

# **MINUTES OF THE MEETING OF THE CABINET HELD ON TUESDAY, 14TH NOVEMBER, 2017, 6.30pm**

## **PRESENT:**

**Councillors: Claire Kober (Chair), Peray Ahmet, Jason Arthur, Ali Demirci, Bernice Vanier, Elin Weston and Joseph Ejiofor**

**Also in attendance: Councillors: Engert, Newton and Carter.**

## **95. FILMING AT MEETINGS**

The Leader referred to agenda item 1, as shown on the agenda in respect of filming at this meeting and Members noted this information.

## **96. APOLOGIES**

Apologies for absence were received from Councillors: Ayisi, Goldberg and Strickland.

## **97. URGENT BUSINESS**

There were no new items of business to consider apart from the Authorities Monitoring report, to be considered with item 12. This was omitted in error from the agenda pack and sent out as a supplementary pack.

## **98. DECLARATIONS OF INTEREST**

There were no declarations of interest put forward.

## **99. NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS**

There were no representations relating to items on the exempt part of the agenda.

## **100. MINUTES**

The minutes of the meetings held on the 9<sup>th</sup> and 17th October were agreed as a correct record of the meeting.

## **101. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no matters referred to the Cabinet by the Overview and Scrutiny Committee.

## 102. DEPUTATIONS/PETITIONS/QUESTIONS

### Deputation 1 – Rev Paul Nicholson – speaking in objection to the recommendations contained in the 2018/19 Council Tax Reduction Scheme – item 9

Rev Nicholson was invited by the Chair to put forward his deputation to the Cabinet.

He spoke about the severe detrimental impact of local authorities and Government, charging of Council Tax on social security incomes and how he felt that this affected the most deprived communities in the borough. Rev Nicholson spoke about the consequential mental and physical health impacts this had on generations of families. He asserted that low income and social security households did not have the means to pay Council Tax, at a time when existing social security benefits were already being reduced. He contended that once families fell behind with Council tax payments, they were facing further court costs and collection fees causing more insolvency and anxiety.

Rev Nicholson spoke about the Council's, Council Tax, collection figures with £5m listed as unlikely to be collected. Mr Nicholson felt that, despite knowing the cause of non- payment, the Council, in his opinion, were unfairly enforcing this payment and sending residents to court and causing increased costs for low income residents.

Rev Nicholson talked about the number of households sent court notices for late and non-payment of Council Tax and the number which had been referred to bailiffs. In his view, this charge affected the poorest and vulnerable in the borough, who he felt were being unfairly targeted for Council Tax collection by the use of debt collection agencies.

Rev Nicholson continued to emphasize that debt and low income creates mental and physical health issues for people on low incomes. He spoke about the effect of deprivation and low income on the development of babies with mothers often needing to reduce food costs to ensure they were able to pay for housing and utilities. He considered that this poor health in pregnancy and early years resulted in intergenerational health issues.

Rev Nicholson appealed to the Cabinet to consider the faith led principles of support and consideration for fellow neighbours, and stop the tax being collected from social security incomes in Haringey.

### Questions from the Cabinet to the Deputation

The Leader reminded the deputation of the circumstances around the implementation of the Council Tax Benefit scheme in 2013 as the tone of the deputation incorrectly indicated that the Council had chosen to take this scheme forward. The Council Tax benefit scheme had previously been Government run and had meant that one in three households in Haringey did not pay Council Tax as they did not have the means to pay. However, in 2012 as part of the government budget cuts, Council Tax benefit was abolished and all local authorities had received responsibility for the Council Tax

policy scheme but with a significant top slice reduction and also having to exclude pensioners. The Council were put in an invidious position of having to exempt pensioners from the scheme and having a choice of whether to absorb this cost or to charge households, to make up the top slice for this substantial part of the budget which provided income for Children's and Adults services.

In response, Rev Nicolson referred to the decision making in 2012 and consultation on Council Tax scheme. He had asked a question in the consultation meeting on how much it would cost to avoid the necessity of taxing unemployment benefit and was advised that this would cost 86 pence a week on Band D Council Tax. He felt that there had been the option to run referendum on increasing Council Tax which had not been taken. Rev Nicolson felt that it was important to defend the poorest in the borough especially at time when it was known that further benefit changes were coming forward. Therefore, in his view, an alternative could have been offered in the form of a Council Tax increase through consultation on a referendum.

The Cabinet Member for Finance and Health responded to the deputation and reiterated the difficult situation by which the Council had had to introduce this scheme. He recognised the legitimate anger of the deputation at the circumstances facing low income families, but this should be directed at the Government and not the Council. Cabinet supported the view that the most vulnerable residents required support and ideally there should be no payment. However, if the Council did not implement this type of scheme, which was line with London local authority schemes, it would have to take other far reaching detrimental actions. This would include: use reserves, raising Council Tax, or cutting more services, at a time when existing service cuts were already challenging. The Council were committed to helping residents to be able to pay their Council Tax. This was through: offering flexible payment options, sign posting to advice services and third sector support. Cabinet were also looking for opportunities to support the poorest residents. This was reflected in the support to care leavers who were now exempted from Council Tax payments until the age of 25. The Council was right with the current scheme to consider balancing support given with the broader financial challenges of the borough.

