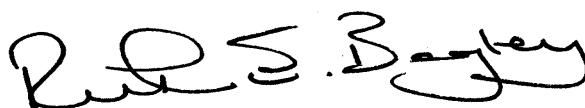


Date of issue: 06 February 2012

|   |  |   |
|---|--|---|
| <b>MEETING</b>  | <b>CABINET</b>   |   |
|   | <b>Councillor Anderson</b>   | <b>Leader of the Council - Finance &amp; Strategy</b> |
|   | <b>Councillor S Chaudhry</b>   | <b>Community &amp; Leisure</b>                        |
|   | <b>Councillor A S Dhaliwal</b>   | <b>Performance &amp; Accountability</b>               |
|   | <b>Councillor Pantelic</b>   | <b>Education and Children</b>                         |
|   | <b>Councillor Parmar</b>   | <b>Environment &amp; Open Spaces</b>                  |
|   | <b>Councillor Swindlehurst</b>   | <b>Neighbourhoods &amp; Renewal</b>                   |
|   | <b>Councillor Walsh</b>  | <b>Health &amp; Wellbeing</b>                         |
|   | <b>Councillor P K Mann</b>   | <b>Opportunity &amp; Skills</b>                       |
| <b>DATE AND TIME:</b>   | <b>TUESDAY, 14TH FEBRUARY, 2012 AT 6.30 PM</b>                         |   |
| <b>VENUE:</b>   | <b>FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH, BERKSHIRE SL1 4UT</b> |   |
| <b>DEMOCRATIC SERVICES OFFICER:</b><br><b>(for all enquiries)</b> | <b>CATHERINE MEEK</b>  | <b>01753 875011</b>                                   |

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



**RUTH BAGLEY**  
Chief Executive

AGENDA

PART I



**AGENDA  
ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

Apologies for absence.

- |     |  |                  |                 |
|-----|--|------------------|-----------------|
| 1.  | Declarations of Interest<br><br>(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct). |                  |                 |
| 2.  | Minutes of the Meeting held on 23rd January 2012   | 1 - 4            | -               |
| 3.  | Project, Performance and Financial Reporting for 2011/12   | To Follow.       | All             |
| 4.  | <b>Medium Term Financial Strategy</b>  | <b>To Follow</b> | <b>All</b>      |
| 5.  | <b>Britwell Regeneration Scheme - From Concept to Reality</b>  | <b>5 - 18</b>    | <b>Britwell</b> |
| 6.  | <b>Adult Learning - Future Models</b>  | <b>19 - 32</b>   | <b>All</b>      |
| 7.  | <b>Housing Revenue Account Setting 2012 - 2013</b>   | <b>To Follow</b> | <b>All</b>      |
| 8.  | <b>Income Collection and Debt Recovery Policy/ Write Off of Irrecoverable Debt</b>   | <b>33 - 48</b>   | <b>All</b>      |
| 9.  | <b>National Health Service and Public Health Reforms</b>   | <b>49 - 82</b>   | <b>All</b>      |
| 10. | References from Overview and Scrutiny  | To Follow        | -               |
| 11. | Executive Forward Plan   | 83 – 90          | -               |

**EXCLUSION OF THE PRESS AND PUBLIC**

12. It is recommended that the Press and Public be excluded from the meeting during consideration of the item in Part 2 of the Agenda, as it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (amended).



**AGENDA  
ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

**PART II**

|            |   |                       |   |
|------------|---|-----------------------|---|
| <b>13.</b> | <b>ASSET DISPOSALS: 279 Long Furlong Drive &amp; 1 Egerton Road; 27 and 29 Church Street and Langley Community Hall</b> | <b>91 – 102</b>       | <b>Britwell;<br/>Chalvey;<br/>Langley St<br/>Mary's</b> |
| <b>14.</b> | <b>Britwell Regeneration - From Concept to Reality</b>  | <b>To<br/>Follow.</b> | <b>Britwell</b>   |

**Press and Public**

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.

Note:-

**Bold = Key decision**

Non-Bold = Non-key decision

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**Cabinet – Meeting held on Monday, 23rd January, 2012.**

**Present:-** Councillors Swindlehurst (Chair), S Chaudhry, A S Dhaliwal, Pantelic, Parmar, Walsh and P K Mann

**Apologies for Absence:-** Councillor Anderson

**PART I**

**83. Declarations of Interest**

None.

**84. Cabinet Membership**

The Cabinet noted the appointment of Councillor P K Mann as Commissioner for Opportunity and Skills, with effect from 23<sup>rd</sup> December 2011.

**85. Minutes of the Meeting held on 12th December 2011**

The minutes of the Meeting held on 12th December 2011 were taken as read and signed as a correct record.

**86. Project, Performance and Financial Reporting for 2011/12**

The Cabinet considered the Council's overall performance from delivery of service to financial management covering the period up to and including November 2011 against the Council's key areas of gold projects, performance score card and revenue and capital monitoring position. The report also contains a further update on the use of temporary staff.

In addition to the report an appendix was tabled setting out the allocation of in year underspend to community priorities.

Members discussed the progress against the Council's gold projects and noted that whilst the personalised services programme was indicating an overall status of amber there was no under performance against this project - there had been a huge volume of activity and the amber rating had been a particularly cautious approach to progress. With regard to school places in Slough and the predicted increase in children to 2016 members asked for a further report to the Cabinet on the authority's plan for the future. Members noted the volume of activity with regard to FOI requests and requested an estimate of the cost to the authority of providing responses, whilst acknowledging that it would be difficult to accurately estimate this cost. Members noted the budget monitoring information and considered the reallocation of the in year underspend to community priorities as set out in the tabled appendix.

In discussing the emerging issues and risks, members noted the proposal to use short term lets to offset the current loss of rent to the authority for Highways properties and asked for a cost benefit analysis of the proposal to be undertaken before any decisions were taken.

The Cabinet congratulated officers on the delivery of the budget strategy which had enabled the protection of frontline services and streamlined back office functions.

**Resolved -**

Noted the following aspects of the report:

- i. Project management
  - Noted the current reported status of each Gold Project.
- ii. Performance Scorecard
  - Noted the performance issues identified and highlighted.
- iii. Financial performance – revenue and capital
  - Noted the current projected outturn position on the General Fund of an under spend of £1.323m.
  - Noted that the Housing Revenue Account (HRA) reported a forecast under spend of £116k.
  - Noted the identified areas of risk and emerging issues.
  - Agreed the reallocation of £525k to Community priority projects as set out in Appendix A as tabled.
- iv. Temporary Staff
  - Noted the continued reduction in the use of temporary staff
  - Recommended future reports come to Cabinet and O&S quarterly.

**87. Progress Report: OFSTED Inspection of Safeguarding and Looked After**

The Cabinet considered a report detailing progress to date following the outcome of the Ofsted announced inspection of Safeguarding and Looked After Children which had taken place between April 4<sup>th</sup> and 15<sup>th</sup> 2012 with the report published on 1<sup>st</sup> June 2011.

Members noted that the Education and Children's Services Scrutiny Panel was due to meet the following evening and members had been asked for specific questions in advance of the meeting so that full and detailed answers could be given. The Director of Education and Children's Services detailed the progress that had been made against each of the five themes of the Improvement Plan.

**Resolved –** That the actions taken in the department and progress since the publication of the Ofsted report be noted.

**Cabinet - 23.01.12**

**88. References from Overview and Scrutiny**

None.

**89. Executive Forward Plan**

**Resolved** - That the Executive Forward Plan be approved.

**90. Exclusion of the Press and Public**

**Resolved** – That the Press and Public be excluded from the meeting during consideration of the item in part two of the agenda as it involved the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

**91. Part II Minutes - Cabinet 12th December 2011**

That the Part II minutes of the Cabinet meeting held on 12<sup>th</sup> December 2011 were taken as read and signed as a correct record.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.20 pm)

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### 3 **Community Strategy Priorities**

- **Celebrating Diversity, Enabling inclusion**
- **Adding years to Life and Life to years**
- **Being Safe, Feeling Safe**
- **A Cleaner, Greener place to live, Work and Play**
- **Prosperity for All**

The Britwell Regeneration Scheme is the Council's response to the identified needs of the area which suffers from higher levels of deprivation, illness, unemployment and lower educational attainment. The area also contains some of the poorest quality social housing in the Borough, the improvement of which is beyond the Government's basic decent homes programme. Accordingly a successful regeneration programme will contribute to each of the above community strategy priorities.

### 4 **Other Implications**

#### (a) **Financial**

The Britwell Regeneration comprises six development sites.

Sites 1, 3, 4 and 5 are being directly funded by the HRA for the delivery of new social rent housing and the General Fund for the new community hub facility.

Sites 2A and 2B are being progressed under the Homes and Communities Agency (HCA) framework to acquire new residential development and retail units. The HCA has provided £800,000 to pump-prime the regeneration project which was received on 29 March 2011. The development is based upon the exchange of land assets for a defined quantity of social rent housing.

The financial implications of this report and the development of these sites can be contained within the strategy outlined and within the original provision in the capital programme for 2011 – 2017 of £9 million for Britwell Regeneration. Determination of the detailed costs and funding arrangements for the entire project will be directly linked to the outcome of the multiple procurement processes that are underway.

Demolition of Wentworth Avenue shops and industrial units will lead to a reduction in rent income of £150k per annum to the HRA. Additional income from some replacement units is not yet known and will be developed as part of the overall cost and funding arrangements exercise.

#### (b) **Risk Management**

The regeneration of Britwell will involve substantial capital and revenue investment from the Council and other third parties. The provision of new housing and demolition of the existing flats and shops on Wentworth Avenue and Marunden Green within a densely populated area will require exceptional project management by the selected developer.

The project team has implemented a risk management register which is reviewed at project board meetings.

#### (c) **Human Rights Act and Other Legal Implications**

If the Council chooses to fund the project from borrowing there are strict limits on the overall amount of capital which can be released across the Council and this Scheme will need to compete with other corporate priorities for such funding. The HCA funding is subject to a legal agreement which binds the Council to deliver enabling works by the end of March 2011 and the complete scheme by 2017.

There are no direct Human Rights Act implications arising from the recommendations contained within this report.

(d) Equalities Impact Assessment

The future determination of detailed plans for the regeneration of Britwell will be subject to equalities impact assessments and the replacement of commercial and residential units will be required to meet both Planning and Building Control obligations with regard to disabled access. At this stage however there are no direct implications explicit in this report.

## **5 Supporting Information**

5.1 A full update on the action taken to implement the recommendations of previous Cabinets is available at Appendix B.

5.2 The Britwell Regeneration Scheme is associated with the redevelopment of six sites within the Britwell community, as follows and see Appendix A:

|         |   |                        |
|---------|---|------------------------|
| Site 1  | 41-43 Wentworth Avenue                      | Community Hub          |
| Site 2A | Kennedy Park                                | Housing & Retail       |
| Site 2B | Wentworth Avenue/Marunden Green             | Housing (minor retail) |
| Site 3  | Wentworth Service Station, Wentworth Avenue | Housing                |
| Site 3  | Britwell Library, Wentworth Avenue          | Housing                |
| Site 4  | Jolly Londoner, Wentworth Avenue            | Housing                |
| Site 5  | Newbeech House, Long Readings Lane,         | Housing                |

5.3 **Site 1: Britwell Community Hub:** – Following Cabinet’s approval to develop the Britwell Community Hub, a two stage design and build competitive tendering process was implemented with the stage two short listed contractor Mansell Construction Services Ltd (MCS)

5.4 During the period from June to September 2011, SBC and MCS progressed the design of the community hub building and achieved full planning approval. The final cost plan tendered for the scheme by MCS, as part of the second stage tender, saw a significant escalation in the construction works cost over that tendered at stage one. Following a review by SBC and to allow fair competition to the wider market SBC exercised its right to end the two stage Design & Build procurement and to tender the project on a wider competitive basis.

5.5 Tender documents, issued on a single stage design and build basis, under a JCT contract were issued on the 7<sup>th</sup> November 2011 and returned on the 9<sup>th</sup> December 2011. MCS also being invited to tender on this basis.

5.6 Tenders were evaluated between the 10<sup>th</sup> Dec and 10<sup>th</sup> Jan 2012. The Council’s Contract Review Board accepted the recommendation to appoint Thomas Sinden and using the Cabinet delegated powers to the Interim Assistant Director, Environment & Regeneration in consultation with the Commissioner for Neighbourhoods & Renewal - Cllr Swindlehurst, Thomas Sinden has been awarded the contract to proceed with design and construction of the facility.

5.7 Thomas Sinden will access the site on 20<sup>th</sup> February 2012 to establish health, safety and welfare facilities. The formal contract commencement date is the 27<sup>th</sup> February 2012 with contract duration of 41 weeks.

5.8 Whilst the scheme has been retendered utility disconnections, asbestos removal, petrol interceptor removal and the demolition of the existing buildings has been completed including the relocation of an low voltage cable spanning the corner of the

site. This site preparation work has helped to reduce the time lost by securing improved value for money by retendering.

- 5.9 Site 2A & 2B Britwell Regeneration Development (HCA Framework)** – Four well developed tenders have been received from national house building companies. Following the placement of the designs at Cabinet on the 17<sup>th</sup> September 2011, each of the developers have presented their proposals to the Neighbourhood Board and then to a technical evaluation panel of Council Officers and representatives from the Homes & Communities Agency. Copies of the four Schemes have also been displayed in the Britwell Regeneration Shop and open days/evenings held to secure comments and involvement with the public.
- 5.10 A detailed review of the tendered development proposals has been carried out by the Britwell Project Team which has included clarification responses from developers. Following the completion of this exercise it was considered necessary to issue a tender addendum to add further clarity to SBC housing requirements, planning related issues and to provide a financial model to clarify the full detail of the Developer's revised proposals. The tender addendum was issued in draft form at the beginning of December 2011 and formally issued on the 20<sup>th</sup> December 2011. Tender addendum responses were returned to SBC on the 11<sup>th</sup> January 2012.
- 5.11 Further detailed evaluation work has been carried out on the tender addendum responses and following the tender evaluation meeting by the project board on the 2<sup>nd</sup> February the Council is now in a position to identify the developer who ranked highest in the evaluation process. Some further clarification on the tender is however required. This information is available at Part II to the Agenda.
- 5.12 Subject to Cabinet approval, the SBC project team will proceed to clarify critical elements of the Tender and then subject to securing a successful outcome, to finalise the Preferred Bidder Agreement with the highest scoring Developer. This process will require respective legal teams to review and satisfy themselves of the offer being presented and agree the basis for progressing the Regeneration Scheme to achieve full planning approval prior to entering into the formal development agreement with the Council. This approach is essential for the Regeneration Scheme that has a value of well over £40M.
- 5.13 Members will be aware that the land for the Britwell Regeneration is owned through the Housing Revenue Account and so controlled by the Council. This provides for direct and considerable influence upon the way the successful development contractor will undertake the regeneration of the sites. This will include ensuring progress with the development; having due regard to the needs of new house owners and tenants whilst construction work continues; securing the phased adoption of highways and green space, etc.
- 5.14 Officers are working to achieve conclusion of the preferred bidder agreement by early March 2012 and to report back to Cabinet to seek formal approval to appoint the Preferred Bidder.
- 5.15 Sites 3,4,5 – Satellite Housing Sites; progress update**
- Full planning approval, with conditions has been granted on all three sites as follows;
- Site 3 – Jolly Londoner:** comprising 6 dwellings  
x 2 4beds 3 storey, x4 3beds 2½ storey.
- Site 4 – Garage/Library:** comprising 9 dwellings  
x 2 4bed, x3 3bed, x4 2bed. All 2 storey.
- Site 5 – Newbeech:** comprising 18 dwellings

x 2 4beds, x10 3beds, x6 2beds. All two storey

- 5.16 Sites 3 and 4 have been jointly tendered due to the proximity of the sites. Tenders were issued on the in December and returned on the 20<sup>th</sup> January 2012. Details of the tendered evaluation process and recommendations are provided in part II of the Agenda.
- 5.17 Site 5 was delayed by extensive Planning discussions initially to secure an agreed design and then again by the need to undertake an archaeological survey. The Site was issued to tender on the 5<sup>th</sup> January 2012 with a tender return date of the 10<sup>th</sup> February 2012. Tenders will be evaluated post receipt, but in order to avoid delay in proceeding delegated authority to the interim Assistant Director Environment & Regeneration in consultation with the Commissioner for Neighbourhoods & Renewal to appoint the house building contractor for the Newbeech Satellite Housing Site.
- 5.18 **Other Activity** – Plans for the demolition of Wentworth Flats in September 2012 are progressing well with Housing officers working closely with Tenants in the Flats and the Marunden Green properties. The demolition of the Marunden Green Bungalows is also progressing well.
- 5.19 To facilitate the demolition of Wentworth Flats the Council must first vacate the housing and commercial tenants in the block. Housing tenants are moving out with some others waiting for the construction of the new homes, initially on the Jolly Londoner site and then rolling over the other two sites.
- 5.20 Four commercial tenants remain in units beneath the Wentworth Flats and officers have deliberately left relocation activity until near the time vacation will be essential, to provide stability for the businesses but also having regard to any work required to relocate the commercial tenants. The commercial tenants have tenancy rights, but liaison with the business owner's flexibility has resulted in agreement being reached to relocate the Post Office into the Council's Regeneration Shop.
- 5.21 The other three tenants have been offered and appear willing to relocate to two vacant units and a third currently occupied unit. In one case considerable cleaning and repair is required and so the offer has been made for either the Council to undertake the work or to provide the unit with a substantial rent free period. To complete the moves, a double unit occupied by the Furniture Project is required. The occupiers have a "tenancy at will" and therefore, subject to providing a months' notice, the occupiers have no tenancy rights. Approximately 2.5 months' Notice has been given, due to expire on 31<sup>st</sup> March 2012. The Council is actively seeking suitable alternative accommodation to assist the move.
- 5.22 Offers to date to the Slough Furniture Project (at the time of drafting the report), include a smaller retail unit at the same rent level, but with the offer of an additional storage container or industrial unit; also one or two industrial units nearby. As the Project appears to serve a community broader than Britwell, further vacant accommodation both within the Council's/HRA's ownership and private tenancies are being actively sought. In addition to the offer of accommodation, the Council has also offered to fund the cost of relocation. Unfortunately, the Project is reluctant to move and is actively lobbying to remain in the current location. With no other alternative accommodation to relocate the remaining tenant being available in a reasonable condition or condition that could be refurbished at a cost that reflects the remaining short life of all the shops, if the overall regeneration project is not to be delayed then the relocation of the Project must proceed.
- 5.23 Unfortunately in common with most regeneration schemes the substantial progress being made to regenerate central Britwell for the benefit of the whole community is beginning to adversely affect the lives of a relatively small number of individuals.

