful, and/or
- LBL doesn't have requisite money for contract, and/or
- New back office providers fail to deliver savings

22.5.2. This is a risk that one cannot easily mitigate since the challenge of reduced budgets is one that would be faced by any provider of the service, whether in-house, through some form of Council-controlled company, or whether tendered out.

22.5.3. However, in all scenarios other than LBL not having requisite money, this risk has been assessed as having a low likelihood given the savings and income are based on evidence contained within the business plan that has been developed. It should be noted that this also depends on the Council structuring the contract to give the YELM the best possible chance of success.

22.5.4. Should LBL not have the requisite money for the contract, then the risk could not be effectively mitigated and an alternative option of reducing service delivery would have to be considered.

22.6. Employee related risks

22.6.1. If staff are not bought in to the strategy, then this could result in an inability of the organisation to function and deliver savings and increased income,

industrial action and reputational damage to the Council. Staff have been involved at every stage in developing plans (see below) and have voted overwhelmingly in favour of the proposals. Therefore, this risk is considered low. However, it will be important to maintain this level of engagement and enthusiasm for the proposals. Our plans include continued detailed communication and consultation with staff at all stages.

22.7. The YELM is not successful in partnering with the VCS

- 22.7.1. Some of the VCS have already been vocal in raising concerns about a YELM, specifically around the relationship it will foster with current providers. The proposal seeks to engage the VCS fully in plans as they develop, and the governance of the new YELM, as set out in this paper, will include VCS involvement in the running of the organisation. This is in order to ensure that the new organisation is best placed to leverage the best of the current VCS to meet the collective aim for young people. This should also include partnering with some of Lewisham's VCS to increase funding coming into the borough.
- 22.7.2. More specifically the YELM would be contracted to meet the needs of young people in the borough with specific reference to geographical coverage and target areas, delivery periods and focus on certain vulnerable groups. This significant contract with the Council will allow Council Commissioners to specify detailed outcomes for the Mutual to deliver. This will in turn inform a comprehensive performance management regime to monitor progress. This can grow out of work already carried out by the service since the 2013 restructure and will ensure that the Council continues to have a large influence on the Mutual's operation and the services it delivers. In addition, as the Mutual's largest customer, it will continue to work closely with Council Commissioners to develop future services.
- 22.7.3. To meet these requirements the organisation will necessarily have to work with partners. Currently, a combination of contracting and partnering enables a youth offer which extends well beyond the council's own youth service, something that would continue to enable the Mutual to succeed. This includes those with reach in geographical areas of the borough where the current youth service does not have sites, this is of particular relevance to the south east of the borough. For example the service currently funds a variety of providers including Millwall for sports coaching, Greenwich and Lewisham Young People's Theatre and Lewisham Youth Theatre for youth drama activities, Working with Men who offer specialist support for young fathers, Metro who work with young people around sexuality, Midi Music, Socio Capita and Rerezent Radio who offer various music and media activities, Heart and Soul and RLSB who work with young people with SEN and a number of uniformed services such as the Scouts.
- 22.7.4. Similarly the current service balances use of its own space to both generate income and provide increased youth provision. This includes working with the PVI sector to use sites based on a range of charges depending on the type of

organisation, with those that offer not for profit activities which benefit the community charged only the sustainable cost of site use.

- 22.7.5. Given that the YELM will necessarily be majority staffed from the current service replicating that service's expertise, there will be every incentive to continue to work with partners who bring complementary skills, expertise and reach. The new organisation would therefore continue to work, either via commissioning/subcontracting or alternative non finance based partnerships with partners, based on who offers best value, that have clear expertise in certain types of delivery either defined by activities or user group.
- 22.7.6. The organisation would of course retain the current service's expectation of value for money and quality assurance from all partners.
- 22.7.7. To ensure strong links with the current sector the new organisation would immediately request to become a part of the local VCS, joining and participating in Voluntary Action Lewisham's CYP Forum and would be well placed to play a leadership role in joint bidding and capacity building.
- 22.7.8. To ensure that the VCS can themselves support the development of the YELM representatives from partners would be included in an advisory stakeholder group, as detailed in 19.9 above. By being built into the governance arrangements this will ensure that the VCS has significant influence in future operation, this is likely to be a more significant influence than the VCS has at present. It would ensure that the new organisation is working as best as possible with other local VCS providers to offer the best delivery to young people

23. Alternative Options

- 23.1. Other options remain open to the council, these are summarized in paragraph 6 above and in appendix 1.
- 23.2. The option to stop providing all but the statutory obligation would release a further £1.7m saving, result in the closure of all direct provision and leave only a NEET tracking team and promotion of activities delivered by others. This option remains open.
- 23.3. In its options appraisal the Council also considered commissioning an alternative sole provider from the current market. The proposed approach includes an open procurement exercise, and thus keeps this option open, albeit with a restricted market solely to providers that will not seek to make a private profit from the contract. The level of savings from this option would be determined by the level of funding into the contract, but reduced funding would also reduce service delivery.
- 23.4. Given the current financial position of the Council, and the level of savings required, a "do nothing" option of the service remaining in house and maintaining the current level of service is no longer viable. All previous options, or further reduction of the service, remain open; however only a Mutual option has the

potential to make some savings and maintain levels of service provision, as well as the benefit of youth and employee ownership.

24. Involvement to date of staff, young people and partners

24.1. Staff involvement and vote

24.1.1. The YELM has been developed by current youth service staff. Led by management and a dedicated project officer, with support from 'Stepping Out' a consultancy expert in developing plans for mutualisation.

24.1.2. In order to allow staff to participate in the planning process, not least based on the theory that this level of involvement will be required and beneficial in a future YELM, two working groups have met regularly to focus on business planning and change management respectively, these have been open to all staff.

24.1.3. The change working group decided, on consideration of processes at other councils and in order to give the Mayor a robust indication of staff support, that a vote of staff with a 75% threshold of support for mutualisation should be required. It has however been explained to all staff that this is a non-binding vote that is for indication only and ultimately how to proceed remains a Mayoral decision.

24.1.4. Alongside the working groups the project officer and service manager have visited sites and held full staff meetings. An online resource of documentation was also made available, as well as summaries explaining plans and considering frequently asked questions.

24.1.5. These methods combined have allowed staff to be informed and to discuss developing plans.

24.1.6. On October 1st a debate between all permanent staff, i.e. those eligible to be part of any future YELM, facilitated by an independent chair and conducted without hierarchy, was held to support staff to openly discuss and formulate their opinions on both the theory of mutualisation and the draft business plan.

24.1.7. This process of involvement culminated in a staff vote on October 15th where the 55 eligible staff were asked whether they supported a YELM. 100% of eligible staff returned their ballot papers. The result was 50 staff (91%) in favour of a YELM, 4 (7%) against and 1 (2%) staff member returned a blank ballot paper.

24.2. Young people's involvement

24.2.1. Young people were initially and formally consulted as part of the 2013/14 consultation on all possible future options for delivery of youth service. This took place through youth clubs, an online survey and via two meetings with the Young Mayor and Advisors. At this point young people showed general support for a YELM. A summary and full details of the consultation were part of the February 2014 Mayor and Cabinet Paper.

24.2.2. Young people have been kept abreast of developments through a combination of visits and discussions by youth workers, the service's Participation and Engagement officer and the Project lead with the Young Mayor and Advisors and through display boards, presentations and discussion sessions across the 10 directly provided youth provisions. This has been largely informal involvement and information sharing and it is recognised that it is hard to engage young people in something which remains intangible and uncertain. However, should the YELM go ahead, a full youth involvement strategy will be put into place that will include requesting formal agreement from the Young Mayor and Advisors to represent young people on the YELM's board.

24.3. Partner involvement

24.3.1. After the initial public consultation and special select committee review that culminated in the February 2015 Mayor and Cabinet paper the development of the mutual plan has mostly been contained in service. However, during the development, the youth service manager and project manager have liaised with both Voluntary Action Lewisham and the associated Children and Young People's Forum. This has included various meetings and discussions with specific focus on governance structures.

25. Implementation and Transition

25.1. The overall project milestones are as follows:

25.2. Phase 1: Jan 2016-Feb 2016

- Project management and transitional arrangements for implementation
- Procurement process planning

25.3. Phase 2: Mar 2016-Apr 2016

- Run 'mutuals only' tender process under Regulation 77 of the Public Contracts Regulations 2015

25.4. Phase 3: May 2016-Jun 2016

- Establish new entity, mobilisation and shadow operation
- Regular communication with stakeholders and progress reports

25.5. Phase 4: 1 July 2015

- YELM Go-Live

25.6. These timescales are challenging. Transition and implementation is a significant undertaking and a detailed project plan has been developed to identify the work

required to bring the YELM to reality. Work will need to be undertaken on behalf of the Council, on behalf of the YELM and jointly.

- 25.7. The majority of time requirement will be for YELM staff involvement in preparing for the new mutual, further input will be needed from Council's Corporate Services in both commissioning and negotiating the contract and arranging central service functions for the YELM. It has been assumed that these resources can be sourced internally and will be made available.
- 25.8. To ensure the Council's probity on the process, there will need to be an artificial separation of the Commissioners from YELM staff. Commissioners will be required to create tender documentation in isolation from YELM staff.
- 25.9. The YELM will then need to develop into a 'shadow' structure in order to respond to the tender. The legal entity for the new mutual would need to be created early in the process. This would put a formal governance structure in place to ensure probity on the side of the YELM. No staff would formally TUPE until after any tender process has been completed, however, YELM would have a properly constituted board. It is proposed that this board is initially established from Youth Service management, plus an independent chair. This board will have the responsibility to approve the bid before it is submitted.
- 25.10. There is a requirement for external support to provide independent advice and expertise - such as legal and finance - for setting up the YELM and allowing it to make a competitive bid. It is proposed to continue to engage consultants to support this phase of work, providing project management oversight, specialist advice and bringing their expertise of similar projects to facilitate a smooth process. It is hoped that the Cabinet Office will make grant funding available for this support and an application has been made in this regard, under the 'Delivering Differently' grant.

26. Conclusion

- 26.1. The work undertaken has produced a detailed business plan for a YELM for maintaining the delivery of the services concerned.
- 26.2. Whilst establishing a YELM is by no means risk free, and requires some up front investment, the business plan demonstrates that this investment pays dividends in the medium to long term and enables the services to seek out a more sustainable future through the pursuit of new business and a stronger commercial focus.
- 26.3. It should be noted that if more savings are required than are being offered here, that other options originally considered in February 2014 can be returned to. In addition the contract and specification between the council and the YELM will need to ensure flexibility around the risk to changes in the Councils financial position, including flexibility around the use of buildings. The latter is also important to allow building use to change in relation to regeneration opportunities.

- 26.4. The business plan is and will always remain a dynamic document. The ideas within it at the moment, especially around income generation through new business, are a start, albeit one it is believed is a sustainable one.
- 26.5. The creation of the YELM is likely to alter the way staff and young people participate and alter the culture to one more suited to developing new income generating ideas. This focus on income generation should also engender delivering more creatively and flexibly in order to be reactive to user/customer requirements. This should allow the service to attract more users and better allow delivery of the core aims and objectives.
- 26.6. If the business plan is accepted and agreement given to proceed to establish the new organisation the project will move into the transition planning phase before going live in July 2016.

27. Legal implications of savings proposals recommended future option

- 27.1. Section 507B Education Act 1996 imposes a duty on local authorities, so far as is reasonably practicable to promote the well-being of persons aged 13-19 (and of persons aged up to 25 with learning difficulties) by securing access for them to sufficient educational and recreational leisure-time activities and facilities. A local authority can fulfil this duty by providing activities and facilities, assisting others to do so, or by making other arrangements to facilitate access, which can include the provision of transport, financial assistance or information.
- 27.2. Section 68 of the Education and Skills Act 2008 places a duty on local authorities to make available to young people and relevant young adults for whom they are responsible such services as they consider appropriate to encourage, enable or assist them to engage and remain in education or training.
- 27.3. The Mayor and Cabinet determined on the 11th February 2015 that officers prepare a detailed plan to mutualise the youth service having taken savings of £1.4 from the Service. This followed an analysis of this option for an employee mutual as set out in that Report. The analysis included continuing the youth service at its current level (the savings having been taken) with more or less the current staff at the current locations for the initial start up period of up to 3 years. In relation to assets and premises this would be subject to the right for the Council to remove any or all of them in any asset rationalisation exercise or for other reasons.
- 27.4. If Members wished to reduce the scope of the youth service, then further consultation and a new business case would be required.
- 27.5. As is set out at paragraph 13 of this Report, if Members determine to proceed with the proposal for an employee mutual to be established, then the Council is required to tender a contract for the youth service but can reserve the right to participate in the tender exercise to mutual organisations. If it does so restrict the organisations which can tender, then the term of the contract can be no longer

than 3 years under the new Public Contracts Regulations 2015. Thereafter, the contract, if the service is to continue, has to be advertised on the open market.