Deputation 2 – Fran Hargrove – Head teacher St Mary's Primary CE school - Support for the establishment of the Haringey Education Partnership – item 10

Mrs Hargrove expressed that Haringey schools have been on a rapid upward trajectory for achieving outcomes for children. This was attributed to the joint working between schools and the Council's school's improvement team.

Mrs Hargrove outlined that the Government did not see a great role for local authorities in school improvement. However, there was a need to maintain the collective success and the collegiality developed between schools in Haringey.

Head teachers of Haringey schools had come together, over the last 18 months, to discuss how they could maintain the drive and strive for excellence, whilst maintaining the successful links with the Local Authority.

Head teachers and the Council had developed the idea of a school's partnership owned by a majority of schools. This was a working model which was being

considered by local authorities but rolled out in different forms. Schools in Haringey did not want to be part of a fractured system with services sold in different forms and therefore had spent the last year co – designing a delivery model with the local authority based on what schools need and what is needed to support the continuation of improvements and outcomes for children. The focus was also on excellence and running the best system locally.

There had been consultation with a full range of schools and education providers on the partnership and everyone was supporting the formal establishment of the partnership.

This vehicle would be able to trade and run statutory services as set out in the report, and keep Haringey schools together with pupil's welfare and learning at the centre of this.

The Leader asked what the consequences could be for not taking this partnership forward. Mrs Hargrove discussed the challenges of schools working separately in silos and potentially accessing services that may not be to a high quality.

All head teachers and teachers were concerned with the welfare of all children in Haringey. There was a real collective responsibility for achieving outcomes for all children in Haringey, not just in one school.

The Leader further welcomed the collective responsibility developed and felt by schools for all children in the borough, which would be important to maintain and enshrine in the partnership agreement as a safeguard for the children in the borough.

The Cabinet Member for Children and Families responded to the deputation and highlighted education in Haringey was a success story with 99% of schools rated Good or Outstanding and 90% of early years' settings now rated Good or Outstanding. Part of the ambition, for the children of the borough, was about maintaining these achievements and moving to a system of excellence.

Government was making it difficult for local authorities to have a role in school improvements. This was demonstrated by the policy choices being made by the Government with the borough's education services grant reduced from £2.7m to £130K.

The report at item 10 was the Council's response to a challenging background and the product of true partnership in schools. The Cabinet Member thanked all schools, head teachers and staff that had been involved in the process. The proposals before Cabinet were a product of these joint discussions and ambition to maintaining the journey to excellence.

### **103. 2018/19 COUNCIL TAX REDUCTION SCHEME**

The Cabinet Member for Finance and Health introduced the report which set the out details of the review of Haringey's current Council Tax Reduction Scheme (CTRS) 2017/18 and the recommendations for Haringey's CTRS for 2018/19 taking into consideration the assessment of options and an Equalities Impact Assessment

(EQIA). The scheme remained unchanged and would ask for claimants to pay 19.8% for Council Tax.

## **RESOLVED**

To recommend that Full Council:

- i. Agrees to adopt the CTRS 2018/19 as contained in **Appendix C** and as summarised in **Appendix C** which retains the same level of support as agreed since 2013/14 and which remains unchanged from 2017/18 for: pensioner's claimants to continue to receive support for the payment of Council tax.
- ii. Agrees claimants in receipt of certain disability benefits to continue to receive support for the payment of Council tax.
- iii. Agrees all working age claimants Council Tax Support to continue to be capped at 80.2% of Council tax liability.
- iv. Notes that an Equalities Impact Assessment (**Appendix E**) has been undertaken in relation to the CTRS and that the findings of this EIA must be taken into account when making a decision regarding the Scheme for 2018/19.
- v. Authority be given to the Chief Finance Officer and the Assistant Director of the Shared Service Centre to take all appropriate steps to implement and administer the Scheme.

## **Reasons for Decision**

The recommendation to retain the current scheme continues to support the Government's initiative of work incentives and pays due regard to the challenging financial climate we are currently in.

In recognition of the vulnerable sectors of society, we have supportive measures in place. It is proposed that these continue into 2018/19. Maintaining the current scheme ensures that these protected claimants will not be further disadvantaged.

The Council has had its overall centrally government funding reduced by over 43% in the last several years. This has meant that the Council has had to implement significant service reductions and efficiency savings. Given the level of funding cuts that the Council has had to manage and also that further cuts have been confirmed for future years, it is not possible for the Council to expand the scheme to include protection for other groups.