Officers are seeking to ameliorate the effects of the changes now underway where this is possible.

5.24 It was recognised that the **Scouts & Guides** located on Kennedy Park would need to be relocated. Leaders of both organisations have worked constructively and flexibly with officers to consider a range of alternative options for relocation. The outcome is that the preferred location is to construct a modular building on the old car park area adjacent to the raised area of Kennedy Park, fronting onto Long Furlong Drive. Market-testing is underway to procure the provider who once appointed will make the requisite planning application and commence the site preparation works for the installation of utilities and foundations for the building. The current time estimate to locate the new building on site is early May 2012, although the timescale will depend upon the Contractor appointed and the type of modular building system.

#### 5.25 **Comments of Other Committees**

6.1 The timetable to report the outcome of the procurements prior to Cabinet has meant that this report has been prepared without referral to Scrutiny.

#### 6 **Conclusion**

7.1 The Britwell Regeneration Scheme is underway with tangible actions visible in the community.

#### 7 **Appendices Attached**

Appendix A – Britwell Regeneration area


Appendix B – Update on the previously agreed actions.

#### 8 **Background Papers**

9.1 None.

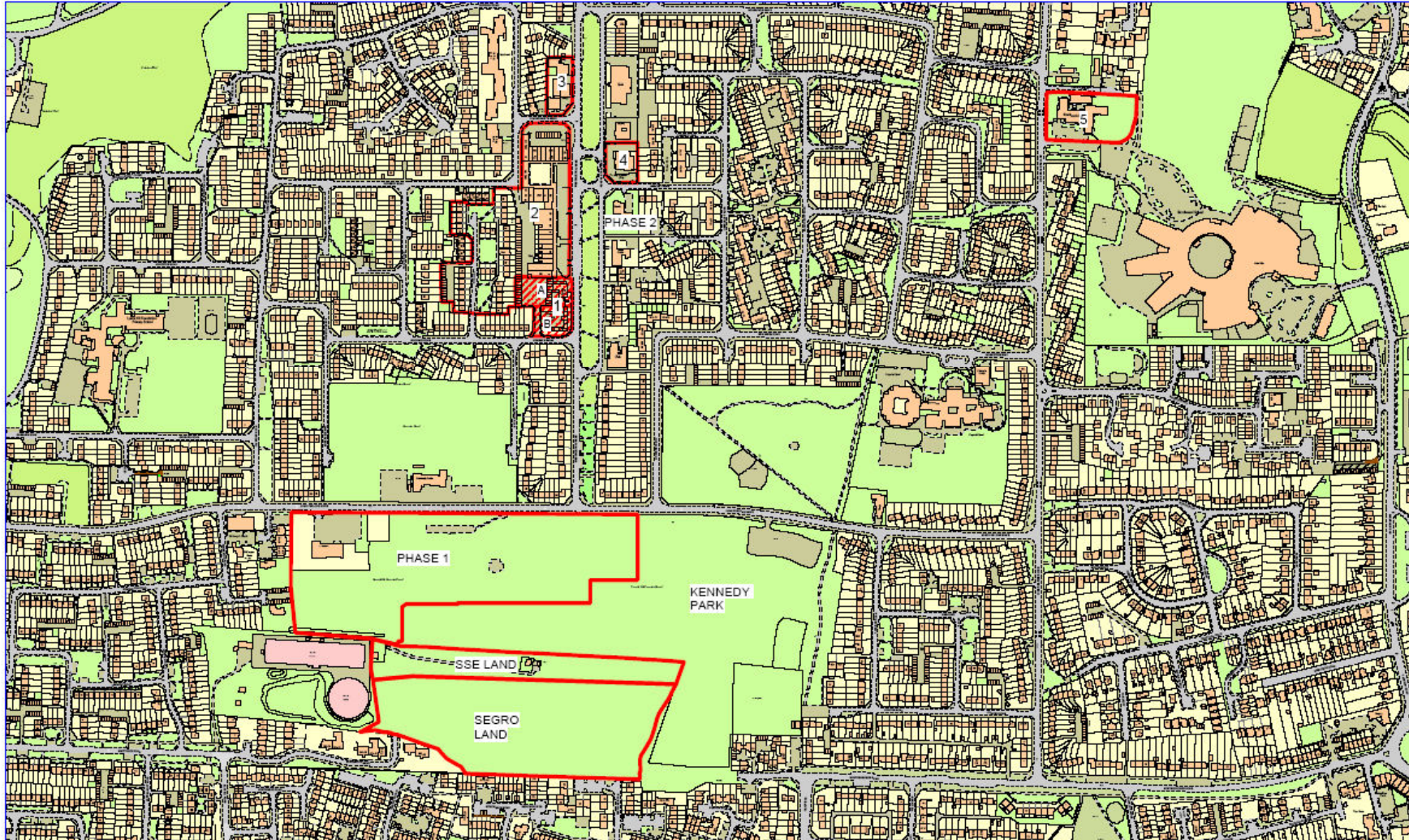


# Asset Management Resources

Scale 1: 4,000 

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## Appendix A - Britwell Regeneration Scheme



05/04/2011

## Appendix B – Progress update

|  | Recommendation   | Progress, as at 31/05/2011   |
|--|--|--|
| <b>Recommendations agreed by Cabinet on 14<sup>th</sup> March 2011</b> |  |  |
| <b>A.</b>  | Slough Estates (SEGRO) site acquisition for bringing further land at Kennedy Park into the Council's ownership   | Please refer to action 2.4, 17 <sup>th</sup> September 2011 Cabinet. Discussions commenced to secure a long term lease. Site valuations have been commissioned and meeting with SEGRO planned during February 2012.  |
| <b>B.</b>  | Options appraisal for the enhancement of the range and quality of activities in Kennedy Park   | A draft report has now been issued for final comment by stakeholders.  |
| <b>C.</b>  | Demolish the garage court to the west/rear of Wentworth Avenue shops   | Complete.  |
| <b>D.</b>  | Relocation of the Britwell Scouts and Guide Groups   | Preferred site is the old car park located on Kennedy Park. Site investigations have been undertaken for the purpose of locating a modular building on the site for shared use by the Guides and Scouts.<br>Tenders are being sought for the provision of modular type building with location on site targeted for early May 2012.   |
| <b>E.</b>  | Public consultation conducted with the residents of Britwell on their priorities for services to be located in the new Britwell Community Hub.   | Complete.  |
| <b>(1)</b>   | Negotiate with Scottish and Southern Electricity to secure either the ownership or where appropriate access across the strip of land in their occupation between Kennedy Park and the SEGRO land                           | Meeting held with the Head of Property, SSE on 04/04/11. Explained the reasoning behind the request for ownership/access. Potential to secure an easement, subject to the action in 2.4, 17 <sup>th</sup> September 2011 Cabinet. Now reliant upon reaching agreement with SEGRO.  |
| <b>(2)</b>   | Britwell Family Centre on Long Furlong Drive be included in Phase 1 (Kennedy Park) of the Britwell Regeneration Scheme   | Land included. Complete  |
| <b>(3)</b>   | Rating for the Britwell Family Centre on Long Furlong Drive in the Asset Management Plan be changed from a Category A to Category D – asset for disposal   | Completed.   |
| <b>(4)</b>   | Work with the users of the Britwell Family Centre to identify and agree suitable alternative accommodation for their future use when the Centre is required for construction   | The service will be relocated once the community hub is completed.   |
| <b>(5)</b>   | Finalisation of the outstanding conditions in the Section 106 agreement associated with the Planning Committee's decision of 17 <sup>th</sup> March 2010 to secure Outline Planning Permission for Phase 1 (Kennedy Park). | Agreement reached on all items. However further discussions with Planning has demonstrated the preferred option is to provide the proposals as a baseline to tenderers for the broad regeneration scheme and to allow the successful bidder the opportunity of finalising the S106 agreement. This approach provides for the use of actual cost data to demonstrate the affordability or otherwise of the S106 conditions. |
| <b>6a.</b>   | Housing Revenue Account (HRA) funding of up to £6 million as a cash contribution to the estimated cost of developing Phase 1 (Kennedy Park) to assist the development at least 45 affordable                               | Arrangements made with housing to earmark the allocation of up to £6M of cash balances. Proposals to develop satellite sites marked Site 3, 4 and 5 on the plan provide the opportunity for even faster acceleration of providing 30 houses and to facilitate the earlier demolition of  |



|            |   |   |
|------------|---|---|
|            | homes for direct management by the Council  | the Wentworth Flats.  |
| <b>6b.</b> | By 31 August 2011, the Assistant Director of Housing to complete a property specific tenant (and where appropriate Leaseholder) consultation on the proposal to demolish Wentworth Flats and Marunden Green houses  | Tenants consulted on the proposed demolition, to assess immediate repairs required to every property in the Wentworth Flats complex and to discuss rehousing needs and options. This work has now been completed.   |
| <b>6c.</b> | Development of a Neighbourhood Board  | A further Neighbourhood Board meeting took place on the 27 <sup>th</sup> September 2011. This provided members with an update on the regeneration programme and the designs under development.  |
| <b>6d.</b> | Priority be given by the selected developer to constructing the social housing required to decant housing tenants from Wentworth Flats and to provide new retail units to provide for the local area  | Planning applications submitted and approved for the Jolly Londoner, Garage/Library and Newbeech House sites.   |
| <b>6e.</b> | At the earliest possible opportunity following the rehousing of the tenants of the Wentworth Flats, the flats and the shops in that block be demolished   | The demolition of the Wentworth flats is planned to take place between September and October 2012, or earlier should the opportunity arise. The housing on site 3 must be constructed first to provide for decanting the tower block residents and allow demolition. The works have been included as part of the HCA Stage 3 tender brief. However, Housing has made significant progress with rehoming tenants.<br>The demolition of the existing Wentworth shopping centre requires the new retail to be constructed first to allow for business trading continuity. The new retail is subject to the developer's proposals, but all plan to create the replacement and enhanced retail provision early in the regeneration process. However, temporary relocation of the units beneath Wentworth Flats is required to allow the demolition of the Flats.<br>The first three terraced block of Marunden Green bungalows have been demolished. It is envisaged that the remaining bungalows will vacated by June /July 2012 allowing full demolition activity to be completed. |
| <b>6f.</b> | A mixture of housing ownership and tenancies be created in both Site 2A and Site 2B to secure maximum value from the use of the sites and the creation of balanced communities, with a minimum 30% social housing and 10% intermediate housing such as shared ownership | The requirements have been incorporated in the HCA Stage 3 tender document issued to 5 contractors in July 2011. Tenders received in September 2011 and the appropriate housing mix has been achieved. See main report for full update.   |
| <b>6g.</b> | Incorporate the use of "Building Licences" into the contract with the developer in order to incentivise the pace of development   | In hand and forms part of the Regeneration Programme developer tender. Tenders received in September 2011.  |
| <b>6h.</b> | An options appraisal be completed by 31 May 2011 to examine the community needs and use of suitable accommodation within the Britwell Regeneration area and to report back to the Cabinet at the earliest opportunity after completion of the report.                   | Completed as part of the September 2011 update.   |
| <b>6i.</b> | Assistant Director of Environment & Regeneration, in consultation with the Commissioner for Neighbourhoods & Renewal be authorised to determine the final specification for the Design & Build Tender Documentation   | Regeneration Programme developer tender agreed with the Commissioner for Neighbourhoods & Renewal - completed.  |

|  |   |   |
|--|---|---|
| <b>(7)<br/>a.-d.</b>   | Minimise the need to relocate tenants from both Wentworth Flats and the elderly people's dwellings on Marunden Green  | All actions in place. Head of Housing Strategy leading with the Area Manager to speed up the rehoming of tenants and prevent any further nominations. No new commercial tenancies being granted, although in discussion with the tenants of the Wentworth Industrial Estate to relocate a tenant in one of the shops as a short-term measure. |
| <b>(8)</b>   | Due to the level of vacant properties on Marunden Green, that at the earliest possible opportunity following the vacation of all surplus housing property, the elderly people's dwellings on Marunden Green be demolished and the site made good for redevelopment  | Three terraced blocks have been demolished. Further demolition will be carried upon achieving vacant possession. Demolition likely to be June/July 2012.  |
| <b>9a.</b>   | Britwell Community Hub building created to relocate the Library and My Council be the subject to: a competitive Design and Build Tender with 28 days to respond, that will identify design proposals, timescales for delivery and inclusive costs.  | The community hub design has been tendered to wider market. Thomas Sinden has been appointed to carry out the works.  |
| <b>9b.</b>   | The following two sites be the subject of the Tender, both separately and as a combined facility:<br><br>ii. The old Housing Payment Office and MALT building at 41/43, Wentworth Avenue together with the adjoining land and buildings (shown as 1A in Appendix B);<br><br>iii. The Wentworth Industrial Court buildings together with the adjoining land (shown as 1B in Appendix B). | As above.   |
| <b>9c.</b>   | Officers work with the users of the Wentworth Industrial Court to identify and agree alternative accommodation for their future use once the site is required for construction  | All businesses relocated by 18/07/11. Completed.  |
| <b>9d.</b>   | Members of the Neighbourhood Board be consulted on the selection of the successful developer for the Community Hub site based upon the design proposals and other quality criteria within the Tender Documentation.   | A presentation to the NB took place on the 10 <sup>th</sup> May. Further consultation on 05/07/11 and 16/08/11 on final designs.  |
| <b>(10)</b>  | The lease for the vacant Jolly Londoner Public House be negotiated and purchased.   | Cabinet agreed on 14 <sup>th</sup> March 2011 to proceed with the purchase which was completed on 31/03/11. Vacant possession secured and building has been demolished.   |
| <b>(11)</b>  | That a further progress report be made to the next Cabinet Meeting in April 2011  | Completed.  |
| <b>Recommendations agreed by Cabinet on 11<sup>th</sup> April 2011</b> |   |   |
| <b>2(a)</b>  | Sites 3-5 on the Plan at Appendix A, be subject to individual redevelopment for the supply of Slough Borough Council social housing   | See 6d above;<br><br>Jolly Londoner:<br><ul style="list-style-type: none"> <li>• Development comprises; 6 units; (x2 4beds, x4 3beds).</li> <li>• Site acquired</li> <li>• Planning approval granted</li> </ul>   |

- Hoarding erected
- Utilities disconnections -complete.
- Asbestos removal -complete.
- Demolition – complete
- Site investigation - complete
- D&B tenders received on the 20<sup>th</sup> Jan.
- Preferred contractor for consideration to be appointed at Cabinet
- Commence on site 9<sup>th</sup> March

Garage /Library Site:

- Development comprises; 9 Units (X2 4bed, x3 3bed, x4 2bed)
- Site acquired
- Planning approval granted
- Hoarding erected
- Utilities disconnections -complete.
- Asbestos removal - complete.
- Demolition – to be undertaken by D&B contractor
- Site investigation – two investigations have been carried out: hydro-carbon contamination is present related to the past garage use (no risk to the local community). Remedial works to form part of D&B contractors works.
- D&B tenders received on the 20<sup>th</sup> Jan.
- Preferred contractor for consideration to be appointed at Cabinet
- Commence on site 9<sup>th</sup> March

Newbeech;

- Development comprises; 18 units (X2 4beds, x10 3beds, x6 2beds).
- Utilities disconnections – complete
- Asbestos removal - complete
- Demolition - complete.
- Archaeology investigation - complete.
- Final proposals are progressing through planning
- Access via Hemmingway, to be formally agreed with the Homegroup.
- D&B tenders issued on the Jan 5<sup>th</sup> Jan.
- Tender response date 10<sup>th</sup> Feb.
- Evaluate & appoint by 27<sup>th</sup> Feb.
- Commence on site 27<sup>th</sup> March.