- 27.6. The contract which will be tendered in these circumstances will include a specification for the youth services to be delivered and it is very likely that TUPE will apply to the staff currently assigned to the services and their terms and conditions will be protected, including pension rights which, as stated in this Report at paragraph 21.8, under UK law, are protected where staff transfer from the public sector through the operation of a contract or business transfer.
- 27.7. The procurement process must be fair and non-discriminatory and the value of any assets provided to the YELM on terms other than market rate must be costed against any asset provided by any alternative mutual.
- 27.8. Paragraph 19 sets out the preferred governance structure of the YELM. A CBS is governed by the Co-operative and Community Benefit Society Act 2015.(2015 Act). It will have to register with the Financial Conduct Authority which is also the body which would grant it charitable status rather than the Charity Commission. The FCA have inspection and investigative powers over all CBS organisations
- 27.9. The business must be run primarily for the benefit of people who are not members of the society and must also be in the interests of the community at large. The CBS' rules must not allow either profits or the society's assets to be distributed to the members. Profits/surpluses must generally be used to further the objects of the CBS by being ploughed back into the business.
- 27.10. The members of the YELM must democratically control the CBS, however, there is flexibility as to how it is governed subject to the requirements of the 2015 Act.

28. Financial Implications

28.1. Revenue Financial Implications

28.2. Yelm Proposal

28.2.1. This proposal provides for a gradual reduction of the Council's financial commitment to achieve the existing but reduced level of service. The reduction in financial commitment is £ 300k by 2018/19. This represents a reduction in the Council budget for youth service provision of 11%. This compares with the c30% reductions proposed for services across the Council in order to achieve its financial targets. By 2020/21 a cumulative reduction of £600k or 22% would have been achieved according to the proposed Business Plan. The equivalent savings for many services of the Council over that period are likely to be c50%.

28.2.2. The YELM proposes to achieve its 5 year reduction in Council support as follows:

Activity	Budget	Budget	Budget	Saving	Saving
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	2016/17	2018/19	2020/21	Year 3	Year5
direct service delivery	2051	1796	1541	255	510
grant substituted to the council for NTP	115	115	115	0	0
building/maintenance	400	400	400	0	0
back office services	190	145	101	45	89
Totals	2756	2456	2157	300	599

28.2.3. The reduction in service costs is achieved as set out in 17.3, with the largest factors being increased rental income £158k and contracts for new services of £60k by year 3. Staffing costs changes amount to £28k by year 3.

28.2.4. The reduction in direct provision costs (staffing) is possible: it is reasonably assessed on the basis of recruiting to vacant posts, post the change in status, but carries some operational risk in terms of managing a two-tier workforce. The reduction in overhead costs is reasonably based but would present a diseconomy of scale for the Council. However, given the scale of the anticipated reduction in council overheads of c£5m in 2016 -18, a further increase in that reduction of £190k, as a result of these proposals, would not be significant.

28.2.5. The increased income from renting youth premises would be consistent with the Council's aim to increase the utilisation of its assets. Other proposals by the council to reduce the available space in Community Centres for rent by community groups should increase the probability of these rental income targets been achieved. The increase in rental income represents an increase in utilisation from 25% to 65% which would be a challenging target.

28.2.6. The business case assumes the achievement of donations of £79k by 2017/18 and £144k by 2020/21. This is a difficult area to predict and success will be more likely with the change in status of the organisation but cannot be guaranteed.

28.2.7. The arrangement for the YELM to take on responsibility for its premises, on a leased for basis, will require a rent payment to the Council. These rents have yet to be assessed and agreed. However, these new costs of delivery will be reflected in the cost of the contract to the Council and present no net financial benefit to the Council.

28.2.8. The continuation of the service through the YELM at current levels would avoid redundancy costs for the Council albeit these would be once off with no ongoing implications. The current estimate of redundancy costs is £528k. If the Council was unable, post the creation of the mutual, to maintain its contractual support of the YELM then the Council would have to meet the redundancy costs and assume the pension liability for the workforce currently estimated at £2.84m: a cost the creation of the YELM would enable the Council to avoid long term.

28.3. Summary of YELM Proposal

28.3.1. The creation of the YELM enables the existing level of service provision to continue but with a reduced cost to the Council of £600k. It would add to the savings on overheads costs the Council must achieve and make success there more challenging. The improved utilisation of premises would be consistent with the Council's objectives for the use of its assets. The involvement of the staff and young people in the service delivery and its development would be consistent with that theme of the Council's 2020 vision that the Council creates the conditions where communities will be able to support themselves and the theme to develop entrepreneurial approaches to income generation, particularly in relation to assets.

28.4. Alternative options

28.4.1. If a mutual approach is not adopted the Council could consider a reduction of the service to a statutory level of service. It is estimated that this would provide the possibility of a saving of £1.7m. However, there would be redundancy costs of £528k to offset any savings in year 1 of the change.

28.5. Capital Financial Implications

28.5.1. The creation of the YELM would not require any further capital investment in order to enable it to happen. If the service was to be reduced to its statutory minimum there would be 10 capital assets available for alternative use or sale to generate capital receipts. The sale of the Adventure Playgrounds for existing use would not generate significant value. The youth centre sites would have a sale value dependant upon location and condition.

28.5.2. The TNG building is relatively new and was provided through National Lottery grant. Any proposal for sale would be likely to require repayment of, some or all of, the original grant of £3.7m. Alternatively, the premises could be leased, on a full repairing lease, generating a revenue income for the Council to another organisation.

28.5.3. The youth provision in the Bellingham gateway project uses part of the building, another part of it is used for child care provision. This property has some related covenants due to the original provision of the land which would mean that a sale to generate a capital receipt would not be possible. The accommodation would be available for alternative use.

29. Crime and disorder implications of recommended future option

29.1. There are no specific crime and disorder implications arising from this report.

30. Equalities implications of recommended future option

30.1. There are no specific Equalities implications arising from this report but the Equalities implications of the recommended future option are included at Appendix 5.

31. Environmental implications

31.1. There are no specific environmental implications arising from this report

Background documents

If there are any queries on this report please contact Mervyn Kaye,
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Appendices

Appendix 1: Alternative Options appraisal

Appendix 2: Map of current Youth Provision (October 2015 – March 2016)

Appendix 3: Summary of Current Youth Service Usage

Appendix 4: Market Rental Value of Current Youth Service Sites

Appendix 5 Equalities Analysis Assessment

Appendix 1: Alternative Options appraisal

From February 11th Mayor and Cabinet paper - Part 2: The future of the Youth Service and youth provision

Given the level of savings required by the Council and that outcomes for young people are a priority, it was important strategically to establish alternatives for the future of the Youth Service. The Youth Service is largely non-statutory and is thus at risk of being reduced further in subsequent years. Consequently, officers examined a variety of options that could ensure the future of a Council-funded youth offer.

All future options considered the broader context in which the Youth Service operates, namely that the Council is required to make savings of £85m by 2017/18, yet wishes to maintain – as is possible – its vision for youth provision.

Summary of Future Options

Within this context there are two primary options, with four sub-options housed within the second of these. These options were all included in the public consultation.

- 1) Stop providing all but the statutory obligation. This would release a further £1.7m saving, result in the closure of all direct provision and leave only a NEET tracking team and promotion of activities delivered by others.
- 2) Continue providing youth services through one of:
 - a) commissioning an alternative sole provider from current market
 - b) break up the service and commission a mix of providers
 - c) continue providing direct provision at the reduced budget
 - d) commission an employee and youth-led mutual

Option 1 was already ruled out by the Mayor on 11 November 2014. It was however included in the consultation. Of the remaining future options consulted on, some would necessitate the Youth Service delivered via alternative means. There is risk and reward inherent in every future option for the Youth Service, including one that retains the status quo. Officers remain cognizant of this, as well as the financial challenges currently facing the local authority.

Note that option D could be seen as variant of option A. However, due to the amount of opinion raised during scrutiny and consultation about option D and the specific complexities of mutualising, over and above commissioning to current market providers, we have considered this as a separate option.

Future Options Appraisal

How options are appraised

Officers addressed each option against the following set of criteria, which are shown below:

- a) Short-term sustainability
- b) Value for money
- c) Long-term sustainability

a) Short-term sustainability:

The extent to which each option could enable services to continue without disruption whilst a level of council funding is available. This extent was determined independent of whether or not an option would yield good value for money. Officers also addressed each option's effect on staff and the way this would impact on delivery, as well as the effect on young people's attendance, engagement and outcomes.

b) Value for money:

The potential to deliver the best outcomes for young people, as judged against the already agreed Youth Service vision and aims, at the lowest cost. In evaluating value for money, officers especially considered how the form of delivery would impact on service users and community members.

c) Long-term sustainability:

The potential to allow the Council to make further required savings and what level of youth provision – either provided directly by the Council or external organisations – could continue. Considered as part of this was an option's capacity for engaging young people and enhancing the youth voice as well as the role staff would play in any option and how these might contribute to future sustainability.

Options analysis:

Below is a summary of each option followed by an appraisal which provides both detailed analysis and scores of "high" "moderate" or "low" against each of the criteria. In measuring the impact of each option against each criterion, officers also considered the potential social value to be derived. In every case officers used their best professional judgment -- which was, where possible, informed by best practice and conversations with other professionals. Each option was analysed independent of other options. This analysis is concluded with a summary table comparing all options' scores.

Operationalisation of scoring:

Officers scored an option as “high” when there was sufficient reason to believe that the model of service delivery maintained a strong likelihood of faring well against most – if not all – of the different elements of a criterion.

Officers scored an option as “moderate” when there was sufficient reason to believe that the model of service delivery maintained a probable, but not high, likelihood of faring well against most -- if not all -- of elements of a criterion.

Further, a “moderate” score indicates officers’ awareness of possible negative implications (shortcomings) of an option when measured against a specific criterion. These implications were not, however, so critical in nature as to merit a “low” score.

Officers scored an option as “low” when there was sufficient reason to doubt that the model of delivery maintained reasonable likelihood of faring well against most – but not necessarily all – of the different elements of a criterion.

Sufficiency of confidence in the relativity of scoring was assured by engaging in dialogue with peers in other local authorities (Kensington and Chelsea, Luton and Knowsley) who had experience deploying the service delivery models inherent in the options put forth by Youth Service officers as well as discussing with organisations who have already spun out from a parent body (Wide Horizons) and with input from the Cabinet Office’s Mutual Success Programme.

Option A: commissioning an alternative sole provider from current market

The Youth Service could commission a provider from the current market to deliver the Youth Service at scale, in its entirety (adventure playgrounds, youth clubs and NEET Traineeship Programme). After implementing the base savings of £1.4m, the Council could solicit bids and tender a Youth Service contract, ultimately awarding the contract on the basis of best value.

a) Short-term sustainability

Short-term sustainability prospects are moderate. Youth provision has been – and remains – a mayoral and Council priority, as specified in the Children and Young People’s Plan 2012 – 2015, and the Council has the capacity to commission a Youth Service contract.

Commissioning an external provider to run the Service has the potential to ensure continuity of youth provision in the Borough for at least the duration of the contract period.

It is likely that continuity of service and outcomes would best be achieved if a local provider won a bidding process. Although it is possible an outside provider could offer similar continuity prospects by basing itself in the Borough and utilising local staff, which

would also align with the Service's aim to recruit locally. Since the vast majority of Youth Service staff live in the Borough, any disruption to continuity could have significant implications for them. In commissioning out the Service, staff would have the right to be TUPE transferred to the provider, which could ensure continuity of employment for a predominantly local labour force, as well as continuity of provision, so long as staff were retained following the transfer.

An effective transfer and assimilation of staff would, however, require the commissioned organisation to deploy robust change management in order to mitigate against negative staffing implications – similar to that following a merger or acquisition in the corporate realm. This presents risks to continuity of provision, which could be amplified by the recency of the last restructure and the accompanying programme of change. A provider, especially a larger organization, could have the resources to successfully manage this change; however the risk could make bidding for delivery an unattractive prospect, further reducing an already small – if existent – market of potential providers.