## **Alternative Options Considered**

In accordance with paragraph 5 of Schedule 1A to the Local Government Finance Act 1992 (the 1992 Act), each financial year the Council is required to consider whether to revise or replace its scheme. One option for the Council is to continue with the scheme in place for the current financial year. Another option is to revise the scheme in some respects. The Council could choose to increase or decrease the amount of financial support available under the scheme. Options should be considered in the light of the knowledge gained during the implementation of the scheme over previous years.

The options for changing the scheme that have been considered to date have been listed below. Some of these were proposed by respondents to the consultation undertaken prior to adopting the 2013/14 scheme.

- Increase the level of financial support so all customers pay less
- Decrease the level of financial support so all customers pay more
- Protect certain vulnerable groups in addition to those in receipt of certain disability benefits, these include but are not limited to:
  - i. Households with children
  - ii. Households with a child under one
  - iii. Households with a child under five
  - iv. Households with more than three children
  - v. Households with a lone parent
- Protect band A-C properties
- Protect claimants who are working but on low income.
- Protect claimants in receipt of Single Person's Discount
- Absorb the full shortfall into the Council budget by providing financial support up to the level previously funded by Central Government as part of Council Tax Benefit.
- Increase Council tax

A breakdown of these options with accompanying financial data has been provided in **Appendix D**. Appendix D further sets out the potential advantages and disadvantages of each option.

Having regard to the detailed points set out at **Appendix D**, it is recommended that none of these options for change are taken forward. This is because:

- i. Any option which would require the Council to increase levels of support for Council tax payments would need to be directly funded by the Council and given the competing demands on the Council's reducing budget, increasing support for Council tax funding would require the Council to find reductions elsewhere, cut services, utilise reserves or increase Council tax.

- ii. Any option which would require the Council to increase levels of support for particular groups of people could have a disproportionate impact on some claimant groups over others.
- iii. The majority of the options do not support the Central Government initiative of encouraging people back to work
- iv. The Council does not consider that it is appropriate to increase Council tax.

It is worth noting that method of payment for central government grant funding allocation has also changed since the CTRS was first set up. Several grants, including Council tax benefit support funding being consolidated within the overall Revenue Support Grant (RSG), which makes the proportion allocated to each area harder to identify. RSG funding to the Council continues to face steep reduction - by 2017/18 overall government funding including RSG would have falling by over 43% equating to approximately £75m reduction in real terms since 2011.

In April 2016 an independent review of local Council tax support schemes was conducted at the request of the Secretary of State. The recommendations from this are still being considered by central government. Haringey may need to make further changes to its CTRS to reflect any new decisions made by government in response to the independent review. As such the previously considered option of overhauling the scheme so that Council tax support falls under Council tax legislation as a discount, similar to the existing Single Person Discount, has not been taken forward.

Other London LAs have changed their schemes over the past several years. A full breakdown of 2017/18 schemes is provided in **Appendix B** and some summary points are shown below:

- One London Borough (Enfield) changed their scheme this year – the discount rate was reduced to 73.5% from 75%.
- 12 LAs have a higher contribution level than Haringey including Newham and Barking & Dagenham.
- Wandsworth and Harrow have the highest contribution level at 30% for non-disabled working age claimants
- 9 local authorities protect disabled claimants – either completely or by asking them to pay less than non-disabled working-age claimants including Brent, Croydon and Enfield.
- 7 local authorities fully cover the shortfall including City of London, Hammersmith & Fulham and Tower Hamlets.

Haringey's scheme is comparable with other London LAs and its scheme reflects the need to strike a fair balance between protecting the wellbeing of our residents and recognising the challenging financial situation we are in.

#### **104. DECISION TO COMMISSION STATUTORY AND STRATEGIC SCHOOL IMPROVEMENT FUNCTIONS THROUGH HARINGEY EDUCATION PARTNERSHIP**

The Cabinet Member for Children and Families introduced the report which set out proposals for a not for profit 'schools company', known as the Haringey Education Partnership (HEP), to drive school improvement from 1st September 2018. A Cabinet decision was required to confirm the Council's support for establishing HEP; committing to commission ongoing statutory and strategic school improvement functions through HEP; to accept the one-off cost of transition and to provide technical and financial assistance to support the set-up of the new organisation.

#### **RESOLVED**

1. That future school improvement in Haringey should take place through a schools led school improvement company (known as Haringey Education Partnership) in collaboration with the Council
2. The Council, along with schools buying in as members, should establish Haringey Education Partnership in early 2018 as a not for profit schools company limited by guarantee
3. That the Council enter into a three-year contract with Haringey Education Partnership to deliver the Council's ongoing statutory and strategic school improvement functions from September 2018
4. To provide technical and financial assistance to support the set-up of Haringey Education Partnership
5. To maintain the current school improvement service, offer until August 2018 and bear the cost of any redundancies
6. That the Council would encourage maintained and voluntary schools to be members of Haringey Education Partnership and challenge any schools that do not buy in as to how they are accessing appropriate challenge and support
7. To delegate to the Director of Children's Services, after consultation with the Assistant Director of Corporate Governance, to finalise and enter into an agreement with Haringey Education Partnership and take any other necessary action to give effect to the recommendations set out in this report.