**Note;**

Newbeech; soil contamination remediation works will be carried in conjunction with advice from the geotechnical engineers and environment agency. The scope of the remediation

|  |   |  |
|--|---|--|
| <p><b>2(b)</b></p> <p><b>2(c)</b></p> <p><b>2(d)</b></p> <p><b>2(f)</b></p>  | <p>At the earliest opportunity, to relocate the tenants from Wentworth Flats and to give them prior consideration for the new housing, subject to the normal rules about property size relating to tenants needs</p> <p>To work with the commercial tenants in the properties immediately beneath the Wentworth Flats and in the properties facing the Flats to further discuss their future needs and aspirations</p> <p>The existing capital provision of £1.679 million previously reported be increased to £2,679 million by combining all Britwell regeneration activity funding into a single Britwell Regeneration Scheme. These funds, plus the £6 million of HRA cash for the social housing are to fund the cost of the Britwell Community hub, make provision for the preliminaries required and development of the three satellite housing sites and associated costs</p> <p>A further update report be made to the next Cabinet meeting.</p> | <p>works cannot yet be fully defined until the existing petrol tanks have been removed.and insitu soil testing is undertaken.</p> <p>Housing has undertaken a full tenant consultation on both their rehoming needs and also to identify and commission remedial repairs to make the flats more habitable during the interregnum prior to rehoming.</p> <p>Estimated earliest date for demolition of the Wentworth Flats is September 2012. Commercial tenants meeting held on 12 April 2011 and further 1:2:1 meeting with individual tenants. In addition, all of the tenants directly affected by the planned demolition of Wentworth Flats have been visited and for two, discussions held with head office units responsible for estate issues. Three of the tenants have verbally agreed to relocate to three of the remaining retail units and a fourth has requested permission to surrender the tenancy which has been agreed.</p> <p>Capital programme amended to combine previous capital allocations (including HCA Grant) into a single Britwell Regeneration Scheme allocation of £3 million. HRA funding of £6 million earmarked. Completed.</p> <p>Achieved.</p> |
| <p><b>Recommendations agreed by Cabinet on 31<sup>st</sup> May 2011</b></p>  |   |  |
| <p><b>6 (a)</b></p>  | <p>That the Council appointing Mansell Construction Services Limited as the preferred developer for the Britwell Community Hub development</p>  | <p>Achieved, but now rescinded by the new tendering process.</p>   |
| <p><b>6 (b)</b></p>  | <p>That subject to pre-contract negotiations with the preferred developer not progressing or being completed satisfactorily, the appointment of Thomas Sinden Ltd be appointed as the preferred developer.</p>  | <p>Thomas Sinden Ltd (and Mansell Construction Services) will be included in the list of companies being invited to tender. A broader group of companies are being used to reflect the precision of the tendering documentation and secure best value for the Council and local community.</p>   |
| <p><b>6 ©</b></p>  | <p>That the interim Assistant Director, Environment &amp; Regeneration be authorised to enter into contract dialogue with the preferred developer and the substitute developer as necessary and to agree the contract value, in consultation with the Commissioner for Neighbourhoods &amp; Renewal up to the planning stage and then in consultation with the Leader.</p>  | <p>Preferred developer (Mansell Construction Services) appointment has been terminated and agreement the Commissioner for Neighbourhoods &amp; Renewal (as not a planning issue) to tender the building work. Work commenced to prepare the tender and issue before the end of October 2011. Tenders received; Thomas Sinden has now been appointed.</p>   |
| <p><b>Recommendations agreed by Cabinet on 18<sup>th</sup> July 2011</b></p> |   |  |
| <p><b>2.1.2</b></p>  | <p>As the sites become vacant, to agree to proceed with the demolition of:</p>  | <p>See update in 2a. (11 April 2011) above.</p>  |

|  |   |  |
|--|---|--|
|  | <ol style="list-style-type: none"> <li>1. The Jolly Londoner Public House, Wentworth Avenue;</li> <li>2. Newbeech House, Long Readings Lane;</li> <li>3. The Library and car sales site, Wentworth Avenue;</li> <li>4. Phase 1 Marunden Green: 1 to 15 (and garages to the r/o 1 to 15), 14 to 18, 41 to 51 Marunden Green (See the Plan in Appendix C);</li> <li>5. Phase 2 Marunden Green: 2 to 12, 20 to 36, 38 to 42 Marunden Green.</li> </ol> | The Marunden Green bungalows are schedule for demolition in Jan/Feb 2012. Remaining blocks are likely to be demolished June/July 2012.   |
| <b>3.1.4</b>   | Agree that a further update report be made to the Cabinet meeting on 19 <sup>th</sup> September 2011.   | Achieved.  |
| <b>Recommendations agreed by Cabinet on 17<sup>th</sup> September 2011</b> |   |  |
| <b>2.3</b>   | To confirm that other than providing the new Britwell Community Hub and a facility for the Guides & Scouts, no further community building will be provided as part of the Britwell Regeneration Scheme.   | Complete, subject to relocating the Scouts & Guides, planned for May 2012.   |
| <b>2.4</b>   | Agree that the Northborough Road landfill site should not be acquired through direct purchase. But the Interim Assistant Director, Environment & Regeneration be requested to seek a long-term lease from the owner of the Northborough Road site that will secure public access to the site, but with a Deed of Agreement that safeguards the Council against the potential financial risk associated with the landfill liabilities of the site.   | Contact has been made with SEGRO but progress on discussing the lease is reliant upon the compilation of further site testing results which was received on 17/10/11. Testing results report evaluated and commenced further discussions with SEGRO. |

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 14<sup>th</sup> February 2012

**CONTACT OFFICER:** Andrew Stevens  
**(For all enquiries)** Assistant Director, Culture & Skills  
Community and Well Being  
(07531) 875507

**WARD(S):** All

**PORTFOLIO:** Opportunity and Skills – Pavitar Mann

**PART I**  
**KEY DECISION**

**Adult Learning – Future Models**

**1 Purpose of Report**

- 1.1 This report makes proposals for a shared service with the Royal Borough of Windsor and Maidenhead to provide adult learning services for decision by Cabinet. The report provides information on a decision taken by RBWM's Cabinet in November 2011 to proceed with a shared service led by Slough Borough Council (SBC) and summarises the findings of the outline business case for the proposal.

**2 Recommendation(s)/Proposed Action**

The Cabinet is requested to resolve:

- a) That the Assistant Director for Culture and Skills, following consultation with the Commissioner for Opportunity and Skills, be authorised to implement the shared service with the Royal Borough of Windsor and Maidenhead with Slough as the lead authority, subject to there being no major changes to circumstances that significantly change the business case.
- b) That the Assistant Director for Culture and Skills be authorised to notify the Skills Funding Agency of the intention to proceed with a shared service and seek their agreement to implementation.

**3 Community Strategy Priorities**

- **Celebrating Diversity, Enabling inclusion**
- **Adding years to Life and Life to years**
- **Being Safe, Feeling Safe**
- **Prosperity for All**

Adult learning supports community integration and social cohesion, helps people develop practical skills, gain stimulation through creative activity and build their confidence. It helps increase the knowledge, skill levels and employability of local residents.

## 4 Other Implications

### 4.1 Financial

The total SFA grant for both Slough and Windsor and Maidenhead is £1,105,000, of which £540,000 is the grant for Slough.

4.2 There is a proposed full year efficiency saving for adult learning in 2012/13-2013/14 of £96,000 as part of this year's budget setting process. The proposed shared service arrangement with Windsor and Maidenhead enables delivery of these savings through efficiencies in shared management and administration. Because of the larger scale of the unit, it also helps moderate the impact of the planned saving.

4.3 The shared service model enables an additional £18,000 efficiency savings through the reduction of duplicated administration and management costs. The business case proposes that the initial saving to the Council could be re-invested in learning delivery, as an improvement to customer service.

4.4 As the lead authority, the management recharge of £75,000 currently applied to corporate budgets by Windsor and Maidenhead would be transferred to Slough. This is a financial benefit which can be used to cover additional costs incurred by Slough and to improve learning and employment delivery in Slough.

4.5 There will be additional costs in setting up the new shared service, including an additional £10,000-£30,000 (plus pensions) risk for potential redundancy. This risk is shared between the two authorities according to their share of the budget. In addition there is a potential to spend around £30,000 for ICT related implementation costs, for which provision has been made in 2011/12 budgets, subject to approval to carry forward the necessary sums.

### 4.6 Human Rights Act and Other Legal Implications

Under Section 6 of the Human Rights Act 1998, it is unlawful for the Council to act in a way which is incompatible with human rights or it could result in the Council being subject to judicial review. The actions outlined in this report aim to comply with Article 2 (right to education), which is a qualified right.

4.7 The report seeks authority to implement a shared service with Royal Borough of Windsor and Maidenhead to provide adult learning services. In making this decision the council should have due regard to their duty under section 149 of the Equalities Act 2010 in advancing equal opportunity between persons.

4.8 The report has also raised the issue of TUPE upon the implementation of the shared service agreement. The Council should have regard to The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

4.9 The Skills Funding Agency (SFA) grant is allocated to each local authority area. The rules governing the grant require that it is spent on learning delivery in that area, within a quality framework which is inspected by Ofsted. The SFA will need to agree for a local authority's allocation to be received by another organisation, who then would be the accountable body, subject to inspection for the whole service they deliver in both areas.



- 4.10 A draft Memorandum of Understanding (MOU) between Slough BC and the Royal Borough of Windsor and Maidenhead has been drawn up. The MOU sets out the ways in which the new shared service would operate and precedes a formal Service Level Agreement. It is not legally binding but describes a commitment from both parties how the new arrangement should work and how it will be developed.
- 4.11 Equalities Impact Assessment  
A full EIA will be undertaken to ensure reasonable mitigations for any adverse impact on individuals of the measures proposed.
- 4.12 Workforce  
It is expected that TUPE would apply to the new arrangement, with Windsor and Maidenhead staff transferring to Slough Borough Council on 1 August 2012. The costs of this are shared between the two authorities.
- 4.13 Work on the outline business case has included preparation of a shared staffing model. Estimated redundancy costs are £10,000 to £30,000 (plus pensions) higher than the planned PPRG efficiency saving would require. This would be shared between the Windsor and Maidenhead and Slough. This is offset by an expected reduction in staffing costs of £18,000 a year in the shared model, which could be available for re-investment in additional learning delivery in the two local authority areas.

## **5 Background**

### **5.1 Context**

The Skills Funding Agency (SFA) currently funds Slough Borough Council (SBC) with £540,000 for adult learning and apprenticeships.

### **5.2 The council's adult learning and apprenticeships services support employment and the local economy, and enhance individuals' capacity to engage in the community through delivering:**

- Targeted support for people with low literacy and numeracy and ICT skills to improve skills levels and enable them to get jobs.
- Support for new communities and the acquisition of basic English language and other core skills.
- Information, advice and guidance to help people make the best of their learning and employment opportunities.
- Informal learning opportunities that engage new learners.
- Craft and vocational learning that helps people set up new businesses.
- Apprenticeships and employment opportunities for young people to work in SBC services.

### **5.3 There were 2,400 learners and 3,600 course registrations in Slough in 2010/11. These were particularly weighted towards learners from those ethnic and socio economic communities least engaged in employment in the town. It is a particular priority that the service continues to improve how effectively it addresses the skills deficit in Slough, especially for people over 25 and the near 25% of residents who are economically inactive.**

- 5.4 In 2010/11 the SFA, in order to reduce its administrative costs dealing with a very large number of directly funded providers, decided not to fund organisations in receipt of less than £500,000 a year.
- 5.5 A clear signal was given in 2010 that this level would be raised in future years. It has been decided to leave the £500,000 threshold unchanged for 2012/13, but the risk remains that it could be raised in future years.
- 5.6 If the threshold were even to remain at £500,000, with likely reductions in government funded programmes, there is a serious risk that Slough BC would not be eligible to continue to receive grant funding from this source. SBC's funding level is so close to that limit that a very small reduction would take it below the threshold.
- 5.7 Changes in the minimum thresholds used by the SFA for authorities to receive funding prompted officers in SBC and neighbouring boroughs to start discussions about how we might best respond. Most Berkshire authorities are at a similar level of funding with Slough, with West Berkshire and Wokingham this year and Bracknell next year all falling just below the threshold. West Berkshire and Wokingham have formed separate arrangements with a local college and the Workers Educational Association (WEA). Bracknell have yet to make a final decision.
- 5.8 In November 2011, the Cabinet of the Royal Borough of Windsor and Maidenhead (RBWM) decided that, even if the SFA threshold were not changed, they wished to join their adult learning service with a neighbouring borough and that Slough should be the lead authority. This recognises the quality of service and capacity to lead improvement in the SBC adult learning service, following Ofsted's judgement in the 2010 inspection that it was a good service with a number of outstanding features.

## 6 **Options**

- 6.1 Officers from Slough and RBWM have carried out an evaluation of options open to the local authorities. The evaluation considered the status quo and a number of different models which combined services with another partner to achieve greater efficiencies of scale and a larger funding base.
- 6.2 One model was for another larger partner to receive the funding. Options considered were the local college, a national charitable organisation such as the WEA, or a larger local authority. Soft market testing was carried out with potential providers to test what they might offer and to establish the benefits and disadvantages of each option. A further option was to combine the grants from two or more boroughs to develop shared management arrangements.
- 6.3 The initial conclusion reached by officers, as reported to and agreed by Cabinet in Windsor and Maidenhead, that the preferred solution is a shared service between Windsor and Maidenhead and Slough. This solution was summarised as follows:

### **Benefits**

1. Opportunities to extend the range of learning opportunities through a larger and more flexible service unit.
2. Retains local authority control and influence to ensure responsiveness to community needs through shared governance arrangements.

3. Opportunities to improve value for money and improve operational service efficiency.
4. Allows flexibility to explore partnerships with the local college and other providers and to retain existing sub-contracting arrangements.
5. Potential to grow a larger unit through additional partners.

#### **Issues**

1. One off transfer and set-up costs borne by the two authorities.
2. While there are some efficiencies of scale, the unit is too small to deliver transformational benefits.
3. Significant risks if either partner should withdraw as there are only two partners.

#### 6.4 The overall conclusions were:

- There is an opportunity for better value for money and consequently better investment in learning delivery by working in a larger unit.
- This change should be explored thoroughly regardless of changes in the SFA funding rules.
- The preferred option was a local solution between the two boroughs, RBWM and Slough.
- The lead authority should be Slough BC, recognising the quality and effectiveness of the borough's adult learning service and its Ofsted good (grade 2) rating in 2010.

#### 6.5 Further to this, an outline business case has been prepared that covers the following main issues and areas of risk for the preferred solution:

- Alternative models for a shared service or a stand alone function
- Scope of a shared service
- Staffing
- Legal and governance
- Finance

## 7 **Implications and scope of a shared service**

### 7.1 **Implications of a shared service model**

A shared service to deliver adult learning for both local authorities would involve:

- Slough Borough Council, as lead body, would receive direct from the SFA funding currently allocated separately to both authorities for adult and community learning and apprenticeships.
- As lead body, SBC would be accountable for the quality of service and would be the body subject to inspection of adult and community learning by Ofsted.
- A single management structure would be in place with quality management systems in place to ensure that the service delivers consistently across both local authority areas.
- A joint management committee (51% voting for SBC) would be established to ensure that decisions can be made for the whole service with buy-in from both local authorities.
- Set up and other shared costs will be allocated according to each authority's percentage share of the budget of the new service.

7.6 A draft Memorandum of Understanding makes provision for shared governance, with a 51% voting right for Slough as the lead authority.

## 7.2 **Scope of services**

The proposed shared service will include adult learning services in both RBWM and Slough and also the Employment and Enterprise function run by SBC. Combining Adult Learning and Employment and Enterprise is included in a 2012/13 PPRG savings proposal to enable reductions in management costs.

7.3 The shared service may in due course extend to include RBWM's Grow Your Own service, their equivalent of Employment and Enterprise or other related functions.

7.4 This scope of services provides an opportunity to attract additional funding and run programmes across two boroughs and not just Slough, providing additional resilience in ensuring the service can maintain and improve support to skills and employment.

7.5 In addition to the SFA funding of £540,000, Slough Borough Council currently also invests £585,000 in skills and employment support through both Adult Learning and Employment and Enterprise.

## 8 **Assessment**

8.1 The outline business case indicates that a shared service between RBWM and SBC, with Slough as the lead authority, would have the following specific benefits over the status quo:

1. Retains local authority influence to ensure service responsive to community needs.
2. Opportunity for re-investment of staffing efficiency gains of £18,000+ in improved learning delivery and support to employment for local people.
3. Continuity of service if the government decided to increase the eligibility threshold to receive funding from the SFA up to £1m per organisation funded or if funding allocations for one or both authorities were to fall below £500,000.
4. Service safeguarded against an increase in SFA thresholds to £1m, while retaining flexibility to join with a larger partner if exit strategy required
5. Greater resilience to deliver planned PPRG savings and reductions in management and administrative capacity through a larger unit.
6. The range of courses available can be extended by offering more specialist or less popular courses across two boroughs to engage a sufficient number of learners to make them viable
7. Potential for employment related and targeted projects to be extended across two boroughs, increasing capacity to attract external funding
8. Retention of existing specialist provision through contracts with college and other local providers.
9. The transfer of the £75,000 management recharge by RBWM to SBC would cover the council's management overheads for the new arrangement and is a significant additional benefit to Slough. It is proposed that any additional surplus would be re-invested in learning delivery.

8.2 Appendix A is a summary of the findings of the outline business case, together with a summary risk assessment. It is proposed that the business case shows

significant benefits to local people and to both local authorities in the shared service model.

8.3 The business case proposes that a joint service will be more resilient and adaptable in the future uncertain funding climate. In addition key points to highlight include:

1. A shared service, with its larger scale, will help ensure full delivery of agreed PPRG savings in management and administrative staffing costs without adverse impact on customer services.
2. At least the same number of teaching hours (15,000) can be delivered, potentially more.
3. A joint management committee would be responsible for key decisions, with 51% voting for lead accountable partner (SBC).
4. The service would be accountable to Scrutiny and significant changes in policy would be referred to SBC and RBWM Cabinet for decision.
5. SBC's SFA and council funding for adult learning would be ringfenced to Slough.
6. Risk for TUPE and start up or termination costs are allocated according to each authority's share of resources.
7. Redundancy costs for the shared service are estimated to be £10-30,000 (plus pensions) higher in 2012/13 than for a stand alone solution.
8. There is a risk to the Council's Ofsted rating because the new service would include RBWM services, though those were rated good (the same as Slough) at their last inspection in 2006.
9. There is a significant risk to RBWM in identifying how it will mitigate against the loss of £75,000 corporate recharge for management costs transferring to SBC. This issue is as yet unresolved.

## 9 **Comments of Other Committees**

9.1 The draft of this report was tabled at the Education and Children's Services Scrutiny Panel, who welcomed the report in principle. Any further comments received will be presented at the Cabinet meeting:

## 10 **Conclusion**

10.1 The report proposes that a shared service provides a more robust and sustainable model for adult learning than a standalone service for Slough alone. An evaluation of the options available proposes that the preferred solution is a shared service between Slough and Windsor and Maidenhead.

10.2 The outline business case for a shared service with RBWM proposes that the benefits outweigh the disadvantages and risks. Through combining the two services and reducing duplication there is the potential to increase investment in learning delivery for local people. While there are significant risks of cost in the transition, including TUPE, the draft Memorandum of Understanding provides assurance that these will be shared between the two local authorities.

10.3 It is recommended that Cabinet approve that officers proceed to implement the shared service, subject to there being no major changes to circumstances that significantly change the business case. This is subject to the agreement of the Skills Funding Agency

## **Appendices Attached**

- A Executive summary of the outline business case for the adult learning shared service model

## **Background papers**

None

## APPENDIX A

### Executive summary of the outline business case for the adult learning shared service model

A The outline business case indicates that a shared service between RBWM and SBC, with Slough as the lead authority would have the following major benefits over the status quo:

1. Opportunity for re-investment of staffing efficiency gains of £18,000+ in improved learning delivery and support to employment for local people.
2. Continuity of service if the government decided to increase the eligibility threshold to receive funding from the SFA up to £1m per organisation funded or if funding allocations for one or both authorities were to fall below £500,000.
3. Retains local authority influence to ensure service responsive to community needs.
4. Greater resilience to deliver planned PPRG savings and reductions in management and administrative capacity through a larger unit.
5. The current level of 15,000 learner teaching hours maintained.
6. £75,000 allocated to management costs by RBWM would transfer to SBC.