There is a very limited market for delivering a contract the scale of the Youth Service, and potentially none locally. This is based on officers' initial market testing and conversations with heads of some of the Borough's largest youth providers. Among those with whom officers spoke, there is neither a desire to bid for, nor the demand to take on the Service at its current scale.

If there were competition for a commissioned contract it would likely come from providers outside the Borough.

The Youth Service currently commissions 35 PVI sector organisations, most of which are Lewisham-based. As of quarter 3, results reveal that c.25% of commissioned groups are failing to meet contractually specified targets at a level where it is recommended to end the contract, review and amend performance targets and/or cost in order to achieve agreed value for money. This reduces confidence that our local PVI sector has the capacity to operate the Service in its entirety.

b) Value for money

Value for money prospects are moderate. The current Youth Service has a unique infrastructure in its adventure playgrounds and youth centres, as well as a strong set of capabilities in its staff. The Council could benefit if a provider capable of assuming staff pension and redundancy liabilities came forward. This would likely only be possible if a large provider in good financial health competed for the contract.

If a large provider – from within or outside of the Borough – were to win the contract, it could also have the resources and capacity to grow the Borough's youth offer and/or capably attract external resources. This would, however, necessitate that a provider used its own financial resources, as there is no indication the Council would increase the funding. The Council could specify a requirement for match funding in a bidding process. Though, again, this could reduce the market for potential providers.

If staff were TUPE'd to a large commissioned provider and immediately made redundant, this would have negative implications for the local labour market and reduce the social value capable of being derived from the contract, as the majority of Youth Service staff live in the Borough.

If staff were retained and the contracted provider had an incentive to recruit local talent and forge partnerships with voluntary sector providers that would help ensure the sustainability of the sector, positive social value implications for the local labour market. There is reason to believe that a social sector provider would have a greater incentive to deliver social value than a private sector organisation, as the latter would be bound first and foremost to the best interest of shareholders and profit generation.

Commissioning a provider will also result in a cost to the Council, as there would exist the need to monitor and manage the contract. This could likely be covered by 0.5 FTE at the PO8 grade.

c) Long-term sustainability

Long-term sustainability prospects are low. Unless a provider offered a level of match funding, a commissioned provider would characteristically deliver services corresponding to the contract's value. The Council could, however, specify in a contract that a commissioned provider must: provide some level of match funding, assume pension and redundancy liabilities, retain local staff, cooperate with the local voluntary sector, include young people on its governing board, and look to grow the Borough's youth offer in the face of further Council funding reductions.

In theory, if a contracted provider could honour these stipulations, positive implications could abound. Officers have pursued this notion in conversations with potential providers, where it was made clear that the aforementioned stipulations would limit interest in the contract, thereby reducing the market for bidders.

Given that long-term sustainability of youth provision is important to the Council and that embedding in a contract any or all of the aforementioned stipulations would limit – or render nonexistent – the market, any future Council funding reductions to youth provision would likely result in less youth provision.

It is likely that such future spending reductions by the Council could have negative implications for youth engagement and the ability to enhance the youth voice in the Borough.

Option B: Break up the remaining service and commission a mix of providers

The Youth Service could divide and spin-out sites, either in clusters or independently. After implementing the base savings of £1.4m, the Service could separate e.g. splitting-off adventure playgrounds from youth clubs, making each site independent or grouping sites geographically. Once spun-out, sites could incorporate as charities, trusts, social

enterprises or employee-led mutuals. Each site, or group of sites, could be managed independently and governed by a board of trustees/directors. Doing this would require the Council to ultimately commission multiple providers – each offering youth provision to a particular part of the Borough.

a) Short-term sustainability

Short-term sustainability prospects are moderate. Dividing the Youth Service into separate sites could devolve responsibility, bring management closer to the end-user and community members, and enable each site(s) to make decisions in its (their) own best interest. A largely local staff group would transfer under TUPE ensuring continuity of service delivery and relationships with young people, the community and local organisations.

Each site(s) would retain its own management team, which would be equipped with new authority over how best to spend its money and deploy resources in line with contractual obligations and based on the needs of the local community, whilst ensuring relationships endure.

Management would be located alongside frontline staff, which could yield improvements in staff culture, strengthening short-term gains. More specifically, sites would have flexibility to define their organisational culture, operations, policies and guidelines. All decision-making power with regard to budget planning, business development, youth provision, youth engagement, partnership working, etc. would be at the discretion of site management and a board of trustees or governors, depending on the organisational model selected. Given this, some of the sites could prosper.

Further, this option could yield significant non-financial benefit to the Council in the form of social value to the local labour market, as the majority of Service staff live locally and would continue in employment.

Looking at provision holistically, problems could arise with regard to cohesion of service delivery. A piecemeal approach to youth provision could immediately create a disjointed youth offer and impede the sharing of best practices and information across sites, unless significant funds were invested in remote working capabilities and improved IT infrastructure. This could have a negative effect on outcomes for young people. This could be mitigated against by implementing a requirement for sites to cooperate and partner with each other.

b) Value for money

Value for money prospects are low. In dividing the Service the Council would be required to commission multiple providers and manage and monitor multiple contracts, adding to the cost burden that would accompany the commissioning process.

As a singular entity, the Youth Service realises economies of scale with regard to its capacities (e.g., management, planning, income generation, hiring, data analysis, etc.).

In dividing the Service in any way, these economies of scale would be lost, also putting at risk the sustainability prospects of individual sites (or group of sites). Management capabilities, business development capabilities and back office functions are all costly; as a singular entity the cost of these capabilities is spread across multiple sites, keeping unit costs low. If the Service were to divide, sites themselves would assume the burden of hiring management – along with other capabilities – which would drive up unit costs, decreasing value for money substantially.

Individual sites would be incentivized to generate supplementary income to add value for money to a Council contract. But the success with which this happened would likely vary widely from site to site. With Council funding reductions, some sites would sustain and continue to deliver the same level of provision whilst other sites would be forced to decrease provision relative to funding reductions.

It is highly unlikely that individual sites would have the financial capacity to assume staff pension and redundancy liabilities from the start. These would need to remain with the Council, at least in the short-term.

The potential social value that could be engendered via this option could vary significantly across sites.

This noted, all frontline services are currently delivered by trained, qualified youth workers, all of whom could prove better motivated outside the restrictions of a local authority bureaucracy with tightly defined constraints. A more engaged workforce could be realised - one that maintains a greater stake in the success of its organisation and could deliver improved outcomes for young people at a lower unit cost.

c) Long-term sustainability

Long-term sustainability prospects are low. It is the Council's aim (which is delineated in the Children and Young People's Plan 2012 – 2105) to have as much youth provision as possible, not less, which could occur if sites failed. Sites would lose the ability to share frontline capacity, a core focus of the last restructure in order to better allow the Service to react dynamically to service user demand. With the loss of economies of scale, high unit costs could also jeopardise sites' ability to submit competitive bids for external funding, forge partnerships and attract investment.

A divided Service could also create a disjointed youth offer in the Borough, prevent the realisation of natural synergies between sites and risk potential future strategic planning specifically in relation to leveraging Lewisham regeneration schemes. Playgrounds and youth clubs are naturally positioned to complement each other and serve all segments of our target demographic. In the event that one or more youth clubs or playgrounds failed, this could leave a gap in provision and prevent Lewisham from meeting the needs of young people in one or more parts of the Borough. If sites failed, this could have negative implications on the local labour market.

Option C: continue providing direct provision at the reduced budget

The Youth Service could continue operations as a Council-run service with reduced capacity, after implementing the base savings of £1.4m.

a) Short-term sustainability

Short-term sustainability prospects are moderate. As long as Council funding for youth provision remains, the Service could continue to deliver a part of the Borough's youth offer through its adventure playgrounds and youth centres.

Remaining a Council-run service would reduce the need for the type of broad organisational change management inherent in other options. This would lead to a continuity of service – sites could remain open as long as funding levels sustained.

Many Youth Service staff have worked for Lewisham Council in excess of 5 years, and there is great institutional knowledge that accompanies this longevity. Remaining a Council entity would enable the Service to – at least in the short-term – leverage this knowledge base to better support the delivery of the Service and the Council itself.

However, this could all be offset by the threat of future reductions, which could negatively impact staff morale and culture and result in a knock-on effect with regard to outcomes for young people. The threat could also mean negative implications for talent retention and make it more difficult to engage young people in a constantly shrinking service.

b) Value for money

Value for money prospects are low to moderate. With some level of Council funding for direct provision, the Youth Service could continue to deliver services from sites at a low unit cost, as well as commission services from the PVI sector.

The Service could continue to generate some income to supplement Council funding. However, as a local authority service area, income generation prospects are limited, as officers are precluded from soliciting private donations and applying for the majority of youth provision-related grants delivered by charities/trusts.

Any further decrease in funding for youth provision could result in negative implications for the local voluntary sector, as reductions to the Service would likely necessitate further reductions to the amount the Service spends on commissioning.

c) Long-term sustainability

Long-term sustainability prospects are low. After this year, the Council will be required to identify a further savings of c.£45m. Given the scale of savings required, it is unlikely the Council would have the financial flexibility to retain the Youth Service budget at its current level. This would cause the Service to reduce the scope of its youth offer – resulting in site closures, further reductions to commissioning funds, and fewer services for young people in general.

As noted above, it is difficult – and in many cases impossible – for the Youth Service to avail itself of different funding streams. Very few large grant-making trusts and charities fund public bodies and, in officers' experience, corporates have demonstrated an unwillingness to contribute money to local authorities.

Option D: Commissioning of an Employee and Youth led mutual

The Youth Service could mutualise. After implementing base savings of £1.4m, Youth Service staff could, over the next 6-12 months, develop a business plan, vote to spin-out of Lewisham Council and establish an employee and young person-led mutual company. The organisation could continue to operate the Council's youth sites and deliver provision on a service contract with the Council. Staff could be transferred to the mutual company, which would operate as a legal entity independent of local authority control.

a) Short-term sustainability

Short-term sustainability prospects are moderate. A youth mutual comprised of the current sites and staff could retain and build upon its existing capabilities. The Service's predominantly local staff group could be transferred to the new entity, ensuring continuity of service for a predominantly local labour force and existing relationships with the community.

Management would be equipped with new authority over how best to deploy resources based on its service contract with the Council and the needs of the local community.

Layers of Council bureaucracy would be removed, creating a flatter structure for Service staff, which could yield improvements in staff culture, strengthening short-term gains. The organisation would have flexibility to define its organisational culture, operations, policies and guidelines. All decision-making power with regard to budget planning, business development, youth provision, youth engagement, partnership working, etc. would be vested in the mutual and board of directors.

The organisational and governance model of mutual ownership would allow for the formal engagement and input of young people with the services they use, consequently enhancing the strength of the youth voice. Staff members could also gain election to board posts and maintain voting authority, offering them more control over their careers.

Some of the potential short-term advantages could be tempered if the spin-out process proved arduous and time-consuming. Transforming the Service culture from one accustomed to Council operations to one grounded in shared ownership and a business ethos would require robust change management and is grounded in risk. This could enhance the burden placed on managers and has the potential to disrupt service delivery if not administered effectively.

b) Value for money

Value for money prospects are high. Unlike a contracted provider that would deliver youth provision to the value specified in a contract, a mutual company would have in its DNA the aim of becoming self-sustaining by growing revenue streams, which would enable a level of match funding.

Given Council savings requirements, mutualising the Youth Service could sustain a consistent level of youth provision across the Borough whilst enabling the Council to make further reductions to its budget for youth services. This would, naturally, be contingent on a mutual's ability to raise supplementary funds.

Once removed from the local authority, a mutual company could go to the market to procure back office functions at lower cost, adding further savings to the Council.

All frontline services are currently delivered by trained, qualified youth workers, all of whom could prove better motivated outside the restrictions of a local authority bureaucracy with tightly defined constraints. A more engaged workforce that maintains a greater stake in the success of its organisation could deliver improved outcomes for young people at a lower unit cost. In conversations with Youth Service officers, staff from Epic CIC (Kensington and Chelsea's former youth service) and Knowsley Youth Mutual (Knowsley's former youth service) affirmed that mutualising their respective services has improved employee engagement and efficiency. Further, scholarly research on staff owned enterprises and the mutual model indicates that employees are more productive in such organisations than those that retain traditional structures.¹

There could also exist a significant non-financial benefit in social value to the Lewisham labour market, as the mostly local staff group could retain employment.

A further non-financial benefit could be delivered via partnership arrangements between the mutual and local providers. Such arrangements could include submitting joint bids, sharing services or back office functions and engaging in collaborative strategic planning.

If a mutual proved capable of yielding a surplus, it could look to expand operations in and around the Borough and seek to employ more local talent to support this.