## **Reasons for decision**

There are three key reasons for establishing Haringey Education Partnership:

- a) Moving to exceptional in Haringey: Haringey Education Partnership will facilitate a schools led school improvement model to develop. This will build on the existing strengths of schools in Haringey to develop an exceptional school system with a higher proportion of outstanding schools and continue to tackle the remaining attainment gaps within and across schools in the borough
- b) National policy: The Department of Education has set out its intention to reduce the role of local authorities in providing school improvement services and driving schools towards joining multi-academy trusts. Establishing Haringey Education Partnership will maintain the partnership working between our schools and the Council, while building a schools led model of improvement
- c) Schools funding: the loss of funding to the Council through the Education Services Grant and potentially the Dedicated Schools Grant means the current service is financially unsustainable. Haringey Education Partnership will allow school improvement services to continue, and the Council to commission its ongoing statutory and strategic functions, at no ongoing cost to the General Fund.

## **Alternative options considered**

Three other options have been considered:

- a) Do nothing / maintain existing services: The Council could choose to maintain the current school improvement model, committing to maintain existing resources and ways of working. To date, the current model has served us well and maintained a strong partnership between the local authority and schools. However, given the reduction in funding to the local authority, this would require the Council to use the General Fund to meet the costs of school improvement. Maintaining the current model would also be counter to the direction of policy that schools will be empowered to take the lead in the system for continuing to drive up standards. And, as local authorities step back from running schools and school improvement, the ability to lead the system would be greatly diminished.
- b) Reduce or withdraw from school improvement: alternatively, the Council could choose to reduce the financial burden by providing a lower cost school improvement service or, as some local authorities have, withdraw from providing all but the minimum statutory functions. The former would not prevent the fragmentation of the school system in Haringey and would still require the Council to meet significant costs, while not delivering a school-led model. Withdrawing would reduce the costs to the Council but fundamentally weaken the ability of the local authority to influence and support schools in the borough in line with our vision for

Priority 1: Best Start in Life. It would leave schools without support or challenge unless they joined a MAT (as is happening in Bromley, for example, where all schools are being encouraged to join a MAT). The local authority would also have such a limited relationship and knowledge of its schools that it would struggle to exercise its powers of intervention effectively.

- c) Trade or commission an external provider of school improvement: The Council could aim to trade school improvement services more broadly than it does currently. This would empower schools to make choices over how they use their resources for school improvement. However, purchasing services would become more transactional and choice would sit with individual schools rather than building a collaborative school led system. The Council could not trade services which are funded by schools via the DSG and would therefore either be small scale or merely substitute for DSG income. Similarly, commissioning an external provider of school improvement services would allow for transactional relationships but would not foster school collaboration and there would be no guarantee of universal coverage, leading to fragmentation.

A large majority of our schools (represented by their Head teachers and Chairs of Governors) have proposed progressing the future of school improvement via the HEP model. This conclusion was reached following extensive consultation and discussion on how best to develop the best possible school improvement service for the future.

## **105. PROPERTY LICENSING ADDITIONAL AND SELECTIVE**

The Cabinet Member for Environment introduced the report which sought a decision from Cabinet to carry out a public consultation exercise in respect of the roll out of a borough wide additional licensing scheme and introduce a part borough selective licensing scheme.

The Cabinet Member for Environment emphasised that demand for housing was at an all-time high and there was a need for a wide range of homes, in terms size, type and tenure in the borough to meet the diversity of current and future needs. Rather than compromise the housing standards and conditions of both new and existing housing to meet the ever increasing demand, it was important to ensure that all who live in the borough have access to decent, secure housing.

The Cabinet Member spoke about having high quality, safe, warm and well maintained homes which should be available to all and not influenced by the person's level of income or background. There was a need for a private sector, which makes up a third of Haringey's housing, to thrive and be part of that offer.

The Cabinet Member emphasised the need to improve people's surroundings and their local environment by reducing crime and anti-social behaviour.

The Cabinet Member asked Cabinet colleagues to agree a public consultation on the additional licensing scheme and introducing a selective licensing.

## **RESOLVED**

1. To authorise the Interim Director for Commercial and Operations, in consultation with the Cabinet Member for Environment, to finalise and commence a statutory consultation, as outlined in section 13, on the proposal to roll out a borough wide additional licensing scheme and introduce a selective licensing scheme to 29 Lower Super Output Areas based on the evidence attached as Appendix 1.
2. To approve the proposed licensing fees and charges detailed at Appendix 2
3. To approve the proposed set of licensing conditions for both the additional and selective licensing scheme, attached as Appendix 3a and 3b.