B In each area considered by the business case, key conclusions were:

#### B1 **Benefits for learners and local authorities include:**

1. Continuity of local delivery and community responsive service
2. Service safeguarded against an increase in SFA thresholds to £1m, while retaining flexibility to join with a larger partner if exit strategy required
3. The range of courses available can be extended by offering more specialist or less popular courses across two boroughs to engage a sufficient number of learners to make them viable
4. Potential to extend apprenticeships
5. Retention of existing specialist provision through contracts with college and other local providers
6. Potential for employment related and targeted projects to be extended across two boroughs, increasing capacity to attract external funding
7. Reduction of staffing costs could release an initial £18,000+ for re-investment in additional learning and employment support

#### B2 **Safeguarding delivery of agreed PPRG savings**

1. A shared service, with its larger scale, will help ensure delivery of agreed PPRG savings in management and administrative staffing costs without adverse impact on customer services
2. PPRG savings can be delivered in full

#### B3 **Level of learning delivery sustained and improved**

1. Outline staffing arrangements deliver the same volume of learning activity (15,000 teaching hours) and community development as the current SBC or RBWM structures, subject to funding levels being maintained
2. There is a risk to the Council's Ofsted rating because the new service would include RBWM services, though those were rated good (the same as Slough) at their last inspection in 2006.
3. In addition to savings identified as part of the PPRG process, areas that are proposed for streamlining in a shared service are management information,

family learning and co-ordination of externally funded projects. A 10% contingency fund in staffing will ensure these functions are reinstated if required.

4. Proposed focus on curriculum management will help deliver consistent levels of service.

**B4 Efficiency in shared staffing arrangements**

1. Initial work on the staffing structure shows that staffing costs can be reduced and £18,000+ can be re-invested in learner delivery.
2. The indicative staffing structure used in preparing the business case has no impact on the volume and quantity of learning delivery.
3. Joint management information and administration will deliver simple efficiency gains through the removal of duplication.

**B5 Strategic direction for the service**

1. A management committee would be responsible for key decisions.
2. Agreed principles for commissioning, locally delivered learning programmes, responsiveness to local priorities.
3. Accountable to Scrutiny and significant changes in policy referred to SBC and RBWM Cabinet for decision.

**B6 Safeguarding local resources**

1. SFA funding for each local authority area would be ringfenced to that area after agreed central costs were found.
2. SBC's local funding for adult learning would be ringfenced to Slough

**B7 Decision making and dispute resolution**

1. Management committee proposed of 2 officers from each authority determining strategic plans.
2. 51% voting for lead accountable partner, SBC.
3. Escalation procedure proposed in the Memorandum of Understanding.

**B8 Allocation of risk and liability, including TUPE**

1. It is not possible to terminate agreement mid year.
2. Risk for TUPE and start up or termination costs is allocated according to share of resources.

**B9 Efficiency improvement**

1. PPRG savings can be delivered in full, with greater assurance against service reduction because of the increased scale of the shared service.
2. The outline staffing model indicates staffing costs will be at worst maintained at their current level, allowing for PPRG, or reduced by up to an additional £18,000+.
3. Savings can be made in the procurement of new systems, in particular the likely purchase of a replacement management information system in the event of supplier failure, saving a one-off £40-50,000.
4. There are very limited opportunities for savings in premises or other learning delivery costs through a shared service, at least in the first instance.
5. Further efficiency opportunities will be explored with specialist input, including from finance.



**B10 One off costs and savings**

1. One off costs for redundancy are estimated between £40,000 and 90,000 plus pensions. These costs will be met from corporate funds set aside for this purpose.
2. Redundancy costs for the shared service are estimated to be £10-30,000 (plus pensions) higher in 2012/13 than for a stand alone solution.
3. The redundancy risk for SBC is at the same level as it was to deliver the planned PPRG saving in management and administrative costs.
4. The shared service staffing model enables the reduction of duplication and a more efficient way of working. This more efficient staffing model has enabled a contingency budget for capacity building and additional learning delivery of £18,000+.

**B11 Management fee**

1. The transfer of the £75,000 management recharge by RBWM to SBC would cover the council's management overheads for the new arrangement and is a significant additional benefit to Slough. It is proposed that any additional surplus would be re-invested in learning delivery, reviewing how the arrangement is working after the initial set-up period for August 2013.
2. There is a significant risk to RBWM in identifying how it will mitigate against the loss of £75,000 corporate recharge for management costs transferring to SBC. This issue is as yet unresolved.

**C Risk management**

| <b>Risk area</b>  | <b>Likelihood (1-4)</b> | <b>Impact (1-4)</b> | <b>Mitigation</b>   | <b>Impact post mitigation (1-4)</b> |
|---|-------------------------|---------------------|---|-------------------------------------|
| Increase in SFA funding threshold means that SBC cannot receive government funding direct | 3                       | 4                   | <ul style="list-style-type: none"> <li>• Shared service doubles the funding level above £1m</li> <li>• All other potential options remain unchanged for working with a larger partner if threshold above £1m</li> <li>• Larger unit better placed to negotiate with a potential partner</li> </ul>  | 2                                   |
| One partner decides to terminate the arrangement  | 1                       | 4                   | <ul style="list-style-type: none"> <li>• Allocation of risk ensures that a partner acting unilaterally would carry the full cost of terminating agreement</li> <li>• Notice must be given by 31 December (7 months) allowing time to plan exit</li> <li>• Shared risk allocation if termination enforced by external factors or joint decision</li> </ul> | 2                                   |

| <b>Risk area</b>   | <b>Likelihood (1-4)</b> | <b>Impact (1-4)</b> | <b>Mitigation</b>   | <b>Impact post mitigation (1-4)</b> |
|--|-------------------------|---------------------|---|-------------------------------------|
| Staffing insufficient to allow current service levels to be maintained | 2                       | 3                   | <ul style="list-style-type: none"> <li>• 10% added to staffing model costs as contingency</li> <li>• Efficiency in staffing of £18,000+ provides contingency. Sum to be re-allocated to direct learning delivery if not required</li> </ul>   | 1                                   |
| Local authorities cannot agree on strategic issues or resources        | 2                       | 3                   | <ul style="list-style-type: none"> <li>• Agreed governance and strategic plan across both authority areas</li> <li>• Management committee</li> <li>• 51% vote for lead authority (SBC)</li> </ul>   | 1                                   |
| SBC incurs additional cost of TUPE                                     | 2                       | 3                   | <ul style="list-style-type: none"> <li>• Joint allocation agreed in the draft Memorandum of Understanding proportionate to funding levels</li> </ul>  | 1                                   |
| Incomplete integration resulting in duplication and change not enacted | 3                       | 3                   | <ul style="list-style-type: none"> <li>• Management committee sets agreed direction</li> <li>• Integrated staffing and processes</li> <li>• Shared information and understanding in developing and implementing changes at all levels</li> </ul>  | 2                                   |
| Local community connections, esp in RBWM, not maintained               | 3                       | 2                   | <ul style="list-style-type: none"> <li>• Structure with neighbourhood working as well as thematic roles and responsibilities</li> <li>• Management committee retains strategic links</li> <li>• Reporting to Scrutiny and role of Members</li> <li>• Retain physical presence in both authorities</li> <li>• Targeted community based projects</li> </ul> | 1                                   |

| <b>Risk area</b>  | <b>Likelihood (1-4)</b> | <b>Impact (1-4)</b> | <b>Mitigation</b>  | <b>Impact post mitigation (1-4)</b> |
|---|-------------------------|---------------------|--|-------------------------------------|
| RBWM are unable to identify income or savings equivalent to the £75,000 management cost now allocated to Slough | 4                       | 1                   | <ul style="list-style-type: none"> <li>• RBWM may wish to allocate income to Council budgets (reducing sum available for learning in RBWM)</li> <li>• Other efficiency savings in children's services</li> </ul>   | 3                                   |
| Parties don't agree the allocation of risk proposed in the Memorandum of Understanding                          | 2                       | 4                   | <ul style="list-style-type: none"> <li>• Document drafted jointly by officers from both authorities</li> <li>• Early review by both legal teams</li> <li>• Document shared with senior officers in both authorities at an early stage</li> </ul>   | 2                                   |
| SFA don't approve that SBC receive the grant for RBWM   | 2                       | 4                   | <ul style="list-style-type: none"> <li>• SFA regional staff informed at every stage</li> <li>• National SFA asked for advice on process prior to Cabinet</li> <li>• Clear business case and benefits delivery</li> <li>• Alternative arrangement to sub-contract to SBC core delivery</li> </ul> | 3                                   |

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#### 4. Other Implications

##### (a) Financial

The adoption of the Income Collection and Debt Recovery Policy will ensure that a uniform approach is taken to the collection of sundry debts across the Council.

Total write offs of £3.10m are requested in this report. Of this £2.01m is for National Non Domestic Rates (NNDR) and this will fall as a charge on the NNDR pool rather than the Council's General Fund, provided that the external auditor is satisfied that the Council has acted with all due diligence in seeking to recover the debt.

Former Tenant Arrears of £0.31m for write off. Of these some 20% emanate from tenants in temporary accommodation, who tend to be of a transient nature, often vacating the premises without warning. These tenants are generally very difficult to locate and become uneconomical to pursue. The value of these cases represents 9% of the total proposed write off

Most of the debts recommended for write off were fully or partially provided against in the Council's financial statements at 31 March 2011.

##### (b) Human Rights Act and Other Legal Implications

The Council has a general duty to take all reasonable and economic steps to recover monies due to it. The policies, procedures and practices adopted by the Council in this regard are considered to be satisfactory. There are no specific Human Rights Act implications.

##### (c) Equality Impact Assessment

The Council is facing a period of unprecedented cuts in public funding and is planning cuts of about £7m for 2011/12, with further cuts planned over the coming financial years. In order to reduce the impact on frontline service delivery the council, as part of its Medium Term Financial Strategy is looking to improve its income collection and reduce its debt liability. To assist with this strategy the current debt recovery policy has been reviewed and updated.

In addition to this the Council is also seeking to work in partnership with a local service provider in establishing a multi functional public service delivery hub, who will be responsible for improving the councils income collection and debt recovery activities.

It is therefore important that we have robust policies and procedures in place that provide a clear understanding to the service provider and offer support to our service users, especially the vulnerable elements of our community.

(d) Risk Assessment

Adoption of the draft Income Collection and Debt Recovery policy will mitigate the risk of non-recovery of current and new sundry debts by ensuring that there is a common understanding across the Council of our approach to debt collection.

(e) Workforce

There are no workforce implications.

**5 Supporting Information**

5.1 A detailed review of the Council's sundry debt collection policy and procedures has been undertaken following a corporate initiative to improve collection performance. A draft Income Collection and Debt Recovery Policy is attached as an Appendix. The draft has been seen by Directors, Assistant Directors and key service managers and it incorporates suggested changes.

5.2 The key features of the draft policy are:

- It recognises the Council's responsibility to protect Council Tax payers by collecting debt whilst at the same time recognising the need to support vulnerable debtors.
- The Council will, where it is permitted and practical, seek to obtain payment prior to or at the point of service delivery to reduce the number of debts to be collected.
- Invoices will be issued on a timely basis and will clearly set out the amount to be paid, the deadline for payment and the means of payment available.
- The Council will treat vulnerable debtors professionally and compassionately and will offer an assessment of entitlement to benefits where appropriate.
- Payment methods will be clearly explained to customers and direct debit will be offered for the payment of recurring debts.
- The Council will use all permitted means to enforce payments including the county court process.

5.3 As part of the process of ensuring that our accounting records present fairly the financial position of the Council, periodic reviews of all outstanding debts are undertaken. A decision is taken as to whether those debts are likely to prove recoverable given the time and resources already devoted to obtaining payment and the sum outstanding.

5.4 The table on the next page provides a summary of the value and volume of debts for write off by reason of category (e.g. bankrupt, abscond etc) and by type (council Tax, NNDR, sundry debts etc) that Cabinet is asked to endorse as being irrecoverable.

Table: Summary of proposed debt write offs

| Reason                           | NNDR |              | Former Tenant Arrears |            | Council Tax |            | Sundry Debtors |            | Total |              |
|----------------------------------|------|--------------|-----------------------|------------|-------------|------------|----------------|------------|-------|--------------|
|                                  | No.  | Value<br>£   | No.                   | Value<br>£ | No.         | Value<br>£ | No.            | Value<br>£ | No.   | Value<br>£   |
| Liquidation                      | 32   | 494,615.21   |                       |            |             |            |                |            | 32    | 494,615.21   |
| Dissolved                        | 54   | 790,101.28   |                       |            |             |            |                |            | 54    | 790,101.28   |
| Administration                   | 13   | 608,542.27   |                       |            |             |            |                |            | 13    | 608,542.27   |
| Bankruptcies                     |      |              |                       |            | 22          | 25,929.14  |                |            | 22    | 25,929.14    |
| Out of Time Limit                | 16   | 15,178.23    |                       |            |             |            |                |            | 16    | 15,178.23    |
| Absconded                        | 8    | 87,889.25    |                       |            | 175         | 134,623.12 |                |            | 183   | 222,512.37   |
| Deceased                         | 1    | 17,369.87    | 342                   | 169,778.66 | 23          | 22,066.18  |                |            | 366   | 209,214.71   |
| Irrecoverable- Collection Agency |      |              | 26                    | 24,241.37  |             |            |                |            | 26    | 24,241.37    |
| Statute Barred                   |      |              | 204                   | 178,129.33 |             |            | 77             | 247,931.54 | 281   | 426,060.87   |
| Uneconomical                     |      |              | 126                   | 2,021.61   | 485         | 277,203.49 | 162            | 120.93     | 773   | 279,346.03   |
|                                  | 124  | 2,013,696.11 | 698                   | 374,170.97 | 705         | 459,821.93 | 239            | 248,052.47 | 1766  | 3,095,741.48 |



- 5.5 In addition to the proposed former tenant arrears write offs some 538 write ons of £61,620.40 have been identified.
- 5.6 The sundry debts identified for write off are irrecoverable because they are statute barred under the Limitation Act. (1980). These are debts for which no payment has been received in the past six years and where the debtor has not acknowledged the debt in writing in the same period. A review of older non-statute barred debt is underway and it is likely that further will be required and will reported to the Cabinet at a future meeting.
- 5.7 Where debts are written off because the debtor has absconded, further attempts to collect will be made if contact is established with the debtor in the future. Occasionally, where debts are written off due to bankruptcy or liquidation, small payments may subsequently be received from liquidators, receivers or trustees.
- 5.8 Adequate provision for write off has been made. A copy of this report has been provided for review by the External Auditor.

## 6 **Conclusion**

Members are requested to review and approve the revised Income Collection and Debt Recovery policy and to approve the requested write offs.

## 7 **Appendices Attached**

Appendix 1 - Draft Income Collection and Debt Recovery Policy

## 8 **Background Papers**

None.

**SLOUGH BOROUGH COUNCIL**

**INCOME COLLECTION AND DEBT RECOVERY POLICY**

**1 Objectives**

1.1 This policy seeks to set best practice with consistent and effective processes for the maximisation of income and the management of the Council's debt. It should be read in conjunction with the Financial Regulations set out in the Council's Constitution.

1.2 The specific aims of the policy are:

- To develop a corporate approach towards sharing debtor information across collection teams and managing multiple debts owed to the Council.
- To use cost effective and fair collection and recovery practices in the pursuance of all debts owed to the Council, ensuring that those with the means to pay do pay to protect the interests of Council Tax payers.
- To ensure a professional, consistent and timely approach to recovery action across all of the Council's functions.
- To fully consider the debtor's circumstances and ability to pay.
- To treat individuals consistently and fairly regardless of age, sex, race, gender disability and sexual orientation and to ensure that the individual's rights under the Data Protection Act and Human Rights legislation are protected.

**2 Debts Covered by this Policy**

2.1 The debts covered by this policy are as follows:

- Accounts Receivable (Sundry Debts)
- Former Tenant Arrears
- Commercial Rents
- Adult Social Care Fees & Charges
- Penalty Charge Notices

2.2 Debts for Council Tax, National Non Domestic Rates, current rent arrears and overpaid housing benefits are collected in accordance with their own specific income management policies.

2.3 The policy will apply to all departments of the Council and focus on collecting the charge set rather than how the charge is arrived at. Ability to pay is a key concern when considering debt recovery.

### 3 **Fair Debt Collection**

3.1 This policy aims to adopt fair debt collection and recovery practices including:

- Ensuring that bills are accurate, timely and clear.
- Providing appropriate and easy payment methods.
- Encouraging people who fall into arrears to contact us and agree to payment arrangements appropriate to their circumstances.
- Helping to reduce the effect of debt on people on low incomes by informing them of the general availability of income-related benefits and by trying to ensure that maximum benefit take-up occurs.
- Advising people where they can get independent advice with financial problems
- Identifying deliberate non-payers or those who delay payment and taking timely and effective enforcement action.

### 4. **Prepayment for Goods and Services**

4.1 Where permitted by law the Council will seek payment in advance of supplying goods and services under statute. For commercial services the Council will seek payment in advance wherever it is practical to do so.

### 5 **Raising Invoices**

5.1 No invoice will be raised without full and accurate debtor information and supporting documentation including the name of the party to be invoiced, postal address, email address and telephone number.

5.2 Before supplying requested goods and services to a new commercial customer which amount to £10,000 or more, officers must carry out a company search and credit check through the Accounts Receivable team.

5.3 The Council will not normally raise invoices for a value of £20 or less unless required to do by statute or to protect the Council's interests.

5.4 Where a charge is for a low value, repeated service, an invoice will be raised on a periodic basis (quarterly as a minimum) whenever possible.

5.5 All invoices will be despatched within two days of generation.

5.6 The Council will aim to develop a facility so that invoices will be sent electronically where the debtor is able to receive such invoices.

## **6 Payment Methods**

6.1 The Council will promote payment by the following methods:

- Direct Debit (to be implemented)
- Standing Order for regular fixed payments
- Debit/ Credit Card
- Direct Bank Payments

6.2 Payments by cheque will be accepted by post. Cash payments will only be accepted at the My Council office or other Council offices with cash receipting facilities and will be subject to review in accordance with Money Laundering Regulations.

6.3 Further details of acceptable payment methods and locations are set out below.

### **6.3.1 Available Methods of Payment**

#### **Direct Debit**

This is the preferred method of payment for Council Tax, Business Rates and Housing Rents since it is the easiest and most cost effective method of collection. The Council is working to offer direct debit as a payment method for other types of debt but not one off charges or parking fines.