¹ Information taken from: "Model Growth: Do employee-owned businesses deliver sustainable performance?" Lampel, Bhalla and Jha. January 2010.

Officers recognise the expertise retained by the voluntary sector. A mutual commissioning providers from the sector would be a way to leverage this to the benefit of young people, while not expending limited resources to duplicate skills.

It is clear from the consultation that a number of organisations in the current local VCS see a mutual as a way to strengthen current delivery and sector wide income generation.

c) Long-term sustainability

Long-term sustainability prospects are moderate. Long-term sustainability would be a mutual's chief organisational aim from the outset, which could be brought to fruition by raising income to retain at least a constant level of youth provision in the face of Council reductions.

Whereas embedding certain stipulations into a contract specification could reduce the market for a Youth Service contract, a staff and youth-led mutual would have a natural inclination to provide a level of match funding, retain and recruit local staff, cooperate with the local voluntary sector, strengthen the youth voice by including young people on its governing board, and look to grow the Borough's youth offer in the face of further Council funding reductions.

There are a number of revenue generation prospects a mutual could take advantage of, as it would be positioned to avail itself of income streams currently unavailable to local authorities (e.g. grants, subcontracting, social investment, individual philanthropy, corporate partnerships, etc.) in time to meet Council savings requirements. A mutual would be directed by a governing board responsible for ensuring the realisation of the organisation's strategy and aims, mitigating against its risk of failure and potentially securing inroads to corporate philanthropy.

To ensure long-term sustainability, current staff could need support and training in fundamental commercial skills, which could be offered in part by experts from across the youth, charitable/VCS sector as well as drawing skills and support from the private sector.

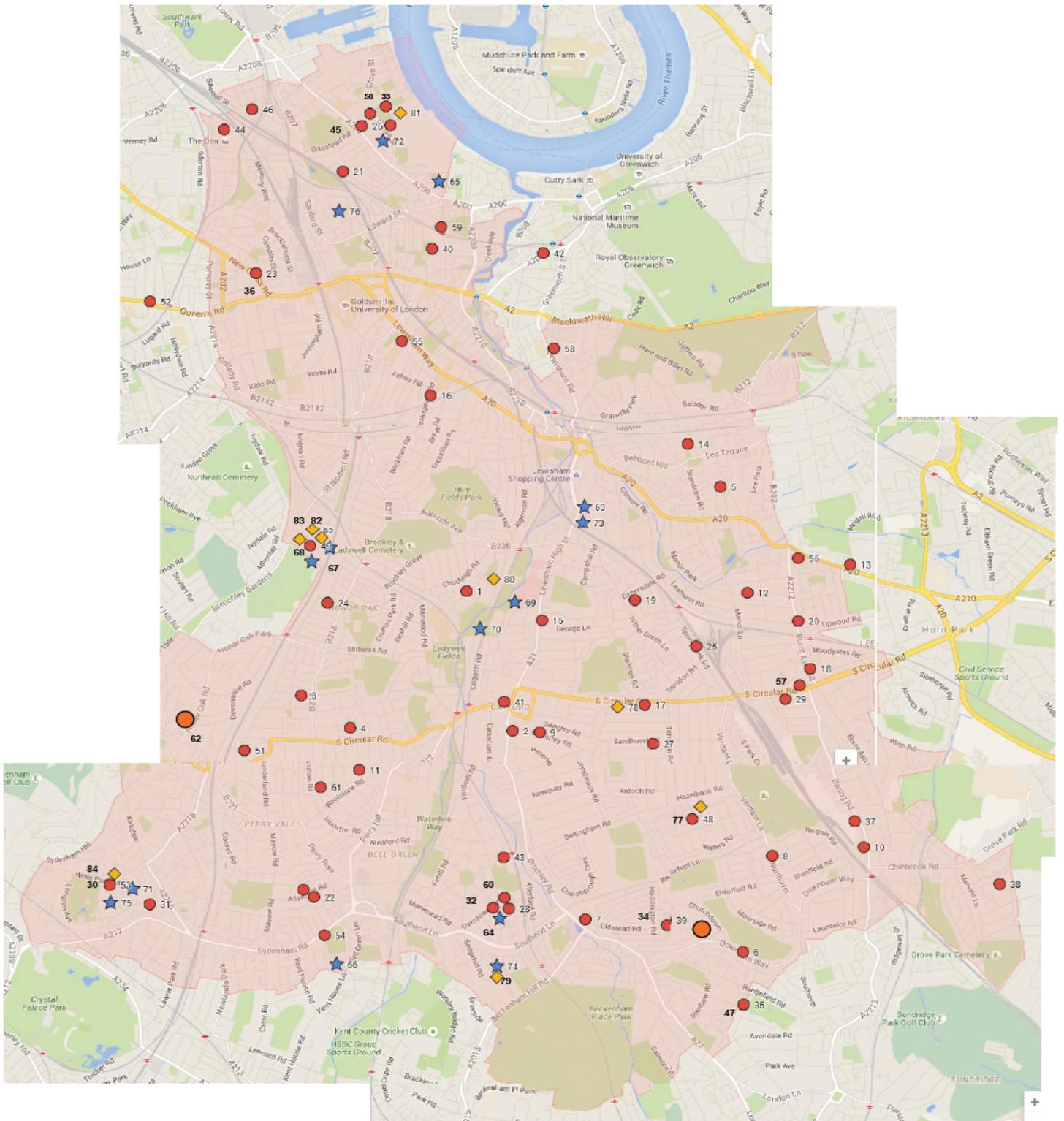
Two youth mutuals exist currently, both of which were launched within the last 12 months. It is thus difficult to draw inferences about the durability of the mutual model in delivering youth provision. However, the mutual model has been replicated c.100 times across the country and succeeded in delivering public/social services. It is reasonable to believe that, so long as a mutual could identify profitable markets and generate income, the model could succeed in delivering the Borough's primary Council-funded youth offer.

In the long-term, the Council tendering process could impact on the sustainability of a mutual. Whilst the Council can choose to contract a mutual for up to three years, after this point it must allow for an open bidding process. If a mutual failed to win a Council contract after three years, it could be required to downsize significantly or cease operations.

Options summary table

F u t u r e O p t i o n s		Short-term Sustainability			Value for Money			Long-term Sustainability		
		High	Mod	Low	High	Mod	Low	High	Mod	Low
	Commission sole provider		x			x				x
	Break-apart Service		x				x			x
	Continue as Council service		x			x				x
	Mutualise Youth Service		x		x				x	

Appendix 2: Map of current Youth Provision (October 2015 – March 2016)



No	Type	Organisation name	Detail of the activity or activities
1	C	1 Community Project	Single sex and mixed Youth Clubs
2	C	10th Lewisham Scout Group	Scout Group
3	C	11th Forest Hill Scout Group	Scout Group
4	C	12th Forest Hill Scout Group	Scout Group
5	C	12th Lewisham North Scout Group	Scout Group
6	C	12th Lewisham South Scout Group	Scout Group
7	C	12th Lewisham South Scout Group	Scout Group
8	C	12th Lewisham South Scout Group	Scout Group
9	C	14th Lewisham South Scout Group	Scout Group
10	C	16th Lewisham South Scout Group	Scout Group
11	C	17th Forest Hill Scout Group	Scout Group
12	C	17th Lewisham North Scout Group	Scout Group
13	C	17th Lewisham North Scout Group	Scout Group
14	C	1st Lewisham North Scout Group	Scout Group
15	C	1st Lewisham Park South Group	Scout Group
16	C	1st New Cross Scout Group	Scout Group
17	C	20th Lewisham South Scout Group	Scout Group
18	C	21st Lewisham North Scout Group	Scout Group
19	C	25th Lewisham North Scout Group	Scout Group
20	C	28th Lewisham North Scout Group	Scout Group
21	C	2nd Deptford Scout Group	Scout Group
22	C	2nd Sydenham Scout Group	Scout Group
23	C	32nd Deptford Scout Group	Scout Group
24	C	3rd Crofton Park Scout Group	Scout Group
25	C	4th Lewisham South Scout Group	Scout Group
26	C	6th Deptford Scout Group	Scout Group
27	C	6th Lewisham South Scout Group	Scout Group
28	C	8th Lewisham South Scout Group	Scout Group
29	C	9th Lewisham North Scout Group	Scout Group
30	C	9th Sydenham Scout Group	Scout Group
31	C	9th Sydenham Scout Group	Scout Group
32	C	BelEve UK	Interactive Girls' Group
33	C	BelEve UK	Interactive Girls' Group
34	C	BelEve UK	Interactive Girls' Group
35	C	Bromley and Downham Youth Club	Youth Club, SEN Club, Boxing Club
36	C	Carers Lewisham	Youth provision for young carers
37	C	Carers Lewisham	Youth provision for young carers
38	C	Elevating Success UK	Holiday time youth provision
39	C	Greenwich & Lewisham YP's Theatre	Youth theatre, dance and media in school holidays
40	C	Heart n Soul	Art and media provision for SEND young people
41	C	Lewisham Youth Theatre	Youth theatre - junior and senior
42	C	Metro Centre	Youth provision for LGBTQ young people

No	Type	Organisation name	Detail of the activity or activities
43	C	Millwall Community Trust Premier League Kicks Extra	Football activities
44	C	Millwall Community Trust: Premier League Kicks Extra	Football activities
45	C	Millwall Community Trust: Premier League Kicks Extra	Football activities
46	C	Millwall Community Trust: Premier League Kicks Extra	Football activities
47	C	Millwall Community Trust: Premier League Kicks Extra	Football activities
48	C	Millwall Community Trust: Goldsmiths	Football activities
49	C	New Scout Group	Scout Group
50	C	New Scout Group	Scout Group
51	C	New Scout Group	Scout Group
52	C	Represent	Radio Station run by and for young people
53	C	RLSB	Club for visually impaired and blind young people
54	C	Sydenham Independent Scouts	Scout Group
55	C	The Woodcraft Folk	Uniformed youth group
56	C	Triple Helix Training (Lee Green Youth Club)	Youth Club
57	C	Triple Helix Training (Lee Green Youth Club)	Youth Club
58	C	Wash House Youth Club	Youth Club and forum
59	C	Working With Men	Working with young fathers and expectant fathers
60	C	Working With Men	Working with young fathers and expectant fathers
61	C	Young Lewisham Project	Bike maintenance project
62	C	Young Lewisham Project & Friends of Rockbourne	Youth Club
63	D	Baseline Drop-In Service	Youth Service
64	D	Bellingham Gateway Youth Club	Youth Club
65	D	Deptford Adventure Playground	Adventure playground
66	D	Home Park Adventure Playground	Adventure playground
67	D	Honor Oak Adventure Playground	Adventure playground
68	D	Honor Oak Youth Club	Youth Club
69	D	Ladywell Fields Adventure Playground	Adventure playground
70	D	Ladywell Youth Club	Youth Club (Monday night)
71	D	Mayor's NEET Programme	Youth Service
72	D	Riverside Youth Club	Youth Club
73	D	Specialist 1:1 Youth Work Service	Youth Service
74	D	The Dumps Adventure Playground	Adventure playground
75	D	TNG Youth Club	Youth Club
76	D	Woodpecker Youth Club	Youth Club
77	S	Delicious Most Nutritious	Healthy eating cooking sessions
78	S	Lewisham Young Women's Resource Project	After school activities for young women
79	S	BelEve UK	Beauty and make up sessions
80	S	BelEve UK	Beauty and make up sessions
81	S	BelEve UK	Beauty and make up sessions
82	S	BelEve UK	Beauty and make up sessions
83	S	BelEve UK	Customising clothing workshops
84	S	BelEve UK	Customising clothing workshops

Appendix 3: Summary of Current Youth Service Usage

Year	2009-10*	2010-11*	2011-12*	2012-13*	2013-14*	2014-15		2015-16 Q1 (Apr-Sep)	
						2014-15 Total incl Commission- ed Provision	Youth Clubs & APGS Only	Q1-2 Total incl Commission- ed Provision	Q1-2 Youth Clubs & APGS Only
Budget £m	5.5	5.5	5.5	5.5	3.46**	3.46	2.0	2.5	1.3
No. projects (YS sites)	37 (21)	38 (21)	36 (21)	34 (21)	26 (12)	48 (12)	12	33 (10)	10
Total Individuals	3,369	8,024	10,099	9,068	7,019	6,089	3,589	8,751	3,858
Contacts	1,731	4,852	6,668	5,710	4,559	2,855	1,655	4,427	1,736
Participants	1,638	3,172	3,431	3,358	2,460	3,234	1,934	4,324	2,122
Participation Rate	49%	40%	34%	37%	35%	53%	54%	49%	55%
Total Footfall	31,454	71,493	85,973	92,714	67,395	164,110	75,495	89,439	51,008

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* Data taken from e-YS database and may include duplicate records

**Cuts made during October 2013

Appendix 4 : Market Rental Value of Current Youth Service Sites

These figures have been taken from the planning use class of the properties (D1) as a basis for comparable evidence. A rate per sq ft has been applied to the buildings and land comparable with other types of property in the local area and borough. The rates applied to the buildings (generally £7.50 per sq ft) represents very much the lower end of the market; a fairly nominal rate per sq ft (between 10p and 25p) has been applied for the land for adventure playgrounds. This is consistent with the valuation approach taken for both the RBKC youth services mutualisation and their Play Service outsourcing (which also encompassed adventure playgrounds).