### **Reasons for decision**

It is necessary for the Cabinet to agree to the public being consulted on the licensing scheme proposals, including the licensing fees and conditions.

### **Alternative options considered**

**Do nothing and continue with existing legal powers** - Existing powers available to the Council are largely reactive with officers responding to tenants' complaints. Many tenants are reluctant to complain through fear of retaliatory eviction. Although current enforcement activity has been successful in remedying problems in individual dwellings, it is not felt to have raised the standard of private sector dwellings generally.

**Voluntary Accreditation** - Although the voluntary accreditation scheme is helpful in driving up standards, it relies on the willingness of landlords to sign up to it. It is likely therefore that conscientious landlords will continue to support the scheme, but that rogue landlords will remain difficult to identify and will avoid joining the scheme, preferring instead to operate with the minimum regulation.

## **106. AUTHORITIES MONITORING REPORT - NON KEY**

The Leader of the Council introduced the Authority Monitoring Report (AMR) which was used to assess the effectiveness of Haringey's planning policies and to inform any future revisions to policies or their implementation. The Leader referred to the delivery of affordable housing within the period under consideration which was 71% on major schemes and meant that the Council were operating at top quartile performance.

The Leader highlighted that over the last ten years there were 2477 affordable homes delivered in Haringey, 37% were social rent compared to 18% affordable rent and 45% intermediate products.

In response to questions from Cllr Engert the following information was noted.

- The Council had the planning authority responsibility to ensure homes were consented but there were no tools to ensure that consents resulted in starts and completion of homes. This situation reflected the need for more power to be passed from Government to local authorities to enable them to tax developers who do not build out on schemes and to deter land banking. Also as housing development in London remained a good investment, this also exacerbated the issues faced with the timeliness of developments. There could also be local issues with site preparation. The Assistant Director for Planning provided an example of the Clarendon road site development where remedial action to decontaminate the land had taken time but there were 1100 units expected to be built on this site. Therefore, the delays in developments could not be attributed solely to the local authority.
- Potheroe House and Pretoria road developments would include affordable extra care homes which there was a need for, together with affordable units. Tenants moving to these properties would also likely be freeing up a social rented property in the borough.
- There were no student homes listed in the table at 6.22.
- The 40% target for affordable housing could only be applied to major developments and the Council was not able to seek this percentage on other schemes.
- CIL was only payable when the development was implemented and with increased development and good CIL collection rates by the Council, this was likely to be a secure source of income.

## **RESOLVED**

1. To note the comments of the Regulatory Committee (para 6.50)
2. To note the findings of the Authority's Monitoring Report (AMR) for the monitoring period 2016/17.
3. To note the Authority's Monitoring Report (AMR) 2016/17 will be made available for public inspection, on the Council's website, in line with the statutory requirements.

## **Reasons for Decision**

The publication of the Authority Monitoring Report is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) ("the Act"). Approval of the AMR

2016/17 for publication will ensure that the Council meets its statutory obligations for planning performance monitoring.

### **Alternative options considered**

The Act 2011 requires local planning authorities to produce monitoring reports. The Council considers that Haringey's existing procedure of annual monitoring is an effective way for presenting the effectiveness of planning policies, within existing resources. As such, no other options were considered.

## **107. LOCAL IMPLEMENTATION PLAN 2018/19**

The Cabinet Member for Environment introduced the report which set out the Local Implementation Plan (LIP) for approval. This contained proposals for the delivery of the Mayors Transport Strategy (MTS) and represented a significant annual investment programme that specifically supports Priority 3 and Priority 4 of the Corporate Plan. Details of the linkage between the LIP and Corporate Plan were shown in Appendix 2. TfL gave Boroughs the opportunity to bid for money annually to deliver projects in their LIP.

The plan covered both physical renewal and improvement of the Borough's transport infrastructure alongside softer measures to promote behaviour change and engage with wider safety, health and environmental objectives including air quality through support for more walking and cycling including for local businesses. The full detail of the submission was contained in Appendix 1.

Generally, TfL produced guidance setting out their funding priorities. However, the guidance for 2018/19 has been issued as interim LIP annual spending submission until the Mayor's Draft Transport Strategy is adopted later this year. This is in essence unchanged from that issued for 2017/18. TfL advise boroughs to submit their spending submission for 2018/19 on the assumption that funding.

In response to Councillor Carter's question, it was noted that the outcomes of the Green Lanes study were not published and the scope of the study did not just relate to Wightman Road but to the whole Green Lanes area. There was a meeting with the Green Lanes steering group, involving a number of stakeholders, on the options before consultation proceeds on each scheme.

The Cabinet Member for Environment added that The Transport Strategy was still in draft, but had overarching and clear commitments on walking and cycling and there would be action plans arising from the strategy for specific locations in the borough.

The Leader further elaborated with an example of the consistency between the Transport strategy and Green Lanes study and referred to the work in Seven Sisters ward to tackle pavement parking and safer cycling routes.