#### **Debit Card/ Credit Card**

Debit/ credit card payments are accepted for all Council debts, rent, charges and parking fines.

#### **24 Hours a Day**

Payment can be made 24 hours a day, 7 days a week by debit/ credit card by:

- Telephone: 0845 303 9488
- Online at: [www.slough.gov.uk](http://www.slough.gov.uk)

Internet banking payments can be made directly to the Council's bank account:

- Sort code 08-90-16
- Bank Account No. 61038422

Any internet banking payment should include a transaction reference such as the Council Tax reference number, invoice number etc.

#### **Payment Card**

A payment card can be used to pay Council Tax or rent at any post office or at My Council.

**Post**

Cheques made payable to Slough Borough Council can be posted to:

Slough Borough Council  
My Council  
Landmark Place  
High Street  
Slough  
SL1 1JL

Posted payments should quote the transaction reference such as the Council Tax reference number, invoice number etc.

**In Person**

Payment can be made in person at the Customer Service Centre between 9am (10am on Thursdays) and 4.45pm Monday to Friday:

My Council  
Landmark Place  
High Street  
Slough  
SL1 1JL

Parking fines can also be paid at the Parking Shop between 9am and 5pm Monday to Friday:

Parking Shop  
Unit 5  
Shaftesbury Court  
Chalvey Park  
Slough  
SL1 2ER

**Disputed Invoices**

Debtors wishing to dispute invoices will be encouraged to promptly contact the Council. Contact may be made by telephone, letter, email, fax and in person. Contact details are set as below:

**6.3.2 Sundry Debt Invoice Queries**

Sundry debt invoice queries can be made:

By telephone to 01753 875511 for payment issues and to the number shown on the invoice for anything else.

By fax to 01753 875371 quoting the invoice number

By post to Slough Borough Council  
Landmark Place  
High Street  
Slough  
SL1 1JL

By email to [enquiries@slough.gov.uk](mailto:enquiries@slough.gov.uk) quoting the invoice number

In person at: Slough Borough Council  
Landmark Place  
High Street  
Slough  
SL1 1JL

Opening Hours are Monday 9am to 6.30pm. Tuesday, Wednesday and Friday 9am to 5.30pm, Thursday 10am to 5.30pm and Saturday 9am to 1.30pm.

- 6.4 The Council will respond to disputed invoice queries as soon as possible. Investigation of any query raised by a debtor will commence within seven days of its receipt. The Accounts Receivable team will acknowledge the query and provide timescales to the debtor for its resolution. The Accounts Receivable team will notify the cost centre manager of the dispute. Where a cost centre manager becomes aware of a dispute before the Accounts Receivable team, the cost centre manager will provide details to the Accounts Receivable team as soon as possible.
- 6.5 Where a debt is deemed by the cost centre manager to have been raised in error, the cost centre manager will immediately arrange for its cancellation. This will only apply where the goods or services were not supplied to the debtor. Where the quantity or price shown on the invoice is incorrect, the cost centre manager will instruct the Accounts Receivable team to issue a credit note.

## 7. **Hardship**

- 7.1 Debtors (excluding business debtors) seeking help due to financial difficulties will, where appropriate:
- be offered an assessment of their ability to pay to be undertaken by the Finance Business Partner for the relevant Council service.
  - be invited to provide details of their means to pay by listing their income and expenditure with supporting evidence if necessary
  - be encouraged to use appropriate money advice services
  - be given access to the Council's interpretation service if required
  - be encouraged to seek benefit advice where appropriate
- 7.2 If it is found that the debtor is suffering severe financial hardship or has difficulty in managing their own affairs, the following will be considered:
- Can the debt be reduced? Is there any entitlement to relevant benefits, discounts, exemptions and reductions to minimise the potential for further debts to accrue?

- Does the debtor owe money to other Council services? If so, the debtor will be advised that, with their consent, all their Council debts may be taken into consideration when deciding on an arrangement.

7.3 Where a debtor agrees that all their Council debts can be considered collectively, officers from the relevant services will exchange information and seek to identify an appropriate payment arrangement and the basis on which payments will be allocated. Debts will be prioritised in accordance with government guidelines.

7.4 Where payment arrangements are made with a debtor, these will be confirmed in writing to the debtor and will be regularly monitored. Should the payment arrangement be breached, further recovery action will be taken. Debtors subject to a payment arrangement will be advised to contact the Council should they experience a change of circumstances affecting their ability to pay.

7.5 Where the amount to be subject to a payment arrangement is less than £200, the maximum time period for the arrangement will not normally exceed 12 months but this may be overridden where the debtor does not have the ability to pay within this period.

## 8 **Enforcement**

8.1 All debts will be allocated to a named officer. Typically this will be the originator of the invoice or their cost centre manager. All debtor accounts will be allocated to a specific debt recovery officer by the Transactional Finance Service Manager.

8.2 The debt recovery officer will coordinate an effective and timely debt recovery process and ensure close monitoring and a proactive approach to debt collection.

8.3 For sundry debts and commercial rent accounts managed in-house:

- Automated reminder letters will be sent to the debtor 28 and, if still unpaid, 35 days after an invoice has been issued.
- Regular case review meetings will be held between debt recovery officers and the originators of invoices or their cost centre manager to review debts outside of the Council's payment terms and determine appropriate recovery actions. In contentious cases, decisions may be referred to the Transactional Finance Service Manager and the relevant Assistant Director for the service area.
- Telephone contact with the debtor by the debt recovery officer may commence 14 days after an invoice has been issued and will continue for as long as considered appropriate. Where required a Council representative will visit the debtor.
- Where contact by the Council fails to recover the debt in a reasonable timescale, it will be referred to a debt collection agency or the in-house bailiffs team unless inappropriate due to the vulnerability of the customer or if other collection methods are likely to be more successful.
- The Council may use all appropriate means (including the use of tracing agencies) to locate a debtor who moves without providing a new contact address.
- The Council will seek recovery of unpaid debts through the court where appropriate and, at the earliest opportunity, secure a debt by placing a legal

charge on a debtor's property. Where a legal charge is inappropriate, other enforcement actions will be taken including the use of bailiffs to seize and sell debtors' goods. This process will normally be followed when dealing with rent and service charge arrears but may be supplemented by proceedings to possess the property and an approach to a leaseholder's mortgage company.

- As a last resort, the Council will, subject to a risk assessment, issue a bankruptcy petition (or a winding up petition for limited companies) where a debtor refuses to pay and other methods of enforcement fail.

8.4 Fees, charges and contributions for adult social care will be collected in accordance with the process for sundry debtors described in paragraph 9.3 above with the following variations:

- New service users will receive a personal visit from a Financial Assessment and Benefits Officer in order to complete a financial assessment. This will include a full benefits check and assistance with the completion of associated forms.
- If payment is not received after the initial reminder letter has been issued, the debt recovery officer will discuss the most appropriate method of collection with the social worker or occupational therapist responsible for the service user.
- The Council will make full use of its enforcement powers under Section 21 of the Health and Social Services and Social Security Adjudications Act (HASSASSA) (1983). If a service user gifts an asset within the six months before the service commences, the recipient of the gift becomes liable for the social care charges.
- The Council will make full use of its enforcement powers under Section 22 of HASSASSA (1983). Where a service user fails to pay an assessed charge for accommodation but has a beneficial interest in land, the Council will place a charge against a solely owned property and a caution against a jointly owned property.
- Debts for non-residential services are recovered under Section 17 of HASSASSA (1983).

8.5 Council tax debts will be recovered in accordance with the Council Tax (Administration and Enforcement) Regulations Act (1992) and subsequent amendments. National Non-Domestic Rates will be recovered in accordance with the Local Government Finance Act (1998) and subsequent regulations and amendments. Slough Borough Council appoints bailiffs to recover local taxation arrears in accordance with its own code of conduct. Only certificated bailiffs can levy "distress" for local taxation and fees charged to the debtor are governed by legislation.



- 8.6 Housing benefit overpayments will be recovered in accordance with Regulations 99-108 of the Housing Benefit (General) Regulations (2006) as amended. Slough Borough Council has debt recovery procedures in place where Housing Benefit has been overpaid but the debtor is no longer in receipt of the benefit.
- 8.7 Rent arrears are collected by the Housing Service in accordance with its Income Management Procedure.
- 8.8 Arrears on externally managed commercial tenancies are recovered in accordance with the procedures specified in each contract.
- 8.9 The Council's debt recovery standards are set out below:

9. **Debt Recovery Standards**

The debt recovery standard is to ensure that all customers are treated in a consistent way across the whole Council and to ensure prompt payment and recovery action is taken no matter what the invoice is for.

| <b>Timescale</b>  | <b>What will happen</b>                                 | <b>What this means</b>   |
|---|---|--|
| 0 Days  | Invoice / invoice sent to the customer                  | The money is now owed to the Council   |
| 14 days   | Reminder  | The payment is overdue   |
| 28 days   | <b>Final reminder</b>                                   | The payment is significantly overdue and will affect the ability of the Council to continue providing services.          |
| 35 days   | Letter Before Claim (This needs to be better clarified) | The Council will now take legal action if the invoice is not paid  |
| 46 days   | Summons issued to the court                             | Legal action is now in process   |
| 60-67 days  | County Court Judgments (CCJ)                            | The Council will apply to the court for a CCJ. The debtors credit rating will be affected                                |
| <p><b>Any or some of the following options are now available:</b></p> <p><b>Note – all these options below will add additional administration and court costs to the debt</b></p> |   |  |
| 81 days +   | Charging Order obtained                                 | This will put the charge on a debtor's property. When the property is sold the debt will be recovered from the proceeds. |
| 81 days +   | Bailiffs Instructed                                     | Bailiffs can seize debtor's possessions to the value of the debt plus costs.   |
| 81 days +   | Debt Collection Agencies Instructed                     | Life becomes uncomfortable for the debtor until the debt has been paid i.e. night time phone calls etc                   |
| 81 days +   | Possession proceedings commence                         | If the debtor is leaseholder they will lose their home   |
| 81 days +   | Eviction proceedings commence                           | If a Council tenant they will lose your home   |
| 81 days +   | Deduction from benefits commences                       | This will ensure that money will be recovered direct from a claimants benefits at source                                 |
| 81 days +   | Attachment of Earnings arranged                         | This will ensure that money will be recovered directly from a debtor's wages via the employer.                           |
| 81 days +   | Third Party Debtor Order obtained                       | Money will be taken directly from a debtors bank account(s)  |
| 81 days +   | Liability Orders (Business Rates) obtained              | Referral to a Bailiff or Imprisonment  |
| 81 days +   | Bankruptcy proceedings initiated                        | Forced closure of debtors business   |
| 81 days +   | Liquidation proceedings initiated                       | Forced closure of debtors business   |
| 81 days +   | Committal to prison proceedings                         | Debtor sent to prison  |

## **Exceptions to the agreed debt recovery standards**

The recovery of outstanding debt in some Council sections is governed by legislation, and this will take precedence over the debt recovery standard.

### **10. Debt Write Off**

10.1 Irrecoverable debts will be written off in accordance Part 4, Section 4.6 of the Council's constitution.

10.2 Debts will normally only be written off if the debtor is:

- Deceased with no assets
- Bankrupt with no assets
- In an Individual Voluntary Arrangement and the arrangement is adhered to
- Gone away and no trace
- After a custodial sentence for non-payment of Council tax if so instructed by the court
- Dissolved limited company

Following a review, it may also be determined that a debt is uneconomical to collect.

### **11. Performance Monitoring and Reporting of Debt**

11.1 The Council will set separate performance targets for income and cash collection.

11.2 A detailed sundry aged debt report will be issued to cost centre managers on a monthly basis. A summarised report, highlighting trends, will be issued to Corporate Management Team, Assistant Directors and the Head of Finance on a monthly basis.

11.3 The Council will provide against specific debts where there is a significant risk of non-payment. It will also apply a general provision to debts outside of the Council's payment terms. Bad debt provision movements will be credited to or charged to the relevant cost centre and will be monitored on a monthly basis. Cost centre managers will therefore be accountable both for their income budgets and also for the collection of outstanding debt.

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All of these priorities form the wider determinants of health and contribute to the wellbeing of the people of Slough. The SCS will in future be monitored by the Health and Wellbeing Board.

#### 4 **Other Implications**

(a) **Financial** – it is proposed that a ring-fenced grant (made under section 31 of the Local Government Act 2003) will be allocated to councils to fund public health services. ‘Shadow’ budget allocations will be made this year before allocations for the 2013/14 financial year.

(b) **Risk Management** – some aspects of the changes will require the development of a risk plan, particularly in relation to the transfer of staff from the PCT to the local authority, but this will need to be developed when the model of service provision is agreed.

(c) **Human Rights Act and Other Legal Implications** – the additional statutory requirements placed on local authorities introduced by the Bill are set out in the report. The progress of the Bill, its Royal Assent in due course and the publication of Regulations under the Act, together with any further guidance issued by the Department of Health will need to be reviewed and will continue to direct and shape the further work required by the Local Authority.

(d) **Equalities Impact Assessment** – an EIA will be required when the public health service delivery model is agreed and when specific proposals such as Local HealthWatch procurement are developed.

(e) **Workforce** – the public health forms will include the transfer of public health staff, including the Director of Public Health to top tier local authorities in April 2013. The implications of this for Slough, which currently shares a Director of Public Health with the other two East Berkshire local authorities is set out in the report.

(f) **Sustainability** – this report does not have any significant environmental effects.

#### 5 **Background Information**

5.1 The government published the White Papers ‘Equity and Excellence: Liberating the NHS’ and ‘Healthy Lives, Healthy People’ shortly after the general election. During the past year the Health and Social Care Bill (the Bill) has been published and is currently being considered by Parliament.

5.2 The Bill has major implications for the local health system and the relationship between that system and local government. In particular it provides for the:

- Abolition of PCTs and the establishment of Clinical Commissioning Groups (CCGs), led by GPs, to commission health services locally;
- Transfers responsibility for public health to local government;
- Requires councils to establish Health and Wellbeing Boards.

5.3 The Bill devolves power and responsibility for the commissioning of NHS Services:

- The role of the Secretary of State will change to one of strategic direction setting and holding the NHS to account.

- GPs will get responsibility for commissioning a wide range of healthcare services, with some exceptions. The Bill allows GPs to join together in consortia, and to commission services in the ways that they judge will deliver the best outcomes for patients
- A new National Commissioning Board will support CCGs. The Commissioning Board will set health outcomes, allocate and account for NHS resources, authorise the establishment of consortia, and have powers of direction over consortia in specified areas and circumstances (such as risk of failure). It will also commission specific services (for example, primary medical services and national specialised services) and will oversee the work of consortia.
- Strategic Health Authorities (SHAs) are to be abolished from April 2012 and Primary Care Trusts (PCTs) from April 2013.
- The Foundation Trust model will be reformed with an aim to support all NHS Trusts to become foundation trusts by 2014.

Creates a new role for Local Authorities in Public Health:

- Public Health England (PHE) will be the national public health service.
- Local authorities will be given responsibility for health improvement currently carried out by Primary Care Trusts (PCTs)
- Directors of Public Health (DsPH), jointly appointed by councils and PHE, will have a leading role in discharging local authorities' public health functions.
- Health and Wellbeing Boards (HWBs) will be statutory in every upper tier local authority and will be required to bring together GP consortia, DsPH, children's services, adult social services and others. The HWBs will have a statutory responsibility to develop a 'joint health and wellbeing strategy' that both local authority and NHS commissioners will be required to have regard to.

Sets up new accountability and scrutiny arrangements:

- Health Watch England will be established as the national voice of patients and the public. Local Involvement Networks (LINKs) will be replaced by local Health Watch organisations.
- 'Monitor' will be transformed into the economic regulator for health and adult social care services. Along with the Care Quality Commission, Monitor will licence providers.
- The National Institute for Health and Clinical Excellence (NICE) and the Information Centre will be enshrined in primary legislation for the first time to maintain their independence.

5.4 There was considerable opposition by health professionals following publication of the Bill and this led to the government's "pause" and recommendations by the Future Forum, most of which were incorporated into the 363 amendments to the Bill published at the end of August 2011. There is a developing agenda in relation to public health and therefore some degree of uncertainty about particular aspects. The report attempts to set out what is currently known but that uncertainty means that many questions are still to be answered

## **5.5 Responsibilities of Clinical Commissioning Groups (CCGs)**

### **5.5.1 The CCGs will:**

- Be responsible for managing their combined budget and deciding how best to use these resources to meet the healthcare needs of the patients for whom they are responsible.
- Have the freedom to decide which aspects of commissioning activity they undertake themselves, and which require collaboration across several consortia, for instance through a lead commissioner. In some cases, commissioning will be permitted to take place at a sub-consortium or practice level.
- Decide commissioning priorities to reflect local need, supported by a national framework of quality standards, tariffs and national contracts established by the board. It will be a requirement for priorities to reflect need as set out in the Joint Strategic Needs Assessment (JSNA).
- Become increasingly influential in driving up the quality of general practice and be expected to intervene in the first instance where there are concerns that an individual practice is causing wasteful or ineffective use of NHS resources.
- Be the responsible commissioner for any patients registered within constituent practices – and those in the area who are not registered with a practice.
- Develop arrangements to hold constituent practices to account.

### **5.5.2 Proposed funding of Consortia**

Practice-level budgets will be calculated on the basis of registered patient numbers within the consortia boundary and allocated directly to consortia. Consortia commissioning budgets will include a maximum management allowance to reflect costs associated with commissioning. Consortia may choose to commission services from one or more constituent practice over and above the primary care services they have a duty to provide. Further work will be taken forward to allow this while guarding against conflicts of interest.

### **5.5.3 What is happening in Slough?**

A single CCG has been established, coterminous with the Council's boundaries. The Strategic Director of Community and Wellbeing is a member of the CCG Panel and has a vote. Appointments to the board were made by interview and the chair was selected by the CCG. The CCG has held a number of meetings and has agreed terms of reference. It has also agreed conflict of interest procedures. The CCG has started to review performance and finance issues, for example what Slough is spending e.g. from elective surgery to prescriptions. This has led to some trailblazing work for example controlling the overspending prescriptions budget. It is also working with the PCT to develop new health pathways. The Slough CCG is looking at federation options with others CCGs. It may be that the Health Scrutiny Panel would want to request a presentation by the CCG on their work at a future meeting.