The rents for the youth centres also reflects a similar (actually lower) rate per sq ft adopted by the Valuation Office for their own valuation of the buildings, and used to calculate business rates payable.

Property	Market Rental Value
Bellingham Gateway YC	£30,000
Honor Oak YC	£35,000
Riverside YC	£30,000
TNG	£90,000
Woodpecker YC	£30,000
Deptford APG	£5,500
Dumps APG	£16,000
Honor Oak APG	£16,000
Home Park APG	£12,500
Ladywell APG	£5,500
Total	£270,500

Appendix 5: Equalities Analysis Assessment

Equalities Impact Assessment

1. Introduction

- 1.1. This Equality Analysis Assessment (EAA) has been undertaken to identify whether the proposals for the Youth Service, within this report, will have an adverse impact on Lewisham's young people and other affected groups with protected characteristics². The proposals seek to mutualise the Youth Service, primarily in response to savings requirements.
- 1.2. The EAA will contribute towards considering a service which is as responsive to young people's needs as possible given budgetary constraints, and which ensures equality of access to provision. Actions are proposed to minimise any negative impact on affected stakeholders as a result of the proposals.

2. Background

- 2.1. The Council has already reduced its revenue budget by £83m since May 2010. However, the estimate is that the Council will need to save another £95m by the close of 2017/18. Savings will be required across the Children and Young People's Directorate and the Council as a whole. In order to achieve this, the Youth Service must contribute towards the savings whilst maintaining a youth offer which is focused on those in need.
- 2.2. The proposals are expected to enable continued compliance with the following statutory duties for local authorities in relation to the provision of youth services:
 - Department of Education statutory duty and guidance, June 2012

² Protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership (only in respect of eliminating unlawful discrimination)

With the right supportive relationships, strong ambitions and good opportunities all young people can realise their potential and be positive and active members of society. Most get these from and through their families and friends, their school or college and their wider community enabling them to do well and to prepare for adult life. All young people benefit from additional opportunities and support, but some young people and their families, particularly the most disadvantaged and vulnerable, need specific additional and early help to address their challenges and realise their potential.

- *It is therefore local authorities' duty to secure, so far as is reasonably practicable, equality of access for all young people to the positive, preventative and early help they need to improve their well-being. This includes youth work and other services and activities that:*
 - a. *Connect young people with their communities, enabling them to belong and contribute to society, including through volunteering, and supporting them to have a voice in decisions which affect their lives;*
 - b. *Offer young people opportunities in safe environments to take part in a wide range of sports, arts, music and other activities, through which they can develop a strong sense of belonging, socialise safely with their peers, enjoy social mixing, experience spending time with older people, and develop relationships with adults they trust;*
 - c. *Support the personal and social development of young people through which they build the capabilities they need for learning, work, and the transition to adulthood – communication, confidence and agency, creativity, managing feelings, planning and problem solving, relationships and leadership, and resilience and determination;*
 - d. *Improve young people's physical and mental health and emotional well-being;*
 - e. *Help those young people at risk of dropping out of learning or not achieving their full potential to engage and attain in education or training; and*
 - f. *Raise young people's aspirations, build their resilience, and inform their decisions – and thereby reduce teenage pregnancy, risky behaviours such as substance misuse, and involvement in crime and anti-social behaviour.*

The Council retains statutory duties relating to tracking and monitoring young people's participation in education. These duties are fulfilled by the Youth Service.

Department of Education statutory duty and guidance, March 2013

- Local authorities must collect information to identify young people who are not participating, or who are at risk of not doing so, to target their resources on those who need them most. The information collected must be in the format specified in the Client Caseload Information System (CCIS) Management Information Requirement
- Local authorities should be aware that all young people aged 16 (from 2013) and 17 (from 2015) will be under a duty to participate and authorities should be doing all they can to support them to meet that. The Client Caseload Information System will function as the main source of evidence that local authorities are discharging their duty under section 12 of the Employment and Support Allowance Regulations 2008.

3. General context: Local demographics

- 3.1. Lewisham is the second largest inner London borough and, in 2011, was home to approximately 274,900 people (GLA population estimates), which is set to grow by around 11,000 by 2015. Lewisham has a slightly younger age profile than the rest of the UK; children and young people aged 0-19 years make up 24.5% of residents, compared to 22.4% for inner London and 23.8% nationally.
- 3.2. Births in Lewisham increased by 34% between 2000/01 and 2009/10 and are expected to continue to increase at a similar rate for the next 5 years. Lewisham has 38,805 pupils within its 90 schools.
- 3.3. Whilst 40% of our residents are from black and minority ethnic backgrounds, this rises to 77.3% within our school population, where over 172 different languages are spoken by our pupils.
- 3.4. Deprivation is increasing in Lewisham relative to other local authorities. The 2010 Index of Multiple Deprivation ranked Lewisham 31st out of 354 local authorities in England compared to a rank of 39 in 2007. On the specific indicator of income deprivation affecting children, 35 (out of 166) of Lewisham's super output areas are in the 10% most deprived in the country, and 85 (over half) are in the 20% most deprived in the country. It is estimated that 20,355 children (ages 0-18) live in poverty in Lewisham.
- 3.5. In terms of our young people population, Lewisham's biggest challenge is ensuring they have high aspirations and fulfill their potential. Lewisham continues to make good progress in reducing the number of young people who are NEET, with June, 2014 figures showing 4.2% of our 16-19 year olds

as NEET against a London average of 4.1%. Lewisham's 'unknown' NEET figure remains a challenging issue. As of June, 2014, number (6.7%) young people's statuses were unknown in relation to education, employment or training. This is higher than the London average for unknowns at 6.5%.

3.6. According to the January 2012 Census Data from schools, the numbers of young people with special educational needs in Lewisham is as follows:

Years	Male			Female		
	Schools action/ early	School action plus	Statement	School action/ early	School action plus	Statement
10-14	351	248	199	260	125	85
3-14	1720	1714	727	1089	659	258

4. Current Provision

4.1. The Service offers a mixed economy of Council-run provision and 34 commissioned activities from 31 private and voluntary (PVI) sector providers. This includes youth centres, adventure playgrounds (APGs), targeted holistic one-to-one support and IAG for young people with vulnerabilities, sex and relationship education and support around teenage pregnancy support for young people who are not in education, employment or training (NEET) and a range of positive activities.

4.2. All settings operate as a 'front door' to targeted support, forming a core part of Lewisham's early intervention and NEET reduction strategies. The overall aim of these strategies is to prevent escalation of need and ensure that young people achieve the best possible outcomes in life.

4.3. The targeted elements of the Service support young people who present with multiple vulnerabilities, with a focus on those who are NEET, or at risk of becoming NEET. Other targeted vulnerabilities include:

- Risk of teenage pregnancy
- Risk of offending or recidivism
- Risk of becoming looked after or homeless
- Risk of misusing substances
- Risk of future or current poor health

- 4.4. The service works in partnership with other services across the Children's Partnership. This includes other targeted and specialist services such as Children's Social Care, the youth offending service, SHIP, local housing providers, Health Visitors, CAMHS, other NEET provision and Job Centre Plus, as well as universal services including schools and colleges, the police and community safety, and GPs.

Equalities group	No. of staff	Full time	Part time
Total	63	28	35
Age	16-20	0	0
	21-25	3	11
	26-30	3	8
	31-35	6	7
	36-40	5	0
	41-45	3	5
	46-50	2	2
	51-55	3	1
	55+	3	1
Race	Asian Bangladeshi	1	2
	Asian Indian	1	0
	Black African	1	2
	Black Caribbean	7	20
	Black Other	0	3
	Mixed Other	1	2
	Not known	1	2
	Other Ethnic Group	2	0
	Vietnamese	0	0
	White		
	British/Eng/Welsh/Scot/N.Irish	10	3
	White Irish	1	0
	White Other	1	2
	White Turkish / Turkish Cypriot	1	0
Sex	Male	11	18
	Female	16	18
Disability	Disability	1	2
	No disability	27	33

- 4.5. As part of the restructure which began in October 2013 the Service has revamped its data systems and continues to look at how to improve them. Previous to the restructure reporting was inconsistent and the database flawed, resulting in inaccurate reports. Reporting is now improved and although we have only a one year baseline to go from, data itself is relatively accurate.

- 4.6. Figures for year 2014/15 show that just over 6,000 individual young people accessed Youth Service provision, including commissioned services running during this period (this excludes the MNP and specialist 1:1 services). Based on an estimated 8 to 19 population of 37,048 young people, the Service has a reach (i.e. young people attending at least once) of 16% of the population. Of these c.3,500 are considered 'Participants' (i.e. have attended 3 or more times during this period) representing 8% of the total population, a retention rate of 50%. Unfortunately due to the poor quality of data from previous years it is not feasible or useful to offer comparison. Moreover, since this is not nationally collected data we are also unable to benchmark against other local authorities.
- 4.7. The current structure contains 47.4 FTE (69 posts including 5.1 fte vacancies) this is not currently scheduled to change from these proposals.
- 4.8. The breakdown of current staff in post according to protected characteristics is as follows:

5. Potential Impact:

On young people

- 5.1. The impact of these proposals on young people is expected to be relatively positive, as a result of protecting provision and increasing young people's voice, although this is based on accepting the risks discussed in the paper around not meeting required fund raising.
- 5.2. The Service would continue to open up opportunities available to young people in Lewisham and London. The YELM would continue to work with partners to subcontract and support access to funding opportunities that are not open to local authorities in order to generate additional funds, which could bolster youth provision.
- 5.3. Young people would have an even greater say in how resources are allocated by continuing to feed back what they need and want from youth provision through local and centralised feedback mechanisms, youth forums and also participating in the new governance structures of the mutual.
- 5.4. The Service's capacity would remain as now with delivery of 5 youth clubs with direct youth service provision from at least 3 youth work staff at each session for 5 nights per week for 3 hours per session. Based on best practice ratios this would allow an open youth club to continue to cater to a maximum

45 young people per night. Although, these numbers would greatly alter depending on the age and needs of the young people and the activities being undertaken. Additional numbers could be enabled via the successful use of an adult volunteer strategy, something the current Service is developing and could be continued through to an ELM. There is no proposed change to APG capacity, which will retain 5 sites operating an average of 24.5 hours per week over 4 nights and Saturdays with 1 senior and 2 support youth workers at each site.

On staff

- 5.5. There would be no job loss from moving to a YELM which will offer all current staff positions on the same terms and conditions. Any structural changes will only be made to posts currently listed as vacant.
- 5.6. In a recent poll 91% of staff supported a move to a YELM.
- 5.7. The YELM will increase opportunities for staff to participate in strategic decision making through clear governance structures detailed in the report.
- 5.8. The proposals would retain alignment with the Council's Single Status Agreement and youth work type roles would be evaluated under the GLPC Scheme and all new posts would continue to be offered on NJC Terms & Conditions (Green Book) for current staff. New staff would however be employed on new terms and conditions tbc.