### **RESOLVED**

To approve the funding submission as set out in the appendix 1.

## **Reasons for decision**

The LIP submission provides a major source of funding to deliver the draft Haringey transport strategy projects and programmes.

## **Alternative options considered**

The Annual Spending Submission supports our approved LIP covering 2011 to 2031 and the priorities in the Corporate Plan and draft Transport Strategy. It is, therefore, not considered necessary to consider other options.

## **108. DISABILITY RELATED EXPENDITURE DISREGARD PROPOSAL**

The Cabinet Member for Adult Services and Social Care introduced the report which set out the outcome of the consultation which was undertaken between 17<sup>th</sup> July and 4<sup>th</sup> September 2017 on the proposal for Adult Services to operate a DRE [Disability related expenditure] of 40%, (£22.04 per week) by 2019/20 to deliver £328k savings.

The Cabinet Member provided assurance that there would be a phased reduction to meet the 40% threshold by 2019/20. It was important to note that residents would still be entitled to an assessment. Whilst being expected to make a fair contribution to their care, they would have protected from experiencing financial hardship.

In response to questions from Cllr Engert:

- Individual Assessments would ensure that no one would be in a situation where they cannot pay contributions to their cost of care.
- The boroughs listed were not outlier boroughs but those which had responded to the Council's request for information on their DRE policy.
- Given the level of cuts the Council was facing and the current wider financial climate, there was, unfortunately, a need to make smaller savings and this situation was unlikely to change.

## **RESOLVED**

1. To consider and take into account the feedback from the consultation undertaken.
2. To consider and take into account the equalities impact assessment of the proposals on protected groups.
3. To consider and take into account the actions proposed to mitigate the impact of the proposals on the protected group i.e. service users.

4. To approve the phased reduction in DRE disregard to 40% (£22.04) by 2019/20 and the offer of individual financial assessment for service users who are concerned about financial hardship.

### Reason for decision

The consultation highlighted that of the 20% of those people who responded 75% disagreed/strongly disagreed to increase charges by reducing the standard DRE, 60% did not feel they could financially manage an increase in their contribution of between £5.00 to £14.00 per week and 62% disagreed/strongly disagreed with bringing DRE in more in line with other Councils by 2019. The quantitative responses showed that the reason for this was mainly due to concerns around financial hardship and having to spend more money on their care.

In responding to questions that would mitigate these concerns, 47% of respondents indicated that they would take advantage of an individual financial assessment. This will continue to ensure that concerns around financial hardship and having to spend more money on care are offset by the assessment helping to identify additional expenses related to disability over and above the standard disregard and if appropriate reduce the contribution.

Therefore, if the proposal is agreed, as part of the implementation, everyone directly affected will be financially reviewed and offered an individual disability related expenditure assessment to identify additional expenditure above the standard disregard.

It should also be noted that if the individual assessment results in the actual expenditure being less than the standard disregard, then the standard would be applied in the assessment to ensure that people are not paying more as a result of the assessment.

The consultation document also outlined that the proposed reduction would be introduced over a period of time rather than a single step, explaining that the increase would be phased in from 01 December 2017 to 01 April 2019. The majority of responses (over 80%) agreed with this proposal.

The table below illustrates the increase in weekly charges as the standard disability related expenditure disregard is reduced from December 2017 to April 2019, providing those effected with the time to manage the impact more proactively

DRE reduces from:	Increase in contribution		
	From December 2017	From April 2018	From April 2019
£36.17 to £30.61	£5.56		
£30.61 to £25.04		£5.57	
£25.04 to £22.26			£2.78

(figures in the table are calculated using benefit rates and Department of Health guidance for 2017/18 and are subject to change).

It has also been identified that there are a number of further risks that may result from the introduction of the proposal, beyond those concerns of financial hardship and paying more for care. Firstly, that people will choose to reduce or cancel care and support which could have an adverse impact on their own health and wellbeing and secondly, and as a consequence of this, that this has a negative impact on their family carer(s), family members and/or friends who may have to provide additional care and support.

However, as it is proposed that everyone directly affected will be financially reviewed and offered an individual disability related expenditure assessment to identify additional expenditure above the standard disregard and the fact that the approach will be phased in over a 3-year period to allow people to plan and reorganise their finances, it is reasonable that these additional risks will be mitigated.

The financial context of this proposal is reflected in the Mid-Term Financial Strategy, 2017 – 2019, approved by Cabinet on 14<sup>th</sup> February 2017 and Full Council on 27<sup>th</sup> February 2017. This seeks to address the challenging financial climate faced by the Council over the coming years due to reducing funding and increasing demand. The proposal for Adult Services is *to operate a DRE of 40%, (£22.04 per week) by 2019/20* supports this challenged position by delivering £328k savings over this time and reduces the disparity between Haringey's more favourable level of disregard compared to other London Boroughs

Due consideration has been given to all the information available, that places an emphasis on balancing the response from the consultation, the concerns raised, the proposed mitigations and the challenged financial position of the Council.