## **5.6 Health and Wellbeing Boards**

5.6.1 The core aim of the Health and Wellbeing Boards (HWBs) is to improve efficiency, secure better care and, ultimately, ensure better health and wellbeing outcomes for the



local population. The Boards are expected to integrate commissioning across NHS, public health and social care services, breaking down divisions between the NHS and local authorities by bringing together those who commission services across the NHS, public health, social care and children's services to plan services for their area, and encouraging them to work in a more integrated way.

5.6.2 The Boards will have responsibilities for ensuring that the current and future needs of the local population are understood and best served by health and social care commissioners and providers. They will assess local needs and develop a shared strategy for how best to address them, providing a strategic framework for local commissioning plans. They will be expected to facilitate democratic patient and carer input into the commissioning of local services and give communities more say in health and social care services for local people. They will do this by including elected representatives and patient representatives (via the local HealthWatch once it is in place) in shaping the strategic direction of health and social services in their area, and by acting as the forum for holding those responsible for commissioning decisions to account.

5.6.3 The role envisaged for HWBs has been strengthened as a result of the Government's 'listening exercise' as part of its 'pause' earlier in the year. In response to Future Forum recommendations, the Boards will have a stronger role in addressing wider health determinants, promoting joint commissioning and integrated provision between health, public health and social care. There will also be a new duty on the Boards to involve users and the public, and a requirement for CCGs to involve HWBs as they develop their commissioning plans, with HWBs having the authority to refer commissioning plans back to the Clinical Commissioning Consortium or the NHS Commissioning Board if they are not satisfied that the plans are in line with the JSNA or Joint Health and Wellbeing Strategy (JHWS) (although HWBs will have no veto rights).

5.6.4 Specifically, the Boards will:

- Produce the JSNA and JHWS;
- Be responsible for ensuring that the CCGs commissioning plans align with the joint strategy;
- Play a role in the annual assessment of CCGs and in the initial authorisation process;
- Be required to involve users and the public in the JSNA and JHWS.

5.6.5 Statutory requirements

HWBs are a statutory requirement; every upper-tier local authority is required to lead on developing a HWB in their locality and to establish a Shadow HWB by April 2012. These will become fully constituted bodies under forthcoming legislation in April 2013.

There are a number of specific statutory requirements that relate to the governance, membership and functions of HWBs:

- The legislation will require the Boards to be established as a committee of the council, with local government legislation being amended to reflect the proposed membership of them;

- The minimum core membership will be prescribed, namely:
  - At least one councillor;
  - The directors of adult services, children’s services and public health;
  - A representative of the local HealthWatch organisation;
  - A representative of each relevant CCG;
  - And, for some purposes, a representative of the NHS Commissioning Board;
- They will have a duty to involve users and the public in the commissioning of local health and social care services;
- They will have a duty to promote joint commissioning and integrated working between the NHS and local government;
- The legislation sets expectations that HWBs are involved throughout the NHS commissioning process, so commissioning plans (CCGs and others) are in line with the JHWS;
- The JHWS, which the HWB are expected to produce, will be a statutory requirement for both local authorities and CCG;
- The JSNA, which the HWBs are expected to produce, will be a statutory requirement for both local authorities and the CCG, and the HWB will be required to demonstrate that due regard has been given to the findings of the JSNA;
- NHS and local authority will be required to consult with HWB and have regard to the JSNA and JHWS when drawing up their annual commissioning plans;
- Legislation gives HWBs a role in the annual assessment of CCGs (and a non-statutory role in their initial authorisation).

#### 5.6.6 What is happening in Slough?

Last summer the council commissioned the consultancy Shared Intelligence (Si) to assist in developing the Council’s response to the public health reforms. Specifically in relation to the formation of a Health and Wellbeing Board, Si developed draft terms of reference, suggested membership and an outline work programme.

Building on the Si work a Shadow HWB has been formed and has held a planning meeting and a first working meeting. Si’s work emphasised the particular circumstances of Slough, where the wider determinants of health, including housing, skills and crime are of importance (as clearly evidenced in the refresh of the JSNA). It was therefore agreed that the Shadow HWB would replace the former Local Strategic Partnership as it will act as the umbrella partnership for the borough and retaining the LSP would have led to duplication. The terms of reference of the Shadow HWB are attached as **Appendix ‘A’**. These are submitted to the Cabinet for approval. The Shadow HWB will be considering a name for the board which reflects its wider responsibilities. Until the HWB is constituted as a council committee from April 2013 formal decisions will need to be referred to the Cabinet for approval.

Also attached as **Appendix ‘B’** is a document called “Operating principles for health and wellbeing board” prepared jointly by the Department of Health and Local Government Association, amongst others, which sets out some useful information, including success criteria for boards.

The Shadow HWB has been developing a sub structure and has agreed that the Children’s, Safer Slough, Skills, Employment and Enterprise, Community Cohesion, and

Climate Change Partnerships will sit below the Board and report into it. A reformed Health and Wellbeing Sub Group will also be set up to deal with the detailed specific health work which the HWB will need to delegate to a delivery group.

The membership of the Shadow HWB has been agreed to reflect the need to ensure work is coordinated on the wider determinants of health and is chaired by Councillor Robert Anderson, Leader of SBC. In addition to the statutorily required members includes representatives from Thames Valley Police, the business and voluntary sectors and the Royal Berkshire Fire and Rescue Service. It will be important for this range of partners to play an active part in delivering the aims of the HWB, for example domestic violence is known to have a significant impact on both the health and wellbeing of adults and children in Slough and a number of partners will be able to contribute to a response and prevention.

It will be important for the Health Scrutiny Panel to establish how it will work with and scrutinise the HWB. The Panel will scrutinise the Board's strategic policy development and performance outcomes. This relationship should be developed during the Shadow HWB stage. To facilitate this the minutes of Shadow HWB meetings will be made available to Health Scrutiny Panel Members.

## **6. Public Health**

- 6.1. From April 2013 top tier local authorities will have a statutory responsibility to employ a DPH jointly with PHE. DsPH will lead local public health efforts: this role can be shared with other councils if agreed locally. In this joint arrangement DsPH will be professionally accountable to the Chief Medical Officer (CMO) and part of the Public Health England professional network. They will also be accountable to the council and HWB for local delivery and outcomes.
- 6.2 The DPH as a public health specialist will be responsible for all the new public health functions of local authorities, including any conferred on local authorities by regulation. The Health and Social Care Bill will in addition make it a statutory requirement for the DPH to produce an annual report on the health of the local population, and for the local authority to publish it. DsPH will also be statutory members of health and wellbeing boards, and will wish to use the boards as the key formal mechanism for promoting integrated, effective delivery of services. There is an expectation, though not a requirement that the DPH will report to the Chief Executive and be seen as the lead officer for Members to contact on health matters. Specifically the DPH will:
  - Be the principal adviser on health matters including needs assessment and priority setting
  - Be responsible for the reduction of health inequalities and disease prevention including interventions, commissioning, and provision
  - Ensure evidence based commissioning: GP, primary care, secondary , specialist - care and pathways
  - Ensure the provision of health protection and emergency preparedness/response, including infections/control
  - Be responsible for workforce development – whole system.

### 6.3 DsPH tasks will include:

- Developing an approach to improving health and wellbeing locally, identifying need, promoting equality and tackling health inequalities and monitoring outcomes
- Providing and using evidence relating to health and wellbeing informing the role, functions and outcomes of the HWBs
- Advising and supporting GP consortia on the population aspects of NHS services and evidence based commissioning including integrated pathways
- Collaborating with local partners on improving health and wellbeing, including GP consortia, other local DsPH, local businesses and others.

### 6.4 The proposed division of responsibilities for the commissioning of public health functions is set out in **Appendix 'C'**.

### 6.5 **What is happening in Slough?**

6.5.1 The transfer of the DPH and their staff to local authorities is relatively straightforward in areas where the DPH's remit is coterminous with the upper tier authority (e.g. county councils and London boroughs). However, currently Slough shares a DPH with the other East Berkshire councils (Bracknell Forest and Windsor and Maidenhead). A further complicating factor is that prior to abolition of the PCTs in April 2013, the East and West Berkshire PCTs have been clustered together with a joint management structure (although currently retaining two DsPH).

6.5.2 The Council has been examining different models of managing public health in consultation with partners, including the PCT and with other Berkshire local authorities. As mentioned in paragraph 5.6.6 the Shared Intelligence consultancy has been providing advice to the council about the public health transition and this has included development of workforce options. The three options developed are to have a public health function dedicated to Slough, to share a function with the East Berkshire councils or all of the Berkshire councils or a hybrid model with a shared DPH and some other functions with some dedicated Slough staff.

6.5.3 A cross-Berkshire group convened to progress the transition but decisions will depend on the value of the grant to local authorities. Guidance was issued to PCTs at the end of 2011 and outline transition plans need to be produced by 27 January.

### 7. **Local HealthWatch**

7.1 Local HealthWatch will become operational in April 2013 (this is a recent postponement from October 2012). Local authorities will be responsible for facilitating the development of an effective local HealthWatch which provides opportunities for people to have their say about the quality and development of their local health and adult social care services, particularly to influence the commissioning of services and to scrutinise them.

7.2 The functions of local HealthWatch will include:- signposting, advice and information giving, assisting with complaints, community networking, intelligence work on national and local statistics in order to inform the commissioning overview functions and assist patients in their choices, enter and view, and possibly advocacy. Local HealthWatch will need the resources to support all of these functions and to support the training of

volunteer members carrying out monitoring visits, inspections, enter and view and participating in Health and Wellbeing Board and a wide range of influencing activities in relation to commissioning.

- 7.3 Local HealthWatch will provide a single point of contact, by connecting people to the right NHS and social care advice and advocacy services, and by helping people to find information that will enable them to choose the services they need and require. It will support people to speak out and give those who want it, an opportunity to get more involved in a range of different ways.
- 7.4 Local HealthWatch will not be a 'network' like the LINK. It will be a "body corporate", so at some point, Local HealthWatch may need to be set up as a charity, company or similar body, which means that it:
- will be an organisation in its own right, and no longer 'just' a network overseen by volunteer groups
  - may appoint its own staff
  - will have to produce its own annual accounts
  - will have standards provided by a national HealthWatch organisation, HealthWatch England, against which Local HealthWatch organisations can be measured.
  - will be subject to the Equality Act 2010. (It is not yet clear what the implications of this will mean, but it may be that Local HealthWatch will have to demonstrate how it is meeting its obligations under the Equality Act, by engaging with all the different sections of the community.)
- 7.5 It appears that Local HealthWatch will be led by local members or volunteers, and that paid staff will be there to support volunteers, as is the current situation with LINKs. The Health and Social Care Bill talks about Local HealthWatch 'members'. It is not clear exactly how HealthWatch will define 'members', but it is possible that the Department of Health considers that Local HealthWatch organisations will be run and 'owned' by a board of members, similar to charity trustees or health board non-executive directors. Some parts of the Bill suggest that Local HealthWatch members might be paid. The Bill it also states that Local HealthWatch members must be "representative of local communities" and this will be challenge for a diverse area like Slough.
- 7.6 There continues to be considerable uncertainty about the formations of LHW. Local authorities are expected to set up an organisation to meet local needs but there is no recommended procurement route or recommended specification, although there will be consultation on what a 'good' LHW looks like.
- 7.7 Local Authorities must make arrangements to establish a Local HealthWatch a contract. Local authorities will fund Local HealthWatch in the same way that they fund the LINKs: i.e. they will put together specifications for Local HealthWatch and put this out for organisations to bid for. They will then performance manage the contracts, and can terminate them if they think the performance of the Local HealthWatch is unsatisfactory. The Health and Social Care Bill says that local authorities may possibly make HealthWatch arrangements 'directly with the Local HealthWatch'. There is debate about what this means, as how can local authorities make arrangements with a body that does not yet exist? In theory, what could happen is that groups of local volunteers might get together and form an organisation (such as a social enterprise or charity) and then bid

for the Local HealthWatch contract. However, as such groups would have no experience of tendering then it is hard to see how this could work.

7.8 Local HealthWatch will be funded from money from central government. The amount for each local authority will be different based on need and is not ring-fenced and will roughly equate to the current LINK budget plus 65% of the Patient Advisory Liaison Service (PALS) local budget. There will also be additional funding in 2013 if Local HealthWatch is successful in bidding for the complaints advocacy (currently Independent Complaints Advisory Service or ICAS) work that local authorities will have to commission.

7.9 The following functions will transfer from PALS to Local HealthWatch:

- Providing information about the NHS and help with health related enquiries
- Helping resolve concerns or problems patients have when using the NHS
- Providing information about the NHS complaints procedure and how to get independent help to make a complaint
- Signposting patients to agencies and support groups outside the NHS
- Informing people about how to get more involved in their own healthcare and the NHS locally
- Improving the NHS by gathering feedback about services and experiences for people who design and manage services
- Identifying problems or gaps in services and reporting them to NHS Trusts.

It is not yet clear what will happen to PCT PALS staff contracts.

#### 7.10 **What is happening in Slough?**

Work has now started to develop a Local HealthWatch model that will meet the needs of local people. There will be close working with the Slough LINK to learn from their experience. We will be reviewing our consultation and engagement arrangements, what has worked well, looking at gaps and involving GPs.

### 8. **Next stages**

The current Department of Health timetable is:

#### **Early 2012**

PCT outline transition plans prepared

Letter about Directors of Public Health appointments

Public Health outcomes framework published

Building the PHE People Transition Policy document published

Public health workforce strategy consultation launched

Shadow local authority allocations for 2012/13 announced

LGG HR Guidance

Sender's HR guidance

#### **March**

Local transition plans agreed

**April**

Chief Executive PHE designate starts

**Early summer**

PHE People Transition Policy including terms and conditions

**2013**

**April**

Public Health England established

9. **Background Papers**

None other than statutory publications

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**Slough Shadow Health and Wellbeing Board (Board's name to be agreed)**

**Terms of Reference**

**Purpose of the Shadow Health and Wellbeing Board (HWB)**

- To act as a high level strategic partnership to agree on the priorities that will improve the health and wellbeing and reduce the inequalities of the residents of Slough.
- To deliver the statutory functions placed on Health and Wellbeing Boards once the Health and Social Care Bill is established in legislation.
- To act as the umbrella partnership for the borough and oversee the implementation of the priorities in the Sustainable Community Strategy.

To do this the **objectives** of the Shadow HWB are to:

1. Understand the health and wellbeing needs of Slough's population;
2. Provide a strategic overview of health and wellbeing across Slough to ensure that services are focused in the right place, including developing a strategy for how health, public health, social care and children's services can work together to address identified needs;
3. Deliver the Board's duty to promote joint commissioning and integrated provision, by bringing together a wider range of resources across NHS, social care, public health and other related services;
4. Give the public a voice in shaping health and wellbeing services in Slough, and provide a key forum for public accountability of NHS, public health, social care and other commissioned services that are related to health and wellbeing in Slough; and
5. Prepare for the transition to a fully constituted Health and Wellbeing Board which is ready and able to take on the statutory duties and powers and responsibilities that will be set out for it in the Health and Social Care Bill.

**Main functions and responsibilities**

*Understanding needs and priorities:*

- Produce the Joint Strategic Needs Assessment (JSNA);

*Strategy development:*

- Drawing on the JSNA, agree and produce a new joint Health and Wellbeing Strategy (JHWS) that spans the NHS, public health, social care and tackles other determinants of health such as crime & disorder, housing, climate change, skills and transport. The JHWS will provide a high-level summary of how the health and wellbeing needs of the community are being addressed, which commissioners will need to

have regard of in developing commissioning plans for health care, social care and public health;

- Retain a strategic overview of the work of commissioners to further the Board's strategic objectives.

*Joint commissioning and integrated provision:*

- Consider the wider determinants of health and wellbeing and link with a range of agencies that can help improve health and wellbeing outcomes for all groups in Slough;
- Promote joined-up working and integrated commissioning plans across the NHS, social care, public health and other related services which may have an impact on the health and wellbeing of individuals (for example housing, transport, skills, climate change);
- Encourage organisations commissioning health or social care service provision (clinical commissioners, adult and children's social care commissioners and public health commissioners and other related services) to work together in a more integrated manner;
- Guide and oversee the establishment of effective joint commissioning arrangements, led by GP Consortia;
- Provide advice to the NHS Commissioning Board in authorising and assuring CCGs;
- Support the development of CCG commissioning plans;
- Promote integrated provision and partnership working, joining up social care, public health and NHS services with wider local authority services;
- Refer commissioning plans back to the Clinical Commissioning Consortium or the NHS Commissioning Board if they are not in line with the JSNA or JHWS;
- Lead on the development of pooled budget arrangements, where relevant.

*Public accountability:*

- Involve local people - through councillors and patient representatives - in influencing the strategy for health and well-being in their area;
- Lead the development of HealthWatch forums for public and patient engagement and involvement.

*Preparing for transition to fully constituted Health and Wellbeing Board:*

- Make recommendations on the constitution and governance of the Health and Wellbeing Board and any changes required to existing boards and structures in order to implement the proposed changes;
- Deliver a work-plan for the shadow board that that will ensure the necessary relationships, structures and processes for the Health and Wellbeing Board are developed and secured by April 2013;
- Take on any interim new and transferred powers; and responsibilities pending the formal constitution of the Board.

## **Membership**

The Shadow Health and Wellbeing Board will comprise the following but kept under review as requirements are clarified in the legislation and as the Board's priorities are developed and agreed:

- Leader of the Council
- Cabinet member for Health and Wellbeing
- Chief Executive of SBC
- The Directors of:
  - Adult Social Services
  - Children's Services
  - Public Health
- Representative of Slough Clinical Commissioning Group
- Representative from Slough's LiNK, pending establishment of HealthWatch
- Representative of the NHS Berkshire (PCT)
- Local Police Area Commander
- Representative of the Royal Berkshire Fire and Rescue Service
- Representative of local businesses
- Representative of the voluntary and community sector

## **Governance**

In line with the Health and Social Care Bill, the Health and Wellbeing Board will be a committee of the local authority from April 2013. Until that time formal decision-making responsibility will continue to rest with the Council's Executive (the Cabinet and its Members) and the relevant governance bodies of the local health services until new legislation is enacted.

The Shadow HWB will also need to establish a relationship with the Health Scrutiny Panel.

The requirements are as follows, but will be kept under review as requirements are clarified in the legislation:

### *Decision making*

Decisions at meetings will be achieved by consensus of those present. If a vote is required, the Chair will have a casting vote.