6. Action plan: option 1

Issue	Action	Group affected	Owner	Timescale
Equality of access	Ensure all remaining youth provision is accessible for all young people. This includes DDA compliance. Provision should be welcoming for all young people regardless of ethnic background, disability, sexual orientation and/or faith. Ensure this is built into planning for an ELM.	All	Youth Services, Commissioners	Ongoing
Young people with disabilities	Ensure that youth centres and activities are accessible for young people with disabilities. Ensure this is built into planning for an ELM.	Disability	Youth Services, Commissioners, commissioned services	Ongoing
Communication	Continue to develop and maintain effective communication portals which enable young people to find out easily about youth provision, using social media and other online methods, as well as through schools, colleges and other local organisations. Information must be current, relevant, comprehensive and appealing to young people. There must also continue to be effective communication between the Youth Service, other Council services that support young people and PVI providers to ensure that all partners are aware of the full range of support available to young people and are able to signpost where relevant.	All	Youth Services, Comms team	Ongoing
Young people's	Ensure the continued and meaningful engagement of young people in designing, delivering and evaluating youth provision to ensure it is relevant, appealing and meets their changing needs. Ensure this is successfully built into the YELM.	Young people	Youth Services, commissioned services	Ongoing

Safety	Ensure that all young people are able to access youth provision safely and confidently, with clear risk assessments undertaken for activities as required to ensure safe access. Ensure this is built into the YELM.	All	Youth Services, Commissioners, commissioned services	Ongoing
Staff recruitment, redundancy and	Ensure a fair and transparent recruitment process for staff with due regard to protected characteristics and issues of diversity and equality. Ensure HR procedures are followed correctly and consistently across the service with regard to recruitment, redundancy and redeployment, in line with the Council's Management of Change Guidelines. Ensure this is built into the YELM.	Staff, young people	HR, Youth Services	Ongoing
Support for staff affected by the	Ensure that there is support available for staff affected by the proposals, including advice on how to get involved in the development and running of the YELM. In addition to courses available, additional resources must be made available on the corporate intranet, with staff made aware how they access these. Line managers and HR representatives must make themselves available to discuss individual issues with staff.	Staff	HR, Youth Services	Ongoing
Commissioning process	Ensure a fair and transparent commissioning/subcontracting and decommissioning process, which ensures services are prioritised to known community needs, values the experience and knowledge of local community groups in delivering youth provision, in addition to measures which ensure continuity and equity of service. Provide clear guidance for providers on the implementation of Lewisham or own policies with regards to equality and diversity issues, and in relation to ensuring equality of access, including confidentiality, safeguarding, safer recruitment, risk etc.	PVI providers	Youth Services, Commissioners, Procurement	Ongoing

Transition plan	Develop and implement a robust transition plan for implementation of the changes proposed to ensure continuity of service for young people and a smooth transition to the YELM for staff and PVI organisations impacted by the proposals.	All	Youth Services, Commissioners	Ongoing
Volunteer strategy	Develop and implement a robust adult volunteer strategy in order to mitigate the loss of youth work hours across remaining centres.	Staff & community members	Youth Services, Commissioners	Ongoing

Mayor and Cabinet		
Title	Comments of the Children and Young People Select Committee on the Future of the Youth Service Report.	
Contributor	Children and Young People Select Committee	Item
Class	Part 1 (open)	9 December 2015

1. Summary

- 1.1 This report informs the Mayor and Cabinet of the comments and views of the Children and Young People Select Committee, arising from discussions held on the Future of the Youth Service report, considered at its meeting on 18 November 2015.

2. Recommendation

- 2.1 Mayor and Cabinet is recommended to note the views of the Children and Young People Select Committee as set out in this report.

3. Children and Young People Select Committee's views

- 3.1 On 18 November 2015, the Children and Young People Select Committee considered a report entitled Future of the Youth Service.

- 3.2 The Committee resolved to advise Mayor and Cabinet of the following:

- The Committee felt that the lines of accountability and governance structures outlined in the proposal were not sufficiently defined and a mechanism needed to be put in place to ensure that there would be sufficient future scrutiny of arrangements.
- The Committee felt that additional information should be provided as to how the mutual would work in partnership with existing providers and voluntary sector organisations, prior to a decision by Mayor and Cabinet.

- 3.3 Therefore, the Select Committee recommends that:

The Mayor ensures he has sufficient information on the matters listed above at 3.2 before making his decision on the future of the youth service.

4. Financial implications

- 4.1 There are no financial implications arising out of this report per se; but there may financial implications arising from carrying out the action proposed by the Committee.

5. Legal implications

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from

the relevant Executive Director; and report back to the Committee within two months (not including recess).

6. Further implications

- 6.1 At this stage there are no specific environmental, equalities or crime and disorder implications to consider. However, there may be implications arising from the implementation of the Committee's recommendations.

Background papers

Report to Children and Young People Select Committee, 18 November 2015, [Item 6: Future of the Youth Service](#)

If you have any queries on this report, please contact Katie Wood, Scrutiny Manager (ext. 49446).

Agenda Item 17

Chief Officer Confirmation of Report Submission	
Cabinet Member Confirmation of Briefing	
Report for: Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input type="checkbox"/> Part 1 <input checked="" type="checkbox"/> Part 2 <input type="checkbox"/> Key Decision <input checked="" type="checkbox"/>	

Date of Meeting	9 th December 2015
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Title of Report	Besson Street – Part 1
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Originator of Report	Genevieve Macklin	Ext. 46057
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	X	
Legal Comments from the Head of Law	X	
Crime & Disorder Implications	X	
Environmental Implications	X	
Equality Implications/Impact Assessment (as appropriate)	X	
Confirmed Adherence to Budget & Policy Framework	X	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: _____ Executive Member

Date 1st December 2015

Signed:  _____ Director/Head of Service

Date 1st December 2015

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Title	Besson Street Re-development and Private Rented Sector Housing		
Key decision	Yes	Item no	
Wards	Telegraph Hill		
Contributors	Executive Director for Customer Services		
Class	Part 1	9 December 2015	

1 Summary

- 1.1 It is widely acknowledged that London is experiencing a housing crisis, with a chronic lack of supply of new homes driving higher prices and decreasing levels of affordability. This crisis affects all tenures, ranging from the introduction of affordable rents in the social housing sector, through rapidly growing rents in the private rented sector, to median house prices in Lewisham that are more than ten times the median income.
- 1.2 Earlier this year the Council approved its five year housing strategy, Homes for Lewisham, which committed the Council to taking action across all housing tenures to drive up supply and improve conditions. This includes a commitment to working in partnership to secure 2,000 new affordable homes in the borough by 2018, of which at least 500 will be new Council homes, in a programme which includes a range of innovative and community-led developments to provide the type and quality of homes that Lewisham needs. The strategy also includes a new landlord licensing scheme to drive up quality in the private rented sector. The Council will work in partnership across the private and public sectors to meet the overall housing target of 1,200 new homes every year.
- 1.3 Homes for Lewisham also committed to supporting the development of new models of private renting which offer a more stable, higher quality PRS offer by professional landlords, potentially including the Council itself. In this way, the Council can contribute to creating a more sustainable private rented sector in the borough, and design interventions which mean that council-led PRS schemes achieve the following aims:
- Provide high quality new homes
 - Provide an additional form of stable and affordable housing to support low income households in the PRS, who would neither qualify for social housing nor be able to access home ownership, by developing a “Living Rent” product to provide sub-market PRS tenancies with rents linked to incomes;

- Provide longer-term tenancies to give greater stability to renters
 - Create new places, including community facilities, open spaces and retail/leisure
 - Provide a high quality property management and maintenance service
 - Attract institutional investment into the borough at a time of financial challenges
 - Seek to structure projects so that they deliver best value to the council depending on the scheme, including the potential to generate an ongoing income for the Council
- 1.4 Whilst there are many good landlords, the PRS as a sector is not highly regulated which means that renters have very little security of tenure and often receive a poor service in terms of repairs. Typically tenancies in the PRS are for a period of one year and tenants face high up-front costs at the start of a tenancy, including a deposit, rent in advance and agents' fees. Recent research by the Joseph Rowntree Foundation has found that high rents and instability are causing increasingly high levels of poverty in the private rented sector, and that for the first time poverty is more prevalent among working people in the PRS than it is among social tenants.
- 1.5 The current structure of the PRS contributes to some of the disadvantages of the sector. 89 per cent of landlords are private individuals whilst currently only one per cent of private rented properties are owned by larger companies or institutions. This means that many new builds are currently designed and marketed to potential buy-to-let landlords as investments, rather than as homes. This is starting to change, with some 'build to rent' schemes being explored by developers, and the proposal set out here is for the Council to take an active role in enabling such a scheme in Lewisham.
- 1.6 This report proposes that the Council undertakes a pilot project, at Besson Street in New Cross, in which the Council would handle public land in a new manner in order to enable the site to be developed for high quality, secure PRS homes let at a range of rents. This pilot project would see the Council participating in a Joint Venture vehicle specifically for the purpose of developing PRS homes and the regeneration of the Besson Street area. The Joint Venture vehicle would be between the Council and an experienced organisation which would bring expertise, housing management and development funding. In order to create this Joint Venture vehicle the Council would select an investment partner with an excellent track record of developing high quality places, with a PRS offer to tenants that can set the standard for the PRS in the borough, and with sound financial backing from institutional funders.
- 1.7 This policy intervention is designed to introduce a new type of housing development into the Council's development programme, beyond the 500 Council homes on which progress is well underway. It is designed to create around 250 homes. 65 per cent of these homes will be let at an initial market rent, but with rent increases capped in line with inflation. This will provide renters with more certainty about their rent at a time when market rents can increase by 10 per cent a year. A further 35 per cent of homes will be

affordable homes based on a new “Living Rent” product, which would be let at a range of sub-market rents linked to local incomes.

- 1.8 All of these homes would provide much more certainty for renters, with the removal of lettings fees and provision of clarity about future rent increases. They would provide a higher quality rented home, as well as on-site community uses and facilities that reflect the rents that are paid. A key difference between PRS build to rent and other rented options is that there are no service charges, and all costs are contained within the rent, further improving the offer to tenants.
- 1.9 Overall this proposal would enable the Council to make an innovative intervention into the Private Rented Sector in order to provide a better deal for renters. It would set a high standard for the quality of PRS that other developments and landlords can be judged against. It would introduce a new affordable housing product, “Living Rent”, aimed at households who struggle to sustain themselves in the PRS but who, given the nature of the housing crisis, will not be able to access social housing. At the same time, the programme of Council house building will continue, on other sites, in order to achieve the 500 home target.
- 1.10 This report is in two parts. This part one report sets out the policy basis for the recommended approach, as well as the timetable and the next steps, while the part two report contains the commercial, technical and financial information which underpins the proposal.

2 Recommendations

It is recommended that the Mayor:

- 2.1 Notes the progress in developing an outline proposal for new homes, health and community provision on the development site at Besson Street;
- 2.2 Notes the options for developing the site, including the commercial and legal advice, and the views of participants in a soft market testing exercise, which are contained in part 2 of this report;
- 2.3 Agrees to the principle that the site should be developed through a Joint Venture Partnership between the Council and an experienced private sector partner, subject to further detailed due diligence in that regard;
- 2.4 Notes that further decisions will be required to finalise the arrangements proposed here, including approvals for the structure and governance of the Joint Venture Partnership, and the proposed approach to selecting an investment partner and that a further report is expected to be brought back to Mayor and Cabinet in the spring of 2016.
- 2.5 Delegates authority to the Executive Director for Customer Services to develop proposals for a ‘meanwhile’ use of the site for the commercial elements at the northern end of the site, as set out in paragraph 6.11;

3 Policy Context

3.1 The contents of this report are consistent with the Council's policy framework. It supports the achievements of the Sustainable Community Strategy policy objectives:

- Ambitious and achieving: where people are inspired and supported to fulfil their potential.
- Empowered and responsible: where people can be actively involved in their local area and contribute to tolerant, caring and supportive local communities.
- Healthy, active and enjoyable: where people can actively participate in maintaining and improving their health and well-being, supported by high quality health and care services, leisure, culture and recreational activities.

3.2 The proposed recommendations are also in line with the Council policy priorities:

- Strengthening the local economy – gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
- Clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment.