Based on this it is felt that; the mitigations offered by the continued provision of an individual disability related expenditure assessment and a phased introduction of the proposal over three-year period; the requirements of the MTFS to deliver savings and the future financial sustainability of Adult Services; off-set the consultation responses which disagreed with the proposal and therefore mitigate the concerns raised.

### **Alternative Options Considered**

The main alternative option considered is that the current disability disregard of 65% is not reduced to 40% to deliver the MTFS savings proposal of £328k; however, this would result in serious financial gap, which would jeopardise the sustainability of services in the future, and leave Haringey as an outlier in terms of applying DRE disregard.

A further alternative considered was to move to a flat rate DRE disregard. This option could potentially deliver additional savings above the £328k by 2019/20, but has not been progressed at this stage as it was not proposed in current MTFS plans.

No further options have been considered given that those available to the service are limited, the financial reductions required, the need to ensure compliance with our statutory responsibilities, our commitment to the continued delivery of high quality



service provision that supports the needs of the people we support and ensuring future financial sustainability.

## **109. POSITIVE BEHAVIOUR SUPPORT SERVICE FRAMEWORK: AWARD OF CONTRACTS**

The Cabinet Member for Adult Social Care and Culture introduced the report which set out contract to enable stronger offer to improve the life outcomes for the most vulnerable social and health care users. These were mainly adults and young people with complex needs (including learning disabilities and/or autism), those who display behaviour that challenges and those with mental health conditions. The contract would improve community based intervention as part of wider strategy to promote independence and enable clients to live locally in the community.

Big Lottery Fund, England Committee, had also agreed to offer an in-principle award of up to £1,465,018 revenue funding (over four years) to Haringey Council to contribute towards the PBS contract provision.

### **RESOLVED**

To approve the proposal to enter into framework agreements with the successful tenderers listed in paragraph 3.2 to deliver Positive Behaviour Support (PBS) Services as allowed under Contract Standing Order (CSO) 9.07.1 (d), for a period of four (4) years.

Successful Tenderers were as follows:

- Care Management Group Limited
- Centre 404
- Dimensions (UK) Limited
- Support for Living Limited
- The Avenues Trust Group

### **Reasons for decision**

At a time of limited financial resources, the Council continues to seek innovative solutions to funding intervention that deliver good outcomes for local people, and especially for those with complex needs that present with behaviour that challenges. Haringey Council has a growing number of customers with complex needs and it expects to see a long-term increase in numbers of people with challenging behaviours.

For various reasons, those users with the highest and most complex needs have often been accommodated in health facilities or in the most expensive form of out of area residential provision. In these situations, the quality of life outcomes for vulnerable customers (mainly those with Learning Disabilities) are typically not good and there have been well publicised court cases (most recently Winterbourne View) where carers were found guilty of abusing vulnerable residents and jailed. A recent review of residential and nursing care undertaken by Haringey Public Health shows that the

customer group with the largest net expenditure per year is Learning Disability. This group also has the largest average net unit cost per person per year.

It is part of Haringey's objective to keep people healthy and living in their own communities for longer and to see a greater emphasis on promoting independence, dignity and choice, with care and support shifting away from institutional care towards community and home based support.

To address the gap in service provision for these customers, Haringey Council has undertaken a procurement process to commission a framework of a small number of specialist providers to deliver the evidence based PBS intervention in a community setting with the intention of preventing traditionally poorer quality of life outcomes particularly for Children and Adults with Learning Disabilities. This project aims to reach in total 98 customers over its life.

The main rationale for choosing a PBS approach is because of the strong evidence base and because it is a NICE best practice recommendation from the Department for Health for provision of community based care and support for Adults with Learning Difficulties. NICE issued a specific PBS guidance in 2015. The effectiveness of the intervention is also recognised by central's government Big Lottery's Fund Commissioning Better Outcomes program 'Commissioning for Better Outcomes' that has created the opportunity for Haringey Council to successfully bid for additional funding in order to be enabled to offer the PBS intervention in a community setting.

The Council's approach to providing outcomes based PBS Services is intended to reduce and/or prevent escalation of needs by offering bespoke interventions and a value for money service. The Service will be expected seamlessly to provide both care and support as defined by the needs of the individual. The appointed Providers will be expected to work with customers and their Carers, key Haringey teams such as the HCCG, clinicians, social care practitioners, Haringey's Learning Disabilities Partnership and Mental Health team in order to develop and implement successfully these individual outcomes plans.

Care and support services should aim to maximize an individual's independence and support the reduction of need, wherever possible, through the delivery of PBS Services, including making use of existing community resources and personal social networks.