### *Quorum*

The quorum for the Board will comprise of one third of its total membership or five members, whichever is the greater. If fewer members attend a meeting than this figure it will be deemed inquorate. Matters may be discussed but no decisions taken.

### *Urgent decisions*

If an urgent decision is required which cannot wait until the next meeting, a special meeting can be arranged. If this is not practical, then the Chair, in discussion with the Vice-Chair, may take a decision. The decision will be reported to the next scheduled meeting.

### *Frequency and timing of meetings*

Meetings will be held bi-monthly, commencing at 5.00 p.m. unless otherwise agreed.

### *Meetings*

Meetings of the Shadow HWB will be held in private.

### *Agendas*

Agendas and associated papers will be circulated five working days before a meeting is held. The HWB will develop a forward plan setting out programmed agenda items for the year ahead.

# Operating principles for health and wellbeing boards

Laying the foundations for healthier places



# The partners

The following organisations jointly developed and endorse the operating principles for health and wellbeing boards contained in this paper.

**The Association of Directors of Children's Services**  
[www.adcs.org.uk](http://www.adcs.org.uk)

**The NHS Confederation**  
[www.nhsconfed.org](http://www.nhsconfed.org)

**The Department of Health**  
[www.dh.gov.uk](http://www.dh.gov.uk)

**The Royal College of General Practitioners**  
[www.rcgp.org.uk](http://www.rcgp.org.uk)

**The Local Government Group**  
[www.local.gov.uk](http://www.local.gov.uk)

**The Royal Society for Public Health**  
[www.rsph.org.uk/en/about-us/policy-and-projects/projects/health-and-wellbeing-boards-.cfm](http://www.rsph.org.uk/en/about-us/policy-and-projects/projects/health-and-wellbeing-boards-.cfm)

**The NHS Alliance**  
[www.nhsalliance.org](http://www.nhsalliance.org)

**Solace**  
[www.solace.org.uk](http://www.solace.org.uk)

The British Medical Association also contributed to the development of these principles.

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# Introduction and purpose

The Health and Social Care Bill 2011 currently establishes health and wellbeing boards as committees in upper-tier local authorities\*, responsible for encouraging integrated working and developing Joint Strategic Needs Assessments and joint health and wellbeing strategies. The proposed health and wellbeing board membership includes:

- at least one councillor from the local authority
- the director of adult social services
- the director of children's services
- the director of public health
- a representative of the local HealthWatch
- a representative of each relevant clinical commissioning group
- other persons or representatives the local authority or health and wellbeing board thinks appropriate.

The director of public health will be the principal advisor on health and well-being to elected members and officials in the local authority.

National organisations representing the membership of health and wellbeing boards developed a set of principles for establishing the boards at an event in July 2011 (see page 12 for a full list of all participating organisations).

The resulting operating principles and accompanying narrative in this paper are designed to support the effective establishment and functioning of health and wellbeing boards. They are, we hope, a realistic and practical response to supporting health and wellbeing boards. They are neither perfect nor 'the end

**'The principles are intended to help board members consider how to create effective partnerships across local government and the NHS'**

of the story', and this paper is not a definitive description of the legislation that will underpin health and wellbeing boards as there is a lot of potential for boards to operate effectively in different ways, driven by local needs, assets, relationships between partners, context and decisions. However, the principles are intended to help board members consider how to create really effective partnerships across local government and the NHS.

The operating principles can be used:

- flexibly at different levels
- during different stages of board development
- to guide new ways of working and local operating frameworks
- as a guide or a useful prompt to monitoring progress
- to support the development of local principles or standards by health and wellbeing boards themselves.

The principles can be used as part of a self-assessment process. They will not be used as a performance measure by the Department of Health, Public Health England or others, but health and wellbeing board members may find them useful in assessing the extent to which their boards are developing and working effectively.

\*Although health and wellbeing boards will be set up as committees of local authorities, the Health and Social Care Bill 2011 has a clause that enables the disapplication of legislation that relates to those committees – such as legislation covering voting processes and terms of membership, among other issues. This recognises that health and wellbeing boards are unusual in comparison to normal s102 committees in having officers, clinical commissioning groups and local HealthWatch representatives sit on them.



# Context

Health and wellbeing boards will be a key part of complex health and local government systems and contexts. Some of the issues they will face are outlined below.

## Structures

Health and wellbeing boards will be established as committees of upper-tier local authorities. The way they will be structured is different from previous joint/partnership arrangements. As well as the intention to further develop effective working between upper-tier local authorities and health partners, it is hoped there will be opportunities for greater joint working across the tiers of local government as a result of the new system. Recognising the complexity of the system will be important to ensure that it is able to function effectively. Health and wellbeing boards should not be considered islands cut off from other areas. They will need to work with other health and wellbeing boards regionally and with the national structures such as the NHS Commissioning Board and Public Health England. They will also need to build credibility and trust with local communities.

## Relationships

The success of health and wellbeing boards will depend on building constructive relationships between board members, the NHS, local government and partners, including the voluntary sector, communities and other bodies in lower-tier local authorities.

## Funding

Resources are scarcer now than in recent years. A ring-fenced public health budget will be transferred to local authorities. The Government's comprehensive spending review to address the national budget deficit has resulted in substantial cuts to local authority

**'There will be opportunities, through pooled budgets, to address key priorities such as families with complex needs. Local areas will be able to consider how best to use collective budgets across agencies to improve agreed outcomes'**

budgets, and the NHS has to find 4 per cent efficiency savings each year until 2015. Health and wellbeing board members, local authorities and clinical commissioning groups will have to make difficult decisions about resources issues. Board members will need to work together to take collective responsibility for using limited resources to address the priority needs outlined in the Joint Strategic Needs Assessments and joint health and wellbeing strategies.

Successful boards are likely to comprise of partners who do not withdraw from joint working to protect their own budgets or attempt to shift costs from one part of the system, which might significantly affect another part. Local areas will not be forced to pool budgets across local government and the NHS, but there will be opportunities, through pooled budgets, to address key priorities such as families with complex needs. Local areas will be able to consider how best to use collective budgets across agencies to improve agreed outcomes.

Methods for funding local areas may vary. Much funding comes through local government and the NHS, but some comes direct from central government and it may be difficult for health and wellbeing boards to influence this spending at a local level.

However, health and wellbeing boards can also seek to influence wider public spending locally. For example, tackling worklessness is an important part of improving health outcomes not only for individuals in employment but also for their wider family. As well as working with employers, health and wellbeing boards will have the opportunity to work with programme providers and Jobcentre Plus, who each have discretion to target resources at partnership working.

## Outcomes

Outcomes linked to health and well-being priorities, as identified in the joint health and wellbeing strategy, are an integral part of each of the principles and should underpin the work of the health and wellbeing boards, in particular the commissioners of health, public health, well-being and social care. The boards should be focused on improving outcomes when setting strategies and making decisions. They should have a process for reviewing whether outcomes have changed as a result of agreed actions, taking into consideration the long-term nature of achieving many public health outcomes.

## Broader determinants of health

Tackling health inequalities is a major priority for health and wellbeing boards. An approach that identifies needs and assets in the Joint Strategic Needs Assessment and the joint health and wellbeing strategy may be more effective in treating/preventing illness than one which focuses solely on needs. Addressing the structural, material and relational barriers to individuals and communities achieving their potential will significantly contribute towards tackling health inequalities. Health and wellbeing boards can lead this.

**'Addressing the structural, material and relational barriers to individuals and communities achieving their potential will significantly contribute towards tackling health inequalities'**

## Accountability

Although members of health and wellbeing boards will be formally accountable to different parts of the system, they will have a shared responsibility for developing and contributing to the delivery of the joint health and wellbeing strategy. Citizen involvement should be integral to the health and wellbeing board and seen as everybody's business. Having councillors on the health and wellbeing board means that the actions boards take to achieve these aims will have some democratic legitimacy, but this is not the same as accountability.

Accountability of clinical commissioning groups will come through assessment by the NHS Commissioning Board, lay people on clinical commissioning group boards and duties to involve, consult and publish an annual report. Although clinical commissioning groups will be accountable to the NHS Commissioning Board for financial performance, quality of services, health outcomes and governance, they will also have a collective responsibility as members of the board for delivering their part of the joint health and wellbeing strategy.

Accountability of local authorities will come through their overview and scrutiny function and through local HealthWatch. Health and wellbeing boards in their entirety will be accountable to communities, service users and

overview and scrutiny committees. All board members will also have incentives to deliver on shared objectives to improve efficiency.

## Self-assessment

These principles can be used as part of a self-assessment of progress. Self-regulation and improvement will be an important part of health and wellbeing boards' own governance systems and operational culture, such as how transparent, inclusive and accountable they are. Health and wellbeing boards will need to adopt a 'learning approach' to evaluate how well they operate, their collective impact on improving outcomes, and a process for identifying the most effective ways of sharing learning. Some health and wellbeing boards may find it useful to impact assess existing or new strategies, policies and service developments to ascertain how they impact upon the wider determinants of health.

## Commissioning and provision of services

Health and wellbeing boards will have an opportunity to define and communicate locally what choice for health and public services means and what is possible. The Government said in its response to the NHS Future Forum report in June 2011 that health and wellbeing boards will act "as the vehicle for lead commissioning." Local areas will have to prioritise according to need. They might consider choice to be about having the best possible services available and accessible locally. Local communities' voices need to be heard and acted upon regarding the design, delivery and evaluation of services. Patient and public involvement through HealthWatch and other channels (such as clinical commissioning groups and overview and scrutiny) will be

**'Patient and public involvement will be essential to ensuring high-quality and effective services are commissioned and delivered'**

essential to ensuring high-quality and effective services are commissioned and delivered.

Providers of services have specialist knowledge which is required when devising Joint Strategic Needs (and assets) Assessments and joint health and wellbeing strategies. While some health and wellbeing boards do not intend to directly commission services, others will have far more direct oversight of the commissioning of council services and of joint commissioning. Whatever they decide their role is in relation to commissioning, they will lead on strategy and governance issues relating to the joint health and wellbeing strategy. Furthermore, they will play a leading role in developing new, integrated ways of working across the NHS, public health, social care and the whole of local government to improve local health and well-being outcomes. Conflicts of interests for all parties need to be managed. Involving providers in key processes can be done in a variety of ways, for example, through a stakeholder forum, and will be important to improve the quality of services and outcomes.

The health and wellbeing board will need to think about how it ensures capacity building takes place. This could be in relation to enabling patient and public involvement to operate effectively, for example, through HealthWatch and other ways, how services respond to personalisation, or how the board can enable communities to build capacity in a 'Big Society'/community development context.

# Operating principles

1. To provide collective leadership to improve health and well-being across the local authority area, enable shared decision-making and ownership of decisions in an open and transparent way

| <b>What success might look like</b>  | <b>Prompts to assist with putting the principles into practice</b>   |
|--|--|
| <p>Effective political and public leadership for health and well-being locally.</p> <p>Leaders:</p> <ul style="list-style-type: none"> <li>• take collective responsibility for engaging communities, professionals and patients, as well as public, private and voluntary sectors, to develop and deliver a shared vision for improving and protecting health and well-being</li> <li>• are working together in transparent, inclusive and accountable ways</li> <li>• take and communicate difficult decisions</li> <li>• learn lessons from past experience and the experience of others</li> <li>• oversee development of joined-up ways of working</li> <li>• develop a shared vision and agreed outcomes</li> <li>• agree a process for resolving disputes.</li> </ul> | <ul style="list-style-type: none"> <li>• Are strong governance procedures for the health and wellbeing board in place and operating well?</li> <li>• Is there a culture of transparency, trust, respect and understanding between health and well-being board members?</li> <li>• Is it clear how commissioning plans will address the Joint Strategic Needs (and assets) Assessment and achieve the outcomes of the joint health and wellbeing strategy?</li> <li>• Are health and wellbeing board members open and transparent about concerns, identifying potential conflicts straightaway and having ways of dealing with them?</li> <li>• Are health and wellbeing board members leading the culture changes required within the system?</li> <li>• Are difficult decisions, such as reconfiguration issues, being tackled and communicated clearly?</li> <li>• Are lessons being learnt from past local experiences and building on success of current partnership arrangements?</li> <li>• Are health and wellbeing board members applying good practice to join up ways of working between health and local government services?</li> <li>• Does the health and wellbeing board provide high-quality leadership so that health and well-being outcomes for the whole population are improved?</li> </ul> |

## 2. To achieve democratic legitimacy and accountability, and empower local people to take part in decision-making

| <b>What success might look like</b>  | <b>Prompts to assist with putting the principles into practice</b>  |
|--|---|
| <p>Health and wellbeing boards:</p> <ul style="list-style-type: none"> <li>• operate transparently</li> <li>• in partnership with HealthWatch, fully engage patients, service users and communities and the third, public and private sectors to influence the work of the board, in particular the Joint Strategic Needs (and assets) Assessment and joint health and wellbeing strategy</li> <li>• support communities to find their own solutions to improving and protecting health and well-being</li> <li>• demonstrate professional, clinical and democratic legitimacy for joint decisions.</li> </ul> | <ul style="list-style-type: none"> <li>• Is the health and wellbeing board operating openly, transparently and in accordance with the Nolan Principles of Public Life*?</li> <li>• Are there clear lines of accountability for health and wellbeing board members and partners?</li> <li>• Are the Joint Strategic Needs (and asset) Assessment and the joint health and wellbeing strategy and services being co-designed and commissioned in collaboration with and with engagement from communities as well as third, public and private sector organisations?</li> <li>• Are services and organisations involving people, including children and young people, in the planning and delivery of services?</li> <li>• Are relevant measures of success service user-generated?</li> <li>• Are individuals and communities being appropriately engaged in order to release capability and capacity to finding their own solutions to improve local health and well-being (bearing in mind that other parts of the system such as central government have a role to play at improving the public's health)?</li> <li>• Does the health and wellbeing board have a process to involve communities in evaluating whether it has been successful in delivering priority outcomes identified in the joint health and wellbeing strategy?</li> </ul> |

\*Selflessness, integrity, objectivity, accountability, openness, honesty, leadership (see [www.public-standards.gov.uk](http://www.public-standards.gov.uk))

### 3. To address health inequalities by ensuring quality, consistency and comprehensive health and local government services are commissioned and delivered in the area

| <b>What success might look like</b>  | <b>Prompts to assist with putting the principles into practice</b>   |
|--|--|
| <p>Health and well-being outcomes are improving and health inequalities are reducing as a result of:</p> <ul style="list-style-type: none"> <li>• commissioning effective health and well-being services across the NHS and local government</li> <li>• addressing the wider determinants of health by including education, housing, transport, employment and the environment in the joint health and wellbeing strategy</li> <li>• influencing cross-sector decisions and services to have positive impacts on health and well-being.</li> </ul> <p>There is strong collaboration and partnerships and clear links between local statutory (such as local safeguarding boards) and non-statutory bodies (for example, children's trusts or voluntary group forums).</p> <p>The needs of unregistered patients and vulnerable groups are being addressed and there is a clear focus on children and young people as well as adults.</p> | <ul style="list-style-type: none"> <li>• Are health and well-being outcomes improving and health inequalities reducing?</li> <li>• Are there examples where local government and NHS services have joined-up working arrangements (such as the use of integrated commissioning arrangements or teams)?</li> <li>• Is it the norm for services and organisations to work together?</li> <li>• Are there clear links between statutory and non-statutory bodies?</li> <li>• Do service users experience services that are joined-up and that offer seamless and continuous care?</li> <li>• Are services timely and responsive to individual and community needs?</li> <li>• Are the needs of unregistered patients, vulnerable groups, children and adults being met?</li> <li>• Does the joint health and wellbeing strategy address the wider determinants of health (for example, a broader approach than simply health and social care services, working with wider partners particularly voluntary organisations) and place emphasis on prevention and early intervention?</li> <li>• Are equalities and human rights acts honoured and a quality equity audit carried out?</li> </ul> |



4. To identify key priorities for health and local government commissioning and develop clear plans for how commissioners can make best use of their combined resources to improve local health and well-being outcomes in the short, medium and long term

| <p><b>What success might look like</b></p>  | <p><b>Prompts to assist with putting the principles into practice</b></p>   |
|---|---|
| <p>The health and wellbeing board ensures the plans of local and regional commissioners are aligned to meet the agreed priorities in the joint health and wellbeing strategy.</p> <p>The Joint Strategic Needs Assessment is a meaningful, asset-based and high-quality process and the outputs provide the evidence to develop the joint health and wellbeing strategy.</p> <p>Decisions are based on research, public and patient input and robust evidence.</p> <p>Partners work together to jointly agree best use of resources.</p> <p>Resources are used effectively, fairly and sustainably.</p> <p>Relevant data and information is collected in order to measure progress. Action is taken when monitoring indicators show plans or initiatives are not working.</p> <p>Innovation and research is supported to improve current and protect future population health and well-being.</p> | <ul style="list-style-type: none"> <li>• Is the health and wellbeing board adaptive or responsive to change in, for example, demography, workforce requirements or level of resources available?</li> <li>• Do health and well-being partners work well together or operate individually?</li> <li>• Do health and wellbeing board partners have a shared understanding of what resources are available locally to improve health and well-being? Is there a consensus on how these resources can best be utilised to improve outcomes?</li> <li>• Are resources being used effectively and efficiently, ensuring value for money?</li> <li>• Are health and wellbeing board partners taking a flexible approach to allocating resources in support of whole systems thinking to improving health and well-being?</li> <li>• Are decisions driven by independent and robust evidence?</li> <li>• Were all health and wellbeing board members, local communities and external stakeholders meaningfully engaged in the Joint Strategic Needs (and assets) Assessment and joint health and wellbeing strategy processes?</li> <li>• Does the health and wellbeing board maintain an adequate balance between addressing immediate and longer term priorities for improving health and well-being outcomes, and reducing health inequalities?</li> <li>• Do all members of the health and wellbeing board have a shared understanding of the population health and well-being needs according to the Joint Strategic Needs (and assets) Assessments and are they committed to delivering the joint health and wellbeing strategy?</li> <li>• Does the health and wellbeing board monitor progress on outcomes and take action when indicators show plans or initiatives are not working?</li> <li>• Are research and innovative initiatives funded in your area?</li> <li>• Are initiatives and partnerships evaluated on their effectiveness and efficacy?</li> <li>• Does the health and wellbeing board have access to appropriately qualified, skilled and knowledgeable workforce to carry out its public health responsibilities?</li> </ul> |

# Conclusion

Health and wellbeing boards are the vehicles by which the NHS, local government and local communities work together effectively to improve services and population health and well-being. They offer a real opportunity to address health inequalities by identifying priorities for health and local authority commissioning and by focusing resources on improving health and well-being outcomes.