3.3 Lewisham's Housing Strategy was approved at Full Council in May 2015. This strategy sets out the Council's ambition to address the challenges in the borough through the following objectives:

- Helping residents at times of severe and urgent housing need
- Building the homes our residents need
- Greater security and quality for private renters
- Promoting greater quality in the social and private rented sectors

3.4 Lewisham's Core Strategy has the objective to make provision for the completion of an additional 18,165 net new dwellings from all sources between 2009/10 and 2025/26, to meet local housing need and accommodate the borough's share of London's housing needs. This aims to exceed the London Plan target for the borough. The Core Strategy also has the objective to make provision to meet the housing needs of Lewisham's new and existing population, which will include:

- provision of affordable housing
- a mix of dwelling sizes and types, including family housing
- lifetime homes, and specific accommodation to meet the needs of an ageing population and those with special housing needs
- bringing vacant dwellings back into use

- 3.5 In response to this, the Council has started to deliver homes directly itself for the first time in a generation, and will deliver 500 new Council homes by 2018. In addition, the Council is working with partners to deliver an additional 1,500 new affordable homes in the same time period.
- 3.6 Despite this, there remains an undersupply of housing in the borough and the Council remains ambitious to do more to address this directly, as well as continuing to work with partners to maximise the number of new homes they deliver.
- 3.7 A number of recent policy announcements by the government have made the delivery of new homes by the Council more challenging, and require the Council to explore new ways of delivering homes. The reduction of social rents by one per cent, contained in the Welfare Reform and Work Bill which is currently before Parliament, will reduce the financial capacity of the Council's Housing Revenue Account by approximately £25 million over the next four years. This means that the capacity to deliver new homes funded within the Housing Revenue Account beyond the current programme is limited.
- 3.8 This context requires the Council to explore new ways of developing new homes. The 2011 Localism Act gave local authorities a general power of competence. This creates new opportunities in terms of the Council's strategy for delivering new homes.
- 3.9 Homes for Lewisham, the Council's Housing Strategy for 2015 to 2020, committed to supporting the development of new models of private renting which offers a more stable, higher quality PRS offer by professional landlords, potentially including the Council itself. In this way, the Council can contribute to creating a more sustainable private rented sector in the borough, and design interventions which mean that council-led PRS schemes achieve the following aims:
- Provide high quality new homes
 - Create new places, including community facilities, open spaces and retail/leisure
 - Provide longer-term tenancies to give greater stability to renters
 - Provide a high quality property management and maintenance service
 - Cap rent increases in line with inflation to provide certainty for renters
 - Provide properties which are let at a Living Rent linked to local incomes.
 - Attract institutional investment into the borough at a time of financial challenges
 - Seek to structure projects so that they deliver best value to the council depending on the scheme, including the potential to generate an ongoing income for the Council

4 Background

- 4.1 It is widely acknowledged that London is experiencing a housing crisis, with a chronic lack of supply of new homes driving higher prices and decreasing

levels of affordability. This crisis affects all tenures, ranging from the introduction of affordable rents in the social housing sector, through rapidly growing rents in the private rented sector, to median house prices in Lewisham that are more than ten times the median income.

- 4.2 Lewisham has seen a 77 per cent increase in the number of households in temporary accommodation over the previous five years - there are currently just under 1,800 homeless households in temporary accommodation; the number of affordable properties to let has decreased by 44 per cent in this time. The Council has just over 9,000 individuals and families on the Housing Register and the average wait for a four bedroom property is four years.
- 4.3 The Council has taken a number of steps to address this challenge, principally by committing to build 500 new Council homes – the first Council homes built in Lewisham in a generation. The Council has also taken innovative steps to increase the supply of more stable temporary accommodation for homeless households, by purchasing new hostels and by enabling Lewisham Homes to acquire properties on the open market for the Council to use to prevent homelessness.
- 4.4 The Mayor recently received an update on the Council homes programme. The first scheme of six homes was completed in March 2015 at Mercator Road in Lee. Since then, there have been further completions of a conversion of the former community room into a residential flat, and the conversion of disused rooms above a shop on Deptford High Street into two homes to be used for temporary accommodation. Following recent approvals by the Mayor, there is now a total of 186 homes completed or on site and under construction. Beyond these, there are 209 homes which have previously been approved by Mayor and Cabinet for development, which are at various stages in the planning process.
- 4.5 In total then, there are 395 homes under development, of which 315 (80 per cent) are Council homes. The overall programme currently contains 762 homes, of which 621 are Council homes with a tenure split of precisely 80/20. Officers will continue to progress options as quickly as reasonably possible to meet the Council's objectives for new house building and we continue to add potential sites to the programme.
- 4.6 The interventions outlined above are having a positive impact, for example the staff in the Housing Options Team are achieving five times as many homeless preventions now compared to the rate in April. However the situation remains challenging and the Council recognises the need to continue to do more to make interventions which benefit the residents of Lewisham.
- 4.7 In addition to these issues in the social housing sector, the Private Rented Sector in Lewisham also has a particular set of challenges principally in relation to security of tenure, cost of access and lettings fees, the quality of the homes that are available to rent, and the rapidly increasing rents that

PRS tenants often experience.

- 4.8 Around 25 per cent of Lewisham's population now lives in the Private Rented Sector, which has doubled in size in the past ten years. Population growth, the limited supply of new homes and the resulting increase in house prices have caused profound shifts in patterns of tenure across London and Lewisham. Analysis by PwC projects that by 2025, an additional 1.8 million households nationally will live in the Private Rented Sector.
- 4.9 Over half of residents who live in the Private Rented Sector in Lewisham are under the age of 34, whilst a further 35 per cent are aged 35 to 49. A third of PRS households in Lewisham are families with children whilst a quarter are occupied by single adults. Therefore the supply and quality of homes in the PRS is an issue which is particularly pertinent to younger people in the borough and young families.
- 4.10 Whilst there are many good landlords in the PRS, as a sector is not highly regulated which means that renters have very little security of tenure and often receive a poor service in terms of repairs. Typically tenancies in the Private Rented Sector are for a period of one year and tenants face high up-front costs at the start of a tenancy, including a deposit, rent in advance and agents' fees.
- 4.11 In 2014 the Council commissioned research into the PRS in Lewisham. This found that 28 per cent of private sector tenants in Lewisham are dissatisfied with the quality and condition of their home and 22 per cent were considering moving because the cost is too high. 51 per cent of people renting privately in Lewisham expect their next home to be another private sector rent, whilst 16 per cent hope to buy their own home.
- 4.12 Tenants in the PRS are susceptible to large increases in the rents they have to pay. In the SE14 post code where Besson Street is located, rents have increased by ten per cent in the last six months, and by 34.6 per cent over the past two years.
- 4.13 The current structure of the PRS contributes to some of the disadvantages of the sector. 89 per cent of landlords are private individuals whilst currently only one per cent of private rented properties are owned by larger companies or institutions. This means that many new builds are currently designed and marketed to potential buy-to-let landlords as investments, rather than as homes. This is starting to change, with some 'build to rent' schemes being explored by developers. Build to rent is discussed in more detail in the section below.
- 4.14 A report by the Joseph Rowntree Foundation published in 2013 highlighted the growing issue of poverty in the Private Rented Sector. In particular the report noted the rise of 'housing costs induced poverty', where the high rents and costs of the PRS – including the costs associated with needing to move more frequently due to short-term tenancies – reduced a household's discretionary income to the point where it was in poverty. The JRF research

found that an extra 3.1 million people in the UK are in poverty after their housing costs have been paid, a third of which are in London. In the PRS specifically, 18 per cent of private tenants are in poverty before housing costs are taken into account but this rises to 38 per cent after housing costs are paid.

- 4.15 In a subsequent report published in November 2015, the JRF's research showed that the PRS now contains a third of all people in poverty, increasing from around 2 million people in 1999 to 4.3 million people today. Of these, 1.3 million are children, and the trend suggests that within the next few years there will be more children in poverty living in the PRS than in social housing. In the last decade, the number of people in poverty in a working private renting family has increased by 1.4 million.

5 Build to Rent

- 5.1 Build to Rent homes are those which are designed and built specifically to be rented. Built to Rent is currently much more common in countries such as the United States and Germany than it is in the UK. In these countries specialist organisations backed by institutional finance, such as pension funds, develop purpose built blocks of rented homes and offer renters a professional and high quality landlord service. In these countries, the sector is marked out by the high quality of the service offered, which is much more proactive to meet the needs of tenants, as opposed to the more reactive and passive style of housing management which has typically been seen in the UK.
- 5.2 In the United States the sector, sometimes referred to as 'multifamily schemes', serves an established community of committed renters who prefer the freedom and flexibility of well-managed apartments in city centres close to good transport links. Similarly in the UK, demographics, a lack of housing supply and lifestyle choices are all creating a need for more rented homes
- 5.3 For investors in PRS schemes, their incentive is to keep their buildings fully-occupied and tenants satisfied. Typically this means offering longer tenancies, high quality homes and good transport links for easy commuting. Typically in the UK, blocks of flats in private ownership suffer from patchwork management arrangements. With Build to Rent, there is one manager for the whole building. Ultimately, many investors are seeking to invest at scale and offer consistent standards across different locations so that they can develop into brands that their customers trust and stick with.
- 5.4 Long-term investors also have an interest in the wider environment in which the scheme sits. They have a financial incentive to ensure that not only their developments work well, but also the neighbourhood and places that surround them. As a consequence many PRS developments being built in London at the moment have a focus on the provision of services such as a concierge, dining and cinema / party spaces for hire to fit with modern lifestyles and attract occupants. They therefore provide a specific lifestyle offer for residents within those blocks.

5.5 A key difference between PRS build to rent and other rented options is that there are no service charges, and all costs are contained within the rent. This adds to the need for developers to optimise their design to reduce additional costs. It also means that costs are more straightforward for renters.

5.6 One investment fund which has entered the Built to Rent Market is Legal & General. Their Director of Investments Laura Mason, said at the time:

"The UK has a chronic shortage of housing. Today's investment and our future plans for the PRS sector should help address the structural issues which have contributed to the shortage. We view investments over 30 or more years and are using our long term capital to change the way the UK housing market is financed."

5.7 For these reasons, officers believe that Built to Rent offers the potential to attract institutional investment into the borough at a time of financial pressures on the Council, whilst ensuring that the homes built are of high quality and fit into the Council's role as a place-maker.

6 Background to Besson Street Project, and proposed development

6.1 The Besson Street site is a 2.5 acre plot of land within the 'Kender triangle' in New Cross. The land was previously assembled using New Cross New Deal for Communities (NDC), although is wholly owned by the Council. The site has been vacant since 2007, as the previous planning permission for the site developed by the NDC was not built due to financial constraints.

6.2 The New Cross NDC subsequently became the New Cross Gate Trust and Officers from the Council worked up a brief with the Trust to retain some of the key original concepts from the NDC initiative of healthy living, including:

- A replacement Doctors surgery for the Queens Road practice.
- Community and office space to be managed and operated by the Trust
- An outdoor gym

6.3 Officers have worked with the New Cross Gate Trust to develop a broader brief for the site which included:

- Maximising the quantum of development while creating a high quality new 'place' in New Cross
- Pedestrian access through the site towards New Cross Road in line with requirements from Planners
- Some commercial elements to the site as the site faces onto New Cross Road

6.4 This site is particularly suitable for private rented housing because of its location in Zone 2, the proximity to two train stations, the fact that it's a vacant site that is ready to build on and because there is a recent PRS

development by Hyde in New Cross (Spark at Kender Triangle) which has been successfully delivered.

- 6.5 Officers have worked alongside specialist PRS consultants to determine the options for progressing the scheme and ensure best value for money. Assael Architecture was appointed in June 2015 following a procurement exercise restricted to architects with a specialism in PRS and Build to Rent housing design. Arcadis is the recognised market-leader for cost and financial consultancy, and is a specialist in the field of PRS housing. The company also has a longstanding relationship with Assael and has worked with many of the leading PRS providers. They therefore bring experience and credibility, which will be crucial in negotiating the best value for the Council from potential development partners.
- 6.6 To date, officers have worked up several strands of the potential development including: the design, which has formed the basis of some initial consultation; development of the financial model; and have carried out soft market testing with a range of developers and PRS providers to test the scheme with the market. The latter aspects are covered in the Part 2 report.
- 6.7 Assael architects have worked up a number of design options for the site. An internal project group was formed to monitor the progress of the scheme, which included close working with Planners. The designs are all based on a similar layout, with access through the site and a central amenity space. Some of the differences are:
- Heights; whether there would be a tall element or heights distributed around the development
 - The location of the health centre; the surgery themselves prefer a location on Besson Street however it may be that in terms of siting of the residential and outdoor gym, there may be alternative locations that fit better with other needs
 - The size and location of amenity space and whether a large space should be split up
- 6.8 Officers expected there would be a need to sell a proportion of the homes to help the overall viability however the financial modelling and discussions with market show this is not the case. The introduction of “Living Rent” rent units means that households on a range of incomes have access to the same services, that properties are pepper potted fully within the development rather than in separate blocks and that there is one unified management in place. The development of the scheme has also highlighted that there are benefits to having a higher quantum of PRS development in order to maximise the place making aspects of the scheme, ensure a cohesive design and allow all residents to have access to the same services. The final proposal removes the sale element and envisages that the 35 per cent affordable housing will be delivered as Living Rents linked to local incomes.
- 6.9 The site fronts onto New Cross Road and so there will need to be a retail aspect to the scheme in that area. The proposal envisages that there would

be other services provided within the development including a reception/ concierge for the PRS. Roof gardens are popular and there could be additional spaces for hire e.g. for children's parties. These amenities would only be accessible to those within the PRS. However the proposal envisages that any ground floor retail such as a café would be open to the public to ensure the development is accessible to the existing surrounding community.