In order to ensure that the Providers can offer a financial sustainable service for the whole duration of the project, they may choose, as deemed necessary, to access social investment to finance their operations and staffing structures. This approach aims to encourage particularly voluntary, community and social enterprises (VCSEs) and small and medium-sized enterprises (SMEs) organisations to also become part of this framework if they have the skillset to provide the particular intervention. Social investment provides such an option, as it:

- (i) Leverages funds from investors who want to put their money into causes that improves people lives, particularly vulnerable people;
- (ii) Ensures investment is only paid back to investors when outcomes are achieved; and

- (iii) Provides a 'catalyst' to schemes to grow and deliver good outcomes by providing additional funding up front, alongside existing investment from the local authority

Once Providers are on the framework, the performance will be judged by the extent to which the agreed outcomes are met and the extent to which an individual's independence is maintained with stable or decreased care and support levels. Providers, in partnership with the Council will be expected to develop review processes, to measure and record achievement of individual outcomes and to meet the requirements of the Council's Performance Monitoring Tool on which payment of the outcomes rewards will be based.

The outcomes payment model will be based along the following measures:

- (i) Eighty percent (80%) of the outcomes payment will be based on the successful transition of customers to a community based setting or on the sustained caring arrangement in family/parental home; and
- (ii) Twenty percent (20%) of the outcomes payment will be relevant to each customer individually and based on measures relevant to their respective improvements in quality of life outcomes. These include:
  - a) Reduction in incidents of behaviours that challenge.
  - b) Improvements in health conditions management.
  - c) Successful social and community integration/engagement.

The proposed providers will be appointed to the framework agreement because of their skill and expertise in delivering a high-quality service. The Council will therefore be placing reliance on their skill, expertise and judgment in providing PBS interventions and in working with the specific cohort. Providers will be expected to have a flexible approach to supporting vulnerable individuals and to take a holistic approach in planning, designing and delivering the service.

In summary, the main innovations Haringey Council is seeking to implement through this framework agreement are:

- (i) the design of the commissioning process with appropriate referral pathways that include inputs from the customer, their family, the social care and health teams and the Provider in order to address effectively and efficiently the needs of the most complex and costly customers in health and social care;
- (ii) an outcome based payment model with a basket of outcomes linked to the improvement in the individual quality of life measures for each customer; and
- (iii) access to social investment financing with its risk transfer benefit to encourage growth in VCSE Providers' capacity and capability;
- (iv) foster the development of a competent Provider market for this group of service users; and
- (v) reduce and/or prevent escalation of needs by offering bespoke interventions and a value for money service.

### **Alternative options considered**

The alternative options considered as part of this are set out below:

- a) **Do nothing (as is)** –The PBS is a new and innovative service and constitutes one of the few pilots of its kind in the country. To decide not to offer the intervention for our most complex and high cost clients especially as there was an opportunity to receive extra funding through the Big Lottery Fund programme would have disadvantaged the life outcomes of our highest need customers. Furthermore, it would have compromised the opportunity of Haringey Council and HCCG to provide more sustainable health and social care at a time where the public sector is facing unprecedented demand and budgetary pressures. The project could also be extended to include other Local Authorities in the country, such as the London Borough of Islington which has already decided to join the project. If we did not capitalise on the opportunity, we would still have to continue providing services to the same cohort based on less effective and financially efficient interventions. To offer the PBS service without the financial assistance from the Big Lottery Fund would have required significant investment from the Council to support providers to invest in specialist staff and expert support in order to enable them to offer the PBS service. As a result, the risk of the investment would have been fully borne by the Council.

#### **110. MINUTES OF OTHER BODIES**

##### **RESOLVED**

To note the minutes of the following:

Cabinet Member Signing – 5<sup>th</sup> October 2017  
Cabinet Member Signing – 10<sup>th</sup> October 2017  
Cabinet Member Signing – 12<sup>th</sup> October 2017  
Cabinet Member Signing – 13<sup>th</sup> October 2017  
Cabinet Member Signing – 17<sup>th</sup> October 2017  
Cabinet Member Signing – 25<sup>th</sup> October 2017  
Cabinet Member Signing - 31 October 2017

#### **111. SIGNIFICANT AND DELEGATED ACTIONS**

##### **RESOLVED**

To note the significant and delegated actions taken by directors in October 2017.

#### **112. NEW ITEMS OF URGENT BUSINESS**

None

#### **113. EXCLUSION OF THE PRESS AND PUBLIC**

##### **RESOLVED**

That the press and public be excluded from the remainder of the meeting as the item 20 contained exempt information, as defined under paragraph, 3 Part 1, schedule 12A of the Local Government Act 1972.

**114. POSITIVE BEHAVIOUR SUPPORT SERVICE FRAMEWORK: AWARD OF CONTRACTS**

As per item 109.

**115. NEW ITEMS OF EXEMPT URGENT BUSINESS**

None.

CHAIR: Councillor Claire Kober

Signed by Chair .....

Date .....

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