These principles have been developed by the national organisations representing the proposed members of the health and wellbeing boards, and represent their shared commitment to making the new system work.

Health and wellbeing boards must be accountable to the local community. They must also empower local people to take part in decision-making.

Key to their success will be collective leadership and the way in which board members work together. Getting it right will lay the foundations for healthier communities and more sustainable public services.

For more information on the issues covered in this paper, contact Nicola Stevenson, Senior Policy and Research Officer, NHS Confederation at [nicola.stevenson@nhsconfed.org](mailto:nicola.stevenson@nhsconfed.org)



# Further information

The following documents and links provide additional resources to assist with developing health and wellbeing boards.

Wistow G: *Integration this time? Liberating the NHS and the role of local government*. LGID, March 2011  
[www.idea.gov.uk/idk/aio/27388110](http://www.idea.gov.uk/idk/aio/27388110)

*Where next for health and social care integration?* NHS Confederation discussion paper, June 2010  
[www.nhsconfed.org/Publications/Pages/health-socialcare-integration.aspx](http://www.nhsconfed.org/Publications/Pages/health-socialcare-integration.aspx)

Bambra C, Blackman T, Hopkins T, Hunter DJ, Marks L, Perkins N: *Partnership working and the implications for governance: issues affecting public health partnerships*. NIHR, March 2011  
[www.sdo.nihr.ac.uk/projdetails.php?ref=08-1716-204](http://www.sdo.nihr.ac.uk/projdetails.php?ref=08-1716-204)

The NHS Constitution for England  
[www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_113613](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_113613)

*Accountability works*. Centre for Public Scrutiny, 2010  
[www.cfps.org.uk/what-we-do/publications/cfps-general/?id=128](http://www.cfps.org.uk/what-we-do/publications/cfps-general/?id=128)

Board Assurance Prompt – Health and Wellbeing Boards, Good Governance Institute, September 2011  
[www.good-governance.org.uk/Downloads/2011%20Aug%20Health%20Well%20Being%20Board%20BAPMM.pdf](http://www.good-governance.org.uk/Downloads/2011%20Aug%20Health%20Well%20Being%20Board%20BAPMM.pdf)

National learning sets to accelerate development of health and wellbeing boards  
<http://healthandcare.dh.gov.uk/learning-sets>

Local Government Group, National Learning Network for Health and Wellbeing Boards  
[www.communities.idea.gov.uk/comm/landing-home.do?id=10113659](http://www.communities.idea.gov.uk/comm/landing-home.do?id=10113659)

*Health and wellbeing boards: making them work*. The King's Fund  
[www.kingsfund.org.uk/current\\_projects/health\\_and\\_wellbeing\\_boards\\_making\\_them\\_work/health\\_and\\_wellbeing.html](http://www.kingsfund.org.uk/current_projects/health_and_wellbeing_boards_making_them_work/health_and_wellbeing.html)

*The Joint Strategic Needs Assessment: a vital tool to guide commissioning*. NHS Confederation, July 2011  
[www.nhsconfed.org/Publications/briefings/Pages/joint-strategic-needs-assessment.aspx](http://www.nhsconfed.org/Publications/briefings/Pages/joint-strategic-needs-assessment.aspx)

# Acknowledgements

Representatives from the following national organisations attended the event in July 2011. We are grateful for their participation.

The Association of Directors of Adult Social Services

The Association of Directors of Children's Services

The Association of Directors of Public Health

The British Medical Association

The Centre for Public Scrutiny

The Department of Health

The Faculty of Public Health

The Family Doctor Association

The Local Government Group

The National Association of Links Members

The National Association of Primary Care

The National Quality Board

National Voices

The NHS Alliance

The NHS Confederation

Regional Voices

The Royal College of General Practitioners

The Royal Society for Public Health

We would also like to thank the representatives from the following local organisations who attended the event in July 2011. These representatives provided specific contributions in relation to their own local contexts which helped to frame discussions.

Bridgewater Community Healthcare NHS Trust

Knowsley Council

London Borough of Hammersmith and Fulham

NHS Hampshire



# Operating principles for health and wellbeing boards

At an event held in July 2011, a number of national organisations developed a set of operating principles to support the effective establishment and functioning of health and wellbeing boards.

These operating principles are designed to be a realistic and practical response to supporting health and wellbeing boards. They are intended to help board members consider how to create really effective partnerships across local government and the NHS.

**Further copies or alternative formats can be requested from:**

Tel 0870 444 5841 Email [publications@nhsconfed.org](mailto:publications@nhsconfed.org)  
or visit [www.nhsconfed.org/publications](http://www.nhsconfed.org/publications)

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### Proposed Division of Responsibilities for the Commissioning of Public Health Functions

|   |  |
|---|--|
| Weighing and measuring of children                      | Local authority (LA)   |
| Dental public health                                    | LA   |
| Fluoridation  | LA   |
| Medical inspection of school children                   | LA   |
| Infectious disease                                      | Public Health England (PHE) with support from LA   |
| All sexual health services                              | LA (apart from contraceptive services and screening which will be commissioned by NHS Commissioning Board) |
| Immunisation  | NHS Commissioning Board plus LA to commission school programmes such as HPV and teen boosters              |
| Standardisation and bio-medicines                       | PHE  |
| Seasonal mortality                                      | LA   |
| Environmental hazards                                   | PHE with support from LA   |
| Screening   | NHS Commissioning Board  |
| Accidental injury prevention                            | LA   |
| Public mental health                                    | LA   |
| Nutrition   | PHE and some LA activity   |
| Physical activity                                       | LA   |
| Obesity programmes                                      | LA   |
| Drug, alcohol and tobacco misuse                        | LA   |
| NHS health check programme                              | LA   |
| Health at work  | LA   |
| Reduction and preventing birth defects                  | LA and PHE   |
| Prevention and early presentation in relation to cancer | LA   |
| Dental public health                                    | LA with support from PHE   |
| Emergency preparedness                                  | PHE with support from LA   |
| Health intelligence                                     | PHE and LA   |
| Children's public health for under 5s                   | NHS Commissioning Board  |
| Children's public health for 5-19                       | LA   |
| Community safety and violence prevention                | LA   |
| Social exclusion  | LA   |
| Public health for prisoners                             | NHS Commissioning Board  |

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 14<sup>th</sup> February 2012  
**CONTACT OFFICER:** Catherine Meek, Deputy Borough Secretary  
**(For all enquiries)** 01753 875011  
**WARD(S):** All  
**PORTFOLIO:** Leader, Finance and Strategy – Councillor Anderson

**PART I**  
**NON-KEY DECISION**

**EXECUTIVE FORWARD PLAN**

**1. Purpose of Report**

To seek Cabinet endorsement of the published Forward Plan.

**2. Recommendation**

The Cabinet is requested to resolve that the Forward Plan be approved.

**3. Community Strategy Priorities**

The Executive Forward plan sets out when key decisions are expected to be taken and a short overview. The decisions taken will contribute to all of the following emerging Community Strategy Priorities:

- Celebrating Diversity, Enabling inclusion
- Adding years to Life and Life to years
- Being Safe, Feeling Safe
- A Cleaner, Greener place to live, Work and Play
- Prosperity for All

**4. Other Implications**

(a) Financial

There are no financial implications.

(b) Human Rights Act and Other Legal Implications

There are no Human Rights Act implications. The Local Authorities (Executive Arrangements) (Access to Information)(England) Regulations 2000 require the executive to set out its programme of work in the coming four months, as far as is known, in a forward plan. Regulation 12 requires an annual statement to be published by the proper officer giving notice of when forward plans will be published for the coming year, explaining what a forward plan is and how it can be obtained from the local authority.

## **5. Supporting Information**

5.1 The Forward Plan, which is updated each month on a rolling basis, sets out:

- A short description of matters under consideration and when key decisions are expected to be taken
- Who is responsible for taking the decisions and how they can be contacted;
- What relevant reports and background papers are available; and
- How and when the decision maker intends to involve local stakeholders in the decision making process.

5.2 The Forward Plan contains matters which the Leader considers will be the subject of a key decision to be taken by the Cabinet, a Committee of the Cabinet, officers, or under joint arrangements in the course of the discharge of an executive function during the period covered by the Plan.

5.3 Key Decisions are defined in Article 14 of the Constitution, as an Executive decision which is likely either:

- to result in the Council incurring expenditure which is, or the making of savings which are, significant, having regard to the Council's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more wards within the Borough.

5.4 There are provisions for exceptions to the requirement for a key decision to be included in the Forward Plan and these provisions and necessary actions are detailed in paragraphs 14 and 15 of Section 4.2 of the Constitution.

5.5 To avoid duplication of paperwork the Member Panel on the Constitution agreed that the Authority's forward plan would include both key and non key decisions – and as such the document would form a comprehensive programme of work for the Cabinet. Key decisions are highlighted in bold.

## **6. Appendices Attached**

'A' - Executive Forward Plan

## **7. Background Papers**

'1' - Council Constitution



## CABINET - Tuesday 14th February, 2012

| Item  | Port-<br>folio | Ward     | Priority | Contact Officer   | Consultation &<br>Participation                   | Other<br>Committee  | Background<br>Documents | New<br>Item |
|---|----------------|----------|----------|---|---|---|-------------------------|-------------|
| <p><b><u>Medium Term Financial Strategy</u></b></p> <p>This report sets out the latest projections of the Council's Revenue and Capital Budgets.</p>  | F&S            | All      | All      | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300          |   |   | None.                   |             |
| <p><b><u>Performance and Financial Monitoring 2011/12</u></b></p> <p><i>To present information to Cabinet on the latest financial and performance monitoring from across the Council.</i></p>           | P&A,<br>F&S    | All      | All      | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300          |   | Overview and Scrutiny Committee 02/02/12                  | None.                   |             |
| <p><b><u>Britwell Regeneration Scheme - From Concept to Reality - Update</u></b></p> <p>To update the Cabinet on the progress of the Britwell Regeneration Scheme since the last report to Cabinet.</p> | N&R            | Britwell | All      | John Rice, Interim Assistant Director for Environment and Regeneration<br>Tel: 01753 875239 | On going consultation with residents of Britwell. | N/A   | None.                   |             |
| <p><b><u>Adult Learning - Future Models</u></b></p> <p>To consider recommendations on options for the future management of the adult learning service.</p>  | O&S            | All      | All      | Andrew Stevens, Assistant Director For Learning & Cultural Engagement<br>Tel: 01753 875753  |   | Education and Children's Services Scrutiny Panel 24/01/12 | None.                   |             |

**Portfolio Key** – F&S = Finance and Strategy, P & A = Performance and Accountability, C & L = Cultural and Leisure, E & C = Education and Children, O & S = Opportunity and Skills, E & O = Environment and Open Spaces, H & W = Health and Wellbeing, N & R = Neighbourhoods and Renewal

**Bold** – Key Decision

**Non-Bold** – Non-Key Decision

*Italics* – Performance/Monitoring Report

|  |     |     |     |  |  |   |       |   |
|--|-----|-----|-----|--|--|---|-------|---|
| <p><b><u>Housing Revenue Account (HRA) Rent Setting 2012 - 2013</u></b></p> <p>To seek cabinet approval of the annual rent and ancillary charge setting for council homes for 2012-13.</p>   | N&R | All | All | Neil Aves, Assistant Director of Housing<br>Tel: 01753 875527                      | Slough Federation of Tenant and resident Associations And the Customer Senate. | Overview and Scrutiny Committee 2/02/12 | None. | √ |
| <p><b><u>Debt Policy and Write Off or Irrecoverable Debt Business Rates</u></b></p> <p>To seek Cabinet approval to the Writing Off of various individual debts which have proven to be irrecoverable.</p>  | F&S | All | All | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300 |  | None.                                   |       |   |
| <p><b><u>NHS and Public Health Reforms</u></b></p> <p>To inform the Cabinet of the NHS and public health service changes which form part of the Health and Social Care Bill, currently being considered by Parliament and to seek agreement to the Shadow Health and Wellbeing Board's terms of reference.</p> | H&W | All | All | Jane Wood, Strategic Director of Community and Wellbeing<br>Tel: 01753 875751      |  | None.                                   |       |   |
| <p><b><u>References from Overview and Scrutiny</u></b></p> <p>To consider any recommendations from the Overview and Scrutiny Committee and Scrutiny Panels.</p>  | P&A | All | All | Teresa Clark, Senior Democratic Services Officer<br>Tel: 01753 875018              |  | None.                                   |       |   |

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**Bold** – Key Decision

**Non-Bold** – Non-Key Decision

*Italics* – Performance/Monitoring Report

|   |     |     |     |   |  |   |       |  |
|---|-----|-----|-----|---|--|---|-------|--|
| <u>Executive Forward Plan</u><br>To present to the Cabinet the latest published Executive Forward Plan. | F&S | All | All | Catherine Meek,<br>Deputy Borough<br>Secretary<br>Tel: 01753 875011 |  | Overview<br>and<br>Scrutiny<br>02/02/12 | None. |  |
|---|-----|-----|-----|---|--|---|-------|--|

**Portfolio Key** – F&S = Finance and Strategy, P & A = Performance and Accountability, C & L = Cultural and Leisure, E & C = Education and Children, O & S = Opportunity and Skills, E & O = Environment and Open Spaces, H & W = Health and Wellbeing, N & R = Neighbourhoods and Renewal

**Bold** – Key Decision      Non-Bold – Non-Key Decision      *Italics* – Performance/Monitoring Report

## CABINET - Monday 12th March, 2012

| Item   | Port-<br>folio | Ward | Priority | Contact Officer   | Consultation &<br>Participation | Other<br>Committee                        | Background<br>Documents | New<br>Item |
|--|----------------|------|----------|---|---------------------------------|---|-------------------------|-------------|
| <p><b><u>Medium Term Financial Strategy</u></b><br/>This report sets out the latest projections of the Council's Revenue and Capital Budgets.</p>  | F&S            | All  | All      | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300  |                                 |   | None.                   |             |
| <p><b><u>Performance and Financial Monitoring 2011/12</u></b><br/><i>To present information to Cabinet on the latest financial and performance monitoring from across the Council.</i></p> | P&A,<br>F&S    | All  | All      | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300  |                                 | Overview and Scrutiny Committee 06/3/2012 | None.                   |             |
| <p><b><u>Draft Parks and Open Spaces</u></b></p>   | E&O            | All  | All      | Ollie Kelly, Parks and Open Spaces Manager, John Rice, Interim Assistant Director for Environment and Regeneration<br>Tel: 01753 875239 |                                 |   | None.                   |             |
| <p><b><u>Procurement Strategy</u></b><br/>Procurement strategy 2012-2015 for review and ratification.</p>  | C&L            |      | All      | Jo Head, Assistant Director, Commissioning, Procurement and Shared Services   |                                 |   | None.                   | √           |

**Portfolio Key** – F&S = Finance and Strategy, P & A = Performance and Accountability, C & L = Cultural and Leisure, E & C = Education and Children, O & S = Opportunity and Skills, E & O = Environment and Open Spaces, H & W = Health and Wellbeing, N & R = Neighbourhoods and Renewal

**Bold** – Key Decision

Non-Bold – Non-Key Decision

*Italics* – Performance/Monitoring Report

| Item  | Port-<br>folio | Ward | Priority | Contact Officer   | Consultation &<br>Participation | Other<br>Committee                | Background<br>Documents | New<br>Item |
|---|----------------|------|----------|---|---------------------------------|-----------------------------------|-------------------------|-------------|
| <u>References from Overview and Scrutiny</u><br>To consider any recommendations from the Overview and Scrutiny Committee and Scrutiny Panels. | P&A            | All  | All      | Teresa Clark, Senior Democratic Services Officer<br>Tel: 01753 875018 |                                 |                                   | None.                   |             |
| <u>Executive Forward Plan</u><br>To present to Cabinet the latest, published Executive Forward Plan.  | F&S            | All  | All      | Catherine Meek, Deputy Borough Secretary<br>Tel: 01753 875011         |                                 | Overview and Scrutiny<br>06/03/12 | None.                   |             |

# CABINET - Monday 16th April, 2012

| Item   | Port-<br>folio | Ward | Priority | Contact Officer  | Consultation &<br>Participation | Other<br>Committee   | Background<br>Documents | New<br>Item |
|--|----------------|------|----------|--|---------------------------------|--|-------------------------|-------------|
| <b><u>Medium Term Financial Strategy</u></b><br>This report sets out the latest projections of the Council's Revenue and Capital Budgets.  | F&S            | All  | All      | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300 |                                 |  | None.                   |             |
| <b><u>Performance and Financial Monitoring 2011/12</u></b><br><i>To present information to Cabinet on the latest financial and performance monitoring from across the Council.</i> | P&A,<br>F&S    | All  | All.     | Julie Evans, Strategic Director of Resources and Regeneration<br>Tel: 01753 875300 |                                 | Overview and Scrutiny Committee 10/04/12                     | None.                   |             |
| <b><u>Public Protection Enforcement Policy</u></b><br>To present the revised Enforcement Policy to the Cabinet for approval.   | C&L            | All  | All      | Patrick Kelleher,<br>Assistant Director<br>Public Protection<br>Tel: 01753 87      |                                 | Neighbourhoods and Community Services Scrutiny Panel 1/03/12 | None.                   | √           |
| <b><u>References from Overview and Scrutiny</u></b><br>To consider any recommendation from the Overview and Scrutiny Committee and Scrutiny Panels.                                | P&A            | All  | All      | Teresa Clark, Senior Democratic Services Officer<br>Tel: 01753 875018              |                                 |  | None.                   |             |
| <b><u>Executive Forward Plan</u></b><br>To present to Cabinet the latest, published Executive Forward Plan.  | F&S            | All  | All      | Catherine Meek,<br>Deputy Borough Secretary<br>Tel: 01753 875011                   |                                 | Overview and Scrutiny 10/04/11                               | None.                   |             |

**AGENDA ITEM 13**

By virtue of paragraph(s) ~~3 of Part I of Schedule 12A~~  
of the Local Government Act 1972.

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