- 6.10 Many development sites in London are now being used on a temporary basis while longer term developments are underway. The Authority already has a "meanwhile" project being developed in PLACE/ Ladywell where the site will be used for housing. Many other projects in London, such as POP Brixton, The Artworks at Elephant Park and Box Park at Shoreditch use shipping containers to bring in new retail and amenity opportunities, creating new interest in an area which is undergoing change and bringing in new footfall.
- 6.11 The Besson Street site is large and empty, it has already proved attractive to travellers and the costs of securing the site are high. Officers have had initial discussions with ward Councillors and some local community groups about the potential to use the site while the long terms plans are being developed. There is an interest in the potential benefits of this and some local community groups have expressed an interest in being involved. The key message though is the need to develop a project that is truly Lewisham, has a focus on and is supported by local community groups and retailers and is not about importing a ready-made scheme into the borough. It is also essential that the overall scheme leads the way and any meanwhile use does not detract from or delay it. Officers would like to be able to consider different options and so delegated authority is sought to proceed with an option that sits within these objectives, if it is identified and is financial viable.
- 6.12 To summarise, the expected outputs of this project, which will be delivered once the commercial structure is put into place and a funding and development partner has been identified, will be:
- 230 to 250 homes for rent
 - Approximately 35 per cent, or 80 to 90 of these, to be affordable homes with Living Rents linked to local incomes, distributed throughout the entire development rather than in a separate block
 - A replacement health centre for the Queens Road Surgery
 - New office space for the New Cross Gate Trust
 - High quality amenity spaces, public realm and an outdoor gym
 - New commercial provision, fronting New Cross Road, in the medium term, and
 - In the short term a new "meanwhile" development in that space that supports small local businesses to grow and drives up interest and footfall ahead of longer term development.

7 Consultation

- 7.1 Officers have carried out some initial consultation including several meetings with the New Cross Gate Trust. Officers and the architects met with the Queens Road practice twice to discuss the siting and work up the internal layout for the Doctors surgery.
- 7.2 Officers worked with Assael and communications consultancy Four to hold a focus group workshop in October 2015, where key members of the local community were invited to see a presentation on and discuss the options that had been developed to that point. The event was attended by most of the groups who were invited and included representatives from the New Cross Gate Trust, Kender TRA, 170 Centre, JOY, Queens Road surgery, The Field and Councillors from Telegraph Hill and New Cross wards. The group were generally supportive of the scheme and discussed a number of key issues such as the role and need for PRS; parking; heights of buildings; open space and meanwhile uses.
- 7.3 Officers attended the Telegraph Hill Local Assembly to introduce and discuss the proposal. The key aspects raised were the type of affordable housing to be provided, the ownership of the land, the consultation strategy and the Council's approach to businesses and employment for the development and in any temporary site use.
- 7.4 There is an open drop in event planned for the evening of the 3rd December for local residents and community groups where there will be detailed information about the proposals and designs and the opportunity for discussion with Council Officers and the architects. The event was promoted at the Kender TRA and Local Assembly and flyers are to be hand delivered to around 400 properties.
- 7.5 Officers will develop a comprehensive consultation strategy, this will be delivered together with the delivery partner ahead of and throughout the statutory Planning process.

8 Proposed approach to delivery

- 8.1 Part two of this report sets out commercial and financial advice which officers have received to date, and which provides the basis for the preferred approach set out later. This section sets out approaches being taken by other local authorities that officers have reviewed as part of considering what approach to recommend, alongside the expert advice received from consultants engaged by the Council, and summarises at a high level how the proposed approach for Lewisham would work.
- 8.2 Although all local authorities have their own specific demands to meet and priorities to achieve, most boroughs, and those in London especially, are in a similar position to Lewisham in that they are looking at ways to increase supply in their boroughs through all possible means, including the formation

of housing companies where relevant.

- 8.3 Like Lewisham, many boroughs are looking at the possibility of establishing housing companies using the powers given to them in the Localism Act 2011 in order to increase the delivery of new homes. The table below summarises the approaches being taken in a number of boroughs:

Local Authority	Approach and Objectives
Lambeth	Looking to use a special purpose vehicle to purchase developments from the Council to own the asset long-term and use receipts for council regeneration objectives
Barking and Dagenham	Council-owned company purchased properties to let as PRS. Properties are restricted to those earning less than £66,000 or £80,000 for families. LBBDD has also developed a scheme where the Council grants a lease over its land to a private joint venture. This JV then funds the construction and maintenance of the scheme, deriving an income from rental receipts. The council retains the freehold of the land, and can nominate households to the properties.
Southwark	Use of a wholly owned company to deliver a long-term programme of new homes, avoiding the limitations set by the HRA borrowing cap.
Ealing	Use of a wholly owned company to directly deliver housing, maintaining control over delivery and avoiding the limitations set by the HRA borrowing cap.
Enfield	A vehicle to invest in PRS housing in the borough, and to enable the delivery of new housing across tenures.

- 8.4 Each authority will make its own decisions over its preferred approach based on its own circumstances. The key parameters that will drive decision making will include the specific intervention into the private rented sector that is planned, the size of the proposed development(s) itself, attitudes to risk management and mitigation, the availability of capital funding, the value of the sites in question, and the capacity of the organisation to take on and manage large development projects.
- 8.5 Based on the work done to date by officers alongside specialist consultants, officers recommend that the Council pursue the creation of a new Joint Venture vehicle to develop the homes at Besson Street, which would take the form of a Joint Venture Partnership between the Council and a private sector developer and funder.
- 8.6 The principle behind this approach is that it recognises the strengths that the

Council has and can bring to bear on the development, alongside an awareness of the gaps that would need to be filled. Delivering a high quality and genuinely place making scheme of 250 homes, with a development value in the region of £100m, is a significant step up in terms of complexity and risk from the current build programme, which is formed of smaller infill sites. In order for the Council to make that step, but to do so in a manner that mitigates the level of risk to the Council and the general fund, it is proposed that significant and expert private sector assistance and funding will be required.

- 8.7 The proposed approach, which would be a pilot for Besson Street but which, if successful, could then be replicated elsewhere, would see the Council in effect “investing” the land into a new Joint Venture vehicle created specifically for the purpose of developing high quality homes, and finding a high quality investment partner to invest the cost of developing the site. Under this model the partner would also provide the PRS management service to a high specification and in a manner that has been shown to work elsewhere.
- 8.8 The detail of the rationale for this proposal is set out in the second part of this report.

9 Rents, affordability and nominations

- 9.1 As part of the financial modelling, officers have considered the way in which rents should be set in order to ensure that it meets the Council’s aims in terms of affordability.
- 9.2 The rental market in the area in which Besson Street is situated is typified by a large rental market with a relatively low turnover and a wide range of property sizes and types. The current monthly median rent is £1,040 for a one bed and £1,400 for a two bed. The area has seen large increases in the market rent recently, with rents increasing 10 per cent in the last six months and 35 per cent over the past 2 years.
- 9.3 All of the homes would provide much more certainty for renters, with the removal of lettings fees and provision of clarity about future rent increases linked to the conditions of longer-term tenancies.
- 9.4 It is currently proposed that one third of the properties will be affordable homes, let at Living Rents linked to local incomes. These homes will be let at a range of sub- market rent, which will be set in line with the Council’s policy that an affordable rent costs renters no more than 35 per cent of their net household income. As an example based on modelling at current prices, this approach would mean that for instance a one bed Living Rent property would be affordable for a couple or for two sharers who are both earning the London Living Wage.
- 9.5 As a pair of local low income workers, these theoretical tenants would be unlikely to qualify for social housing, and were they to do so they would be

very likely to face a very long wait to be housed, because the current pressures on social housing mean that any new vacancies are being prioritised to those in the most critical housing need, most notably the 560 households living in nightly paid bed and breakfast accommodation.

- 9.6 If this development proposal is pursued then officers expect it to be able to deliver in the region of 35 per cent of the development as affordable housing. This would be a different form of affordable housing to social housing. For instance, applicants for the Living Rent homes would apply to the landlord for those homes, in the same way that prospective tenants of the full-rent homes would, rather than the Council's Choice Based Lettings System. The level of rents for the Living Rent units have yet to be set, and there will be options for balancing the on-going rental stream against the level and volume of Living Rents, but the rents will be linked to local incomes.
- 9.7 Although this form of affordable housing might not be nominated to directly through the Choice Based Lettings System, there would be no reason why the homes might not be used to full effect to meet the Council's objectives. This could be achieved, for instance, by signposting clients attending the Housing Options Centre (HOC) to the development, particularly as half of the people seen by HOC are currently resident in the PRS. Additionally the development could be advertised to particular potential target markets, including by advertising their availability in Lewisham Life, local schools to key worker groups.

10 Timetable and next steps

- 10.1 Officers are seeking approval to select a development partner and set up a Joint Venture vehicle, the detailed basis for which will be set out in the decision making paper to Mayor & Cabinet. Discussions with the market have emphasised that those involved in the delivery and operation of PRS prefer to have early involvement in the design of the scheme. The design work has been frozen and once the delivery partner is in place there would then be further design work and consultation.

- 10.2 The indicative programme is set out below.

December 2015	Consultation event Mayor and Cabinet
Spring 2016	Developer partner on board Design development and consultation
Summer 2016	Submit Planning application
Late 2015/ early 2016	Start on site

- 10.3 Officers are mindful of timescales and the need to deliver the site as quickly as possible while ensuring that proper processes are in place to select the right partner, to ensure effective consultation and design development processes. This means that while officers will seek to deliver the scheme as quickly as possible it may be that certain aspects are required to take more time than envisaged.

10.4 It should also be noted that the proposed timing could impact on the NHS funding set aside for the new health centre. The Council is committed to the replacement of the Queens Road surgery, it is fundamental for the New Cross Gate Trust and it is central to the proposals set out here, with the cost of providing it included in the financial modelling and the necessity of its inclusion made clear during discussions with the market. As part of this next stage of the project, officers will need to work with the surgery, its consultants, as well as NHS England and the local Clinical Commissioning Group and the New Cross Gate Trust to ensure the timescales work within NHS funding requirements in order to successfully deliver the new provision.

11 Financial Implications

11.1 The purpose of this report is to update members and invite comments on the proposed development in Besson Street. As such there are no direct financial implications in agreeing the recommendation.

11.2 The financial model for the proposal is still being developed, the details of which will be included in future reports to members.

12 Legal Implications

12.1 The Council has a wide general power of competence under Section 1 of the Localism Act 2011 to do anything that individuals generally may do. The existence of the general power is not limited by the existence of any other power of the Council which (to any extent) overlaps the general power. The Council can therefore rely on this power to establish and participate in a Joint Venture vehicle as proposed. There are different types of Joint Venture vehicle which it may be appropriate to use. The Council has taken initial legal and procurement advice on the options in this respect and detailed legal implications will be set out in the further report expected to be brought back to Mayor and Cabinet in the spring of 2016.

12.2 There are a number of advantages for the Council with using a Joint Venture approach, whilst still enabling the Council to exercise the necessary controls as an equity investor in the Joint Venture vehicle and through the governance arrangements and structure that will be put in place.

13 Crime and disorder implications

13.1 The design for any new homes will incorporate recommendations from the police via the Secured by Design principles.

14 Equalities implications

14.1 An Equalities Analysis Assessment will be undertaken as part of the further work in order to assess the impacts of the proposals and this will be presented to Mayor and Cabinet for consideration.

14.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

14.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

14.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

14.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legaland-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

14.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

14.7 The essential guide provides an overview of the equality duty requirement including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on

good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equalityduty/guidance-on-the-equality-duty/>

15 Environmental implications

15.1 There are no environmental implications arising directly from the recommendations set out in this report. The design stages will address environmental issues through the procurement of design partners and the planning process.

16 Background Documents and Report Originator

16.1 There are no background documents to this report.

16.2 If you have any queries relating to this report please contact Jeff Endean on 020 8314 6213.

MAYOR & CABINET		
Report Title	Exclusion of the Press and Public	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: December 9 2015

Recommendation

It is recommended that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs [3, 4 and 5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

19. Draft Business plan for Youth and employee led Mutual Youth Service
20. Besson Street Private Rented Sector Development Part 2
21. Housing Led Regeneration Hillcrest and High Level Drive

Agenda Item 19

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 20

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Agenda Item 21

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